

CHAPTER 2 — Land Use Districts

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- 2.2 Residential (R) Districts
- 2.3 Commercial (C) Districts
- 2.4 Industrial (I) Districts
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Chapter 2.1 - Organization of Land Use Districts

Sections:

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- 2.1.200 Land Use District Map**
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2.1.100 Classification of Land Use Districts

Every parcel, lot, and tract of land within the city limits of the City of Cottage Grove is designated with a land use (zoning) district. The use of land is limited to the uses allowed by the applicable land use district and/or overlay zone. The applicable land use districts and overlay zone(s) are determined based on the Land Use District Map and the provisions of this Chapter, which shall be consistent with the City of Cottage Grove Comprehensive Plan, as indicated in Table 2.1.100.

Table 2.1.100 Land Use Districts

Comprehensive Plan Designation	Applicable Land Use District
Low Density Residential	Single Family Restricted (R) Single Family Residential (R-1)
Medium Density Residential	Multifamily Residential (R-2) Residential Commercial (RC) Mobile Home Park (MHP)
High Density Residential	Multifamily Residential (R-3) Residential Commercial (RC)
Residential Commercial	Residential Commercial (RC)
Central Business District	Central Business District (C-2)
Community Commercial	Community Commercial (C-2P) Residential Commercial (RC)
Commercial Tourist	Commercial Tourist (CT) Limited Commercial Tourist (CT/L)
Industrial	Light Industrial (M-1) Heavy Industrial (M-2) Business Park (BP)

2.1 – Organization of Land Use Districts

Public/Quasi Public	Parks & Recreation (PR)
Parks & Open Space	Parks & Recreation (PR)
Combining Districts	Airport Overlay (AO) Historic Preservation (HP) Willamette River Greenway (GR)

2.1.200 Land Use District Map

- A. Consistency with Land Use District Map.** The boundaries of the land use districts contained within this chapter shall coincide with the land use district boundaries identified on the City’s official zoning map. Said map by this reference is made a part of this Development Code. The official zoning map, and any map amendments, shall be maintained by the City. See Chapter 6 for a compilation of recent map amendments.

- B. Applicability of land use standards.** Each lot, tract, and parcel of land or portion thereof within the land use district boundaries designated and marked on the zoning map is classified, zoned and limited to the uses hereinafter specified and defined for the applicable land use district.

2.1.300 Determination of Land Use District Boundaries

Where due to the scale, lack of scale, lack of detail or illegibility of the City zoning map, or due to any other reason, there is uncertainty, contradiction or conflict as to the intended location of a district boundary line, the boundary line shall be determined by the Community Development Director in accordance with all of the following criteria:

- A. Rights-of-way.** Boundaries indicated as approximately following the center lines of streets, highways, railroad tracks, alleys, irrigation canals, bridges, or other right-of-way shall be construed to follow such center lines. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same land use district designation that is applicable to lands abutting the vacated areas. In cases where the right-of-way formerly served as a land use district boundary, the lands within the right-of-way now vacated shall be allocated proportionately among the subject land use districts;
- B. Parcel, lot, tract.** Boundaries indicated as approximately following the boundaries of a parcel, lot, or tract shall be construed as following such boundaries;
- C. Jurisdiction boundary.** Boundaries indicated as approximately following a City or County boundary, or the Urban Growth Boundary, shall be construed as following said boundary; and
- D. Natural features.** Boundaries indicated as approximately following a river, stream, drainage channel, drainage basin, topographic contour or other changeable natural feature not corresponding to any feature listed in subsection A-C, above, shall be construed as following such feature, except that the location may be corrected administratively through a Type II (Code Interpretation) procedure, in accordance with Chapter 4.8.

Chapter 2.2 - Residential Districts

Sections:

- 2.2.100 Residential Districts – Purpose**
- 2.2.110 Residential Districts – Allowed Land Uses**
- 2.2.120 Residential Districts – Development Standards**
- 2.2.130 Residential Districts – Setback Yards and Build-To Line: Exceptions, Reverse Frontage Lots, Flag Lots, Garage/Carport**
- 2.2.140 Residential Districts – Infill Standards**
- 2.2.150 Residential Districts – Housing Density**
- 2.2.160 Residential Districts – Lot Coverage and Impervious Surfaces**
- 2.2.170 Residential Districts – Building Height: Measurement, Exceptions, R and R-1 Step-Down Requirement**
- 2.2.180 Residential Districts – Building Orientation**
- 2.2.190 Residential Districts – Architectural Design Standards**
- 2.2.200 Residential Districts – Special Use Standards**

2.2.100 Residential Districts – Purpose

The Residential Districts are intended to promote the livability, stability and improvement of the City’s neighborhoods. Six districts are provided: 1) The Restricted Residential (R) zone is intended primarily for household living at lower densities in areas with development restrictions such as steep slopes; 2) The Single Family Residential (R-1) district is intended primarily for household living at low densities, with parks, schools, places of worship, and other supportive services that are at an appropriate neighborhood scale; 3) The Medium Density Multiple Family (R-2) district is intended to accommodate a wider variety of housing types and more intensive land use than the R-1 district; 4) The Mobile Home Park District is intended to accommodate existing mobile home parks; 5) The High Density Multiple Family Residential (R-3) district is intended to accommodate higher density residential development near commercial areas, with a mix of types of multifamily housing types adjacent to highways, major arterials and collector streets; and 6) The Residential-Commercial (RC) district is intended to combine a variety of housing similar to the R-2 district with public and commercial services at an appropriate neighborhood scale to provide a transitional zone between residential and commercial zones.

This chapter provides standards for land use and development in each of the six districts, based on the following principles:

- Promote the orderly expansion and improvement of neighborhoods.
- Make efficient use of land and public services and implement the Comprehensive Plan.
- Designate land for the range of housing types and densities needed by the community, including owner-occupied and rental housing.
- Provide flexible lot standards that encourage compatibility between land uses, efficiency in site design, and environmental compatibility.
- Provide for compatible building and site design at an appropriate neighborhood scale;

2.2 – Residential (R) Land Use Districts – Purpose

provide standards that are in character with the landforms and architecture existing in the community.

- Apply the minimum amount of regulation necessary to ensure compatibility with existing residences, schools, parks, transportation facilities, and neighborhood services.
- Reduce reliance on the automobile for neighborhood travel and provide options for walking and bicycling.
- Provide direct and convenient access to schools, parks and neighborhood services.
- Maintain and enhance the City’s historic architecture and historic neighborhoods.

2.2.110 Residential Districts – Allowed Land Uses

Table 2.2.110 identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and uses are defined in Chapter 1.3 and 1.4.

Table 2.2.110 – Land Uses Allowed in Residential Districts (R, R-1, R-2, R-3, RC)

Key:

- P = Permitted, subject to land use/site review**
- S = Permitted with standards (Section 2.2.220)**
- CU = Conditional Use permit required (Chapter 4.4)**
- MP = Master Plan required (Chapter 4.5)**
- N = Not permitted**

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Residential Restricted (R)	Low Density Residential (R-1)	Medium Density Residential (R-2)	Mobile Home Park (MHP)	High Density Residential (R-3)	Residential Commercial (RC)
Residential Categories						
Household Living						
Single Family (not attached)	P	P	P	N	N	CU
Accessory Dwelling, per Section 2.2.200.	S	S	S	N	N	S
Duplex (2 dwellings sharing a common wall on one lot)						
■ One duplex on a corner lot	N	P	P	N	N	P
■ One duplex on interior lot	N	P	P	N	N	P
■ More than one duplex (4+ units) attached, per Section 2.2.200	N	N	S	N	S	S

2.2 – Residential (R) Land Use Districts – Allowed Land Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Residential Restricted (R)	Low Density Residential (R-1)	Medium Density Residential (R-2)	Mobile Home Park (MHP)	High Density Residential (R-3)	Residential Commercial (RC)
Single Family Attached (2 or more common-wall single family dwellings), each on its own lot, per Section 2.2.200	N	S	S	N	S	S
Cottage Cluster (2-4 single family dwellings on one lot, oriented to an alley or common green, and each containing 1200 square feet or less of floor area)	CU	CU	CU	N	CU	P
Manufactured Home, per Section 2.2.200	S	S	S	S	N	CU+S
Zero Lot Line Housing (not common wall), per Section 2.2.200	N	N	S	N	S	S
Multifamily (3 or more dwellings on lot), except as provided for Cottage Housing (includes Senior Housing, Assisted Living, and Single Room Occupancy Uses, but not Group Living)	N	N	S	S	S	S

2.2 – Residential (R) Land Use Districts – Allowed Land Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Residential Restricted (R)	Low Density Residential (R-1)	Medium Density Residential (R-2)	Mobile Home Park (MHP)	High Density Residential (R-3)	Residential Commercial (RC)
Group Living						
Group Home, per Section 2.2.200	S	S	S	N	S	S
Group Facility, per Section 2.2.200	N	N	S	N	S	S
Congregate Care Facility	N	N	N	N	CU	CU
Assisted Living Facility, Nursing Home (licensed by State)	CU	CU	CU	N	CU	CU
Commercial Categories						
Drive-up/Drive-in/Drive-through (drive-up windows, kiosks, ATM's, similar uses/facilities), per Section 2.3.190	N	N	N	N	N	N
Bed and Breakfast Inn	S	S	S	N	S	S
Educational Services, not a school (e.g., tutoring or similar services), gross floor area limited to 2,000 square feet per use	N	N	CU	N	CU	P
Entertainment, Major Event	N	N	N	N	N	N
Home Occupation	S	S	S	S	S	S

2.2 – Residential (R) Land Use Districts – Allowed Land Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Residential Restricted (R)	Low Density Residential (R-1)	Medium Density Residential (R-2)	Mobile Home Park (MHP)	High Density Residential (R-3)	Residential Commercial (RC)
Cottage Industry, per Section 2.2.200 and 4.9.200	CU+S	CU+S	CU+S	CU+S	CU+S	CU+S
Office, floor area limited to 2,000 square feet per use	N	N	N, or through MP	CU	CU	P
Outdoor recreation, Commercial	N	N	N	N	N	N
Quick Vehicle Servicing or Vehicle Repair	N	N	N	N	N	N
General Commercial Retail Sales and Service, gross floor area limited to 2,000 square feet per use	N	N	N, or through MP	CU	CU	P
Downtown Retail Sales and Service	N	N	N	N	P	P
Tourist Commercial Retail Sales and Service	N	N	N	N	N	N
Self-Service Storage	N	N	N	N	N	N
Industrial Categories						
Light or Medium/Heavy Industrial Service, enclosed in primary building	N	N	N	N	N	CU

2.2 – Residential (R) Land Use Districts – Allowed Land Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Residential Restricted (R)	Low Density Residential (R-1)	Medium Density Residential (R-2)	Mobile Home Park (MHP)	High Density Residential (R-3)	Residential Commercial (RC)
Light or Medium/Heavy Industrial Service, not enclosed	N	N	N	N	N	N
Manufacturing and production, enclosed in primary building	N	N	N	N	N	CU
Warehouse and Freight Movement	N	N	N	N	N	N
Waste-Related	N	N	N	N	N	N
Wholesale Sales	N	N	N	N	N	N
Institutional Categories						
Basic Utilities	P	P	P	P	P	P
Colleges	CU	CU	CU	N	CU	CU
Community Service, no drive-up uses <ul style="list-style-type: none"> ■ limited to 2,000 square feet gross floor area ■ exceeding 2,000 square feet gross floor area 	N N	N N	N N	N N	CU N	P CU
Family Child Care (12 or fewer children) under ORS 657A.250	P	P	P	P	P	P
Child Care	N	CU+S	CU+S	CU+S	S	S

2.2 – Residential (R) Land Use Districts – Allowed Land Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Residential Restricted (R)	Low Density Residential (R-1)	Medium Density Residential (R-2)	Mobile Home Park (MHP)	High Density Residential (R-3)	Residential Commercial (RC)
Parks and Open Space	CU	CU	CU	CU	CU	CU
Parks and Open Space, when designated on an adopted Specific Area Plan, or when part of a subdivision application (Chapter 4.3) or Master Planned Development application (Chapter 4.5)	P	P	P	P	P	P
Religious Institutions and Houses of Worship	CU	CU	CU	CU	CU	CU
Schools	CU	CU	CU	CU	CU	CU
Other Categories						
Accessory Structures (with a permitted use) <ul style="list-style-type: none"> ■ no taller than 14 ft. and no larger than 600 square feet of building footprint ■ taller than 14 ft. or larger than 600 square feet of building footprint 	P	P	P	P	P	P
	CU	CU	CU	CU	CU	CU

2.2 – Residential (R) Land Use Districts – Allowed Land Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Residential Restricted (R)	Low Density Residential (R-1)	Medium Density Residential (R-2)	Mobile Home Park (MHP)	High Density Residential (R-3)	Residential Commercial (RC)
<ul style="list-style-type: none"> - Temporary Fireworks Sales - Christmas Tree Lots - Similar uses - Temporary Food Vendors (not enclosed in building) 	<p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p>	<p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p>	<p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p>	<p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p>	<p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p> <p style="text-align: center;">N</p>	<p style="text-align: center;">CU</p> <p style="text-align: center;">CU</p> <p style="text-align: center;">CU</p> <p style="text-align: center;">P</p>
Transportation Facilities (operation, maintenance, preservation and construction)	<p style="text-align: center;">P</p>					
Community Garden	<p style="text-align: center;">CU</p>					

2.2.120 Residential Districts – Development Standards

The development standards in Table 2.2.120 apply to all uses, structures, buildings, and development, and major remodels, in the Residential Districts. *Note: MHP standards are specified in Section 2.2.200.I.*

**Table 2.2.120 – Development Standards for Residential Districts (R, R-1, R-2, R-3, RC)
(except as modified by 2.2.140 – Residential Infill Standards)**

Standard	R	R-1	R-2	R-3	RC
<i>Density (DU/acre) – Minimum and Maximum</i>	3.0 min 5.0 max	4.0 min 6.0 max	6.0 min 12.0 max	10.0 min	6.0 min 12.0 max
<i>Minimum Lot Area* (square feet)</i>					
Single Family, not attached	10,000 sf	6,000 sf	5,500 sf	N/A	N/A
Single Family, attached	N/A	3,500 sf	3,000 sf	2,000 sf	3,000 sf
Duplex on corner lots	N/A	7,000 sf	7,000 sf	N/A	7,000 sf
Duplex on interior lots	N/A	9,000 sf	7,000 sf	N/A	7,000 sf
Multiple-Family or Cottage Cluster	N/A	10,000 sf	9,000 sf	8,000 sf	9,000 sf
Non-Residential Uses	N/A	N/A	6,000 sf	6,000 sf	6,000 sf
Flag lot	10,000 sf	6,000 sf	6,000 sf	6,000 sf	6,000 sf
*Lot size may be reduced through lot size averaging. See related land division procedures in Chapter 4.3.115. Minimum lot sizes do not apply to open space tracts.	(not including panhandle)				
<i>Minimum Lot Width</i>					
Single Family, not attached	60 ft	60 ft	60 ft	N/A	N/A
Single Family, not attached, with alley access	60 ft	50 ft	40 ft	N/A	N/A
Single Family, attached	N/A	25 ft	20 ft	18 ft	18 ft
Duplex on corner lot	N/A	65 ft	65 ft	N/A	50 ft
Duplex on interior lots	N/A	65 ft	60 ft		
Multiple-Family or Cottage Cluster	N/A	60 ft	50 ft	50 ft	50 ft
Non-Residential Uses	N/A	60 ft	50 ft	50 ft	50 ft
<i>For flag lots, width is measured at the front building line.</i>					

2.2 – Residential (R) Land Use Districts – Development Standards

Standard	R	R-1	R-2	R-3	RC
<p>Minimum Lot Depth</p> <p>*Lot area must conform to the standards above. Lot dimensions may be reduced for Flag Lots, Section 4.3.115.</p>	80 ft	80 ft	80 ft	N/A	N/A
<p>Maximum Building/Structure Height (See also, Sections 2.2.130 Setback Yards; 2.2.140, Infill Standards; 2.2.170, RL Height Step-Down; 3.1.2, Clear Vision, and 3.2.500, Fences and Walls.)</p> <p><u>Building Height Transition</u> Required Adjacent to R and R-1 District, per Section 2.2.170</p> <p><u>Fences, Retaining/Garden Walls</u> Max. Height. – Front Yard Max. Height. – Interior Side Max. Height – Rear Yard Max. Height – Street Side or Reverse Frontage Lot (rear)</p> <p>Height Bonus</p>	28 ft	28 ft	35 ft	40 ft	35 ft
	No	No	Yes	Yes	Yes
	4 ft	4 ft	4 ft	4 ft	4 ft
	6 ft	6 ft	6 ft	6 ft	6 ft
	6 ft	6 ft	6 ft	6 ft	6 ft
	4 ft, or 6 ft with 5 ft setback	4 ft, or 6 ft with 5 ft setback	4 ft, or 6 ft with 5 ft setback	4 ft, or 6 ft with 5 ft setback	4 ft, or 6 ft with 5 ft setback
	N/A	N/A	Add'l 10 ft if recreation increased to 15% of site	Add'l 10 ft if recreation increased to 15% of site	Add'l 10 ft if recreation increased to 15% of site
<p>Lot Coverage</p> <p>Max. Building Coverage (Foundation plane as % of site area)</p>	50%	40%	50%	N/A	N/A
<p>Min. Landscape Area (% site area), <i>except</i> does not apply to Single Family Dwellings. Landscape area may include plant areas and some non-plant areas as allowed under Section 3.2.300.D.</p>	10%	10%	10%	10%	10%

2.2 – Residential (R) Land Use Districts – Development Standards

Standard	R	R-1	R-2	R-3	RC
<p>Minimum Setbacks (feet): (See also, Sections 2.2.130 Setback Yards; 2.2.140, Infill Standards; 2.2.170, RL Height Step-Down; 3.1.2, Clear Vision, and 3.2.500, Fences and Walls.)</p> <p>Front/Street Setback</p> <p><u>Structure</u> except garage/carport entries</p> <p><u>Garage/Carport Entry</u> (measured from property line or rear of sidewalk, whichever is closer)</p> <p><u>Open Structures</u> (e.g., porch, balcony, portico, patio, wall), where structure is less than 50% enclosed on side elevations</p> <p><i>Note: Always avoid utility easements when building near property lines.</i></p>	<p>15 ft 10 ft if garage entry setback 25 ft or from rear</p> <p>20 ft</p> <p>5 ft</p>	<p>15 ft 10 ft if garage entry setback 25 ft or from rear</p> <p>20 ft</p> <p>5 ft</p>	<p>15 ft 10 ft if garage entry setback 25 ft or from rear</p> <p>20 ft</p> <p>5 ft</p>	<p>10 ft with garage access from rear or side</p> <p>N/A</p> <p>5 ft</p>	<p>10 ft with garage access from rear or side</p> <p>N/A</p> <p>5 ft</p>
<p>Side Setback, except alleys (total of 2 sides)</p> <p><u>Structure >28' height</u> <u>Structure 16'-28' height</u> <u>Structure <=16' height</u></p> <p>Garage/Carport Entry, except alley</p> <p>Exceptions: <u>Alley</u></p> <p><u>Common Walls/Zero Lot Line</u></p> <p>Note: Building/Fire Codes require additional protection for structures less than 5 ft from property line.</p>	<p>15 ft total 15 ft total 15 ft total (3' min on each side)</p> <p>20 ft (rear of sidewalk)</p> <p>5ft min</p> <p>0 ft</p>	<p>10 ft total 10 ft total 10 ft total (3' min on each side)</p> <p>20 ft (rear of sidewalk)</p> <p>5ft min</p> <p>0 ft</p>	<p>10 ft total 10 ft total 10 ft total (3' min on each side)</p> <p>20 ft (rear of sidewalk)</p> <p>5ft min</p> <p>0 ft</p>	<p>10 ft total 10 ft total 10 ft total (3' min on each side)</p> <p>20 ft (rear of sidewalk)</p> <p>5ft min</p> <p>0 ft</p>	<p>10 ft total 10 ft total 10 ft total (3' min on each side)</p> <p>20 ft (rear of sidewalk)</p> <p>5ft min</p> <p>0 ft</p>

2.2 – Residential (R) Land Use Districts – Development Standards

Standard	R	R-1	R-2	R-3	RC
Minimum Setbacks (continued):					
Rear Setbacks, except alley					
<u>Structure >28' height</u>	15 ft	10 ft	10 ft	10 ft	10 ft
<u>Structure 16'-28' height</u>	10 ft	10 ft	10 ft	10 ft	10 ft
<u>Structure </=16' height</u>	10 ft	10 ft	10 ft	10 ft	10 ft
<u>Accessory Structure </= 16' height</u>	5 ft	5 ft	5 ft	5 ft	5 ft
<u>Garage or Carport Entry</u>	20 ft	20 ft	20 ft	20 ft	20 ft
<i>Reductions:</i>					
<u>Open Structures</u> (e.g., porch, balcony, portico, patio wall), where structure is less than 50% enclosed on side elevations	5 ft min. on side with open structure	5 ft min. on side with open structure	5 ft min. on side with open structure	5 ft min. on side with open structure	5 ft min. on side with open structure
Common Walls/Zero Lot Line	0 ft	0 ft	0 ft	0 ft	0 ft
Alley Setbacks					
<u>All Structures</u>	2 ft	2 ft	2 ft	2 ft	2 ft
<u>Garage or Carport Entry (no conversion allowed)</u>	5 ft	5 ft	5 ft	5 ft	5 ft
Note: Always avoid utility easements when building near property lines.					
Vision Clearance (per Section 3.1.200(N))					
Corner Lots (intersection of two streets)	20 ft	20 ft	20 ft	20 ft	20 ft
Alley-Street intersection	15 ft	15 ft	15 ft	15 ft	15 ft
Alley-Sidewalk intersection	10 ft	10 ft	10 ft	10 ft	10 ft
Build-To Line (feet):					
<u>New Buildings Only:</u> At least one primary building entrance shall be built no farther from the street right-of-way than the build-to line; except where a greater setback is required for a Planned Street Improvement, then the build-to line increases proportionately. The build-to line may also be increased through Site Design Review when pedestrian amenities are provided between a primary building entrance and the street right-of-way. (See also, Section 2.3.180.)	N/A	N/A	N/A	10 ft, may be increased when pedestrian amenities are provided between a primary building entrance and street	10 ft, may be increased when pedestrian amenities are provided between a primary building entrance and street

2.2.130 Residential Districts – Setback Yards and Build-To Line: Exceptions, Garage/Carport, Reverse Frontage Lots, Flag Lots

A. Residential Yard Setbacks – Purpose.

Residential setback yards provide space for private yards and building separation for fire protection/security, building maintenance, sunlight and air circulation. The setback yard standards contained in Table 2.2.120 are also intended to promote human-scale design and traffic calming by diminishing the visual presence of garages along the street and encouraging the use of pedestrian amenities, such as extra-wide sidewalks and street furnishings in multiple family developments and in residential-commercial projects. The standards also encourage the orientation of buildings to provide street visibility for public safety and neighborhood security.

B. Setback Yards – Exceptions.

The following architectural features may encroach into the setback yards by no more than 24 inches, provided that a setback of not less than 36 inches is preserved, all applicable building and fire codes are met, and the clear vision standards in Section 3.1.2 are met:

1. Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into a setback yard by not more than 24 inches.
2. Covered porches and similar structures not exceeding 30 inches in height above grade may encroach into setbacks as provided in Table 2.2.120.
3. Uncovered patios and decks under 30 inches in height may be constructed up to the side and rear property lines.
4. Walls and fences built on property lines are subject to the height standards in Table 2.2.120 and the provisions of Sections 3.1.200, Vision Clearance, and 3.2.500, Fences and Walls.

C. Setback Yards – Garage and Carport Entries.

Setback requirements in Section 2.2.120 for garage and carport entries are measured from the property line or the rear of the sidewalk along a street, whichever is closer to the house. These setbacks are intended to allow for adequate space for the parking of vehicles in front of a garage or carport without overhanging the sidewalk. If the carport/garage entry is oriented so as to not face the street, the standard front/street setback for structures applies.

D. Setback Yards – Reverse Frontage Lots.

Buildings on reverse-frontage lots (through lots) shall be required to meet the build-to line standard on only one street. Reverse frontage lots are subject to the fence height and setback requirements in Section 2.2.120 and the landscape buffer requirements in Chapter 3.2.300.

E. Setback Yards – Flag Lots.

The front yard of a flag lot shall conform to one of the following two options:

1. Parallel to the street from which access is taken, or
2. Parallel to the flag pole from which access is taken.

The applicant for a building permit may choose either Option 1 or Option 2, except as otherwise prescribed by conditions of a partition or subdivision approval. [Note: The City may impose such conditions as provided under Section 2.2.140 and Section 4.3.115.]

F. Setback Yards – Exclusions.

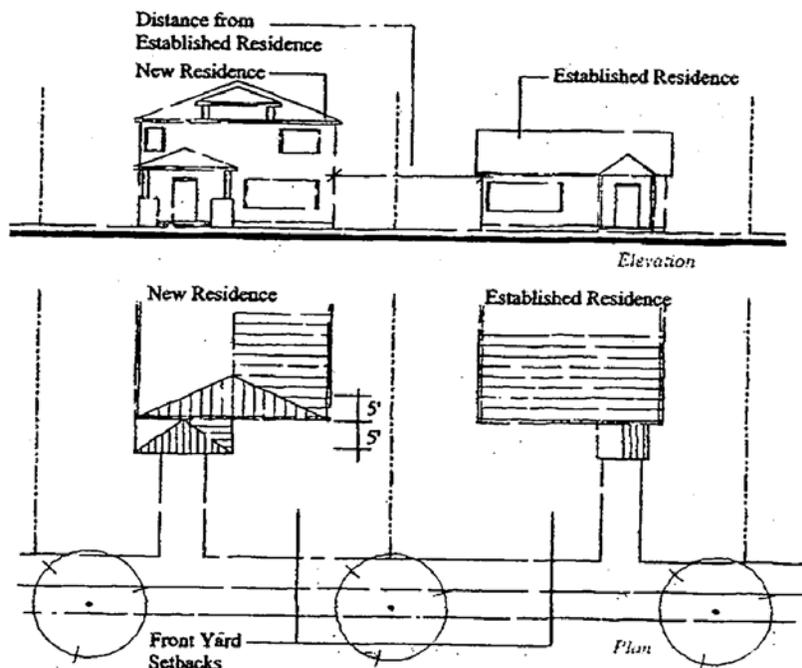
Required setbacks shall not be used for accessory buildings, storage of trailers, boats, cars or appliances, or of any materials, nor shall the required front or street side yards be used for the regular or constant parking of automobiles or other vehicles.

2.2.140 Residential Districts – Infill Standards

The purpose of Section 2.2.140 is to ensure compatibility of new development and redevelopment in existing subdivisions. The setback and building height standards in Section 2.2.140 supersede those in Table 2.2.120 when a new building or full story addition is proposed on a subdivision lot in a Residential District that was platted 10 years or more ago or a newly subdivided lot in an existing (platted 10 years or more ago) neighborhood. The approval body shall use the criteria and standards in subsections A-C, below, in determining applicable setbacks and building heights. In addition, the approval body shall use the criteria and standards in Subsection D for those buildings in historic neighborhoods. Application of Subsection D will require a Type II review.

- A. Compatibility with Yards of Adjacent Residence(s).** Except as provided in Section 2.2.140.D, when an existing single family residence is located within 40 feet of the subject site on the same side of the street, and said residence has a front yard setback that is greater than the minimum setback in Section 2.2.120, a front yard setback similar to that of the nearest single family residence(s) shall be used. “Similar” means the setback is equal to or within 10 percent of the setback provided by the nearest single family residence on the same side of the street. (Figure 2.2.140.A.) For example, if the existing single family residence has a front yard setback of 30 feet, then the new building shall have a front yard setback between 27 feet and 33 feet. If the new building is to be located between two existing residences, then the setback for the new building shall be the average setback of both adjacent residences, plus or minus 10 percent.

Figure 2.2.140.A – Residential Infill Front Yards



- B. Compatibility with Building Height of Adjacent Residence(s).** Except as provided in Section 2.2.140.D, when an existing single family residence is located within 40 feet of the subject site on the same side of the street, and said residence has a building height that is less than the maximum building height allowed in Table 2.2.120, a building height similar to that of the nearest single family residence(s) shall be used. “Similar” means the building height is not more than 110 percent of the height of the nearest single family residence on the same side of the street. (Figure 2.2.140.B) For example, if the existing single family residence has a height of 26 feet, then the new building shall have a height that does not exceed 28.6 feet. If the new building is to be located between two existing residences, then the height of the new building shall not exceed 110 percent of the average height of both adjacent buildings.
- C. Exception to Standard for Redevelopment Potential on Adjacent Lot(s).** The provisions of Section 2.2.140.A do not apply when the approval body finds that the subject single-family residential lots located within 40 feet of the subject site are redevelopable. “Redevelopable,” for the purposes of this Section, means a lot either has an assessed market value that exceeds the assessed market value of all improvements on the lot, based on the most recent data from Lane County Assessor’s Office; or the front yard of the subject lot is large enough that it could be subdivided based on the Residential District standards.
- D. Compatible Architecture.** For buildings to be located in a historic neighborhood (as identified in the City’s historic resource inventory), the following standards also apply (through a Type II review process):
1. The building design follows, borrows from, or appropriately adapts a recognized architectural style of the community (e.g. Craftsman Bungalow, Prairie, Queen Anne, Vernacular, etc.) as exemplified in its ground plan, elevations (rhythm, color, materials, and structure (e.g. roof shapes, garage location, details such as windows and doors).
 2. The placement of garages shall be similar to that on surrounding properties. Alley access is encouraged if typical for neighborhood.
 3. Front porches are desirable to encourage neighbor interaction and visibility of the streetscape, thereby enhancing neighborhood safety. Front porches are required where compatible with surrounding neighborhood.
- E. Discretionary Review.** The applicant may apply for a Type III Site Design Review if they feel their proposed design meets the intent without meeting the letter of the above standards A-D.

2.2.150 Residential Districts – Housing Density

A. Residential Density Standard. To ensure efficient use of buildable lands and to provide for a range of needed housing in conformance with the Comprehensive Plan, all new developments in the Residential Districts shall conform to the minimum and maximum densities prescribed in Table 2.2.120, except as provided below in subsections 1-3:

1. Residential care homes/facilities, senior housing, including assisted living, accessory dwellings, and subdivisions where the average slope exceeds 20% are exempt from the minimum density standard.
2. The density standards may be averaged over more than one development phase (i.e., as in a master planned development). Duplex lots used to comply with the density standard shall be so designated on the final subdivision plat.
3. Partitions and construction of single-family homes on lots exceeding 20,000 square feet shall be planned so that the land is used efficiently and future development on these lots or parcels can occur based on the minimum lot size and other dimensional standards of the district.

B. Residential Density Calculation.

1. Minimum and maximum housing densities are calculated by multiplying the total parcel or lot area by the applicable density standard (e.g. “gross density”).
2. Areas reserved for flag lot access (flag poles) are not counted for the purpose of calculating minimum densities.

2.2.160 Residential Districts – Lot Coverage and Impervious Surfaces

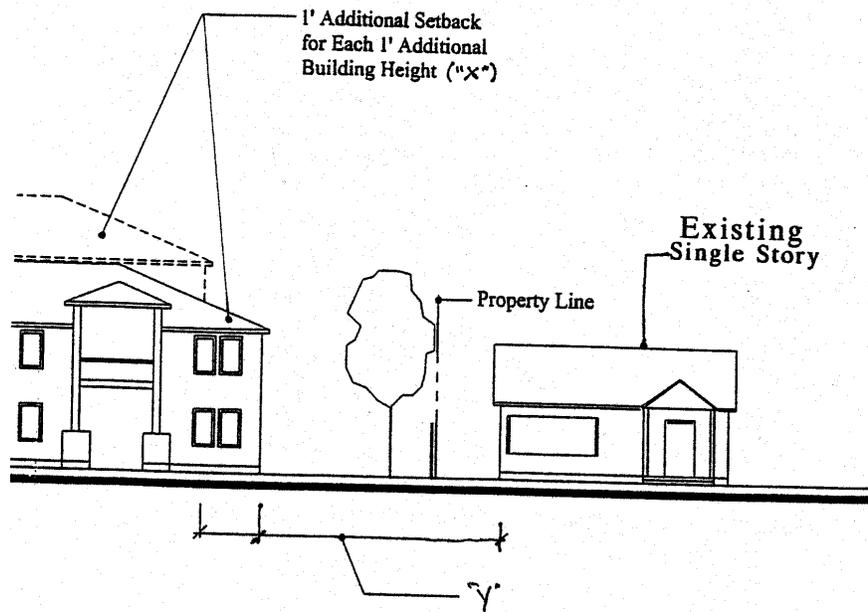
- A. Lot Coverage Calculation.** The maximum allowable lot coverage shall be as provided in Table 2.2.120. Lot coverage is calculated as the percentage of a lot or parcel covered by buildings or structures (as defined by the foundation plan area) and other structures with surfaces greater than 30 inches above the finished grade. It does *not* include paved surface-level developments such as driveways, parking pads, and patios. See subsection B, Impervious Surfaces.
- B. Impervious Surface Calculation.** Impervious surfaces are calculated as the percentage of a lot or parcel covered by the foundation plan area (lot coverage) and other non-permeable surface-level development (e.g., asphalt, concrete, and similar impervious paving). It does not include planted areas, and other areas allowing stormwater infiltration, as approved by the City.

2.2.170 Residential Districts – Building Height: Measurement, Exceptions, R/R-1 Step-Down Requirement

Building heights shall conform to the standards in Table 2.2.120, and subsections A-C, below:

- A. Building Height Measurement.** Building height is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the midpoint of the ridgeline or highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of the building. Measurements shall be taken from the grade plane, a reference plane that is the average of the finished ground level adjoining the building within a five-foot horizontal distance of all exterior walls.
- B. Exclusions from Maximum Building Height Standards.** Chimneys, bell towers, steeples, roof equipment, flag poles, and similar features not for human occupancy are exempt from the maximum building heights, provided that all applicable fire and building codes are met.
- C. Height Step-down – R/R-1 District Transition.** To provide compatible scale and relationships between new multi-story buildings and existing single-family dwellings in the R or R-1 Districts, multi-story buildings and structures in R-2, R-3, RC, C2-P, CT, M-1, and M-2, districts shall “step-down” to create a building height transition to adjacent single-family building(s) in the R or R-1 Districts, as provided in subsections 1-2, below:
1. This standard applies to new and vertically expanded buildings and structures in any district that are within 20 feet (as measured horizontally) of an existing single family building in the R or R-1 Districts, as shown in Figure 2.2.170.C.
 2. The transition standard is met when the height of the taller structure (“x”) does not exceed 1 foot of height for every 1 foot separating the two structures (“y”), as shown in Figure 2.2.170.D.

Figure 2.2.170.C – R/R-1 Height Step-Down/Transition

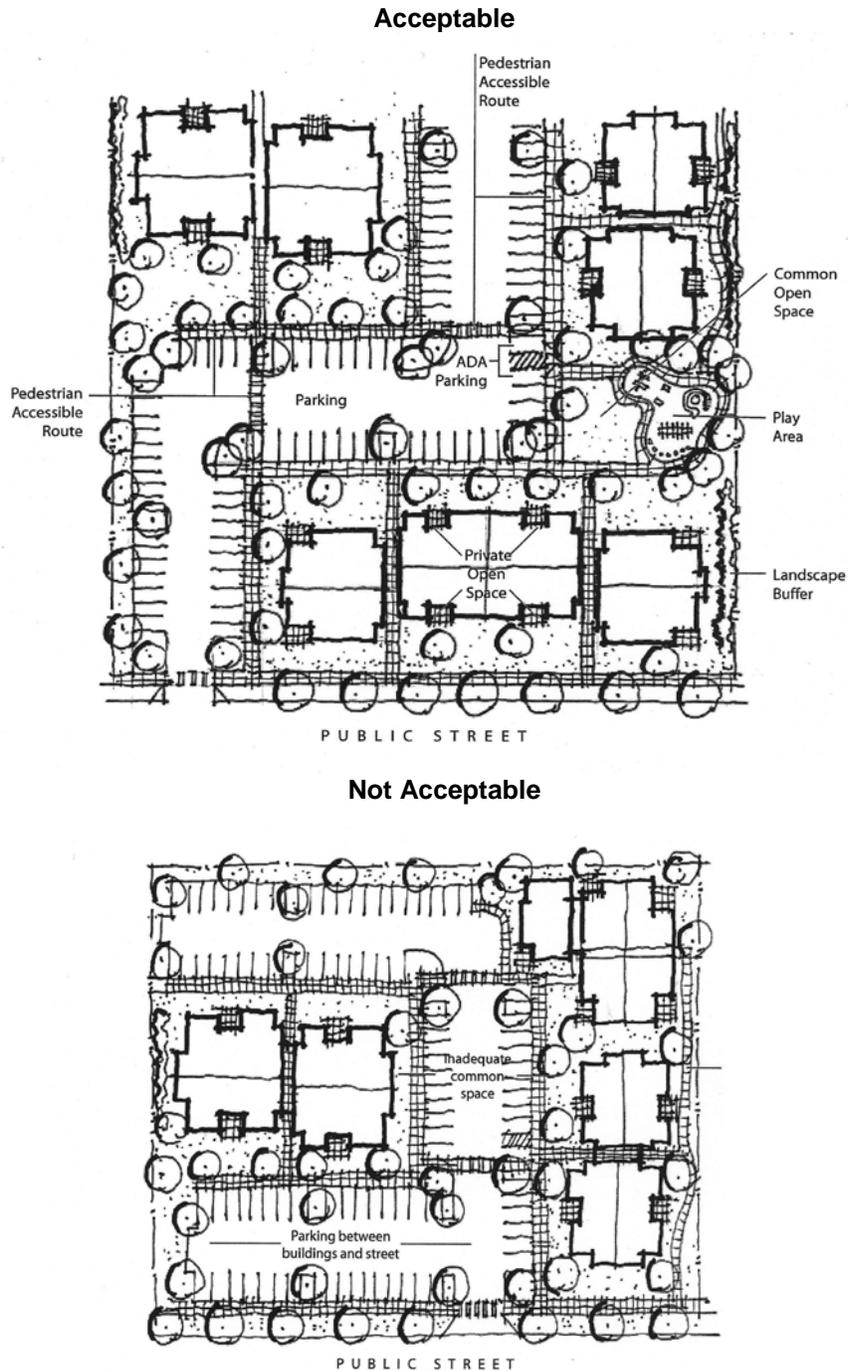


Exception: The provisions of subsections 2.2.170.C.1-2 do not apply when the approval body finds that the subject single family buildings located within 20 feet of the subject site are redevelopable. “Redevelopable,” for the purposes of this Section, means a lot either has an assessed market value that exceeds the assessed market value of all improvements on the lot, based on the most recent data from Lane County Assessor’s Office; or the front yard of the subject lot is large enough that it could be subdivided based on the Residential District standards. Exceptions will require Type II application approval.

2.2.180 Residential Districts – Building Orientation

- A. Purpose.** The following standards are intended to orient buildings close to streets to promote pedestrian-oriented development where walking is encouraged, and to discourage automobile-oriented development. Placing residences and other buildings close to the street also encourages crime prevention, natural surveillance or security, and safety by having more “eyes-on-the-street.”
- B. Applicability.** Section 2.2.180 applies to all developments that are subject to Site Design Review, including developments that are reviewed as part of a Master Planned Development or Conditional Use application. The following supplements the building orientation standards in Table 2.2.120.
- C. Building orientation standards.** All developments that are subject to Section 2.2.180 shall have buildings that are oriented to a street. This standard is met when all of the following criteria are met:
1. Compliance with the setback and build-to line standards in Section 2.2.120;
 2. Except as provided in subsections 3 and 4, below, all buildings in the Residential Districts shall have at least one primary building entrance (i.e., dwelling entrance, a tenant space entrance, a lobby entrance, or breezeway/courtyard entrance serving a cluster of units or commercial spaces) facing an adjoining street, or if on a side elevation, not more than 20 feet from a street sidewalk. See Figures 2.2.180.C(1).

Figure 2.2.180.C(1) – Residential District Building Orientation



3. Off-street parking, driveways, and other vehicle areas shall not be placed between buildings and the street(s) to which they are oriented, as per subsection 2 and Figure 2.2.180.C(1); except the following vehicle areas are allowed:

- a. Schools, multiple family buildings, assisted living facilities, and other institutional

2.2 – Residential (R) Land Use Districts – Building Orientation

- uses may have one driveway not exceeding 20 feet in width plus parallel parking, including ADA accessible spaces, located between the street and the primary building entrance, provided that the building's primary entrance is connected to an adjacent street by a pedestrian walkway and the driveway/parking area is crossed by a clearly defined pedestrian walkway, as required by Section 3.1.300. The intent of this exception is to create driveways that have street-like features;
- b. Attached single family housing developments (townhomes) with street-facing garages may have one driveway access located between the street and the primary building entrance for every two dwelling units, provided they meet the following criteria, as generally shown in Figure 2.2.180.C(2):
 - 1) Where two abutting townhomes have street-facing garages, they shall share one driveway access that does not exceed 20 feet in width where it crosses the sidewalk and intersects the street;
 - 2) All primary building entrances shall be connected to a driveway (and sidewalk) via a pedestrian walkway that is not less than 5 feet wide;
 - 3) The maximum number of consecutively attached townhomes with garages facing the same street is four (4) (two driveways); and
 - 4) Street-facing garages shall be setback at least 20 feet from the street or sidewalk, whichever is closer.
 - c. Commercial buildings and uses (e.g., neighborhood commercial or mixed-use) shall have all of their off-street parking located behind or to the side of such buildings and uses and screened from abutting properties in accordance with Chapter 3.2, as generally shown in Figure 2.2.180.C(3). Off-street parking shall not be located between any building and any street.
 - d. Driveways for single-family or duplex homes that meet all requirements of 3.1.200 Vehicular Access and Circulation.

Figure 2.2.180.C(2) – Townhome Building Orientation

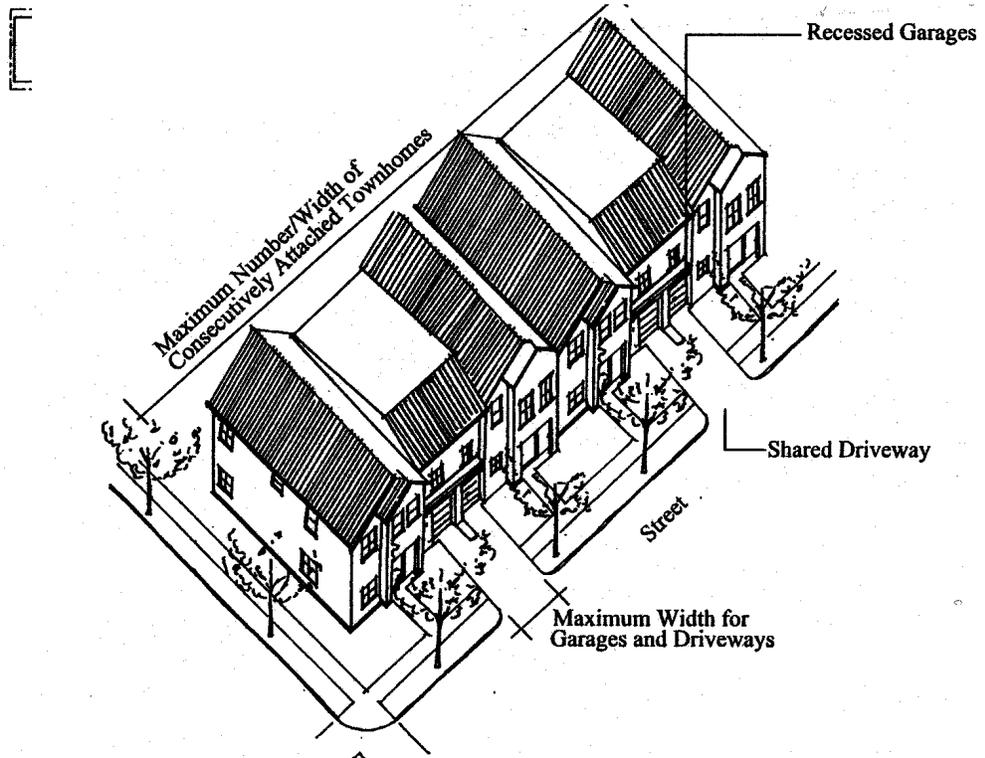
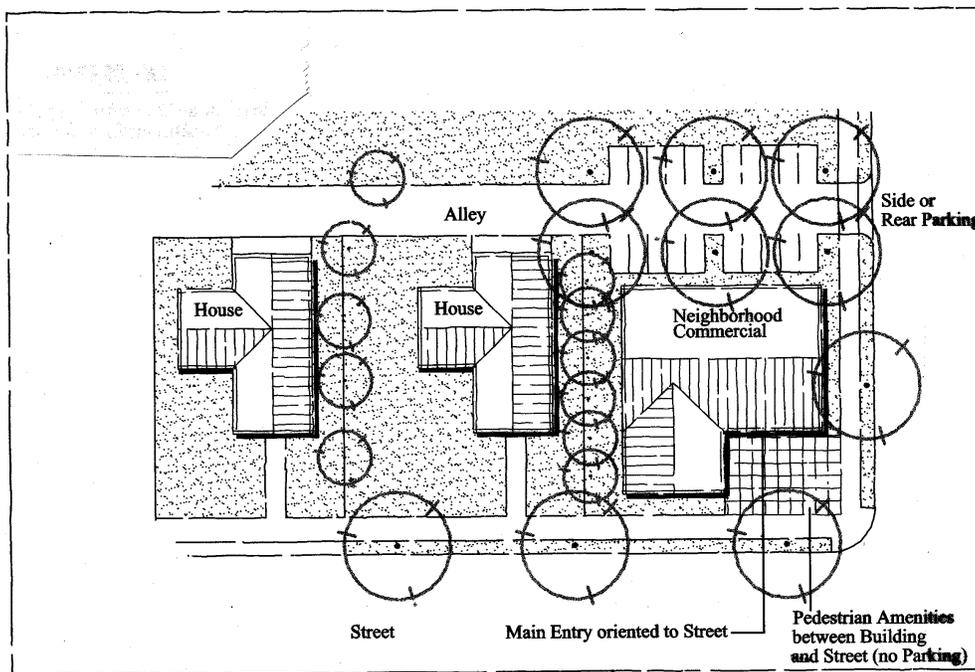


Figure 2.2.180.C(3) – Commercial Orientation in a Residential/Commercial District



4. Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to common green, open space, plaza, or courtyard. When oriented in this way, the primary entrance(s) and green, plaza, or courtyard shall be connected to the street by a pedestrian walkway meeting the standards in Section 3.1.3. See example in Figure 2.2.180.C(1) “acceptable site plan.”

2.2.190 – Residential Districts – Architectural Design Standards

A. Purpose. The architectural design standards require a minimum level of design on every building, which is intended to promote attention to detail, human-scale design and street visibility, while affording flexibility to use a variety of building styles.

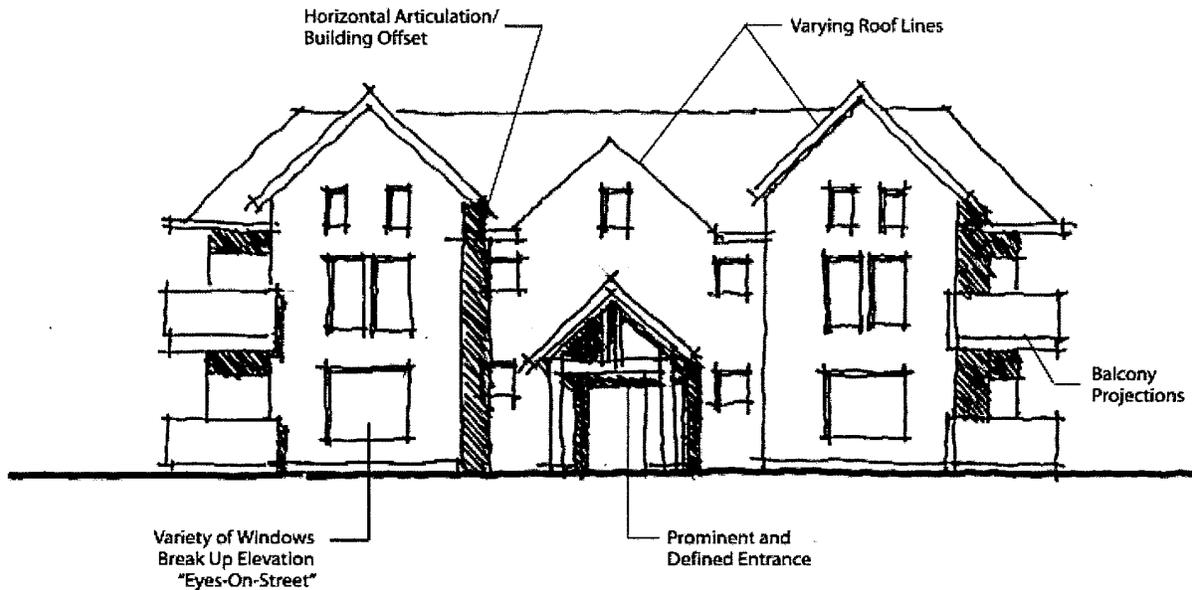
The following supplements the standards in Table 2.2.120. This section provides minimum, clear and objective standards for residential architecture which are intended to promote a human scale.

B. Applicability. Section 2.2.190 applies to all new buildings, including accessory buildings over 400 square feet in footprint and/or over one story in height. Other accessory structures are exempt. It is applied through the Land Use Review or Site Design Review procedure, as applicable, prior to building permit review and approval.

C. Standards. All projects that are subject to Section 2.2.190 shall meet all of the standards in subsections 1-4. The graphics provided with each standard are intended to show examples of how to comply and should not be interpreted as requiring a specific architectural style. Other building styles and designs can be used to meet the standards when the approval body finds they are consistent with the text. An architectural feature (i.e., as shown Figures 2.2.190.C(1) and (2)) may be used to comply with more than one standard.

1. **Building Length.** The continuous horizontal distance, as measured from end-wall to end-wall, of individual buildings shall not exceed 160 feet.
2. **Articulation.** All buildings shall incorporate design features such as varying roof lines, offsets, balconies, projections (e.g., overhangs, porches, or similar features), recessed or covered entrances, or similar elements to break up large expanses of uninterrupted building surfaces (blank walls). Along all vertical faces of a structure, such elements shall occur at a minimum interval of 30 feet, as generally shown in Figure 2.2.190.C(1):
 - a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet; or
 - b. Extension (e.g., floor area, deck, patio, entrance, overhang, bay window or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; or
 - c. Offsets or breaks in roof elevation of 2 feet or greater in height.

Figure 2.2.190.C(1) - Building Length and Articulation (Multi-family Housing Example)



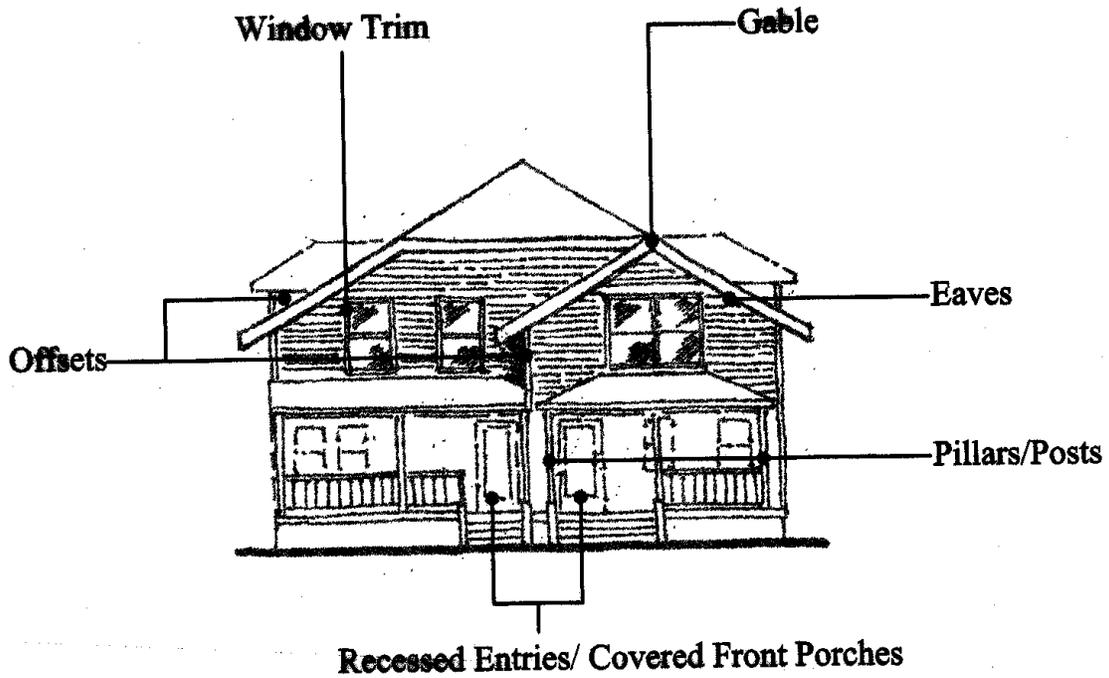
3. Eyes on the Street. Front elevations visible from a street right of way shall provide a main entrance, and a combination of windows, porches, and/or balconies. Side elevations facing street-side setbacks shall provide a combination of windows, porches, and/or balconies. A minimum of 40 percent of front elevations (30 percent for manufactured homes that also conform to Section 2.2.200.D), and a minimum of 30 percent of street-side and rear building elevations shall meet this standard. “Percent of elevation” is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. This standard does not apply to panhandle or flag lots.

4. Detailed Design. All buildings shall provide detailed design on all street-facing walls (45 degrees or less from street lot line). Detailed design shall be provided by using **at least six (6)** of the architectural features in items “a” through “n,” below, as is appropriate for the proposed building type and style. The applicant may select the elements that he or she wants and may use the same type of feature more than once to meet this standard. It is not within the approval body’s authority to prescribe specific elements; except when the project is being reviewed as part of a Master Planned Development, Conditional Use Permit, or Site Design Review (item “o”), the approval body may require specific design elements or changes to promote compatibility with adjacent uses and to achieve the desired community character or pedestrian-orientation. Regardless of design options chosen, the home shall have similar style and quality window, door, trim and decorative moldings on all exterior building elevations.
 - a. Dormers
 - b. Gables
 - c. Recessed entries

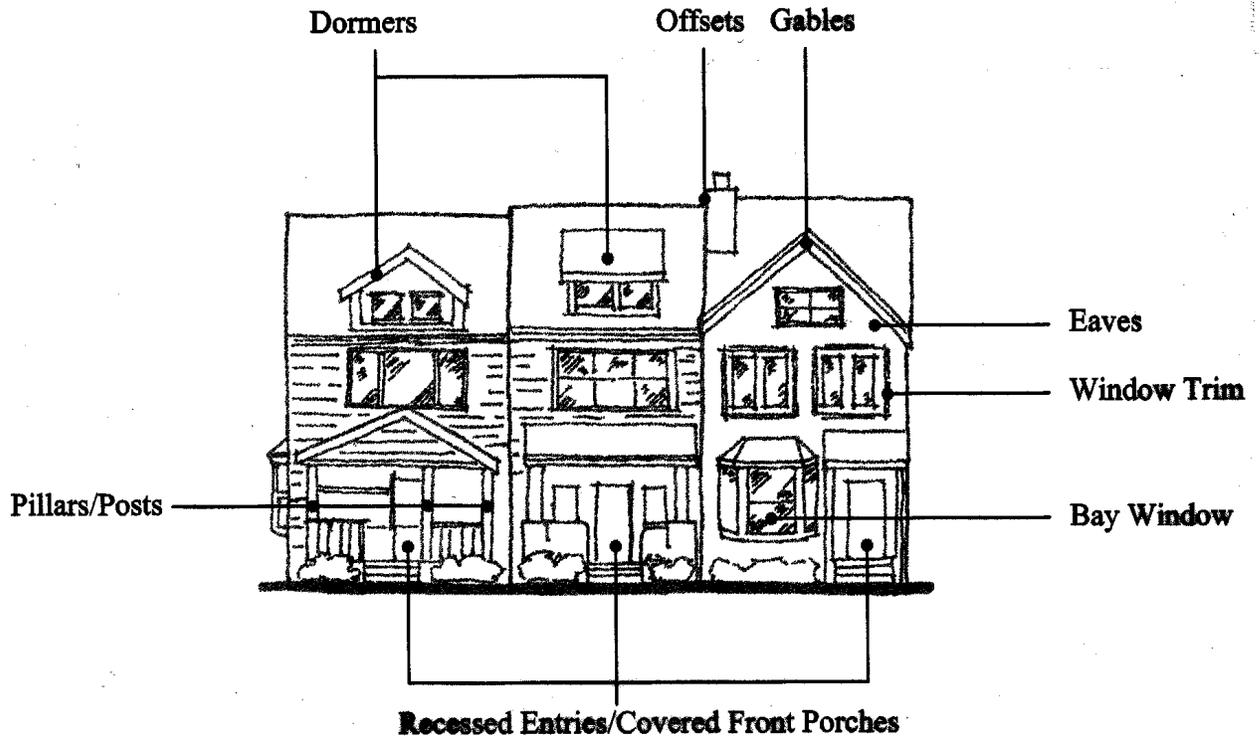
- d. Covered porch entries or portico
- e. Cupolas or towers
- f. Pillars or posts
- g. Eaves (minimum 6-inch projection)
- h. Off-sets in building face or roof (minimum 16 inches)
- i. Window trim (minimum 3 inches wide)
- j. Bay windows
- k. Balconies
- l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
- m. Decorative cornice or pediment (e.g., for flat roofs)
- n. Decorative windows or doors
- o. An alternative feature providing visual relief, similar to options a.-n., as approved through Site Design Review.

Figure 2.2.190.C(2) - Examples of Architectural Elements (illustrative only)

Example 1



Example 2



Example 3



D. Hillside Building Design. In addition to section C above, new buildings constructed on parcels or lots with 15% or greater slope shall meet the following architectural design standards. These standards are in addition to any requirements in 3.7.100 Hillside Development.

1. Hillside Building Height. The height of all structures shall be measured vertically from the natural grade to the uppermost point of the roof edge or peak, wall, parapet, mansard, or other feature perpendicular to that grade. Maximum hillside building height shall be 35 feet.
2. Cut buildings into hillsides to reduce effective visual bulk.
 - a. Split pad or stepped footings should be incorporated into building design to allow the structure to more closely follow the slope.
 - b. Reduce building mass by utilizing below grade rooms cut into the natural slope.
3. A building setback shall be required on all downhill building walls greater than 20 feet in height, as measured above natural grade. “Setback” shall mean a change in the vertical plane of a structure, wherein the vertical plane is broken to move back or further away from a starting plane. Setbacks shall be a minimum of six feet. No vertical walls on the downhill elevations of new buildings shall exceed a maximum height of 20 feet above natural grade.
4. All structures on 15% or greater slopes shall have stepped foundations that have been designed by an engineer or architect with demonstrable geotechnical design experience.
5. Roof forms and roof lines for new structures shall be broken into a series of smaller building components to reflect the irregular forms of the surrounding hillside.
6. Discretionary Review. The applicant may apply for a Type III Site Design Review if they feel their proposed design meets the intent of the above Hillside Building Design standards without meeting the letter of the above standards 1-6.

2.2.200 – Residential Districts – Special Use Standards

A. Purpose. Section 2.2.200 provides standards for specific land uses and building types that are identified as permitted with “Special Use (‘S’) Standards” in Table 2.2.110. These standards control the scale and compatibility of those uses within the Residential Districts. The standards in Section 2.2.220 supplement (are in addition to and do not replace) the standards in Sections 2.2.100 through 2.2.190. These standards are implemented through Land Use Review (Type I) or Site Design Review procedures, as applicable, prior to building permit review and approval.

This Section applies to the following uses and building types, as specified in subsections B-K:

- Accessory Dwellings
- Attached Single Family (Townhouses or Rowhouses) and Attached Duplexes
- Bed and Breakfast Inns
- Group Home or Facility (Residential Care Homes and Facilities)
- Child Care Center
- Home Occupations
- Manufactured Homes
- Manufactured/Mobile Home Parks
- Multiple Family Housing
- Zero-Lot Line Housing (not common wall)

B. Accessory dwelling (attached, separate cottage, or above detached garage). Accessory dwellings shall conform to all of the following standards:

1. Floor Area. Accessory dwellings shall not exceed 800 square feet of floor area. The unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house;
2. Exempt from Density. Accessory dwellings are exempt from the housing density standards of the Residential District, due to their small size and low occupancy levels;
3. Oregon Specialty Codes. The structure shall comply with the Oregon Residential Specialty Code or Oregon Structural Specialty Code, as appropriate;
4. Owner-Occupied. The primary residence or accessory dwelling shall be owner-occupied. Alternatively, the owner may appoint a family member as a resident caretaker of the principal house and manager of the accessory dwelling;
5. One Unit. A maximum of one accessory dwelling unit is allowed per lot;
6. Building Height. The building height of detached accessory dwellings (i.e., separate cottages) shall be 28 feet or 110% of the height of the primary dwelling, whichever is lesser;
7. Buffering. The approval body may require a landscape hedge or fence be installed on the property line separating a detached accessory dwelling from an abutting single family

2.2 – Residential (R) Land Use Districts – Special Use Standards

dwelling, unless the applicant and the owner of the abutting single family dwelling agree in writing not to install the hedge or fence;

8. Deed Restriction. A deed restriction shall be recorded at Lane County Deeds and Records stating that the second dwelling unit is an “accessory dwelling unit”, and cannot be used as justification for later land division or sale, or utilized other than as required by this code; and
9. Parking. Parking (carport, garage, or uncovered parking space) that is needed to meet the primary dwelling’s on-site parking requirement (see Section 3.3.300) cannot be converted into an accessory dwelling unit.

C. Attached Single Family (Townhouses and Rowhouses) and Attached Duplexes.

Single-family attached housing with three or more dwellings (lots), and attached duplex housing (two or more consecutively attached duplexes), shall comply with the standards in sections 1-3 below, which are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and to ensure management and maintenance of common areas.

1. Alley Access Required for Subdivisions Principally Containing Townhomes or Duplexes. Subdivisions, or phases of subdivisions, proposed to contain 3 or more consecutively attached single family dwellings, and developments with 2 or more attached duplexes (4+ dwelling units), shall provide vehicle access to all such lots and units from an alley or parking court, as described in Chapter 3.1.2. Alley(s) and parking court(s) shall be created at the time of subdivision approval, and may be contained in private tracts or, if approved by the City, in public right-of-way, in accordance with Chapter 3.4.1, Transportation Standards, and Chapter 4.3, Land Divisions.
2. Common Areas. Any common areas (e.g., landscaping, private tracts, common driveways, private alleys, building exteriors, and/or similar common areas) shall be owned and maintained by a homeowners association or other legal entity. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.
3. Recreation Areas. A minimum of 10 percent of the site area shall be designated as public and/or private open space for developments containing 4+ units (single family attached or attached duplexes). Common open space shall use the criteria established by 2.2.200.J(2).

D. Bed and Breakfast Inns. Bed and Breakfast Inns are permitted in all Residential Districts and shall comply with all of the following standards. Bed and Breakfast Inns that do not meet and/or exceed these standards must apply for Conditional Use Permit approval.

1. Accessory Use. The use must be accessory to a household already occupying the structure as a residence.
2. Maximum Size. 4 bedrooms for guests, and a maximum of 8 guests are permitted per night. No separate structures are permitted, except for customary residential accessory structures as defined in section J. above.
3. Length of Stay. Maximum length of stay is 14 days per guest.
4. Employees. Up to 2 non-resident employees. There is no limit on residential employees.
5. Food Service. May be provided only to overnight guests of the business.
6. Owner-Occupied. Shall be owner-occupied.
7. Signs. One sign allowed per street frontage, not exceed a total of 4 square feet of surface area.
8. Parking. One additional off-street parking space must be provided for every 2 guest rooms in addition to required parking for private residence.

E. Group Home or Facility (Residential Care Homes and Facilities). Residential care homes are residential treatment or training homes or adult foster homes licensed by the State of Oregon. They may provide residential care alone, or in conjunction with treatment and/or training, for 5 or fewer individuals (“homes”) or 6 to 15 individuals (“facilities”) who need not be related. Staff persons required to meet State licensing requirements are not counted in the number of facility residents and need not be related to each other or the residents. Residential care homes and facilities shall comply with the following standards, consistent with ORS 197.660-.670:

1. Licensing. All residential care homes and facilities shall be duly licensed by the State of Oregon.
2. Parking. Parking in accordance with Chapter 3.3.
3. Oregon Specialty Codes. The structure(s) shall comply with the Oregon Residential Specialty Code or Oregon Structural Specialty Code, as appropriate.
4. Site Development Review. Site Development Review shall be required for new structures to be used as residential care facilities, to ensure compliance with the licensing, parking, and other requirements of this Code. Residential care homes are exempt from this requirement.

F. Child Care Center. Child care centers provide care and supervision of minor children for periods of less than 24 hours for more than 12 children, or for fewer than 12 children when not provided within a home occupied by the caregiver. This does not include “Family child care providers,” which provide care for not more than 12 children in a home and are permitted outright in Residential Districts. See ORS 657A for certification requirements. Child care centers shall comply with the following standards, consistent with ORS 657A:

1. Licensing. All child care centers shall be duly licensed by the State of Oregon.
2. Parking. Parking in accordance with Chapter 3.3. Safe drop-off zones shall be located on-site (out of public right-of-way).
3. Recreation area. Recreation areas shall be fenced to provide a safe outdoor playing space for children and screened from adjoining residential neighbors with landscaping to provide noise buffering.
4. Oregon Structural Specialty Code. The structure(s) shall comply with the Oregon Structural Specialty Code.
5. Site Development Review. Site Development Review shall be required for new structures to be used as child care facilities, to ensure compliance with the licensing, parking, and other requirements of this Code. Family child care providers are exempt from this requirement.

G. Home Occupations. The purpose of this Section is to encourage those who are engaged in small commercial ventures that could not necessarily be sustained if it were necessary to lease commercial quarters, or which by the nature of the venture, are appropriate in scale and impact to be operated within a residence. Home occupations are encouraged for their contribution in reducing the number of vehicle trips often generated by conventional businesses. Two types of home occupations are contemplated by this Code: 1) Home Occupations meeting the standards in subsections 1-8, below, are allowed by right through a Type I application process; and 2) Home Occupations exceeding any of the threshold standards in subsections 1-8 may receive approval through the Type III Cottage Industry Permit procedure under Section 4.9.200.

Type I Standards for Home Occupations

1. Appearance of Residence:

- a. The home occupation shall be restricted to lawfully built enclosed structures and be conducted in such a manner as to retain a residential appearance from street-side.
- b. The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.
- c. The home occupation shall not violate any conditions of development approval (i.e., prior development permit approval).
- d. No products and/or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.

2. Storage:

- a. Outside storage, visible from the public right-of-way or adjacent properties, which exceeds what is customary for a single-family residence in the vicinity, is prohibited.
- b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to residential use is prohibited.
- c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be allowed in any enclosed structure.

3. Employees:

- a. Other than family members residing within the dwelling located on the home occupation site, there shall be no other/employee at the home occupation site at any given time. As used in this chapter, the term “home occupation site” means the legal lot on which the home occupation is conducted.

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- b. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home occupation site.
 - c. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch of employees to other locations.
4. Advertising and Signs: Signs shall comply with all applicable sign regulations. In no case shall a sign in a Residential District exceed 2 square feet of surface area per side.
5. Vehicles, Parking and Traffic:
- a. 1 commercially-licensed vehicle associated with the home occupation is allowed at the home occupation site. It shall be of a size that would not overhang into the public right-of-way when parked in the driveway or other location on the home occupation site.
 - b. There shall be no more than 3 commercial vehicle deliveries to or from the home occupation site daily. There shall be no commercial vehicle deliveries during the hours of 5 p.m. to 8 a.m.
 - c. There shall be no more than 1 client or customer vehicle at any one time and no more than 8 per day at the home occupation site. There shall be enough on-site parking to accommodate one client or customer vehicle in addition to parking required for residence by Section 3.3.
6. Business Hours. There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 8 a.m. to 6 p.m. only, Monday through Friday, subject to subsections 1 and 5, above.
7. Prohibited Home Occupation Uses:
- a. Any activity that produces radio, TV, or other electronic interference; noise, glare, vibration, smoke, or odor beyond allowable levels as determined by local, state or federal standards, or that can be detected beyond the property line; is prohibited.
 - b. Any activity involving on-site retail sales, including garage sales exceeding the thresholds of a temporary use, is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by home business is allowed subject to 1-6, above.
 - c. The following uses and uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke or vibration, are prohibited:

2.2 – Residential (R) Land Use Districts – Special Use Standards

- 1) Animal hospital, veterinary services, kennels or animal boarding;
- 2) Auto and other vehicle repair, including auto painting;
- 3) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site; and
- 4) Food Preparation.

Note: Prohibited home occupations may be allowed through a Cottage Industry Conditional Use Permit (Type III Review).

8. Enforcement: The Community Development Director or designee may visit and inspect the site of a home occupation in accordance with this chapter periodically to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice, in accordance with Chapter 1.5.

H. Manufactured Homes. Manufactured homes are permitted on individual lots, subject to all of the following design standards. Exception: The following standards do not apply to units that existed onsite prior to the effective date of this Code.

1. Floor Plan. The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 square feet;
2. Roof. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees);
3. Residential Building Materials. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing);
4. Garages and Carports. If the manufactured home has a garage or carport, the garage or carport shall be constructed of materials like those used on the house;
5. Thermal Envelope. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the State Building Code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturer certification shall not be required;
6. Placement. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 24” inches above grade, and complies with the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR Chapter 918. Where the building site has a sloped grade, no more than 16 inches of the enclosing material shall be exposed on the uphill side of the home;
7. Permanent Perimeter Foundation. The manufactured home shall have a permanent perimeter foundation of concrete or concrete block.
8. Prohibited. The manufactured home shall not be located in a designated historic district.

I. Manufactured/Mobile Home Parks. Manufactured and/or mobile home parks are permitted in areas with a Manufactured Home Park (MHP) land use designation, subject to all of the following design standards. Exception: The following standards do not apply to units that existed onsite prior to the effective date of this Code.

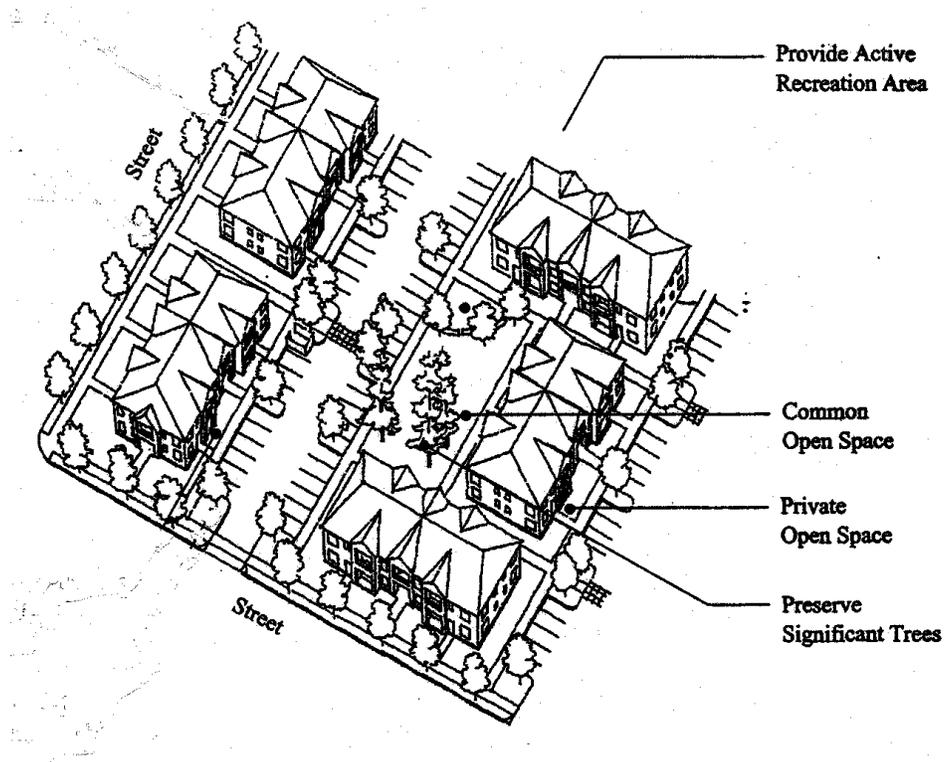
1. State Requirements. All mobile home parks and proposals must be reviewed by the appropriate state agencies for approval. Rules and regulations contained in ORS Chapter 446 and OAR 23 and 28 shall be applicable in the development and operation of a mobile home park. This section shall prevail where the provisions are more stringent than those imposed by state laws, rules or regulations.
2. Size of Site. The minimum area for a new mobile home park shall be 40,000 square feet.
3. Area & Dimension of Space. Each mobile home space shall be 4,000 square feet minimum. Each space shall be no less than 40 feet wide and 60 feet deep.
4. Setbacks. No building shall be located any closer than 25 feet from a park property line abutting a public street, 10 feet from all other park property lines and 10 feet from any public area within the park (e.g. park street, play area, common parking area).
5. Spacing. A mobile home and accessory structures shall be separated from an adjoining mobile home and its accessories by a minimum of 15 feet.
6. Height. Maximum building height shall be 28 feet; accessory buildings shall be no more than 18 feet in height.
7. Overnight spaces. No more than 5% of the total mobile home area may be used to accommodate persons wishing to park their mobile homes or camping vehicles overnight. Areas and spaces intended for overnight use shall be appropriately designated, sized and landscaped for that purpose. Overnight areas shall be buffered from other park areas.
8. Parking. 2 off-street parking spaces are required for each dwelling unit.
9. Park Streets and Walkways. Park streets shall connect each home site to a public street. Park streets shall be a minimum of 30 feet in width with a surface width of 20 feet (without parking) or 30 feet (with parking). Walkways of not less than 3 feet in width shall be provided for each mobile home site to any service building and recreation area.
10. Recreation. A minimum of 100 square feet of recreation space shall be provided per home space. Recreation areas shall be a minimum of 2500 square feet and minimum 25 feet wide. All areas shall be landscaped and maintained.
11. Landscaping. All park boundaries shall be landscaped with trees, plants, and fences/walls.
12. Storage. All outside storage shall be within a totally enclosed structure.

J. Multiple Family Housing. Where multi-family housing is allowed, it shall conform to all of the following standards, which are intended to promote livability for residents and compatibility with nearby uses. Figure 2.2.200.J provides a conceptual illustration of the requirements listed below.

1. **Building mass.** The maximum width or length of a multiple family building shall not exceed 160 feet from end-wall to end-wall, not including outdoor living areas (e.g., porches, balconies, patios, and similar unenclosed spaces).
2. **Common open space.** A minimum of 10 percent of the site area shall be designated and permanently reserved as common open space in all multiple family developments, in accordance with all of the following criteria:
 - a. The site area is defined as the lot or parcel on which the development to be located, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.);
 - b. In meeting the common open space standard, the multiple family development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents;
 - c. Historic buildings or landmarks that are open to the public may count toward meeting the common open space requirements when approved by the planning commission;
 - d. To receive credit under Section 2.2.200.J, a common open space area shall have an average width that is not less than 20 feet and an average length that is not less than 20 feet;
 - e. Projects in the Residential-Commercial District or Central Business District that provide pedestrian amenities between primary building entrance(s) and adjoining street(s) are required to provide a minimum of 5 percent of the site in common open space.
3. **Private open space.** Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following criteria:
 - a. A minimum of 50 percent of all ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
 - b. A minimum of 50 percent of all upper-floor housing units shall have balconies or porches measuring at least 48 square feet. Upper-floor housing means housing units that are more than 5 feet above the finished grade; and

- c. In the Residential-Commercial District, multiple family dwellings are exempt from the private open space standard where the development contains pedestrian amenities located between primary building entrance(s) and adjoining streets.

Figure 2.2.200.J – Examples of Multiple Family Open Space



4. Trash receptacles. Trash receptacles shall be oriented away from building entrances, setback at least 10 feet from any public street and adjacent residences, oriented with openings away from adjacent residences, and shall be screened with an evergreen hedge or solid fence or wall of not less than 5 feet in height. Receptacles must be accessible to trash pick-up trucks.

K. Zero-Lot Line Housing. Zero-lot line houses are subject to the same standards as non-attached single family housing, except that a side yard setback is not required on one side of the lot, as generally shown in Figure 2.2.200.K. The standards for zero-lot line housing are intended to ensure adequate outdoor living area, compatibility between adjacent buildings, and access to side yards for building maintenance. All zero-lot line houses shall conform to all of the criteria in subsections 1-4, below:

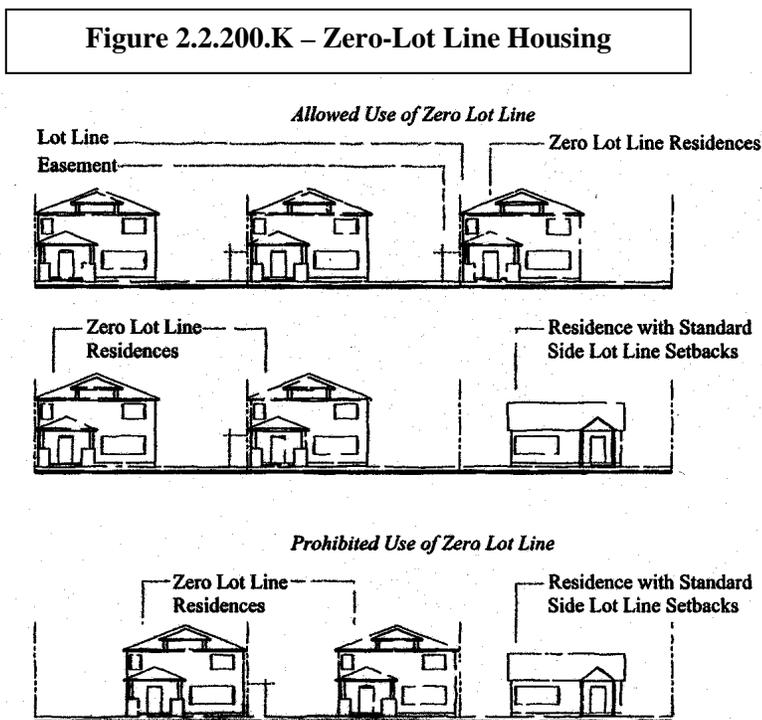
1. Site Design Review Required. Site Design Review is required for new zero-lot line developments. When a zero-lot line development is proposed as part of a Land Division, Master Planned Development, or other application, the Site Design Review may be combined with the other application(s).
2. Setbacks for Primary and Accessory Structures. The allowance of a 0 foot side yard setback is for one single family dwelling on each lot; it does not extend to accessory structures which shall conform to the applicable setback requirements of the zone;
3. Setbacks Adjacent to Non-Zero Lot Line Development. When a zero-lot line house shares a side property line with a non-zero lot line development, the zero-lot line building shall be setback from that common property line by not less than 10 feet;

4. Building Orientation and Design.

The building placement and/or design shall encourage privacy for the occupants of abutting lots. For example, this standard can be met by staggering foundation plans, by placing windows (along the zero lot line) above sight lines with direct views into adjacent yards, by using frosted/non-see-through windows, by avoiding placement of windows on the zero lot line, or other designs approved by the approval body through Site Design Review; and

5. Construction and Maintenance

Easement. Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees access onto adjoining lot for the purpose of construction and maintenance of the zero-lot line house. The easement shall require that no fence or other structure shall be placed in a manner that would prevent maintenance of the zero-lot line house. The easement shall not preclude the adjoining owner from landscaping the easement area.



Chapter 2.3 — Commercial Districts

Sections:

- 2.3.100 Commercial Districts – Purpose**
- 2.3.110 Commercial Districts – Allowed Land Uses**
- 2.3.120 Commercial Districts – Development Standards**
- 2.3.130 Commercial Districts – Zero Setbacks and Build-To Line**
- 2.3.140 Commercial Districts – Lot Coverage and Impervious Surface**
- 2.3.150 Commercial Districts – Building Orientation and Commercial Block Layout**
- 2.3.160 Commercial Districts – Building and Structure Height; Bonus for Mixed-Use**
- 2.3.170 Commercial Districts – Architectural Design Standards**
- 2.3.180 Commercial Districts – Special Use Standards**

2.3.100 Commercial Districts – Purpose

Commercial districts are centers of business and civic life. This Chapter provides four commercial districts to accommodate the range of commercial land uses in the community. The Central Business District is focused on the historic commercial and civic core (i.e., the central business area) of the community. The Community Commercial District regulations apply to those commercial areas outside or adjacent to the central business area. The Commercial Tourist District regulations apply to those commercial areas along Gateway Boulevard and Row River Road adjacent to the I-5 (Exit 174) Interchange. The Commercial Tourist Limited District provides standards for a small area in the northeast portion of the community, between I-5, Row River Road and the Row River, which was brought into the City through an exception process to provide room for a golf course and hospital.

These districts are intended to:

- Promote efficient use of land and urban services;
- Create a mixture of land uses that encourages employment and housing options in close proximity to one another;
- Provide formal and informal community gathering places and opportunities for socialization (i.e., along an active street front);
- Encourage pedestrian-oriented development in all commercial areas;
- Create a distinct storefront character in the Central Business District;
- Provide connections to and appropriate transitions between residential areas and commercial areas;
- Discourage automobile-oriented and automobile-dependent uses in the Central Business District, and accommodate those uses with appropriate design standards in the Community Commercial District and Commercial Tourist Districts;
- Provide for visitor accommodations and tourist amenities;
- Implement design standards/guidelines that maintain and enhance the City’s historic architecture; and
- Protect large commercial sites for their intended commercial use as prescribed in the Cottage Grove Economic Opportunities Analysis (2009).

2.3 – Commercial (C) Land Use Districts – Allowed Land Uses

USE Categories	Central Business (C-2)	Community Commercial (C-2P)	Commercial Tourist (CT)	Commercial Tourist Limited (CT/L)
Entertainment, Major Event	CU	CU	CU	N
Office	P	P	P	N
Outdoor recreation, Commercial	N	CU	P	P
Parking Lot (when not an accessory use)	N	CU	CU	N
Quick Vehicle Servicing or Vehicle Repair. (See Drive-Up/Drive-In/Drive-Through Uses, Section 2.3.190.)	N	CU + S	CU + S	N
Downtown Retail Sales and Service				
- fully enclosed, limited to 20,000 square feet	P	N	N	N
- fully enclosed, equal to or greater than 20,000 square feet	CU	N	N	N
- not enclosed	N	N	N	N
General Commercial Retail Sales and Service (See also Drive-Up Uses)				
- fully enclosed, limited to 20,000 square feet	N	P	N	N
- fully enclosed, limited to 110,000 square feet	N	CU	N	N
- not enclosed	N	CU	N	N
Tourist Commercial Retail Sales and Service (See also Drive-Up Uses)				
- fully enclosed, limited to 20,000 square feet	N	N	P	N
- fully enclosed, limited to 110,000 square feet	N	N	P	N
- not enclosed	N	N	CU	N

2.3 – Commercial (C) Land Use Districts – Allowed Land Uses

USE Categories	Central Business (C-2)	Community Commercial (C-2P)	Commercial Tourist (CT)	Commercial Tourist Limited (CT/L)
Self-Service Storage	N	N	N	N
Industrial Categories				
Light Industrial Service				
- fully enclosed (e.g., office)	CU	P	CU	N
- not enclosed	N	CU	N	N
Medium/Heavy Industrial Service	N	N	N	N
Light Manufacturing and Production				
-- Fully enclosed (e.g. office)	N	CU	N	N
-- Not enclosed	N	N	N	N
Medium/Heavy Manufacturing and Production	N	N	N	N
Warehouse and Freight Movement	N	N	N	N
Waste-Related	N	N	N	N
Wholesale Sales				
-- fully enclosed, less than 20,000 square feet of floor area	N	P	P	N
-- fully enclosed, limited to 110,000 square feet of floor area	N	CU	CU	N
-- not enclosed	N	CU	CU	N

2.3 – Commercial (C) Land Use Districts – Allowed Land Uses

USE Categories	Central Business (C-2)	Community Commercial (C-2P)	Commercial Tourist (CT)	Commercial Tourist Limited (CT/L)
Institutional Categories				
Basic Utilities	P	P	P	P
Colleges	CU	CU	CU	N
Community Service				
- no drive-up uses	P	P	P	N
- with drive-up uses	N	P	P	N
Family Daycare (12 or fewer children) under ORS 657A.250	P	P	CU	P
Daycare, adult or child (exceeding 12)	N	P	N	P
Pedestrian Amenities	P	P	P	P
Parks and Open Space	CU	CU	CU	CU
Parks and Open Space, when designated on an adopted Specific Area Plan, or when part of a Master Plan	P	P	P	P
Religious Institutions and Houses of Worship	CU	CU	CU	CU
Schools	CU	CU	N	N
Other Categories				
Accessory Structures (with a permitted use)	P	P	P	P

2.3 – Commercial (C) Land Use Districts – Allowed Land Uses

USE Categories	Central Business (C-2)	Community Commercial (C-2P)	Commercial Tourist (CT)	Commercial Tourist Limited (CT/L)
Small Animals, limited to 3 cats and/or dogs, pot-bellied pigs, rabbits, chickens or similar size animal (excluding roosters and swine)	P	P	P	P
Nurseries and similar commercial horticulture (indoor or outdoor)	N	P	CU	N
Buildings and Structures exceeding the Height Limits in Table 2.3.120	CU	CU	CU	CU
Wireless Telecommunication Facilities	N	CU + S	N	N
Rail Lines and Utility Corridors, except those existing prior to effective date of Development Code	N	CU	CU	CU
Temporary Uses, per standards in Section 4.9.100 <ul style="list-style-type: none"> - Temporary Residential Trailers - Temporary Fireworks Sales/Christmas Tree Lots or similar uses - Temporary Food Vendors (not enclosed in building) 	N N N	CU P P	CU P P	CU P P
<ul style="list-style-type: none"> - Temporary Sales Office or Model Home - Special Events 	N P	P P	P P	P P

2.3 – Commercial (C) Land Use Districts – Allowed Land Uses

USE Categories	Central Business (C-2)	Community Commercial (C-2P)	Commercial Tourist (CT)	Commercial Tourist Limited (CT/L)
Intensification or Change of Use in Willamette River Greenway	CU	CU	CU	CU
Community Garden	CU	CU	CU	N

2.3.120 Commercial Districts – Development Standards

The development standards in Table 2.3.120 apply to all new structures, buildings, and development, and major remodels, in the Commercial Districts.

Table 2.3.120 – Development Standards for Commercial Districts

Standard	C-2	C-2P	CT	CT/L
<i>Minimum Lot Area (square feet)</i>	No standard	No standard	No standard	No standard
<i>Minimum Lot Width</i>				
Non-Residential Uses	15 ft	60 ft	50 ft	50 ft
<i>For flag lots, width is measured at the front building line.</i>				
<i>Minimum Lot Depth</i>	N/A	2 times width	2 times width	2 times width
<i>Building/Structure Height*</i>				
<u>Level Site (slope less than 15%), maximum height</u>	40 ft	40 ft	28 ft	40 ft
<u>Sloping Site (15% or greater), maximum height</u>	N/A	level site +5 ft	level site +5 ft	level site +5 ft
<u>Height Bonus</u> for Residential Use in Upper Building Story, per Section 2.3.160	10 ft	10 ft	N/A	N/A
<u>Building Height Transition</u> required adjacent to R/R-1 District, per Section 2.2.170	Yes	Yes	Yes	No
<i>*Height may be exceeded with approval of a Conditional Use Permit, per Chapter 4.4.</i>				
<u>Fences, Retaining/Garden Walls</u> (See also, Sections 3.1.2, Vision Clearance; 3.2.500, Fences, Walls)	6 ft	6 ft	6 ft	6 ft

2.3 – Commercial Land Use Districts – Development Standards

Standard	C-2	C-2P	CT	CT/L
<p>Lot Coverage (two options):</p> <p>1. Max. Building Coverage (Foundation plane as % of site area)</p> <p>2. Coverage Bonus</p> <p>The allowable building coverage increases by a ratio of one-half (1/2) square foot for every one (1) square foot of required parking area that is paved using a City-approved porous/permeable paving material (i.e., allowing stormwater infiltration) <u>or</u> one-half (1/2) square foot for every one (1) square foot of City-approved water quality treatment area (e.g., vegetative swale or biofiltration) on the development site.</p>	100%	60%	50%	50%
<p>Min. Landscape Area (% site area), <i>except</i> does not apply to Single Family Dwellings. Landscape area may include plant areas and some non-plant areas as allowed under Section 3.2.300.D.</p>	0%	10%	15%	15%
<p>Minimum Setbacks (feet): (See also, Section 2.2.170, R/R-1 Height Step-Down.)</p> <p><u>Front, Street, Side, and Rear</u> property lines, except garage or carport</p> <p><u>Garage/Carport Entry</u>, setback from street</p> <p><u>Alley</u></p> <p><u>Adjacent to R/R-1 District</u></p>	0 ft	0 ft	0 ft	0 ft
	0 ft	20 ft	20 ft	20 ft
	0 ft	3 ft	3 ft	3 ft
	10 ft, and per Section 2.2.170	10 ft, and per Section 2.2.170	10 ft, and per Section 2.2.170	10 ft, and per Section 2.2.170
<p>Build-To Line (feet): <u>New Buildings Only:</u> (Per Sections 2.3.130A, 2.3.170.)</p>	0 ft	60 ft, may be increased per Section 2.3.170	60 ft, may be increased per Section 2.3.170	60 ft, may be increased per Section 2.3.170

2.3.130 Commercial Districts – Zero Setbacks and Build-To Line

A. Zero Setbacks and Build-To Line – Purpose; Fire Code; Clear Vision; and Applicability. Zero setbacks and build-to lines, as provided in Table 2.3.120, are intended to encourage pedestrian-oriented development, while providing more flexibility in site design than what is possible with large setbacks. With buildings placed close to the street, a development can afford good access for emergency service providers in the case of a fire or other emergency. Where no minimum setback is required, all structures and buildings shall conform to the vision clearance standards in Chapter 3.1 and the applicable fire and building codes (e.g., for attached structures, fire walls, and related requirements).

Build-To Line Applicability: At least one primary building entrance shall be built no farther from the street right-of-way than the build-to line; except where a greater setback is required for a Planned Street Improvement, then the build-to line increases proportionately. The build-to line may also be increased through Site Design Review when pedestrian amenities are provided between a primary building entrance and the street right-of-way. (See also, Section 2.3.170 and Section 2.3.180.)

B. Setback Yards – Reverse Frontage Lots and Corner Lots. Buildings on reverse-frontage lots (through lots) shall be required to meet the build-to line standard on only one street. Reverse frontage lots are subject to the fence height and setback requirements in Section 2.3.120 and the landscape buffer requirements in Chapter 3.2.200.

Buildings on corner lots shall be required to meet the build-to line standard on both streets.

C. Setback Yards – Flag Lots. The front yard of a flag lot shall conform to one of the following two options:

1. Parallel to the street from which access is taken, or
2. Parallel to the flag pole from which access is taken.

The applicant for a building permit may choose either Option 1 or Option 2, except as otherwise prescribed by conditions of a partition or subdivision approval. Note: The City may impose such conditions as provided under Section 2.2.140 and Section 4.3.115.

2.3.140 Commercial Districts – Lot Coverage and Impervious Surface

Lot coverage and impervious surfaces are calculated as provided under Section 2.2.160.

2.3.150 Commercial Districts – Building Orientation and Commercial Block Layout

- A. Purpose.** Section 2.3.150 orients buildings close to streets to promote pedestrian-oriented development where walking is encouraged. Placing residences and other buildings close to the street also encourages crime prevention, natural surveillance or security, and safety by having more “eyes-on-the-street.”
- B. Applicability.** Section 2.3.150 applies to that are subject to Site Design Review, Historic Alteration or Land Division Review, including those reviewed as part of a Master Planned Development.
- C. Building orientation standards.** Developments subject to this Section shall have their buildings oriented to a street, as generally shown in Figure 2.3.150.C(1). This standard is met when all of the following criteria are met:
1. Compliance with the setback and build-to line standards in Section 2.3.120, where applicable.
 2. Except as provided in subsections 2.3.150.C(4) and (5), below, all buildings shall have at least one primary building entrance (i.e., dwelling entrance, a tenant entrance, lobby entrance, or breezeway/courtyard entrance) facing an adjoining street (i.e., within 45 degrees of the street property line).
 3. In the Commercial Districts, off-street parking, driveways, and other vehicle areas shall not be placed between buildings and the street(s) to which they are oriented; except as provided under subsection 2.3.150.C(4). Off-street parking in the Commercial Districts shall be oriented internally to the site and divided by landscape areas into bays of not more than 24 parking spaces per bay, as generally shown in Figures 2.3.150.C(2).

Figure 2.150.C(1) – Building Orientation

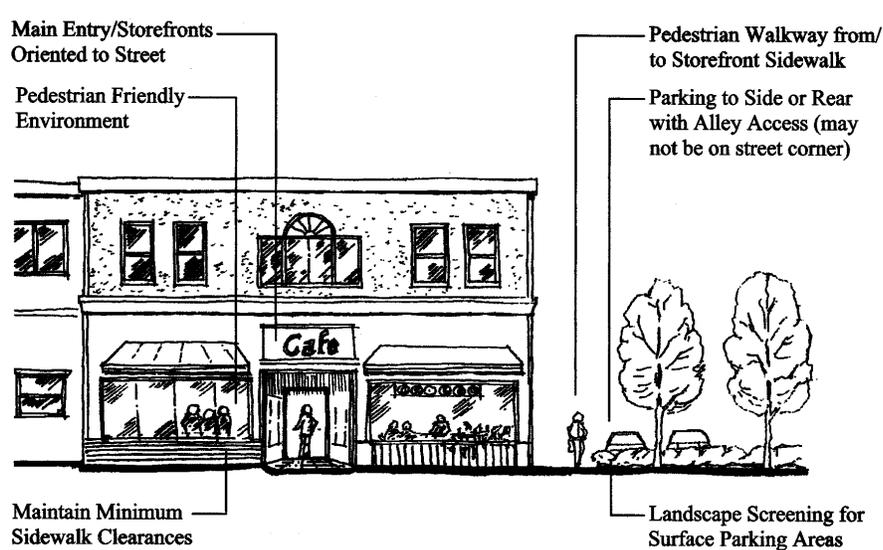
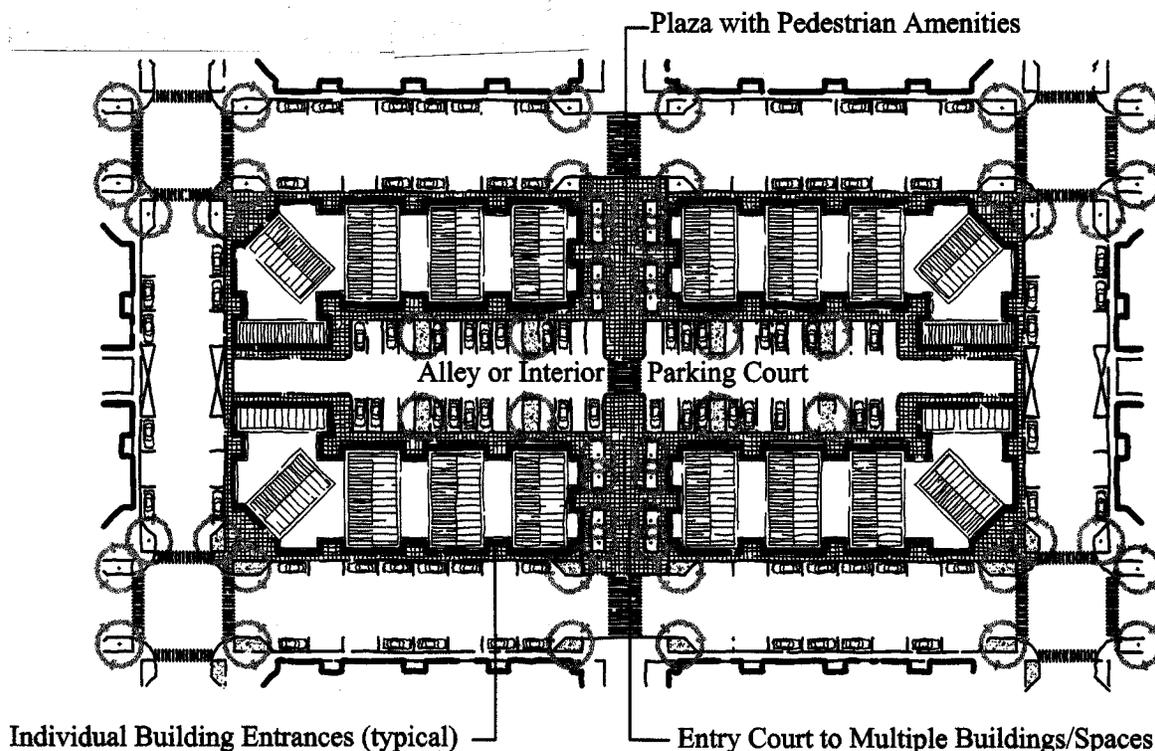


Figure 2.3.150.C(2) – Building Orientation With Internal Parking



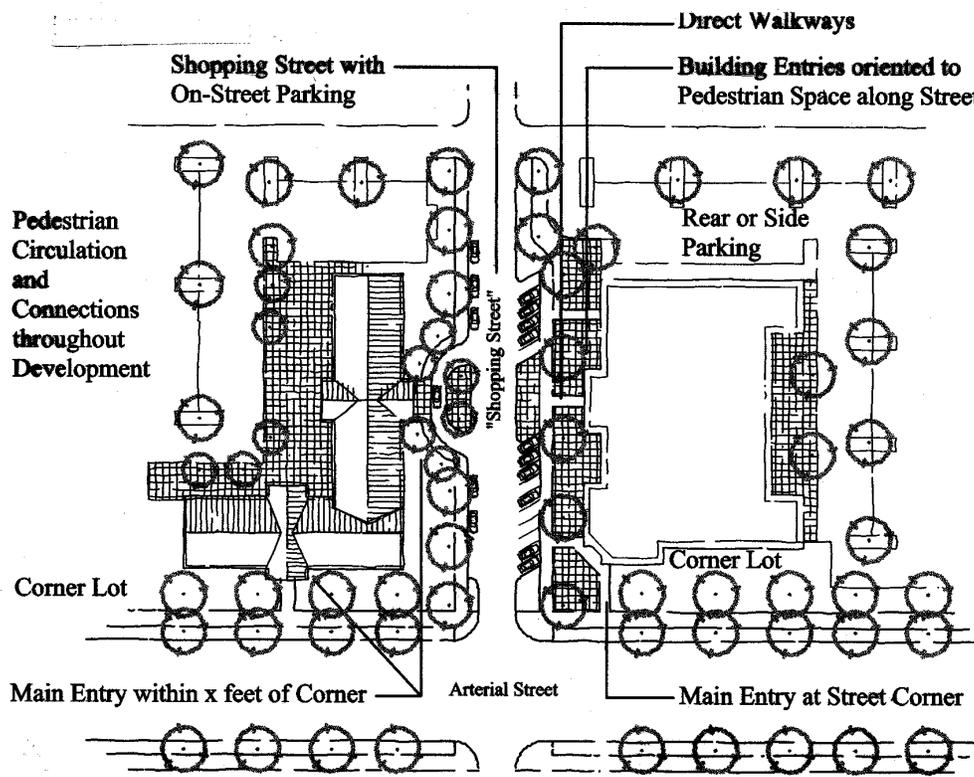
4. In the C-2P, CT and CT/L Districts, the building orientation standard may be met with vehicle areas allowed between the street right-of-way and a building’s primary entrance when the approval body finds that the following criteria are met:
 - a. Placing vehicle areas between the street right-of-way and building’s primary entrance will not adversely affect pedestrian safety and convenience, based on the distance from the street sidewalk to the building entrance, projected vehicle traffic volumes, and available pedestrian walkways;
 - b. The proposed vehicle areas are limited to one driveway of not more than 24 feet in width with adjoining bays of not more than eight (8) consecutive parking spaces per bay (including ADA accessible spaces) on the side(s) of the drive aisle. (The intent is to create a drive aisle that is street-like, and break up parking into small bays with landscaping); and
 - c. The building’s primary entrance is connected to an adjoining street by a pedestrian walkway that meets the standards for pedestrian walkways under Section 3.1.3.
5. Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to common green,

plaza, or courtyard. When oriented in this way, the primary entrance(s) and green, plaza, or courtyard shall be connected to the street by a pedestrian walkway meeting the standards in Section 3.1.3.

D. Block Layout Standard. Developments containing 40,000 square feet or more building floor area in the C-2P, CT or CT/L Districts, or 20,000 square feet or more floor area in the C-2 and RC Districts, shall meet all of the following standards:

1. The site shall be configured into blocks that have frontage onto streets, interior parking courts (as generally shown in Figure 2.3.150.C(2), above), or shopping streets (as generally shown in Figure 2.3.150.C(3), below). All parking courts and shopping streets shall contain on-street parking (parallel or angled parking), street- or court-facing building entrances and entrances at or near (i.e., within 40 feet of) block corners, sidewalks, street trees, and pedestrian lighting;
2. Blocks shall not exceed 400 feet in length in all commercial districts, and shall have a perimeter not exceeding 1,200 feet.
3. Pedestrian pathways shall connect the street right-of-way to building entrances and the interior parking courts between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking;

Figure 2.3.150.C(3) – Shopping Street Example

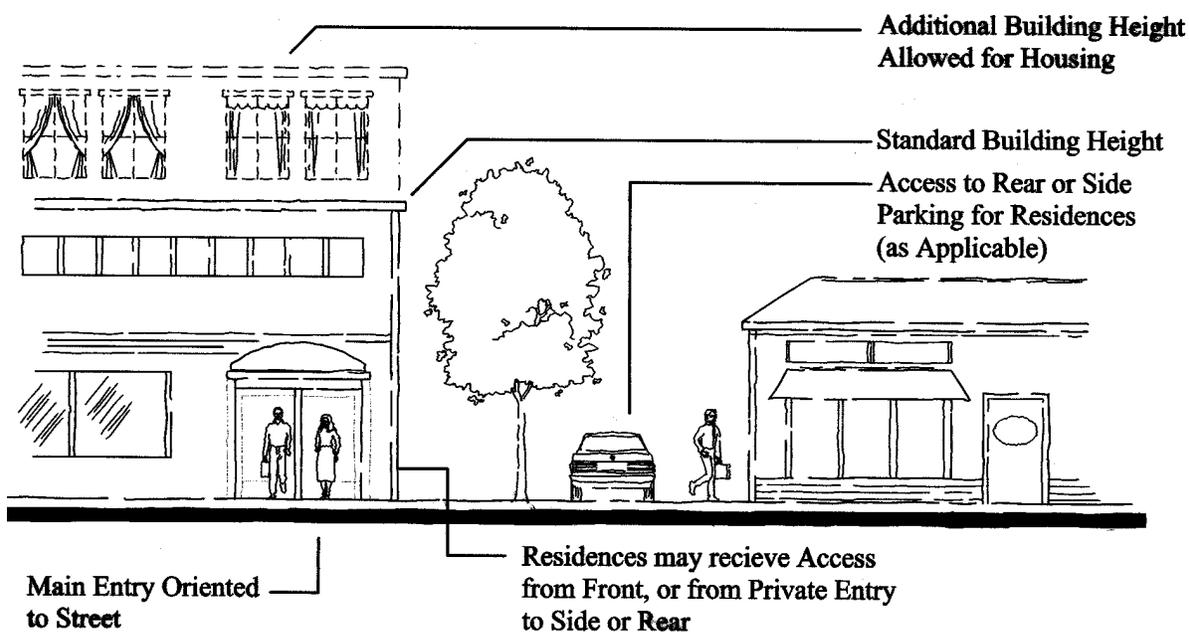


2.3.160 Commercial Districts – Building and Structure Height; Bonus for Mixed-Use

A. Method of Measurement. Building and structure heights shall conform to the standards in Table 2.3.120; height is measured in conformance with Section 2.2.170.

B. Height Bonus for Housing. The building height in the Central Business District may be increased by 10 feet when housing is provided above ground floor commercial use(s), as generally shown in Figure 2.3.160B. Where a second egress is required for fire safety, residences may have their entrances/egress oriented to any yard; such entrances need not be oriented to the street yard.

Figure 2.3.160B - Building Height Bonus for Housing



2.3.170 Commercial Districts – Architectural Design Standards

A. Purpose and Applicability. Section 2.3.170 is intended to provide detailed, human-scale design that is characteristic of Cottage Grove, while affording flexibility to use a variety of architectural building styles. All new buildings and major remodels shall meet the standards of subsections 2.3.170.B-D, which are applied through Site Design Review. The applicant demonstrates that the standards are met by complying with the criteria under each standard.

B. Pedestrian Orientation. The design of all buildings on a site shall support a safe and attractive pedestrian environment. This standard is met when the approval body finds that all of the criteria in 1-7, below, are met. Alternatively, the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard.

1. The building orientation standards under Section 2.3.150 are met; and
2. Primary building entrances shall open directly to the outside and, if not abutting a street, shall have walkways connecting them to the street sidewalk; every building shall have at least one primary entrance that does not require passage through a parking lot or garage to gain access; and
3. Corner buildings (i.e., buildings within 20 feet of a corner as defined by the intersecting curbs) shall have corner entrances, or shall provide at least one entrance within 20 feet of the street corner or corner plaza; and
4. In the C-2P, CT/L and CT districts, at least 40 percent of the building's front façade (measured horizontally in linear feet) shall be located at the build-to line or closer to the street. In the C-2 district, 100 percent of the building's front façade shall be located at the build-to line. Build-to lines are prescribed by Section 2.3.120; and
5. Ground floor windows or window displays shall be provided along at least 40 percent of the building's (ground floor) street-facing elevation(s) in the C-2P, CT and CT/L districts, and along 70 percent of the building's street-facing elevation(s) in the C-2 district. Windows and display boxes shall be integral to the building design and not mounted to an exterior wall; and
6. Primary building entrance(s) are designed with weather protection, such as awnings, canopies, overhangs, or similar features; and
7. Drive-up and drive-through facilities, when allowed, shall conform to Section 2.3.190; the provisions of which shall not be modified without a variance (Chapter 5.1).

C. Compatibility. All new buildings and major remodels shall be designed consistent with the architectural context in which they are located. This standard is met when the approval body finds that all of the criteria in 1-9, below, are met.

1. There is continuity in building sizes between new and existing buildings;
2. The ground floor and upper floor elevations and architectural detailing are compatible with adjacent commercial buildings;
3. Buildings adjacent to the R/R-1 district height step-down, as required by Section 2.2.170.C;
4. Roof elevation is compatible with adjacent commercial buildings (roof pitch, shape, height step-down);
5. There is continuity of building sizes on the site, if more than one building is proposed;
6. There is continuity in the rhythm of windows and doors on the proposed building(s);
7. The relationship of buildings to public spaces, such as streets, plazas, other areas, and public parking, including on-street parking, is strengthened by the proposed building(s);
8. Criteria for alterations of historic landmarks is met, as required by Chapter 2.6; and
9. New construction or relocations on properties adjacent to historic landmarks is compatible with the overall character of the landmark in use of exterior materials, such as roofing and siding; exterior features, such as roof pitch, eaves, window shapes, types and arrangements, doorways, porches, landscaping, etc.; and size, height, bulk, mass, scale, placement, arrangement of spaces and overall proportions.

D. Human Scale. The design of all buildings shall be to a human-scale. This standard is met when the approval body finds that all of the criteria in 1-8, below, are met. Alternatively, the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard. Figure 2.3.170.D contrasts examples of building elevations that are consistent/inconsistent with human scale criteria.

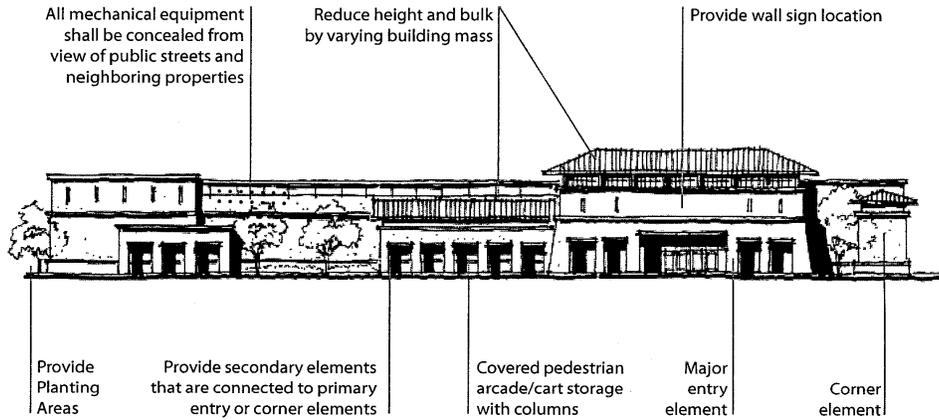
1. Regularly spaced and similarly shaped windows are provided on all building stories;
2. Ground floor retail spaces have tall ceilings (i.e., 12-16 feet) with display windows on the ground floor;
3. Display windows are trimmed, recessed, or otherwise defined by wainscoting, sills, water tables, or similar architectural features;
4. On multi-story buildings, ground floors are defined and separated from upper stories by

2.3 – Commercial Land Use Districts – Architectural Design Standards

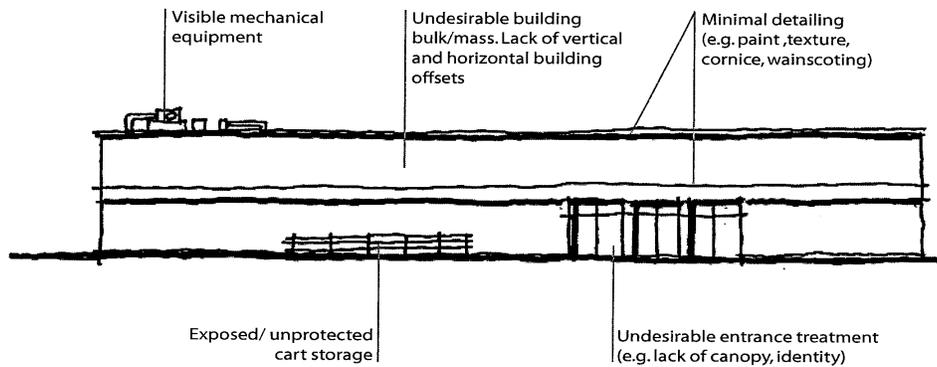
appropriate architectural features (e.g., cornices, trim, awnings, canopies, arbors, trellises, overhangs, or other features) that visually identify the transition from ground floor to upper story; such features should be compatible with the surrounding architecture;

5. The tops of flat roofs are treated with appropriate detailing (i.e., cornice, pediment, flashing, trim, or other detailing) that is compatible with the surrounding architecture;
6. Pitched roofs have eaves, brackets, gables with decorative vents, or other detailing that is consistent with the surrounding architecture;
7. Historic design and compatibility requirements, where applicable, are met; and
8. Where buildings with greater than 5,000 square feet of enclosed ground-floor space are proposed, they shall provide articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least 1 of the following features for every 30 feet of building (horizontal length):
 - a. Windows;
 - b. Primary entrances;
 - c. Weather protection (awnings, canopies, arbors, trellises), sheltering roofs;
 - d. Building offsets;
 - e. Projections;
 - f. Changes in elevation or horizontal direction;
 - g. Terraces;
 - h. A distinct pattern of divisions in surface materials;
 - i. Ornamentation;
 - j. Screening trees;
 - k. Small-scale lighting (e.g., wall-mounted lighting, or up-lighting);
 - l. And/or similar features as generally shown in Figure 2.3.170.D.

Figure 2.3.170D – Examples of Large Commercial Design Elements



Large Commercial Massing - Acceptable



Large Commercial Massing - Unacceptable

Note: Figure 2.3.170.D should not be interpreted as a required architectural style.

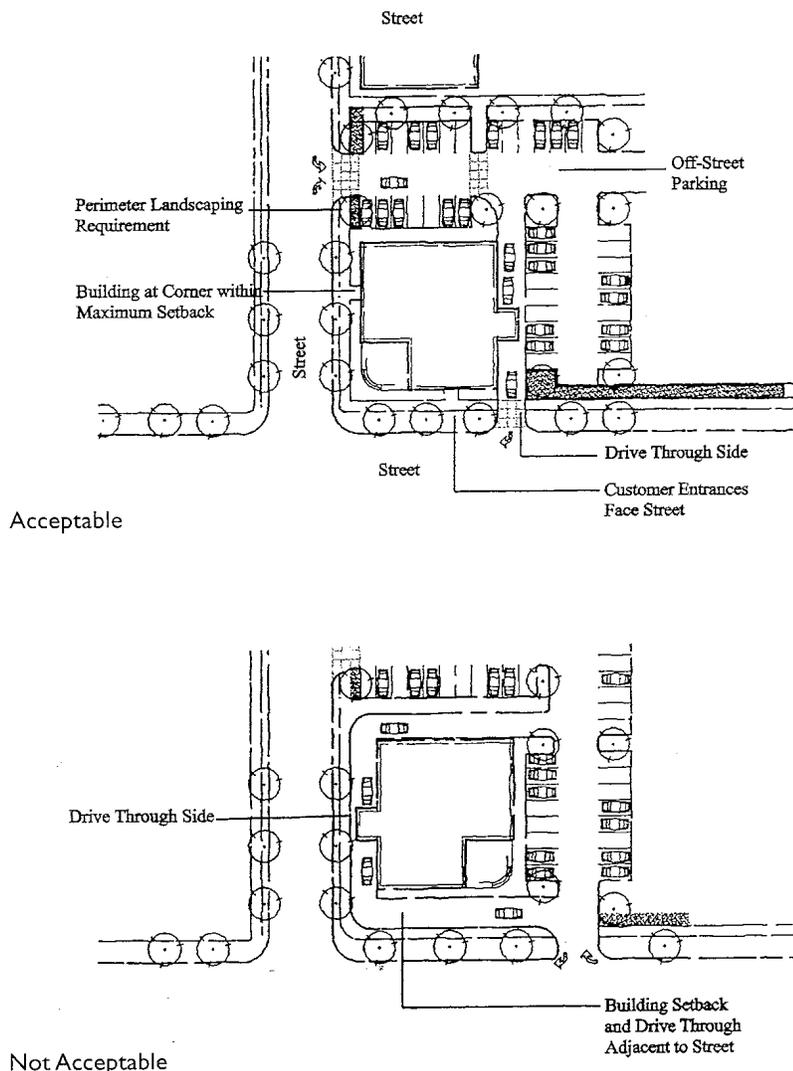
2.3.180 Commercial Districts – Special Use Standards

This section supplements the standards contained in Sections 2.3.110 through 2.3.170. It provides standards for the following land uses to control the scale and compatibility of those uses:

- Drive-up and Drive-through Uses and Facilities
- Vehicle Repair
- Wireless Telecommunication Uses and Facilities

A. Drive-Up/Drive-In/Drive-Through Uses and Facilities. When drive-up or drive-through uses and facilities are allowed, no driveways or queuing areas shall be located between the building and a street. See Figure 2.3.180.A(1). Walk-up only teller machines and kiosks may be oriented to a street or placed adjacent to a street corner.

Figure 2.3.180.A(1) – Drive-Up and Drive-Through Facilities



B. Vehicle Repair. When vehicle repair uses and facilities are allowed, they shall conform to all of the following standards, which are intended to mitigate the appearance of the use from the street.

1. Drive-up/in queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way;
2. Exterior storage of vehicles shall be located behind the facility or shall be screened from view so as to not be visible from the public right-of-way;
3. Exterior storage of parts and materials shall be screened from view or located so as to not be visible from any public right-of-way; and
4. Storage of combustibles shall meet fire code requirements.

C. Wireless Telecommunication Uses and Facilities. When wireless telecommunication uses and facilities are allowed, they shall conform to all of the following standards, which are intended to encourage the collocation of wireless telecommunication facilities; encourage the use of existing buildings, light or utility poles or water towers as opposed to construction of new telecommunication towers; and ensure that all wireless telecommunication facilities, including towers, antennas, and ancillary facilities, are located and designed to minimize the visual impact on the immediate surroundings and throughout the community, and minimize public inconvenience and disruption.

1. FCC approval. Any telecommunication facility shall first receive FCC approval, as specified in FCC Rules 1.1301 - 1.1319, as a condition of City approval prior to construction.
2. Separation between transmission towers. No transmission tower may be constructed within 2,000 feet of any pre-existing transmission tower. Tower separation shall be measured by following a straight line from the portion of the base of the proposed tower that is closest to the base of any pre-existing tower. For purposes of this paragraph, a tower shall include any transmission tower for which the city has issued a development permit, or for which an application has been filed and not denied.
3. Height limitation. The maximum height of a transmission tower, including antennas, in the C2-P, M-1, or M-2 zone is 100 feet. For freestanding structures, height shall be measured from the average grade adjacent to the structure to the highest point of the support structure or any attachment thereto. Average grade shall exclude fill and/or grading for the structure itself.
4. Collocation. New transmission towers shall be designed to accommodate collocation of additional providers.
 - a. New transmission towers of a height of 80 feet or more shall be designed to accommodate collocation of a minimum of 2 additional providers either outright or

through future modification to the tower.

- b. New transmission towers of a height of at least 60 feet and no more than 80 feet shall be designed to accommodate collocation of a minimum of 1 additional provider either outright or through future modification of the tower.

5. Setback. The following setbacks from adjacent property lines and adjacent streets:

- a. The transmission tower shall be set back from adjacent property lines a minimum number of 20 feet.
- b. The transmission tower shall be set back from adjacent public right-of-ways with a minor arterial designation a minimum number of feet that is equal to a ratio of 2:1 (the height of the tower to setback).
- c. Ancillary facilities, including the buildings, cabinets, vaults, closures and equipment required for operation of WTF, shall be setback as determined by the underlying zone.

6. Buffering: In all zones, existing vegetation shall be preserved to the maximum extent possible. Landscaping shall be placed completely around the transmission tower and ancillary facilities located at ground level except as required to access the facility. Such landscaping shall consist of evergreen vegetation with a minimum planted height of 6 feet placed densely so as to form a screen outside of any protective fencing and any related equipment. Landscaping shall be compatible with other nearby landscaping and shall be kept healthy and well maintained.

7. Noise reduction: In C2-P and in all other zones when the adjacent property is zoned for residential use or occupied by a dwelling, hospital, school, library, assisted living facility or nursing home, noise generating equipment shall be sound-buffered by means of baffling, barriers, or other suitable means to reduce sound level measured at the property line to 45dBa.

8. Lighting: No lighting shall be permitted on transmission towers except that required by the Federal Aviation Administration. Support facilities and equipment may be illuminated so long as the light pattern remains within the site boundaries and the light is shielded from view from adjacent public rights-of-way, residential uses and residential zoning districts.

9. Visual impacts: A WTF shall be located and installed in such a manner as to minimize the visual impact on the skyline and surrounding area. Site location and development shall preserve the existing character of the surrounding buildings, land use and the zoning district to the greatest extent possible, while maintaining the function of the communication equipment. To the greatest extent practicable, the application shall demonstrate that the following items have been incorporated in the proposal:

2.3 – Commercial Land Use Districts – Special Use Standards

- a. On site vegetation preserved and disturbance to the existing topography is minimized;
 - b. The WTF is sited in a location which has the least impact on residential uses and districts and public rights-of-ways;
 - c. The WTF is incorporated as a building element or architectural feature as part of an existing building;
 - d. Equipment facilities are located within a building or placed underground; and
 - e. The telecommunication facility incorporates stealth technology or is a neutral color such as white, gray, blue, black or green or similar to adjacent building color.
10. Display: No signs, striping, graphics or other attention getting devices are permitted on the transmission tower or ancillary facilities except for warning and safety signage with a surface area of no more than 3 square feet. Such signage shall be affixed to a fence or ancillary facility and the number of signs is limited to no more than 2.
11. Removal of facilities. Not less than 30 days prior to the date that a WTF operator plans to abandon or discontinue operation of a facility, the provider must notify the city by certified U.S. mail of the proposed date of abandonment or discontinuation of operation. In the event that a licensed carrier fails to give notice, the facility shall be considered abandoned upon the city's discovery of discontinuance of operation. Upon such abandonment, the provider shall have 60 days or additional period of time determined in the reasonable discretion of the director within which to:
- a. Reactivate the use of the facility or transfer the facility to another provider who makes actual use of the facility.
 - b. In the event that abandonment as defined in this chapter occurs due to the relocation of an antenna at a lower point on the support structure, reduction in the effective radiated power of the antenna or reduction in the number of transmissions from the antennas, the operator of the support structure shall have six months from the date of effective abandonment to co-locate another service on the support structure. If another service provider is not added to the support structure, then the operator shall promptly dismantle and remove that portion of the support structure that exceeds the minimum height required to function satisfactorily. Notwithstanding the foregoing, changes which are made to WTFs that do not diminish their essential role in providing a total system shall not constitute abandonment.
 - c. Dismantle and remove facility. If the support structure, antenna array, foundation and facility are not removed within the 60-day period or additional period of time allowed by the city, then the city may remove such support structure, antenna, foundation and related facility at the operator's expense. If there are two or more

2.3 – Commercial Land Use Districts – Special Use Standards

operators co-locating on a facility, except as provided for in subsection b of this section, this provision shall not become effective until all operators cease using the facility.

- d. At the earlier of 60 days from the date of abandonment without reactivating, or upon completion of dismantling and removal, city approval for the facility shall automatically expire.
- e. To insure removal of the WTF, the applicant shall, as a condition of approval of the Conditional Use Permit, provide a performance bond payable to the City of Cottage Grove and acceptable to the Community Development Director to cover the cost of removal of the WTF and restoration of the site at the time the facility is removed.
- f. The property owner shall bear the ultimate responsibility for removal of the WTF and shall sign a document that is recorded in the deed history of the subject property with Lane County Deeds and Records recognizing such responsibility.

2.3.190 Commercial Districts – Large Site Master Planning Requirements

Commercial land added to the Cottage Grove Urban Growth Boundary (UGB) to meet commercial land needs identified in the Cottage Grove Economic Opportunities Analysis (2009) shall be assigned a Master Planned Development (PD) overlay zone under Chapter 4.5 Master Planned Developments following annexation.

- A. The minimum development area covered by this master plan shall be 10 acres.

Chapter 2.4 —Industrial (I) Districts

Sections:

- 2.4.100 Industrial Districts – Purpose**
- 2.4.110 Industrial Districts – Allowed Uses**
- 2.4.120 Industrial Districts – Setback Yards and Buffering**
- 2.4.130 Industrial Districts – Lot Coverage**
- 2.4.140 Industrial Districts – Site Layout and Design**
- 2.4.150 Industrial Districts – Building and Structure Height**

2.4.100 Purpose

Chapter 2.4 accommodates a range of industrial and commercial land uses in three Industrial Districts, Light Industrial (M-1), Heavy Industrial (M-2) and Business Park (BP). These districts are intended to provide for land use compatibility while providing a high-quality environment for businesses and employees. The industrial districts are also intended to provide suitable locations for heavy industrial uses (e.g., raw materials processing; and manufacturing, assembly, packaging or distribution of heavy or large goods) that would not otherwise be compatible in other districts. The Business Park District is intended to allow for mixed light industrial and service commercial uses, with limited supporting retail, in a master planned campus-like setting.

Chapter 2.4 guides the orderly development of industrial areas based on the following objectives:

- Provide for efficient use of land and public services;
- Provide appropriately zoned land with a range of parcel sizes for industry;
- Provide transportation options for employees and customers;
- Locate business services close to major employment centers;
- Ensure compatibility between industrial uses and nearby commercial and residential areas;
- Provide appropriate design standards to accommodate a range of industrial users;
- Provide attractive locations for business to locate;
- Accommodate mixed-use development of light industrial areas; and
- Protect employment sites for their intended use as identified in the Cottage Grove Economic Opportunities Analysis.

2.4.110 Land Uses Allowed in the Industrial Districts

Table 2.4.110 identifies the land uses that are allowed in the Industrial Districts. The specific land use categories are described and uses are defined in Chapter 1.3 and 1.4.

TABLE 2.4.110 Land Use in Industrial Districts (M-1, M-2, BP)

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Light Industrial (M-1)	Heavy Industrial (M-2)	Business Park (BP)
Residential Categories			
Household Living			
All Residential Uses	N	N	N
Commercial Categories			
Drive-up/Drive-in/Drive-through (drive-up windows, kiosks, ATM's, similar uses/facilities), per Section 2.3.190	N	N	N
Bed and Breakfast Inn	N	N	N
Educational Services, not a school (e.g., tutoring or similar services)	N	N	MP
Entertainment, Major Event	N	N	N
Office			
- Primary use	N	N	MP
- Accessory Use	P	P	P
Outdoor recreation, Commercial	N	N	N
Parking Lot (when not an accessory use)	CU	CU	N
Quick Vehicle Servicing. (See also Drive-Up/Drive-In/Drive-Through Uses, per Section 2.3.190)	N	N	N
Vehicle Repair	CU	CU	N

2.4 – Industrial (I) Land Use Districts – Permitted Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Light Industrial (M-1)	Heavy Industrial (M-2)	
Retail Sales and Service - Accessory to primary use	CU	CU	N
Self-Service Storage	P	P	N
Industrial Categories			
Light Industrial Service	P	P	MP
Medium/Heavy Industrial Service	N	N	N
Light Manufacturing and Production - fully enclosed (e.g., office) - not enclosed	P CU	P P	MP N
Medium/Heavy Manufacturing and Production	N	P	N
Warehouse and Freight Movement	N	P	N
Waste-Related	CU	P	N
Wholesale Sales	S	CU	MP
<u>Business Park Retail Commercial</u>	<u>N</u>	<u>N</u>	MP
<u>Business Park Service Commercial</u>	<u>N</u>	<u>N</u>	MP
Institutional Categories			
Basic Utilities	P	P	MP
Colleges	N	N	N

2.4 – Industrial (I) Land Use Districts – Permitted Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Light Industrial (M-1)	Heavy Industrial (M-2)	
Community Service	CU	P	MP
Family Daycare (12 or fewer children) under ORS 657A.250	P	P	N
Daycare, adult or child (exceeding 12)	N	N	MP
Pedestrian Amenities	P	P	P
Parks and Open Space	N	N	N
Parks and Open Space, when designated on an adopted Specific Area Plan, or when part of a Master Plan	P	P	P
Religious Institutions and Houses of Worship	N	N	N
Schools	N	N	N
Other Categories			
Accessory Structures (with a permitted use)	P	P	MP
Small Animals, limited to 3 cats and/or dogs, pot-bellied pigs, rabbits, chickens or similar size animal (excluding roosters and swine)	P	P	N
Nurseries and similar commercial horticulture (indoor or outdoor)	CU	N	N
Buildings and Structures exceeding Height Limits in Table 2.3.120	CU	CU	MP
Wireless Telecommunication Facilities	CU	CU	MP
Rail Lines and Utility Corridors, except those existing prior to effective date of Development Code are allowed.	CU	CU	MP
Temporary Uses, per standards in Section 4.9.100 - Temporary Job Trailers	P	P	P
Transportation Facilities (operation, maintenance, preservation and construction)	P	P	P

2.4.120 Industrial Districts – Setback Yards; Industrial Buffers

A. Purpose. Setback yards and buffers provide separation between industrial and non-industrial uses for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation.

B. Applicability. The setback yard and buffer standards in subsections 2.4.120.C-F are minimum standards that apply to buildings, accessory structures, parking areas, mechanical equipment, and other development (but not buffers as required under subsection G). In granting a Conditional Use Permit, the approval body may increase the standard yards and/or buffers consistent with the criteria in Chapter 4.4. The approval body may also decrease the standard yards and/or buffers through the Conditional Use Permit process process, provided that all applicable building and fire safety codes are met.

C. Front and Street Yard Setbacks.

1. Light Industrial (M-1) District: Minimum of 20 feet.
2. Heavy Industrial (M-2) District: Minimum of 10 feet.
3. Business Park (BP) District: Minimum of 25 feet from designated arterial streets, 20 feet from collector streets, and 15 feet from local streets.

D. Rear Yard Setbacks.

1. Adjacent to a Commercial or Industrial District: Minimum of 10 feet, except common wall buildings with 0-setback are allowed;
2. Abutting a Residential District: Minimum of 20 feet, and conformance with the R/R-1 height step-down standards in Section 2.2.170.C.

E. Side Yard Setbacks. There are no required side-yard setbacks, except a minimum of 20 feet and conformance with the R/R-1 height step-down standards in Section 2.2.170.C is required when an Industrial District abuts an R or R-1 District.

F. Minimum Landscape Area (% site area). The minimum landscape area for M-1 and M-2 Industrial Districts shall be 5%. The minimum landscape area for BP Industrial District shall be 20%. Landscape area may include plant areas and some non-plant areas as allowed under Section 3.2.300.D.

G. Buffering Other Yard Requirements.

1. Buffering. The approval body may require landscaping, fences, walls or other buffering that exceed the landscaping standards in Chapter 3.2 when it finds through Site Design Review (Chapter 4.2), Conditional Use Permit review (Chapter 4.4), and/or Master Planned Development review (Chapter 4.5), as applicable, that more or different

buffering is necessary to mitigate adverse noise, light, glare, and/or aesthetic impacts to adjacent properties.

Developments within Industrial Districts abutting Residential Districts will be required at minimum to erect a fence, evergreen hedge or wall along the property line that is the zone boundary. The approval body may also require a fence, evergreen hedge or wall to be erected to screen the view of storage yards and operations not enclosed in a building. The fence, hedge or wall shall screen not less than 70 percent of the view and be between 5 and 8 feet in height.

- 2. Pedestrian Access. The approval body may require the construction of pedestrian access ways through required buffers to ensure pedestrian connections within large developments, between multiple development phases, or connecting to public sidewalks, walkways, or multi-use pathways. The design of access ways shall conform to Section 3.1.300.

2.4.130 Industrial Districts – Lot Coverage

- A. Light Industrial (M-1) District:** Maximum lot coverage, including all impervious surfaces, 80 percent.
- B. Heavy Industrial (M-2) District:** Maximum lot coverage, including all impervious surfaces, 80 percent.
- C. Business Park (BP) District:** Maximum lot coverage, including all impervious surfaces, 70 percent.

2.4.140 Industrial Districts – Site Layout and Design

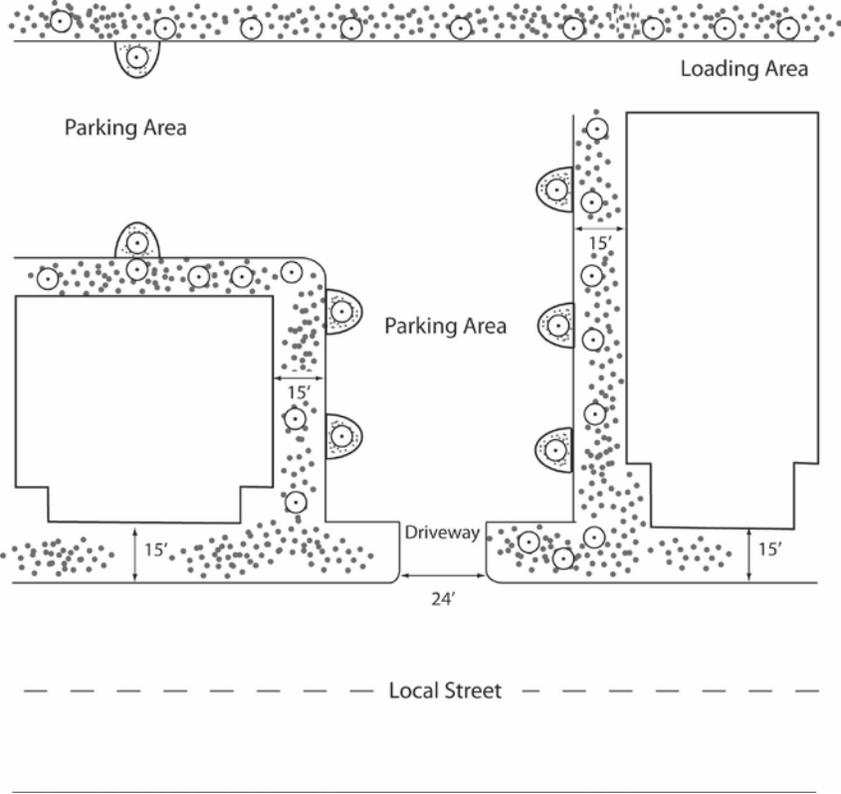
- A. Development Compatibility.** Industrial uses and developments shall be oriented on the site to minimize adverse impacts (e.g., noise, glare, smoke, dust, exhaust, vibration, etc.) and to provide compatibility with adjacent uses to the extent practicable. The following standards shall apply to all development in the Light and Heavy Industrial and Business Park Districts:
 - 1. Mechanical equipment, lights, emissions, shipping/receiving areas, and other components of an industrial use that are outside enclosed buildings, shall be located away from residential areas, schools, parks and other non-industrial areas to the maximum extent practicable; and
 - 2. The City may require a landscape buffer, or other visual or sound barrier (fence, wall, landscaping, or combination thereof), to mitigate adverse impacts that cannot be avoided, as provided in Section 2.4.120.
- B. Large-Scale Commercial Development – M-1 District Only.** Developments containing 40,000 square feet or more commercial, retail, wholesale, or office floor area in a Light Industrial District shall have pedestrian-oriented design. This standard is satisfied when the approval body finds that a development meets the all of the following criteria:

1. The commercial block layout standards in Section 2.3.150.D are met; and
2. The architectural standards in Section 2.3.170 are met. For the purpose of meeting the build-to line standards in subsection 2.3.170.B(4), the build-to line is parallel to all abutting street property lines at a distance of 60 feet from the street property line.

C. Special Use Standards – BP Districts Only. All development within the BP District must comply with the following standards:

1. Master Plan. All development must be preceded by an approved master plan as provided in Chapter 4.5, Master Planned Developments.
2. Indoor Activity. All business activity must be conducted completely indoors, with the exception of outdoor seating associated with restaurants and outdoor recreation areas.
3. Building Separation. Except for common wall buildings, buildings must be separated from one another by at least 30 feet of landscaped area.
4. Common Space. At least 10 percent of the total required landscape area must be common open space available to all tenants and owners in the Business Park. Parking lot buffering and property line buffering may not be used to meet common open space requirements.
5. Vehicular Areas.
 - a. Except for approved driveways, paved areas intended for vehicular use shall meet building setback standards and shall be landscaped.
 - b. Parking and loading areas generally shall be located behind buildings. The Planning Commission may approve parking and loading areas between buildings provided there is at least 30 feet of landscaped area separating the buildings as shown on Figure 2.4.140.C.

Figure 2.4.140.C – Building Separation with Parking



- 6. Signage. No sign shall be permitted within the BP without a sign permit as provided in Chapter 3.8. A sign concept plan showing the locations, general size, style and materials of signs must be submitted as part of the planned development proposal pursuant to Chapter 4.5, Master Planned Developments.
- 7. Prohibited Impacts from Uses in Business Parks.
 - a. Noise, vibration, air or water pollution that exceed DEQ standards.
 - b. Air emissions, including smoke, particulate matter, and noxious gases that are readily discernable to the human senses (without instruments) outside of the Business Park. Vehicles that use state highways and landscaping equipment are exempt from this standard.

2.4 – Industrial (I) Land Use Districts – Lot Coverage; Site Layout and Design; Building and Structure Height

2.4.150 Industrial Districts – Building and Structure Height

The maximum allowable height of buildings and structures in the M-1 and M-2 districts is 35 feet, except that taller buildings and structures are allowed when approved as part of a Conditional Use Permit, provided they conform to the R/R-1 height step-down.

2.4.160 Industrial Districts – Large Site Master Planning Requirements

Industrial land added to the Cottage Grove Urban Growth Boundary (UGB) to meet industrial land needs identified in the Cottage Grove Economic Opportunities Analysis (2009) shall be assigned a Master Planned Development (PD) overlay zone under Chapter 4.5, Master Planned Developments following annexation.

A. The minimum development area covered by this master plan shall be 20 acres.

Chapter 2.5 — Parks & Recreation (PR) District

Sections:

- 2.5.100 Parks & Recreation District – Purpose**
- 2.5.110 Parks & Recreation District – Allowed Uses**
- 2.5.120 Parks & Recreation District – Setback Yards; Buffers**
- 2.5.130 Parks & Recreation District – Lot Coverage**
- 2.5.140 Parks & Recreation District – Site Layout and Design**
- 2.5.150 Parks & Recreation District – Building and Structure Height**
- 2.5.160 Parks & Recreation District – Master Planned Development Requirement**

2.5.100 Purpose

Chapter 2.5 is intended to implement the Parks, Recreation and Open Space element of the Cottage Grove Comprehensive Plan and the adopted *Cottage Grove Master Parks Plan*. This district includes private and public recreation uses.

2.5.110 Land Uses Allowed in the Parks & Recreation District

Table 2.5.110 identifies the land uses that are allowed in the Parks & Recreation District. The specific land use categories are described and uses are defined in Chapter 1.3 and 1.4, and with more specificity in the adopted *City of Cottage Grove Master Parks Plan*.

TABLE 2.5.110 -- Land Use in Parks & Recreation District (PR)

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Parks & Recreation (PR)
Residential Categories	
Household Living	
Dwelling for caretaker or watchman	CU
Commercial Categories	
Drive-up/Drive-in/Drive-through (drive-up windows, kiosks, ATM's, similar uses/facilities), per Section 2.3.190	N
Bed and Breakfast Inn	N
Educational Services, not a school (e.g., tutoring or similar services)	N
Entertainment, Major Event	CU
Office	
- Primary use	N
- Accessory Use	P
Outdoor recreation, Commercial	CU
Parking Lot (when not an accessory use)	N
Quick Vehicle Servicing. (See also Drive-Up/Drive-In/Drive-Through Uses, per Section 2.3.190)	N
Vehicle Repair	N
Retail Sales and Service	
- Accessory to primary use	CU
Self-Service Storage	N
Industrial Categories	
Light Industrial Service	N
Medium/Heavy Industrial Service	N

2.5 – Parks & Recreation (PR) Land Use Districts – Permitted Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Parks & Recreation (PR)
Light Manufacturing and Production	N
Medium/Heavy Manufacturing and Production	N
Warehouse and Freight Movement	N
Waste-Related	N
Wholesale Sales	N
Institutional Categories	
Basic Utilities	P
Colleges	N
Community Service, including museums, performing arts facilities or community centers	CU
Family Daycare (12 or fewer children) under ORS 657A.250	N
Daycare, adult or child (exceeding 12)	N
Pedestrian Amenities	P
Parks and Open Space <ul style="list-style-type: none"> - Mini parks - Nodal parks on Greenway - Neighborhood parks - Natural Areas or environmental restoration - Park furnishings, including gazebos, arbors, kiosks, play equipment, picnic tables, benches, bicycle racks, signage - Cultural resources - Interpretive centers of less than ½ acre - Basketball or racketball courts - Public or private climbing walls, BMX tracks, skate parks, and boat ramps 	P P P P P P P P CU

2.5 – Parks & Recreation (PR) Land Use Districts – Permitted Uses

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Parks & Recreation (PR)
Parks uses (cont') <ul style="list-style-type: none"> - Dog parks - Community parks - Natural Resource areas - Interpretive centers greater than ½ acre in size - Public or private racetracks or speedways - Public or private recreation facilities, including golf, swimming, tennis and country clubs - Public or private organized sports fields not on school district property, fairgrounds or arenas 	CU MP MP MP MP MP MP
Cemeteries	CU
Religious Institutions and Houses of Worship	CU
Schools	CU
Other Categories	
Accessory Structures (with a permitted use)	P
Animals – on leash only, on temporary basis only	P
Community gardens and composting areas	CU
Buildings and Structures exceeding the Height Limits	CU
Wireless Telecommunication Facilities	N
Rail Lines and Utility Corridors, except those existing prior to effective date of Development Code are allowed.	CU
Temporary Uses, per standards in Section 4.9.100 <ul style="list-style-type: none"> - Special events, approved pursuant to Municipal Code Chapter 10.24 	P
Transportation Facilities (operation, maintenance, preservation and construction)	P

2.5.120 Parks & Recreation District – Setback Yards

- A. Purpose.** Setback yards provide separation between park and non-park uses for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation.
- B. Applicability.** The setback yard standards in subsections 2.5.120.C-G are minimum standards that apply to buildings, accessory structures, parking areas, mechanical equipment, and other development. In granting a Conditional Use Permit or Master Plan, the Planning Commission may increase the standard yards if necessary to meet the criteria in Chapter 4.4. The Planning Commission may also decrease the standard yards through the CUP process, provided that all applicable building and fire safety codes are met and impacts to adjoining properties have been considered.
- C. Front and Street Yard Setbacks.** All front and street-facing yard setbacks shall be a minimum of 15 feet. The front or street-facing yard shall not be used for regular or constant parking of automobiles or other vehicles.
- D. Rear Yard Setbacks.** Building, structures and accessory uses shall be setback not less than 5 feet from the rear property line.
- E. Side Yard Setbacks.** Each development shall maintain a side yard of not less than 5 feet. Side yards shall not be used for the regular or constant parking of automobiles or storage of boats, trailers, furniture, accessory buildings, etc.
- F. Riparian Setbacks.** Structures shall not be located closer than 50 feet from the ordinary high water line or 25 feet from the top of the river bank of a Class I stream, whichever is greater. The Planning Commission may allow a lesser setback if documentation is provided that existing riparian vegetation does not and has not extended into the setback area within the last year.
- G. Floodway.** No new structures shall be permitted within the floodway of the Coast Fork of the Willamette River, the Row River, or Silk Creek.

2.5.130 Parks & Recreation District – Lot Coverage

Maximum lot coverage, including all impervious surfaces, shall not exceed 40 percent. This lot coverage may be exceeded through a conditional use or Master Plan permit.

2.5.140 Parks & Recreation District – Site Layout and Design

- A. Applicability.** Section 2.5.140 is intended to provide flexibility in development while providing for compatibility of parks and recreation uses through the application of discretionary standards. Parks and recreation uses and developments shall be oriented on the site to minimize adverse impacts (e.g., noise, glare, dust, parking, traffic, vibration, etc.) and to provide compatibility with adjacent uses to the extent practicable.

The following standards shall apply to all development in the Parks & Recreation District that are subject to Site Design Review or require a Conditional Use Permit, including those reviewed as part of a Master Planned Development.

B. Development Compatibility.

1. Mechanical equipment, lights, parking and other components of a parks or recreation use that are outside enclosed buildings shall be located away from adjacent residential areas to the maximum extent practicable; and
2. The City may require a landscape buffer, or other visual or sound barrier (fence, wall, landscaping, or combination thereof), to mitigate adverse impacts that cannot be avoided; and
3. Protection and enhancement of water quality shall be required. No dumping of yard or household waste, no use of chemical pesticides or herbicides in wetlands, riparian areas or near water, and no dumping of hazardous waste will be allowed; and
4. The architectural standards in Section 2.3.170 shall be met for all buildings over 2,000 square feet in footprint. For the purpose of meeting the build-to line standards in subsection 2.3.170.B(4), the build-to line is parallel to all abutting street property lines at a distance of 60 feet from the street property line; and
5. Master signage plans shall be created for uses requiring Conditional Use or Master Planned Development approval; and
6. New or expanding uses that require either Conditional Use or Master Planned Development approval shall ensure that site access and internal and external circulation patterns meet the requirements of Section 3.1.

C. Buffering & Other Yard Requirements.

1. Buffering. The approval body shall require landscaping, fences, walls or other buffering that exceed the landscaping standards in Chapter 3.2 when it finds through Site Design Review (Chapter 4.2), Conditional Use Permit review (Chapter 4.4), and/or Master Planned Development review (Chapter 4.5), as applicable, that more or different buffering is necessary to mitigate adverse noise, light, glare, and/or aesthetic impacts to adjacent properties.
2. Pedestrian Access. Interconnectivity between neighborhoods and/or park and pedestrian facilities shall be emphasized in design. The approval body may require the construction of pedestrian access ways through required buffers to ensure pedestrian connections within large developments or connecting to public sidewalks, walkways, or multi-use pathways. The design of access ways shall conform to Section 3.1.300.

2.5.150 Park & Recreation District – Building and Structure Height

The maximum allowable height of buildings and structures in the PR districts is 30 feet, except that taller buildings and structures are allowed when approved as part of a Conditional Use Permit or Master Plan, provided they conform to the R/R-1 height step-down.

2.5.160 Parks & Recreation District – Master Plan Development Requirement

In order to ensure good planning of large-scale public and/or private parks, the following parks and recreation uses require the approval of a Master Planned Development per Section 4.5:

- Community parks
- Natural Resource areas
- Interpretive centers greater than ½ acre in size
- Public or private racetracks or speedways
- Public or private recreation facilities, including golf, swimming, tennis and country clubs
- Public or private organized sports fields not on school district property, fairgrounds or arenas

Before approving a Master Planned Development, the approval body shall ensure that the proposed development meets the conditions stipulated in sections 2.5.110 through 2.5.150.

2.5 – Parks & Recreation (PR) Land Use Districts – Setback Yards and Buffers

Chapter 2.6 — Combining Districts

Sections:

- 2.6.100 Combining Districts – Purpose & Compliance**
- 2.6.200 Airport Overlay District – Purpose**
- 2.6.210 Airport Overlay District – Definitions**
- 2.6.220 Airport Overlay District – Imaginary Surface and Noise Impact Boundary Delineation**
- 2.6.230 Airport Overlay District – Notice of Land Use and Permit Applications within Overlay Zone Area**
- 2.6.240 Airport Overlay District – Height Limitations on Allowed Uses in Underlying Zone**
- 2.6.250 Airport Overlay District – Procedures**
- 2.6.260 Airport Overlay District – Land Use Compatibility Requirements**
- 2.6.270 Airport Overlay District – Water Impoundments within Approach Surfaces and Airport Direct and Secondary Impact Boundaries**
- 2.6.280 Airport Overlay District – Nonconforming Uses**
- 2.6.290 Airport Overlay District – Avigation Easement**
- 2.6.300 Historic Preservation Overlay District – Purpose**
- 2.6.310 Historic Preservation Overlay District – Applicability**
- 2.6.320 Historic Preservation Overlay District – Historic Landmark designation**
- 2.6.330 Historic Preservation Overlay District – Allowed Uses**
- 2.6.340 Historic Preservation Overlay District – Development Standards**
- 2.6.350 Historic Preservation Overlay District – Alterations of historic landmarks**
- 2.6.360 Historic Preservation Overlay District – New construction and relocations on properties adjacent to historic landmarks**
- 2.6.370 Historic Preservation Overlay District – Demolition of historic landmarks**
- 2.6.380 Historic Preservation Overlay District – Signs**
- 2.6.390 Historic Preservation Overlay District – Building code considerations**

2.6.100 Combining Districts – Purpose & Compliance

Chapter 2.6 is intended to provide specific guidance for Combining Districts. There are three Combining Districts in the City of Cottage Grove: Airport Overlay District, Historic Preservation Overlay District, and the Willamette River Greenway.

These overlay districts apply standards that are in addition to those found in the base districts (Chapters 2.2 through 2.5). In the event of any conflict between any provisions of these combining districts and the primary zoning districts, the more restrictive provisions shall apply.

Chapter 2.6.200 – Airport (AO) Overlay District

2.6.200 Airport Overlay District – Purpose

The purpose of this overlay district is to encourage and support the continued operation and vitality of the Cottage Grove Airport, a public use airport with only visual approaches, by establishing compatibility and safety standards to promote air navigational safety at the airport and to reduce potential safety hazards for persons living, working or recreating near the airport. The Airport Overlay District includes all lands beneath the “airport imaginary surfaces” of the Cottage Grove Airport.

2.6.210 Airport Overlay District – Definitions

Airport. The strip of land used for taking off and landing aircraft, together with all adjacent land used in connection with the aircraft landing or taking off from the strip of land, including but not limited to land used for existing airport uses.

Airport Direct Impact Area. The area located within 5,000 feet of an airport runway, excluding lands within the runway protection zone and approach surface.

Airport Elevation. The highest point of an airport’s usable runway, measured in feet above mean sea level.

Airport imaginary surfaces. Imaginary areas in space and on the ground that are established in relation to the airport and its runways. Imaginary areas are defined by the primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface.

Airport Noise Impact Boundary. Areas located within 1,500 feet of an airport runway or within established noise contour boundaries exceeding 55 Ldn (or Yearly Day-Night Average Sound Level).

Airport Secondary Impact Area. The area located between 5,000 and 10,000 feet from an airport runway.

Airport Sponsor. The owner, manager, or other person and entity designated to represent the interests of an airport.

Approach Surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.

1. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - a. 1,250 feet for a utility runway; or

- b. 1,500 feet for a runway other than a utility runway.
2. The approach surface extends for a horizontal distance of 5,000 feet at a slope of 20 feet outward for each foot upward.
3. The outward width of an approach surface will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Department of Aviation. The Oregon Department of Aviation, formerly the Aeronautics Division of the Oregon Department of Transportation.

FAA. The Federal Aviation Administration.

Height. The highest point of a structure or tree, plant or other object of natural growth, measured from mean sea level.

Horizontal surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is construed by swinging arcs of five thousand feet from the center of each end of the primary surface of each runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is 5,000 feet.

Obstruction. Any structure or tree, plant or other object of natural growth that penetrates an imaginary surface.

Other than Utility Runway. A runway that is constructed for and intended to be used by turbine-driven aircraft or by propeller-driven aircraft exceeding 12,500 pounds gross weight.

Primary surface. A surface longitudinally centered on an airport runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. When the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is 250 feet for utility runways and 500 feet for other than utility runways.

Public Assembly Facility. A permanent or temporary structure or facility, place or activity where concentrations of people gather in reasonably close quarters for purposes such as deliberation, education, worship, shopping, employment, entertainment, recreation, sporting events, or similar activities. Public assembly facilities include, but are not limited to, schools, churches, conference or convention facilities, employment and shopping centers, arenas, athletic fields, stadiums, clubhouses, museums, and similar facilities and places, but do not include parks, golf courses or similar facilities unless used in a manner where people are concentrated in reasonably close quarters. Public assembly facilities also do not include air shows, structures or uses approved by the FAA in an adopted airport master plan, or places where people congregate

for short periods of time such as parking lots or bus stops.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Runway Protection Zone (RPZ). An area off the runway and used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended runway centerline. The inner width of the RPZ is the same as the width of the primary surface. The outer width of the RPZ is a function of the type of aircraft and specified approach visibility minimum associated with the runway end. The RPZ extends from each end of the primary surface for a horizontal distance of: 1,000.

Significant. As it relates to bird strike hazards, “significant” means a level of increased flight activity by birds across an approach surface or runway that is more than incidental or occasional, considering the existing ambient level of flight activity by birds in the vicinity.

Structure. Any constructed or erected object which requires location on the ground or is attached to something located on the ground. Structures include but are not limited to buildings, decks, fences, signs, towers, cranes, flagpoles, antennas, smokestacks, earth formations or overhead transmission lines. Structures do not include paved areas.

Transitional Surface. Those surfaces that extend upward and outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to the point of intersection with the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at a 90 degree angle to the extended runway centerline.

Utility runway. A runway that is constructed for, and intended for used by, propeller driven aircraft of 12,500 pounds maximum gross weight or less.

Visual runway. A runway intended solely for the operation of aircraft using visual approach procedures, where no straight-in instrument approach procedures or instrument designations have been approved or planned, or are indicated on an FAA-approved airport layout plan or any other FAA planning document.

Water impoundment. Includes wastewater treatment settling ponds, surface mining ponds, detention and retention ponds, artificial lakes and ponds, and similar water features. A new water impoundment includes an expansion of an existing water impoundment except where such expansion was previously authorized by land use action approved prior to the effective date of this ordinance.

2.6.220 Airport Overlay District – Imaginary Surface and Noise Impact Boundary Delineation

The airport elevation, the airport noise impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for each airport subject to this overlay zone and shall be made part of the Official Zoning Map. All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces shall be subject to the requirements of this overlay zone. [ORS 836.619; OAR 660-013-0040(8); OAR 660-013-0070(1); OAR 660-013-0080(1)]

2.6.230 Airport Overlay District – Notice of Land Use and Permit Applications within Overlay Zone Area

The Department of Aviation shall be notified of all land use applications or limited land use applications in the same manner as notice is provided to property owners in Chapter 4 of this code.

2.6.240 Airport Overlay District – Height Limitations on Allowed Uses in Underlying Zone

All uses permitted by the underlying or base zone shall comply with the height limitations in this Section. When height limitations of the underlying zone are more restrictive than those of this overlay zone, the underlying zone height limitations shall control.

- A. Except as provided in subsections B and C of this section, no structure or tree, plant or other object of natural growth shall penetrate an airport imaginary surface.
- B. For areas within airport imaginary surfaces but outside the approach and transition surfaces, where the terrain is at higher elevations than the airport runway surfaces such that existing structures and permitted development penetrate or would penetrate the airport imaginary surfaces, a local government may authorize structures up to 35 feet in height.
- C. Other height exceptions or variances may be permitted when supported in writing by the airport sponsor, the Department of Aviation and the FAA. Applications for height variances shall follow Type III Variance application procedures and shall be subject to such conditions and terms as recommended by the Department of Aviation and the FAA.

2.6.250 Airport Overlay District – Procedures

An applicant seeking a land use or limited land use approval in an area within this overlay zone shall provide the following information in addition to any other information required in the permit application:

- A. A map or drawing showing the location of the property in relation to the airport imaginary surfaces. The Community Development Department shall provide the applicant with

appropriate base maps upon which to locate the property.

- B. Elevation profiles and a site plan, both drawn to scale, including the location and height of all existing and proposed structures, measured in feet above mean sea level.
- C. If a height variance is requested, letters of support from the airport sponsor, the Department of Aviation and the FAA.

2.6.260 Airport Overlay District – Land Use Compatibility Requirements

Applications for land use or building permits for properties within the boundaries of this overlay zone shall comply with the requirements of this chapter as provided herein.

- A. **Noise.** Within airport noise impact boundaries, land uses shall be established consistent with the levels identified in OAR 660, Division 13, Exhibit 5. A declaration of anticipated noise levels shall be attached to any subdivision or partition approval or other land use approval or building permit affecting land within airport noise impact boundaries. In areas where the noise level is anticipated to be at or above 55 Ldn, prior to issuance of a building permit for construction of a noise sensitive land use (real property normally used for sleeping or as a school, church, hospital, public library or similar use), the permit applicant shall be required to demonstrate that a noise abatement strategy will be incorporated into the building design that will achieve an indoor noise level equal to or less than 55 Ldn.
- B. **Outdoor Lighting.** No new or expanded industrial, commercial or recreational use shall project lighting directly onto an existing runway or taxiway or into existing airport approach surfaces except where necessary for safe and convenient air travel. Lighting for these uses shall incorporate shielding in their designs to reflect light away from airport approach surfaces. No use shall imitate airport lighting or impede the ability of pilots to distinguish between airport lighting and other lighting.
- C. **Glare.** No glare producing material, including but not limited to unpainted metal or reflective glass, shall be used on the exterior of structures located within an approach surface or on nearby lands where glare could impede a pilot's vision.
- D. **Industrial Emissions.** No new industrial, mining or similar use, or expansion of an existing industrial, mining or similar use, shall, as part of its regular operations, cause emissions of smoke, dust or stream that could obscure visibility within airport approach surfaces, except upon demonstration, supported by substantial evidence, that mitigation measures imposed as approval conditions will reduce the potential of safety risk or incompatibility with airport operations to an insignificant level. The review authority shall impose such conditions as necessary to ensure that the use does not obscure visibility.
- E. **Communications Facilities and Electrical Interference.** Proposals for the location of new or expanded radio, radiotelephone, and television transmission facilities and electrical transmission lines within this overlay zone shall be coordinated with the Department of Aviation and the FAA prior to approval.

F. Use Prohibitions in the RPZ. Notwithstanding the underlying zone, the following uses are prohibited in the RPZ.

1. New residential development.
2. Public assembly facilities.

G. Landfills. No new sanitary landfills, sewage lagoons, sewage sludge disposal facilities or similar facilities shall be permitted within 5,000 feet from any airport runway used by only piston-type aircraft or within 10,000 feet of any airport runway used by turbojet aircraft. Expansions of existing landfill or sewage treatment or disposal facilities within these distances shall be permitted only upon demonstration that the landfills are designed and will operate so as not to increase the likelihood of bird/aircraft collisions. Timely notice of any proposed expansion shall be provided to the airport sponsor, Aviation and the FAA, and any approval shall be accompanied by such conditions as are necessary to ensure that an increase in bird/aircraft collisions is not likely to result.

2.6.270 Airport Overlay District – Water Impoundments within Approach Surfaces and Airport Direct and Secondary Impact Boundaries

Any use or activity that would result in the establishment or expansion of a water impoundment shall comply with the requirements of this section.

- A.** No new or expanded water impoundments of one-quarter acre in size or larger are permitted:
1. Within an approach surface and within 5,000 feet from the end of a runway; or
 2. On land owned by the airport sponsor that is necessary for airport operations.

2.6.280 Airport Overlay District – Nonconforming Uses

- A.** These regulations shall not be construed to require the removal, lowering or alteration of any structure not conforming to these regulations. These regulations shall not require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this overlay zone.
- B.** Notwithstanding subsection A of this section, the owner of any existing structure that has an adverse effect on air navigational safety as determined by the Department of Aviation shall install or allow the installation of obstruction markers as deemed necessary by the Department of Aviation, so that the structures become more visible to pilots.
- C.** No land use or limited land use approval or other permit shall be granted that would allow a nonconforming use or structure to become a greater hazard to air navigation than it was on the effective date of this overlay zone.

2.6.290 Airport Overlay District – Avigation Easement

Within this overlay zone, the owners of properties that are the subjects of applications for land use or limited land use decisions, for building permits for new residential, commercial, industrial, institutional or recreational buildings or structures intended for inhabitation or occupancy by humans or animals, or for expansions of such buildings or structures by the lesser of 50% or 1000 square feet, shall, as a condition of obtaining such approval or permits, dedicate an avigation easement to the airport sponsor. The avigation easement shall be in a form acceptable to the airport sponsor and shall be signed and recorded in the deed records of the County. The avigation easement shall allow unobstructed passage for aircraft and ensure safety and use of the airport for the public. Property owners or their representatives are responsible for providing the recorded instrument prior to issuance of building permits.

Chapter 2.6.300 -- Historic Preservation (HP) Overlay District

2.6.300 Historic Preservation Overlay District – Purpose

The Historic Preservation Overlay District is intended to protect and encourage the continued use of historic resources. This overlay district implements the Historic Sites and Structures element of the Comprehensive Plan. It includes criteria and procedures for Historic Landmark designation, development standards for new construction within historic districts or next to historic landmarks, restrictions on demolition of historic buildings, and standards for alterations or additions to historic landmarks.

2.6.310 Historic Preservation Overlay District – Applicability

A. Applicability. This chapter is applicable to all historic landmarks and properties directly adjacent to historic landmarks.

1. “Historic landmarks” are defined as a “historic resource that has been designated under the procedures described in this chapter and is therefore subject to its rules and regulations.” (See Chapter 1.3 for definitions relating to historic landmarks.) Historic Landmarks may include neighborhoods, buildings, a portion of a building, sites, trees, statues, signs, or other objects or spaces that the City or the Keeper of the National Register of Historic Places has designated or listed for their special historic, cultural, archaeological, or architectural merit. Any property listed on the National Register of Historic Places individually or in a district is immediately designated as a historic landmark under this chapter. All properties designated as historic landmarks shall be shown as being part of the HP Historic Preservation Overlay District on the Cottage Grove Zoning Map.
2. Properties directly adjacent to an individually listed historic landmark or listed as “non-contributing” within a designated National Register Historic District are subject to the design review criteria of Sections 2.6.340 Development Standards, 2.6.360 New Construction & Relocation on properties adjacent to historic landmarks, and 2.6.380 Signs only.

B. Standards Supersede. The standards and regulations in this chapter are in addition to all base zone district standards and regulations and, in case of any conflicts or for other preservation-related reasons, shall supersede base zone district standards and regulations.

2.6.320 Historic Preservation Overlay District – Historic Landmark Designation

A. Methods of Designation. There are four ways for a historic resource to become designated by the HP Overlay District as a local historic landmark:

1. When any historic resource within the jurisdiction of the City is officially entered into the National Register of Historic Places, the resource shall automatically become designated

by HP overlay zoning as a local historic landmark; or

2. A group or person may nominate the historic resource for local historic landmark designation through a Type III Historic Preservation application to be processed through the Historic Landmark Commission; or
3. The Historic Landmark Commission may recommend local historic resources for historic landmark designation following the procedures set forth in the Historic Landmark Ordinance; or
4. The Planning Commission may recommend historic resources for local historic landmark designation following the procedures set forth in the Historic Landmark Ordinance.

B. Requirements for Designation. To be designated as a local historic landmark under subsection 2 above, the applicant will have to show compliance with the following:

1. **Owner Support.** Any group or person may nominate a resource for local historic landmark designation; however, all nominations must include written proof that the owner or a majority of the owners of the historic resource support such designation.
2. **Review criteria.** The applicant must show how the nominated historic resource merits honor and recognition as a historic landmark that has significance to the City under one or more of the following criteria:
 - a. Its association with historic or famous events that have made a significant contribution to the broad patterns of local, state, or national history; or
 - b. Its association with the lives of persons, or groups of people, significant in local, state, or national history; or
 - c. Its architectural design or method of construction, which portrays and/or embodies one or more of the following:
 - 1) Distinctive architectural type, style or character from a period in the past.
 - 2) Architectural merit by reason of its use of materials, design, details, or craftsmanship.
 - 3) The work of a builder or architect whose work has influenced the development of the community.
 - d. Its relationship to the cultural, social, political and/or economic history of the community.
 - e. Its identification as a resource that represents an aesthetic or educational feature of the community.

- f. It is likely to yield important information about pre-history or the historic past of the community.

C. Duration of Designation. Once adopted, the HP Historic Preservation Overlay District designation remains for the life of the resource. Demolitions, exterior alterations, additions or new construction on a HP designated site(s) shall be subject to the standards of this chapter.

2.6.330 Historic Preservation Overlay District – Allowed Uses

A. Allowed Uses from Base Zoning District. Allowed uses within the Historic Preservation Overlay District are based on those permitted by the “base zoning district” (see Chapters 2.2, 2.3, 2.4, and 2.5).

B. Special HP Conditional Uses. In cases where the base zoning district does not list a use as permitted for a historic landmark property, the owners or their assigns may apply for a special HP conditional use permit to allow such use under the following standards:

1. The use is such that it will otherwise enable the continued preservation of the landmark by allowing for a more economical return for the property.
2. The use will not interfere with the ability of the landmark to meet the criteria for alterations listed in this Chapter under Section 2.6.350.
3. The use will not adversely affect the character of the neighborhood and functions of other properties in the area.

C. Nonconforming uses of historic landmarks. Nonconforming status shall not be a factor for consideration in the nomination or designation of a historic landmark or its subsequent treatment. Any historic landmark that is not in conformance with base zoning district standards and/or regulation shall be exempt from Chapter 5.2 Nonconforming Uses and Developments.

2.6.340 Historic Preservation Overlay District – Development Standards

A. Base Zone standards. The development standards of the base zone (such as setbacks, lot coverage, building height, off-street parking requirements, etc.) apply to all new construction, additions or alterations within the Historic Preservation Overlay District. They shall not apply to any repair, replacement, reconstruction or restoration of historically significant or accurate features.

B. Altered standards. Dimensional development standards may be altered for new construction, additions or alterations upon or adjacent to a historic landmark through a Type III Historic Alteration application process if the approval body finds that the alteration would enable such development to more successfully address the review criteria of this chapter.

C. Design Guidelines. At the request of the Historic Landmarks Commission, affected property owners, the Community Development Director or City Council, the Community Development Department may work with property owners within designated historic districts to draft and adopt design guidelines. Design guidelines will provide guidance for compliance with the standards in 2.6.350-2.6.390. Design Guidelines shall be adopted through a Type IV process as an appendix to Chapter 14 Development Code.

2.6.350 Historic Preservation Overlay District – Alterations of historic landmarks

A. Purpose. *The Secretary of the Interior’s Standards for the Treatment of Historic Properties* establish minimum requirements for the alteration of historic landmarks. These standards are intended to preserve the distinguishing features of historic resources while allowing needed repairs, alterations and expansions. These requirements, as stated below, may be supplemented by adopted Design Guidelines.

B. Applicability. Section 2.6.350 applies to all alterations to historic landmarks.

1. Minor Alterations. Minor alterations such as replacing siding or windows, re-roofing with different materials than existing, remodeling porches, minor additions or exterior alterations, murals, solar panels, etc. shall be processed through a Type II Historic Alteration review;
2. Major Remodels, Additions and New Construction. Type III permits required. Major Remodels, additions or new construction shall be processed through a Type III Historic Alteration review. The Historic Landmark Commission shall process all Type III applications required under Section 2.6.350 following procedures established in Section 4.1.400.
3. Exempt Activities. The following activities are not exclusive but are illustrative of activities exempt from this section: “in-kind” repair/minor replacement of existing features where the material, dimension and finish match (examples include repair of wood siding or wood windows, roof repair, gutter installation, dryrot repair, etc.), painting of previously painted exterior surfaces, interior residential remodels, landscaping, construction of fences under 6’ in height, and construction of accessory buildings exempt from building permits under the current adopted Building Code. Note: Exemption from Section 2.6.350 does not exempt any activity from other Development Code or Building/Specialty Code requirements.
4. The Community Development Director shall determine the application type.

C. Standards. All projects that are subject to 2.6.310 shall meet all of the standards in subsections 1-9 below. Adopted Design Guidelines provide guidance for compliance to these standards for all types of alterations to historic landmarks within designated historic districts.

1. The distinguishing historic qualities or character shall not be destroyed. Removal or alteration of historic material, distinctive features and/or spatial relationships shall be

avoided whenever possible.

2. All landmarks shall be recognized as products of their own time. Alterations that have no historic basis and which create a false sense of historical development or add conjectural features or elements shall be avoided.
3. Changes that have acquired historic significance in their own right may be retained and preserved.
4. Distinctive materials, features, finishes and construction techniques or examples of craftsman shall be preserved. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.
5. Cleaning and maintenance shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
6. New additions, exterior alterations, and adjacent or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
7. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the landmark and its environment would be unimpaired.
8. Archeological resources shall be protected and preserved in place, or if necessarily disturbed, mitigation measures shall be undertaken.
9. *The Secretary of the Interior's Standards for the Treatment of Historic Properties 1992* shall serve as supplemental guidelines for alteration projects, as appropriate.

D. State Historic Preservation Office Review. Review and approval of alteration applications by the City does not substitute or remove requirements for review by the State Historic Preservation Office when the historic landmark is subject to any state or federal programs.

2.6.360 Historic Preservation Overlay District – New construction and relocations on properties adjacent to historic landmarks

A. Purpose. The design and layout of new construction or relocations on properties adjacent to historic landmarks or on properties adjacent to those identified as conforming within a designated historic district can have a significant impact upon the integrity of the historic resource or district and hence shall be subject to review under this chapter.

- B. Applicability.** All new construction and relocations on properties directly adjacent to historic landmarks or on properties identified as conforming within a designated historic district shall be subject to design review through a Type III Historic Alteration permit.
- C. Standards.** In order to achieve the purpose of this Chapter and honor, respect and support the historic preservation effort of owners of historic landmarks, the following design criteria, in addition to any other applicable design review criteria in Section 2.2.140 or in adopted *Design Guidelines*, shall apply to proposed activities on such properties:
1. New construction or relocations on properties adjacent to historic landmarks shall be compatible with the overall character of the landmark in:
 - a. Appearance of exterior materials, such as roofing and siding;
 - b. Exterior features, such as roof pitch, eaves, window shapes, types and arrangements, doorways, porches, etc.;
 - c. Size, height, bulk, mass, scale, placement, arrangement of spaces and overall proportions.
 2. New construction or relocations within designated historic districts should follow applicable adopted Design Guidelines.

2.6.370 Historic Preservation Overlay District – Demolition or Relocation of historic landmarks

- A. Purpose.** The purpose of this section is to encourage the retention of historic landmarks on their original sites. This standard allows community members or the City time to find an alternative solution to the demolition or relocation of the historic landmark, and gives the approval body the ability to approve, approve with conditions, delay, or deny the demolition or relocation of a historic landmark. Demolition or relocation of historic landmarks erodes the historic fabric of the City of Cottage Grove and shall be denied unless adverse circumstances require such actions.
- B. Applicability.** Section 2.6.360 applies to all historic landmarks and all features of historic landmarks that contribute to the historic character of the landmark, including historic buildings, historic accessory buildings, and significant historic signage. No demolition permits shall be issued for the removal of any of these features from a contributing historic landmark without approval of a Type III Historic Alteration permit following the review procedures outlined in this section.
- C. Review Criteria.** The applicant is responsible for providing the burden of proof to justify demolition or relocation. In order to approve an application for the demolition or relocation of a designated historic landmark or feature thereof, the approving body shall find that:

1. No prudent and feasible alternative exists;
2. The designated property is deteriorated beyond repair;
3. The value to the community of the proposed use of the property outweighs the value of retaining the designated historic landmark; and
4. For relocations, the relocation site is a contextually appropriate setting for the landmark.

D. Prohibited Grounds for Demolition or Relocation. The following do not constitute grounds for approval of demolition or relocation:

1. Willfully destructive or negligent acts by the owner;
2. Purchase of the property for substantially more than market value;
3. Failure to perform normal maintenance and repairs;
4. Failure to diligently solicit and retain tenants; or
5. Failure to provide normal tenant improvements.

E. Review Procedure.

1. In addition to the general submission requirements for a Type III review (Section 4.1.400), an applicant for a Demolition or Relocation of a Historic Landmark permit shall attend a Pre-application Conference with the Community Development Director or designee per Section 4.1.600.C at least 120 days prior to submitting the Type III application.

At the Pre-application Conference, the Community Development Director shall recommend additional information he or she deems applicable to review the request and prepare a complete staff report and recommendation to the Historic Landmark Commission. This information may include, but is not limited to, the following:

- a. Letter or narrative report documenting compliance with the applicable review criteria contained in Section 2.6.370.C.
- b. Photographic documentation, architectural drawings, and/or other graphic data and history, including history of use;
- c. Evidence of attempts to advertise/notify historic societies and the community at large of the proposed Demolition or Relocation, including:
 1. Written proof that the applicant contacted the Historic Preservation League of Oregon and the State Office of Historic Preservation about their intention to

demolish or relocate a historic landmark.

2. Photographic documentation that the applicant has placed conspicuous notice on-site of the proposed demolition or relocation.
 3. Evidence that the applicant has advertised the intention to demolish or relocate the historic resource in local, regional, and statewide newspapers of general circulation for a period of not less than once a week for 8 weeks, including at least two advertisements in the Sunday Oregonian prior to application submittal.
- d. Documentation of efforts to preserve and/or reuse the resource, including:
1. Listings of the property for sale or rent, price(s) asked, and offers received, if any, within the previous four years;
 2. A list of property locations and owners who were contacted regarding purchase of a relocation site;
 3. Evidence that the Historic Preservation League of Oregon and any other local preservation group has been given the opportunity to record the landmark;
 4. The amount paid for the property by the applicant, the date of purchase, and the party from who purchased, including a description of the relationship, if any, between the owner and the person from whom the property was purchased;
 5. The current fair market value of the structure and the property as determined by an appraisal from an impartial, licensed professional;
 6. Documented estimate for the cost of the proposed demolition and/or relocation by a qualified demolition or relocation contractor;
 7. Statements from cost estimators or other proven professionals with documented experience in rehabilitation as to the costs of restoration, renovation and/or rehabilitation of the historic landmark;
 8. A restoration study of the structure, performed by a licensed architect or engineer with documented experience working with historic structures. The study should analyze the feasibility – structurally and financially – of restoration and/or rehabilitation of the structure.
- e. Proposed use of site:
1. Draft plans, including site plan, elevations and floor plans, of proposed development for the site from which the resource is to be moved or demolished.
 2. Information on the proposed relocation site, including photographs, aerials, and/or

site plans, showing the context of the relocated building, structure or signage. Preference shall be for relocations within the same neighborhood and within the city limits.

2. The Historic Landmark Commission shall hold a public hearing on the application in accordance with the Type III application process. Upon the close of the hearing, the Commission may take the following actions:
 - a. Approve the issuance of a permit, when it is found that the application is in compliance with all other codes, ordinances, and policies of the City. The Commission shall require the photographic, video, or drawn recordation of the property to be demolished and may require the salvage and curation of significant elements.
 - b. Approve the issuance of a permit, when it is found that the application is in compliance with all other codes, ordinances, and policies of the City, conditional upon submittal of plans for new construction and/or land use applications for new development.
 - c. Stay the issuance of a permit for a period of up to 120 days from the date of the public hearing, when it is found that in the interest of preserving historic values, the landmark should not be demolished and that the community should be given more time to find an alternative to demolition.
 - d. Deny the demolition or relocation permit when it is found that the application is not in compliance with the criteria in Section 2.6.370.C.
3. During any such stay of issuance as listed above, no demolition permit shall be issued and no person shall demolish, damage or neglect the designated landmark.
4. Prior to the expiration of the stay of issuance period, the Landmark Commission will hold another public hearing. Upon the close of the second hearing, the Commission shall take one of the following actions:
 - a. Approve the issuance of a permit, when it is found that:
 1. The preservation project or program has not been successful; and
 2. The application for demolition has not been withdrawn; and
 3. The application complies with the criteria in Section 2.6.370.C and any other relevant codes and ordinances of the City.
 4. The Commission shall require the photographic, video, or drawn recordation of the property to be demolished and may require the salvage and curation of significant elements.

5. Approval may be conditional upon submittal of plans for new construction and/or land use application for new development.
- b. Deny the demolition or relocation permit, when it is found that the application is not in compliance with the criteria in Section 2.6.370.C.
- F. Decision Process.** The decision process for a Historic Demolition or Relocation permit shall follow the decision process for Type III Quasi-Judicial applications (Section 4.1.400.G) as modified by the review procedure above. A Type III decision may be appealed to the City Council.
- G. Approval Period.** Demolition or Relocation approvals shall be effective for a period of one year from the final date of approval.
- H. Extension.** The Community Development Director shall, upon written request by the applicant, grant a written extension of the approval period not to exceed six months; provided that:
1. The applicant can show intent to initiate construction/development on the site within the six month extension period;
 2. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new demolition or relocation permit application shall be required; and
 3. The applicant demonstrates that failure to demolish or relocate the structure and begin redevelopment within one year as specified above was beyond the applicant's control.

2.6.380 Historic Preservation Overlay District – Signs

- A. Applicability.** Sign permits for historic landmarks shall be required and shall be subject to Community Development Director approval. A Type II application process shall be used for sign permit review for all signs in the Downtown Historic District and/or on a historic landmark property. The Community Development Director may at his discretion process a sign permit for a significant building and/or sign as a Type III application. The Historic Landmark Commission shall comment on all sign permits.
- B. Sign Standards.** All signs placed upon historic landmarks shall conform to the sign regulations of the base zoning district and Chapter 3.8 signs of this title, except that sign type, design and materials shall be compatible with the historical character of the landmark and/or comparable signs that previously existed on the landmark itself during its historic period of significance. All signs shall be applied to the landmark in a manner that minimizes harm to its historic material to the greatest extent possible. *The City of Cottage Grove Downtown Historic Design Guidelines* shall be used to guide the design of signs in the

Downtown Historic District.

- C. Historically Significant Signs.** Any sign designated as a historic landmark by virtue of its own merit under one or more of the criteria listed in this Chapter is exempt from any sign and/or nonconforming lot and use regulations of this Title, with the exception of the criteria for alterations listed in this Chapter under Section 2.6.350. The Community Development Department may process and approve, approve with conditions, or deny application for designation of historic signs at the request of the owner under a Type II application process. The Historic Landmark Commission shall comment on all applications for historic sign designation.

2.6.390 Historic Preservation Overlay District – Building code considerations

Alterations that require a building permit shall conform to the requirements of the State Structural Specialty Code, except that, upon review and authorization of the City Building Official, alternative standards, such as those found in the Uniform Code for Building Conservation, may be applied when their application shall:

1. Promote the objectives and standards of the criteria for alterations of this chapter; and
2. Result in conditions that are no more hazardous to life, safety, fire safety and sanitation than those in existence prior to alteration.