

**ORDINANCE NO. 998**

**AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE (SMC) TITLE 17, TO ESTABLISH A COMMERCE PARK ZONE**

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, the City of Stayton has adopted Title 17 of the Stayton Municipal Code as the Land Use and Development Code;

WHEREAS, SMC Title 17, Chapter 16, establishes the various zones within the City;

WHEREAS, the northwest corner of Wilco Road and W Washington St has been a vacant lot of record for over forty years without any development activity;

WHEREAS, The proposed new zone would allow greater flexibility for mixed use development;

WHEREAS, the Stayton Planning Commission has initiated the process for amending the Land Use and Development Code and following a public hearing, has recommended that the Stayton City Council enact proposed amendments; and

WHEREAS, the Stayton City Council, following a public hearing, does find that the amendments proposed by the Planning Commission are appropriate.

WHEREAS, the City Council makes the following findings regarding the proposed change to the Official Zoning Map:

- 1) *The proposed zone is consistent with the Comprehensive Plan map designation for the subject property unless a Comprehensive Plan Map amendment has also been applied for and is otherwise compatible with applicable provisions of the Comprehensive Plan.*

Findings: The Comprehensive Plan Map designation is Commercial.

- 2) *Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.*

Findings: There is a 10-inch water line on the north side of W Washington St and on the west side of Wilco Rd. There is an 8-inch sewer main on the west side of Wilco Rd and the north side of W Washington St. There is a 12-inch storm drain line in an easement that leads to Willamette Ave that serves the subject property.

- 3) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Findings: The City and Marion County have conceptual plans for the improvement to Wilco Road, W Washington St and the intersection of the two streets. Improvements will be required in accordance with these conceptual plans at the time of development.

- 4) *The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.*

Findings: Policy EC-2 calls for the City to enhance and protect the vitality of the City's existing commercial sector and encouraging the diversification of goods and services available to residents.

- 5) *Balance is maintained in the supply of vacant land in the zones affected by the zone change to meet the demand for projected development in the Comprehensive Plan. Vacant land in the proposed zone is not adequate in size, configuration or other characteristics to support the proposed use or development. A Zone Map Amendment shall not eliminate all available vacant land from any zoning designation.*

Findings: The Comprehensive Plan notes that there were 12 vacant lots zoned Commercial General comprising 6 acres of land in February 2011. Not including the parcels to be rezoned, the Planning Department reports a current inventory of 11 vacant lots zoned CG with total land area of 6 acres.

- 6) *The proposed zone amendment satisfies applicable provisions of Oregon Administrative Rules.*

Findings: Notice will be provided to the Department of Land Conservation and Development.

NOW, THEREFORE, the City of Stayton ordains:

**Section 1. SMC Title 17 Amended.** Stayton Municipal Code, Title 17, Chapters 4 and 16 are hereby amended as shown on Exhibit A attached hereto and incorporated herein.

**Section 2. Official Zoning Map Amended.** The Official Zoning Map is amended as follows:

Area to be changed from Commercial General to Commerce Park

Beginning at the intersection of the centerlines of Wilco Road and W Washington St and proceeding northerly along the centerline of Wilco Rd approximately 152 feet to a point on the extension of the northerly lot line of Lot 4 Block 1 of Stayton Industrial Park; thence westerly along extension of the northerly lot line of Lot 4 Block 1 of Stayton Industrial Park and along the northerly lot lines of Lot 4 and Lot 5 of Block 1 of Stayton Industrial Park to the northerly corner of Lot 5 Block 1 of Stayton Industrial Park; thence southwesterly to the northwester corner of Lot 5 Block 1 of Stayton Industrial Park; thence southeasterly along the west line of Lot 5 Block 1 of Stayton Industrial Park and an extension of the west line of Lot 5 block 1 to the centerline of W Washington St; thence northeasterly along the centerline of W Washington St to the Centerline of Wilco Rd and the point of beginning.

**Section 3. Effective Date.** This ordinance shall become effective 30 days after adoption by the Stayton City Council and the Mayor's signing.

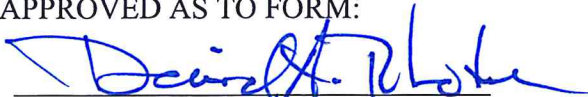
**Section 4.** A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 1<sup>st</sup> day of August, 2016.

Signed: Aug. 1, 2016 BY: Henry A. Porter  
Henry A. Porter, Mayor

Signed: Aug 1, 2016 ATTEST: Keith D. Campbell  
Keith D. Campbell,  
City Administrator

APPROVED AS TO FORM:

  
\_\_\_\_\_  
David A. Rhoten, City Attorney



**17.04.100****DEFINITIONS**

**LIVE-WORK UNIT:** a structure or portion of a structure:

1. That combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household; and
2. Where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed.

## **17.16.020 BASIC PROVISIONS**

1. **COMPLIANCE WITH CODE REQUIRED.** A lot may be used and a structure or part of a structure constructed, reconstructed, altered, occupied, or used only as this title permits, and then only after applying for and securing all permits and licenses required by all applicable laws.
2. **CLASSIFICATION OF ZONES.** In order to designate and regulate the size and use of structures and lands within the City, the City is hereby divided into the following zoning districts:

### Residential

- LD Low Density Residential
- MD Medium Density Residential
- HD High Density Residential

### Downtown (Added Ord. 902, May 7, 2008)

- CCMU Central Core Mixed Use (Added Ord. 902, May 7, 2008)
- DCMU Downtown Commercial Mixed Use (Added Ord. 930, November 18, 2010)
- DRMU Residential Mixed Use (Added Ord. 902, May 7, 2008)
- DMD Downtown Medium Density Residential (Added Ord. 902, May 7, 2008)

### Commercial

- CR Commercial Retail
- CG Commercial General
- ID Interchange Development
- CP Commerce Park

### Industrial

- IC Industrial Commercial
- IL Light Industrial
- IA Industrial/Agricultural

### Public

- P Public/Semi Public

### Overlay Districts

- NR Natural Resource Overlay District
- FP Flood Plain Overlay District

3. **OFFICIAL ZONING MAP**
  - a. The zones and their boundaries as specified in this title are shown upon a map which is designated as the "Official Zoning Map" of the City and which is hereby adopted as part of this code.
  - b. Such map shall constitute the official record of the zones within the City as of April 1, 2013 and thereafter as the map may be modified in accordance with the provisions of this title.
  - c. The official zoning map or its subsequent amendments shall be dated with the effective date of the ordinance which adopts the map or map amendments and signed by the City Recorder.
4. **ZONING OF ANNEXED LAND**

All lands which may hereafter be annexed to the City shall be zoned in conformance with the designation of the property on the Comprehensive Plan.

## **17.16.060 DISTRICT PURPOSES**

1. **LOW DENSITY RESIDENTIAL.** To provide for single family dwelling units and their accessory uses and, with conditional use approval, other uses compatible with single family dwelling units. Density shall not exceed 6 units per acre.
2. **MEDIUM DENSITY RESIDENTIAL.** To provide for single family, duplex, tri-plex, and mobile home parks, and other compatible uses with conditional approval. Density of development shall not exceed 12 dwelling units per acre.
3. **HIGH DENSITY RESIDENTIAL.** To provide for multifamily residential units, other compatible living units, their accessory structures and, with conditional use approval, other compatible uses. The minimum density shall be 13 units per acre. There shall be no upper limit to the maximum allowable dwelling density.
4. **DOWNTOWN MEDIUM DENSITY RESIDENTIAL.** To provide for compact residential development in proximity to the downtown core, subject to design requirements to assure a high level of quality. Density of development shall not be less than 10 dwelling units per acre and not exceed 15 dwelling units per acre.
5. **COMMERCIAL RETAIL.** To provide for retail, service, office, and other commercial activities, accessory uses and, with conditional use approval, other compatible uses. Not intended for exclusive residential uses although where the ground floor is devoted exclusively to commercial activities, residential units may be located on higher floor(s).
6. **COMMERCIAL GENERAL.** To provide for heavier commercial activities, their accessory structures, and other compatible uses. Not intended for exclusive residential uses although where the ground floor is devoted exclusively to commercial activities, residential units may be located on higher floor(s).
7. **INTERCHANGE DEVELOPMENT.** To assure that land located within 1,500 feet of a highway entrance/exit ramp is available for uses that are oriented to providing goods and services oriented to the traveling public. In providing for the location of highway-oriented service firms, it is essential that the principal function of the intersection (the carrying of traffic to and from the highway in a safe and expeditious manner) be preserved.

7-A **COMMERCE PARK.** To provide for a mix of retail and other commercial uses as well as small-scale light manufacturing. Residential uses are permitted, provided they are part of live-work development.

8. **CENTRAL CORE MIXED USE.** To promote compact commercial and mixed commercial-residential development within the central downtown area of the city. This district encompasses the existing core area of the downtown, centered on 3rd Avenue.
- 8-A **DOWNTOWN COMMERCIAL MIXED USE.** To promote compact commercial and mixed commercial-residential development the portion of the 2<sup>nd</sup> Avenue that has traditionally had a concentration of automobile repair and other auto-oriented businesses. Residential uses are permitted, ranging from 12 - 30 units per acre, including attached residential structures, condominiums, and townhouses, but also allowing appropriate commercial uses and mixed use developments.
9. **DOWNTOWN RESIDENTIAL MIXED USE.** To provide opportunities for residential, commercial and mixed use developments as part of the downtown area. This designation is applied to property north, west and east of the 3rd Avenue central core area, intended to become neighborhoods made up mainly of moderate-density residential uses, ranging from 12 - 30 units

per acre, including attached residential structures, condominiums, and townhouses, but also allowing appropriate commercial uses and mixed use developments.

10. INDUSTRIAL COMMERCIAL. To provide for a mixing of light industrial activities and service related commercial activities in a specific area to reduce conflicts between industrial and general commercial uses.
11. LIGHT INDUSTRIAL. To provide for light manufacturing, assembly, or storage areas that will not conflict with less intensive uses.
12. INDUSTRIAL AGRICULTURE. To provide for the retention of agricultural activities where such activities are compatible or desirable within the urban environment.
13. PUBLIC/SEMI-PUBLIC. To allow for the location and use of lands, buildings, and facilities that are used by the public in a manner that will not unreasonably disrupt or alter areas of the community.
14. NATURAL RESOURCES OVERLAY DISTRICT. To protect aquifers, the natural riparian area adjacent to the North Santiam River, Mill Creek, Stayton Ditch, Salem Ditch, and Lucas Ditch. The overlay district establishes siting criteria and operating standards that minimize environmental impacts.
15. FLOODPLAIN OVERLAY.DISTRICT. To protect lives and property from the periodic inundation of flood waters and to comply with federal flood control regulations as expressed in the National Flood Insurance Program.



**17.16.070**

**DISTRICT REGULATIONS**

1. PERMITTED AND CONDITIONAL USES. The land uses permitted in each district are shown in Table 17.16.070.1. When a property is in an overlay zone, the stricter regulations of the two zones shall apply.

P = Permitted Use

C = Conditional Use

S = Permitted Use after Site Plan Review for new construction or expansion of an existing structure. See Section 17.16.040.4 for existing structures

C/S = Conditional Use after Site Plan Review

= Prohibited Use

**Table 17.16.070.1 Permitted Land Use**

	LD	MD	HD	DMD	CR	CG	CP	CCMU	DCMU	DRMU	ID	IC	IL	IA	P
<b>RESIDENTIAL USES</b>															
1		P <sup>1</sup>		P <sup>1</sup>											
1a			S <sup>1</sup>	S <sup>1</sup>				C/S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>					
2	P <sup>1</sup>	P		P <sup>1</sup>											
3		P <sup>13</sup>		P <sup>13</sup>				C <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>					
4		S <sup>1</sup>		S <sup>1</sup>				C/S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>					
5			S <sup>1</sup>	S <sup>1</sup>	S <sup>2</sup>	S <sup>2</sup>		C/S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>					
6		S	S												
7													S		
7a					S	S	S	S	S	S			S	S	
8	P	P		P <sup>1</sup>											
9		S	S	S				C <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>					
<b>COMMERCIAL USES</b>															
<b>Retail Trade</b>															
10					S	S	S	S	S	S					
11					C/S	S	S	S							

Table 17.16.070.1 Permitted Land Use - cont.

	LD	MD	HD	DMD	CR	CG	CP	CCMU	DCMU	DRMU	ID	IC	IL	IA	P
12	Automotive Parts, Accessories, & Tire Stores				S	S	S	S	S	S					
13	Building Material & Supplies Dealers				S	S	S	S	S	S					
14	Lawn and Garden Equipment & Supplies Stores				S	S	S	S	S	S		S		S	
15	Food & Beverage Stores				S <sup>3</sup>	S	S <sup>1</sup>	S	S	S	S <sup>4</sup>				
16	Gasoline Stations				S	S	S				S				
17	General Merchandise Stores				S <sup>3</sup>	S	S	S	S	S					
18	Gift & Novelty stores				S	S	S	S	S	S					
19	Manufactured Home Dealers						S					S			
20	Direct Selling Establishments (except food)					S	S					C			
<b>Finance and Insurance</b>															
21	Commercial Banking & Related Activities				S	S	S	S	S	S	S <sup>14</sup>				
22	Securities, Other Financial Investments & Related Activities				S	S	S	S	S	S					
23	Insurance Carriers & Related Activities				S	S	S	S	S	S					
<b>Professional, Scientific and Technical Services</b>															
24	Offices of Professionals providing Legal, Accounting, Tax Preparation, Bookkeeping, Payroll, Advertising & Related Services				S	S	S	S	S	S					
25	Offices of Physicians, Dentists, & Other Health Practitioners				S	S	S	S	S	S					
26	Outpatient Care Centers				S	S	S	S	S	S		S			
27	Medical & Diagnostic Laboratories					S	S	S	S	S		S			
28	Home Health Care Services					S	S	S	S	S		S			
29	Architectural, Engineering, & Related Services				S	S	S	S	S	S		S			
30	Specialized Design Services				S	S	S	S	S	S		S			
30a	Photographic Services				S	S	S	S	S	S		S			

Table 17.16.070.1 Permitted Land Use - cont.

	LD	MD	HD	DMD	CR	CG	CP	CCMU	DCMU	DRMU	ID	IC	IL	IA	P
31					S	S	S	S	S	S					
32					C/S	S	S	S	S	S		S			
33					S	S	S	S	S	S					
33a					S	S	S	S	S	S		S			
	<b>Information</b>														
34						S	S	S	S	S		S			
35					S	S	S	S	S	S					
36					S	S	S	S	S	S					
37					S	S	S	S	S	S		S			
37a			C/S		C/S	C/S	C/S	C/S	C/S	C/S					
38					S	S	S	S	S	S					S
	<b>Real Estate and Rental and Leasing</b>														
39					S	S	S	S	S	S					
40						C/S	C/S					S	S		
41						C/S	C/S		S			S			
42															
43					C/S	S	S	S	S	S					
44							S					S	S		

Table 17.16.070.1 Permitted Land Use - cont.

	LD	MD	HD	DMD	CR	CG	CP	CCMU	DCMU	DRMU	ID	IC	IL	IA	P
<b>Management of Companies and Enterprises</b>															
45					S	S	S	S	S	S					
<b>Arts, Entertainment and Recreation</b>															
46					S	S	S	C/S	C/S	C/S				S <sup>5</sup>	S <sup>6</sup>
46a					S	S	S	S	S	S					
47								S	S	S					S
48															
49															S
50					S	S	S	C/S			S				S
51											S				
52	C	C	C	C	S	S		S	S	S	S				
53					S	S	S	S	S	S	S				
54					S	S	S								
<b>Administrative Support Services</b>															
55					S	S	S	S		S					
56						S	S	S		S		S			
57					S	S	S	S		S					
58					S	S	S	S		S					
59					S	S	S	S		S					
60							S					S	S		
61						S	S					S	S		
62						S	S					S	S		S
<b>Other Services</b>															
63					S	S	S		S						

Table 17.16.070.1 Permitted Land Use - cont.

	LD	MD	HD	DMD	CR	CG	CP	CCMU	DCMU	DRMU	ID	IC	IL	IA	P
63a						S	S								
64	Heavy Automotive Repair Automotive Body, Paint, Interior, and Glass Repair					C/S	C/S		S			S	S		
65	Automobile Oil Change & Lubrication Shops				C/S	S	S					S			
66	Car Washes				C/S	S	S					S			
67	Electronic & Precision Equipment Repair & Maintenance					S	S								
68	Commercial & Industrial Machinery & Equipment (except Automotive & Electric) Repair & Maintenance						S					S	S		
69	Personal & Household Goods Repair & Maintenance					S	S		S	S		S			
70	Personal Care Services					S	S		S	S					
71	Funeral Homes & Funeral Services				S	S	S		S	S					
72	Cemeteries & Crematories					S	S		S	S					S
73	Dry Cleaning & Laundry Services				S	S	S		S	S					
74	Photofinishing				S	S	S		S	S					
75	Parking Lots and Garages				S	S	S		S	S					S
<b>INDUSTRIAL USES</b>															
<b>Manufacturing</b>															
76	Food Manufacturing (except for animal slaughtering and processing and seafood preparation)				S	S	S					S	S	C/S'	
77	Beverage Manufacturing						S					S	S		
78	Textile Mills & Textile Product Mills						C/S						C/S		
79	Apparel & Leather Manufacturing						S					S	S		
79a	Wood Products Manufacturing						C/S						C/S		

Table 17.16.070.1 Permitted Land Use - cont.

	LD	MD	HD	DMD	CR	CG	CP	CCMU	DCMU	DRMU	ID	IC	IL	IA	P
80	Paper Mills & Paperboard Mills						S						S		
81	Converted Paper Product Manufacturing						S						S		
82	Printing & Related Support Activities				S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>		S	S		
83	Chemical, Plastics, Rubber Products, & Nonmetallic Mineral Products Manufacturing												C/S		
84	Primary Metal Manufacturing												C/S		
85	Fabricated Metal Product Manufacturing						S					S	S		
86	Machinery Manufacturing						S					S	S		
87	Computer & Electronic Product Manufacturing						S					S	S		
88	Electrical Equipment, Appliance & Component Manufacturing						S					S	S		
89	Transportation Equipment Manufacturing						S					S	S		
90	Furniture & Related Product Manufacturing						S					S	S		
91	Miscellaneous Manufacturing						S					S	S		
	<b>Construction</b>														
92	Building Construction Contractors						S					S	S		
93	Heavy & Civil Engineering Construction Contractors						S					S	S		
94	Specialty Trade Contractors						S					S	S		
	<b>Transportation and Warehousing</b>														
95	Air Transportation (passenger or freight)						C/S <sup>9</sup>						C/S <sup>9</sup>		C/S
96	Rail Transportation												S		
97	Truck Transportation (general freight & specialized freight)						S					S	S		

Table 17.16.070.1 Permitted Land Use - cont.

	LD	MD	HD	DMD	CR	CG	CP	CCMU	DCMU	DRMU	ID	IC	IL	IA	P
98	Transit & Ground Passenger Transportation (amended by Ord. 906, June 16, 2008)				C/S	S	S	C/S	C/S	C/S		S	S		S
99	Motor Vehicle Towing						S					S	S		
100	Postal Service					S	S	S	S	S					S
101	Couriers & Messenger Service				C/S	S	S	S	S	S					
102	Warehousing & Storage (except self-storage)						S					S	S		
103	Automotive Wrecking Yard, Junkyard											S	C/S		
104	Boat & RV Storage											S			
	<b>Wholesale Trade</b>														
105	Merchant Wholesalers					C/S	C/S								
106	Wholesale Electronic Markets & Agents & Brokers					S	S					S			
107	Electric Power Generation Facilities												S		C/S
108	Electricity Transmission & Distribution Facilities											S	S	S	S
109	Natural Gas Distribution Facilities											S	S		S
110	Water or Sewage Treatment Plants											S	S		S
	<b>Waste Management and Remediation Services</b>														
111	Water or Sewage Collection or Distribution Facilities & Pump Stations	S	S	S	S	S	S	S	S	S	S	S	S	S	S
112	Solid Waste Collection Facilities														
113	Solid Waste Treatment and Disposal												S		S
114	Waste Remediation Services													C/S	S
115	Materials Recovery Facilities						S						S		S <sup>6</sup>
	<b>AGRICULTURAL USES</b>														
116	Crop Production						S <sup>15</sup>					S <sup>15</sup>	S <sup>15</sup>	S	S



Table 17.16.070.1 Permitted Land Use - cont.

	LD	MD	HD	DMD	CR	CG	CP	CCMU	DCMU	DRMU	ID	IC	IL	IA	P
<b>PUBLIC INSTITUTIONS</b>															
<b>Public Administration</b>															
117					S	S	S	S	S	S					S
<b>Health and Social Assistance</b>															
118					C/S	S	S								S
119	C	C	C/S												
<b>Educational Services</b>															
120	C/S	C/S	C/S		S	S	S	S	S	S	S	S	S <sup>10</sup>		S <sup>10</sup>
121	P	P	P				P	P	P	P					
122					S	S	S	S	S	S					S
123					S	S	S	S	S	S					
124					S	S	S	S	S	S					
125					S	S	S	S	S	S					S
<b>Religious and Civic Organizations</b>															
126							S	S	S	S					S
127					S	S	S	S	S	S					
<b>ACCESSORY &amp; OTHER USES</b>															
128	C	C	C		P	P	P	P	P	P	P	P	P	C	P
129	C	C	C		C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C	C/S
130	P	P	P <sup>11</sup>		P	P	P	P	P	P					
131	P	P	P		P	P	P	P	P	P	P	P	P	P	P
132	P	P	P		P	P	P	P	P	P	P	P	P	P	P
133					P	P	P	P	P	P				P	P
134														P	P



Notes to Table 17.16.070.1

- <sup>1</sup> Subject to design requirements, see Chapter 17.20
- <sup>2</sup> Only as part of mixed use development, and not on the ground floor
- <sup>3</sup> Limited to 10,000 square feet gross floor area
- <sup>4</sup> Convenience stores only
- <sup>5</sup> Limited to arenas and fairgrounds
- <sup>6</sup> Only owned by a public/semi-public entity
- <sup>7</sup> Fruit and Vegetable Canning, Pickling, Freezing, and Drying only
- <sup>8</sup> Quick printing or under 10,000 square feet gross floor area
- <sup>9</sup> Heliport only
- <sup>10</sup> As an accessory use only
- <sup>11</sup> Only if no employees other than residents, otherwise, C
- <sup>12</sup> Only one single family or manufactured home per lot
- <sup>13</sup> Site plan review is required if there is more than one duplex on a parcel.
- <sup>14</sup> With no less than two drive-thru lanes and a drive-up automatic teller machine.
- <sup>15</sup> Indoors only.

2. DIMENSIONAL REQUIREMENTS FOR LOTS.

- a. All lots shall comply with the minimum requirements of Table 17.16.070.2. Additional requirements may be imposed by other provisions of this Code. It is a violation of this Code to create a lot which does not meet the dimensional requirements of this section.

**Table 17.16.070.2 Minimum Dimensional Requirements for Lots**

	LD	MD	HD	DMD	CR	CG	ID	CP	CCMU	DCMU	DRMU	IC	IL	IA	P
Lot Area (square feet) <sup>1</sup>	8,000 <sup>2</sup>	7,000 <sup>3</sup>	6,000	7,000	0	0	0	0	0	0	0	0	0	5 acres	0
Lot Width (feet)	80 <sup>4</sup>	70 <sup>4</sup>	60 <sup>4</sup>	40	0	0	0	0	0	0	0	0	0	0	0
Average Width (feet)	80	70	60	40	0	0	0	0	0	0	0	0	0	0	0

Notes to Table 17.16.070.2

- <sup>1</sup> The decision authority may require larger lot areas at the time a partition or subdivision is approved if they determine that it is necessary to do any of the following:
  - a. Protect natural drainage ways.
  - b. Provide drainage or utility easement.

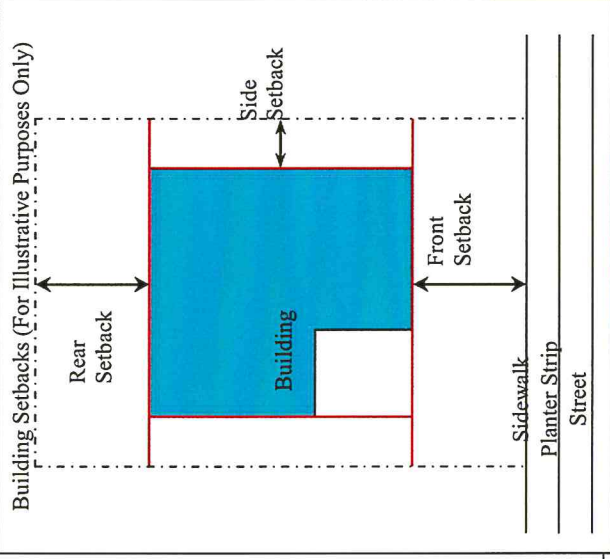
- c. Protect future right-of-way.
  - d. Protect unbuildable steep slope areas above 15 percent slope.
  - e. Protect flood plain hazard or wetland areas.
- 2 10,000 square feet for all lots east of a north-south line from the north City limits to the south City limits running along the center line of Tenth Avenue
- 3 A tri-plex requires a minimum lot area of 10,500 square feet
- 4 40 feet for lots with frontage on a cul-de-sac

3. DIMENSIONAL REQUIREMENTS FOR STRUCTURES.

- a. All structures shall comply with the requirements of Table 17.16.070.3. Setback requirements are minimum requirements. Building height is a maximum requirement. Additional requirements may be imposed by other provisions of this Code.

Table 17.16.070.3 Dimensional Requirements for Structures

	LD	MD	HD	DMD	CR	CG	ID	CP	CCMU	DCMU	DRMU	IC	IL	IA	P
Front Yard Setback (feet) <sup>1</sup>	20 <sup>2</sup>	20 <sup>2</sup>	20 <sup>2</sup>	-- <sup>8</sup>	0	0	0	0	-- <sup>8</sup>	-- <sup>8</sup>	-- <sup>8</sup>	0	0	0	0
Side Yard Setback (feet)	5	5	5	-- <sup>8</sup>	0 <sup>3</sup>	0 <sup>3</sup>	0 <sup>3</sup>	0 <sup>4</sup>	-- <sup>8</sup>	-- <sup>8</sup>	-- <sup>8</sup>	0 <sup>4</sup>	0 <sup>4</sup>	0	0 <sup>3</sup>
Rear Yard Setback (feet)	20	15	15	-- <sup>8</sup>	0 <sup>3</sup>	0 <sup>3</sup>	0 <sup>3</sup>	0 <sup>4</sup>	-- <sup>8</sup>	-- <sup>8</sup>	-- <sup>8</sup>	0 <sup>4</sup>	0 <sup>3</sup>	0	0 <sup>3</sup>
Building Height (feet) <sup>5</sup>	35 <sup>6</sup>	35 <sup>6</sup>	-- <sup>4</sup>	-- <sup>8</sup>	60 <sup>7</sup>	60 <sup>7</sup>	60 <sup>7</sup>	-- <sup>4</sup>	-- <sup>8</sup>	-- <sup>8</sup>	-- <sup>8</sup>	-- <sup>4</sup>	-- <sup>4</sup>	-- <sup>4</sup>	60 <sup>7</sup>



Notes to Table 17.16.070.3

- <sup>1</sup> Front setbacks are also subject to the requirements of Section 17.20.080
- <sup>2</sup> 25 feet to a garage entrance, except a garage on a back lot or flag lot.
- <sup>3</sup> 10 feet when adjacent to a residential district, or as may be established through a site plan review
- <sup>4</sup> As may be established through a site plan review
- <sup>5</sup> Chimneys and antennas may exceed this limit. The maximum height of antennas shall be 55 feet, unless conditional use approval is obtained.
- <sup>6</sup> Or 2 ½ stories
- <sup>7</sup> Chimneys and antennas may exceed this limit. The maximum height of antennas shall be 15 feet above the highest point of the principal structure existing on the structure unless conditional use approval is obtained.
- <sup>8</sup> See the requirements of Section 17.16.080 further details and requirements.

4. ADDITIONAL REGULATIONS FOR SINGLE FAMILY DWELLINGS AND MANUFACTURED HOMES ON INDIVIDUAL LOTS.

- a. Within the Low Density and Medium Density Residential Districts, all new single-family dwelling, subject to the following development standards:
- 1) Floor Area. A conventional dwelling shall have a minimum floor area of 1,000 square feet.
  - 2) (Repealed Ord. 898, August 20, 2007)
  - 3) Design Features. All new single family dwellings, including manufactured homes, shall contain the following design feature requirements:
    - a) Attached or detached garage with exterior materials matching the home. (Ord. 898, August 20, 2007)
    - b) Gutters and downspouts.
  - 4) In addition, new single family dwellings, including manufactured homes, shall contain at least 4 of the following design elements on the side(s) of the home which fronts on a street to provide architectural relief:
    - a) Dormers or gables.
    - b) Cupolas.
    - c) Bay or bow windows.
    - d) Exterior shutters.
    - e) Recessed entries.
    - f) Front porch of at least 100 square feet, which may extend into the required front yard.
    - g) Covered porch entries.
    - h) Pillars or posts in the front entry area.
    - i) Roof with pitch greater than 3 feet in height per each 12 feet in length.
    - j) Front-side exterior brickwork or masonry.
  - 5) BUILDING ORIENTATION. If the lot fronts a public street, the architectural front of the single family home shall face the street.
- b. In the Low Density and Medium Density Districts, manufactured homes on individual lots shall meet the following development standards:
- 1) Floor Area. The manufactured home shall have a minimum floor area of 1,000 square feet.
  - 2) Width. The manufactured home must be at least 24 feet in width.
  - 3) Roof. The manufactured home must have a composition asphalt, fiberglass, shake, or tile roof with a nominal pitch of 3 feet in height for each 12 feet in length.
  - 4) Exterior Siding. The manufactured home must have standard wood siding, T-111 wood siding, or other siding with the same exterior appearance as T-111 or standard wood siding.

- 5) Garage. The manufactured home must have a garage with exterior materials matching the manufactured home. The garage shall be placed on the property prior to occupancy of the manufactured home.
- 6) Masonry Perimeter. The base of the manufactured home must be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or combination thereof. The home shall sit so that no more than 12 inches of the enclosing material is exposed above grade. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home.
- 7) If the manufactured home is placed on a basement, the 12-inch limitation will not apply.
- 8) Performance Standards. The exterior thermal envelope must meet the energy performance standards specified by state law for single-family dwellings.
- 9) Hauling Mechanisms. The transportation mechanisms, including wheels, axles, and hitch, shall be removed.
- 10) Design Features. All manufactured homes shall comply with the design feature requirements in Section 17.16.070.4.a.
- 11) Development Requirements. In addition to the above requirements, the manufactured home shall comply with the development requirements, including lot areas, setbacks, height limitations, and other standards, for single family dwellings in the underlying zone.

## 17.16.110                    COMMERCE PARK ZONE

1. PURPOSE. The purpose of the Commerce Park Zone is to provide opportunities for mixed use development in a flexible manner on a campus-like setting. The uses permitted include, smaller-scale industrial uses as well as most commercial uses. Residential uses are permitted as part of live-work developments where the commercial and residential spaces are part of the same occupancy.
2. USE RESTRICTIONS. In addition to the restriction contained in section 17.16.070, the following additional restrictions apply with the Commerce Park Zone.
  - a. Within the CP Zone the maximum ground coverage of any individual buildings shall be 30,000 square feet.
  - b. Within the CP Zone, each manufacturing use is limited to 10,000 gross floor area.
  - c. The site design and architectural standards of Section 17.20.200.3 and 17.20.200.4 do not apply. The site design and architectural standards of Section 17.20.230.2 and 17.20.230.3 shall apply.

