



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 10/20/2014
Jurisdiction: City of Keizer
Local file no.: 2014-18
DLCD file no.: 006-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/13/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 006-14 {22406}
Received: 10/13/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Keizer

Local file no.: **2014-18**

Date of adoption: 10-06-14 Date sent: 10/13/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

- Yes: Date (use the date of last revision if a revised Form 1 was submitted): 8-11-14
- No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

Added medical marijuana grow operation sites as a Special Permitted Use.

Local contact (name and title): Sam Litke, Senior Planner

Phone: 503-856-3442 E-mail: litkes@keizer.org

Street address: 930 Chemawa Road City: Keizer Zip: 97307-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): _____ . _____

- The subject property is entirely within an urban growth boundary
- The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Text amendment to revise Section 1.200 (Definitions); 2.108 Commercial Office); 2.109 (Commercial Retail); 2.110 (Commercial Mixed Use); 2.112 (Commercial General); 2.113 (Industrial Business District); 2.114 (General Industrial); 2.115 (Agricultural Industrial); 2.117 (Exclusive Farm Use); 2.119 (Employment General) to allow Medical Marijuana Facilites as a Special Permitted Use in a new Section2. 433 (Medical Marijuana Facilites/Grow Sites) consistent with state law.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	. Acres:
Change from	to	. Acres:
Change from	to	. Acres:
Change from	to	. Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: . Acres added: . Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

1 BILL NO. 682

A BILL

ORDINANCE NO.
2014- 703

2
3 FOR

4
5 AN ORDINANCE

6
7 AMENDING KEIZER DEVELOPMENT CODE REGARDING
8 SECTION 1.200 (DEFINITIONS), SECTION 2.108
9 (COMMERCIAL OFFICE), SECTION 2.109 (COMMERCIAL
10 RETAIL), SECTION 2.110 (COMMERCIAL MIXED USE),
11 SECTION 2.112 (COMMERCIAL GENERAL), SECTION
12 2.113 (INDUSTRIAL BUSINESS PARK), SECTION 2.114
13 (GENERAL INDUSTRIAL), SECTION 2.115
14 (AGRICULTURAL INDUSTRIAL), SECTION 2.117
15 (EXCLUSIVE FARM USE), SECTION 2.119 (GENERAL
16 EMPLOYMENT), AND SECTION 2.433 (MEDICAL
17 MARIJUANA FACILITIES/GROW SITES); DECLARING AN
18 EMERGENCY; **AMENDING ORDINANCE 98-389**

19
20 WHEREAS, the Keizer Planning Commission has recommended to the Keizer
21 City Council amendments to the Keizer Development Code (Ordinance No. 98-389); and

22 WHEREAS, the City Council has held a hearing on this matter and considered the
23 testimony given and the recommendation of the Keizer Planning Commission; and

24 WHEREAS, the Keizer City Council has determined that it is necessary and
25 appropriate to amend the Keizer Development Code as set forth herein; and

26 WHEREAS, the Keizer City Council has determined that such amendments meet
27 the criteria set forth in state law, the Keizer Comprehensive Plan, and the Keizer
28 Development Code;

29 NOW, THEREFORE,

1 The City of Keizer ordains as follows:

2 Section 1. FINDINGS. The City of Keizer adopts the Findings set forth in
3 Exhibit "A" attached hereto and by this reference incorporated herein.

4 Section 2. AMENDMENT TO THE KEIZER DEVELOPMENT CODE. The
5 Keizer Development Code (Ordinance No. 98-389) is hereby amended by the adoption
6 of the changes to Section 1.200 (Definitions), Section 2.108 (Commercial Office),
7 Section 2.109 (Commercial Retail), Section 2.110 (Commercial Mixed Use), Section
8 2.112 (Commercial General), Section 2.113 (Industrial Business Park), Section 2.114
9 (General Industrial), Section 2.115 (Agricultural Industrial), Section 2.117 (Exclusive
10 Farm Use), Section 2.119 (General Employment), and Section 2.433 (Medical Marijuana
11 Facilities) as set forth in Exhibit "B" attached hereto, and by this reference incorporated
12 herein.

13 Section 3. SEVERABILITY. If any section, subsection, sentence, clause,
14 phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, or
15 is denied acknowledgment by any court or board of competent jurisdiction, including,
16 but not limited to the Land Use Board of Appeals, the Land Conservation and
17 Development Commission and the Department of Land Conservation and Development,
18 then such portion shall be deemed a separate, distinct, and independent provision and
19 such holding shall not affect the validity of the remaining portions hereof.

20

1 Section 4. EFFECTIVE DATE. This Ordinance being necessary for the
2 immediate preservation of the public health, safety and welfare, an emergency is
3 declared to exist and this Ordinance shall take effect on October 15, 2014.

4 PASSED this 6th day of October, 2014.

5
6 SIGNED this 6th day of October, 2014.

7
8 
9

10 Mayor

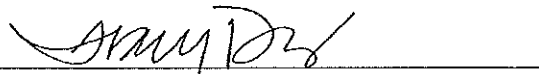
11 
12
13 City Recorder

EXHIBIT "A"

Findings regarding the adoption of amendments to 2.108 (Commercial Office); 2.109 (Commercial Retail); 2.110 (Commercial Mixed Use); 2.112 (Commercial General); 2.113 (Industrial Business District); 2.114 (General Industrial); 2.115 (Agricultural Industrial); 2.117 (Exclusive Farm Use); 2.119 (General Employment) to allow Medical Marijuana Facilities and Marijuana Grow Sites as a Special Permitted Use consistent to the requirements in new Section 2.433 (Medical Marijuana Facilities/Grow Sites); and, to add a definition of both Medical Marijuana Facilities and Marijuana Grow Sites in Section 1.200 (Definitions) in the Keizer Development Code.

The review criteria are listed in Section 3.111.04 of the Keizer Development Code.

The City of Keizer finds that:

1. General Findings.
 - a. The particulars of this case are found within planning file Text Amendment 2014-18. Public hearings were held before the Planning Commission on September 10, 2014, and before the City Council on October 6, 2014. The Planning Commission reviewed the proposed revisions and voted to recommend that they be adopted. The City Council voted to adopt the proposed text amendments.
 - b. The proposed text amendments will permit medical marijuana facilities and marijuana grow sites consistent with state law.
2. Amendments to the Comprehensive Plan or Development Code shall be approved if the evidence can substantiate the following. Amendments to the map shall be reviewed for compliance with each of the following, while text amendments shall only be reviewed for compliance with Section 3.111.04 B, C, and D. Given that this is a text amendment Section 3.111.04 A is not applicable.

3. **Section 3.111.04.B - A demonstrated need exists for the product of the proposed amendment -**

Findings: The proposed revisions to the zone code reflect a demonstrated need. The City Council has recognized that from time to time the Keizer Development Code should be updated to avoid having the code become so out of date that it would require a massive and costly comprehensive update. These revisions are directly related to enactment of recent state laws allowing medical marijuana facilities. This section also contains several unrelated revisions that have been

included in order to clarify language in other sub-sections. The demonstrated need is related to providing clarity related to this new requirement that permits this type of use within the city limits. As such, the proposed code revisions comply with this review criterion.

4. **Section 3.111.04.C- The proposed amendment to the Keizer Development Code complies with statewide land use goals and related administrative rules**

FINDINGS: The proposed text amendments comply with the statewide land use planning goals as discussed below.

Goal 1 – Citizen Involvement: The adoption of this ordinance followed notice to interested parties, a public process of decision making involving public hearings, deliberation, and ordinance adoption. Public notice was provided in the Keizer Times. Public hearings were held before the Planning Commission and the City Council. Public hearings were held before the Planning Commission on September 10, 2014, and before the City Council on October 6, 2014. Citizens were afforded the opportunity to participate in the public process. Finally, the Planning Commission and City Council meetings are televised further providing an avenue for awareness of the issue. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this proposed planning process as is required by this goal and with implementing administrative rules within Oregon Administrative Rules.

Goal 2 – Land Use Planning: This ordinance amends the Keizer Development Code. The city has an adopted comprehensive plan which has been acknowledged by the state. The adoption proceeding was conducted in a manner consistent with requirements of the Keizer Comprehensive Plan, Keizer Development Code, and applicable state law. Notice was published in the Keizer Times in accordance with public notice requirements within the Keizer Development Code. The public hearings were conducted before both the planning commission and city council providing an opportunity for both verbal and written testimony. The Planning Commission voted to recommend that the City Council adopt the proposed text amendments. Therefore, the proposed revisions to the zone code are consistent with this statewide planning goal and administrative rules.

Goal 3 – Farm Land: The purpose of this goal is to protect lands that are designated for agricultural uses. Within the city limits the Exclusive Farm Use (EFU), Special Agriculture (SA), Urban Transition (UT), and Public (P) allow commercial agricultural uses. However, only the SA zone is a state recognized EFU qualifying zone. The amendment involves regulations within the boundaries of the city limits of Keizer. Since the text amendments will only involve lands that are designated inside the city limits it will not affect lands

that are outside the city limits or any lawful uses occurring on those lands. Therefore, the proposed amendments will comply with the Farm Land Goal and with any implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands that are designated for commercial forest uses. There are no zone districts that are specifically designated within the city limits that will allow for commercial forestry. Also, there are no commercial forest lands near, or adjacent to the city limits of Keizer. The amendments to the KDC do not involve any land which is designated as forest land, nor will it impact the use of any forest lands. The amendments will only involve lands that are designated inside the city limits and will not affect lands which allow for commercial forestry or lawful uses occurring on those lands. Therefore, this Goal and implementing administrative rules are not applicable to the proposed zone code amendments.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, big game habitat, etc. The city has a local wetland inventory to identify sites within the city limits where wetland soils may be present. The city has an adopted Willamette River Greenway Overlay zone aimed to protect the resources along the Willamette River. There are no identified big game habitats within the city limits of Keizer. The city established a Resource Conservation overlay zone to maintain, preserve and protect the natural features adjacent to Claggett Creek. In addition, the city has also been developing storm water regulations which will further protect water quality of the local water ways. The proposed amendments to the zone code regulations will not affect or preclude any of the city's natural resources protection regulations nor the lawful use of any properties that are within this overlay zone. Therefore, the proposed text amendments to allow medical marijuana facilities or marijuana grow sites will be consistent with this goal and with administrative rules designed to implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city's air, water and land qualities. The city provides its residents with city water from groundwater sources. The quality of the water is monitored to ensure that it complies with all state and federal water quality standards. New construction is required to be connected to the established sanitary sewer system thereby reducing the likelihood of groundwater contamination from failing on-site septic systems. The city has storm water regulations which are geared to maintain water quality in the Willamette River and other local streams. Land quality is preserved through the city's erosion control regulations and through zone code development regulations. Air quality is preserved through the city's development code regulations which limit certain types of uses in certain zones. However, primarily air quality regulations are enforced by the appropriate state agencies which govern air emission standards. All new dwelling units must be constructed consistent with state building codes and must be connected to city

water lines and municipal sanitary sewer lines unless the property is greater than 300 feet from any service line. The revisions will allow medical marijuana facilities or marijuana grow sites and will not impact this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The city has floodplain regulations that govern the placement of structures within identified 100-year floodplains within the city limits. A floodplain is the area that is adjacent to a body of water which may be subject to periodic inundation. In Keizer, these are primarily located along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. With the exception of areas removed from the 100-year floodplain through the Letter of Map Amendment, the 100-year floodplain is the area of greatest concern. While this area is referred to as a 100-year floodplain, it has a statistical probability of having a 1% chance of flooding in any one year. The last major 100 year flood event was the 1964 flood. By contrast, the 1996 flood was not a 100 year flood event for Keizer, although clearly there was a significant amount of water flowing through parts of Keizer during that flood event. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the floodplain. Only in the area identified as a floodway will most forms of development be prohibited. The floodway is that area that is generally the channels of rivers and streams which during a flood event will experience very significant water depth and velocity flows. While there are some steep slopes in the northwest quadrant of the city, there are no mapped areas of steep slopes in Keizer that might warrant any special engineering. The proposed text amendments will neither impact this goal nor any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. The city has an adopted Parks and Recreation Master Plan that inventories the parks, playgrounds, and other recreational opportunities within the city limits and also plans for the city's future park and recreation needs. The proposed amendments will not have any impact on the recreational activities or uses that occur on any park land within the city. The proposed text amendments will not impact either this goal or any administrative rules that implement it.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. The proposed amendment does not impact the ability of either the City of Keizer to seek any additional types of commercial development nor will it affect any established economic development strategies to encourage economic growth. The proposed text amendments will not have any adverse impact on the economic development activities or uses within the city. Therefore, the proposal is consistent with this goal.

Goal 10 – Housing: This goal requires the county to plan and provide for the housing needs of its residents. The City of Keizer with Marion County, Polk County, and the City of Salem has developed a regional housing needs analysis for the upcoming 20 year planning period. In a follow up to the regional study the city adopted its own local housing needs analysis. The HNA indicated that over the upcoming 20-year period, that there will be a growth in the number of non-group households by 4,366 households which will represent a population growth of 11,833 new residents. This is consistent with Keizer’s adopted 2032 forecast. When the housing needs of the projected 2033 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population. The proposed amendments will have no impact on this goal.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of Keizer. The city provides its residents with water, sanitary sewer, an established street system, administrative services, police services, and public safety services. Sanitary sewer service is provided by the city of Salem through an intergovernmental agreement. Fire protection services are provided by the Keizer Fire District or Marion County Fire District #1. There is sufficient capacity in the municipal water delivery system and also within the sanitary sewer treatment system to accommodate planned growth within the upcoming 20 year planning period. Education services are provided by the Salem – Keizer School District and Chemeketa Community College. Private utilities provide trash, electrical, television, telephone services. The proposed text amendments to allow medical marijuana facilities or marijuana grow sites will not impact any of the city’s public facilities and services. Therefore, the proposed revisions will comply with this goal and all administrative rules.

Goal 12 – Transportation: The city has an adopted Transportation System Plan that describes the city’s transportation systems. This system includes streets, transit, bike, and pedestrian systems. It inventories the existing systems and contains plans for improving these systems. The proposed text amendments to allow medical marijuana facilities or marijuana grow sites will have no adverse impact on the city’s transportation systems and so will not affect this goal nor any implementing rules.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance for review to applicable energy conservation standards. The proposed zone code text amendments will not have an impact on this goal nor any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that complies with the goal. The proposed text amendment to allow medical marijuana facilities or marijuana grow sites will have no impact on the intent of this goal as it only will involve land that is within the city limits and not the use of land being transitioned from rural to urbanized uses.

Goal 15 – Willamette River: This goal seeks to protect, conserve, maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River. While the Willamette River is located along the western flanks of Keizer the proposed text amendments will not impact the Willamette River. The revisions to the city’s development code will have no impact on the ability of the city to regulate uses along the river or the Willamette River overlay zone regulations and so this goal is not applicable.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 Ocean Resources) govern areas along the ocean. Since Keizer is not located along the coast, these goals are not applicable

In consideration of the above findings, the proposed zone code revisions complies with all applicable statewide land use goals and with all applicable administrative rules which implement the relevant goal.

5. **Section 3.111.04.D - The amendment is appropriate as measured by at least one of the following criteria:**

- a. It corrects identified error(s) in the previous plan.
- b. It represents a logical implementation of the plan.
- c. It is mandated by changes in federal, state, or local law.
- d. It is otherwise deemed by the council to be desirable, appropriate, and proper.

FINDINGS: The proposed revisions are directly related to enactment of recent state laws allowing for medical marijuana facilities. It also contains several unrelated revisions that have been included in order to clarify language in other sub-sections.

While there are no Comprehensive Plan goals or policies that offer guidance, it is determined that the proposed amendment to the zone code represents a logical implementation of the Keizer Comprehensive Plan. The proposed amendments are mandated by state law. The City Council has, by this adoption, determined that the text revisions are desirable, appropriate, and proper. As such, the proposal complies with this criterion.

Section 1.200 (DEFINITIONS)
DRAFT 9-14

occupancy by no more than one manufactured home per lot if the subdivision was approved pursuant to this Ordinance. (5/98)

Manufactured home park or subdivision [Flood]: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. (5/98)

Marijuana Grow Site: A Marijuana Grow Site that is registered by the Oregon Health Authority Under ORS 475.304 or applicable state law at a specific location used by a grower to produce marijuana for medical use by specific qualifying patients.

Master Plan: A presentation showing the ultimate development lay-out of a parcel or property that is to be developed in successive stages or subdivisions. (5/98)

Mean sea level [Flood]: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced. (5/98)

Medical Marijuana Facility or Facilities: A Medical Marijuana Facility that is registered by the Oregon Health Authority under ORS 475.300-475.346 or other applicable state law and that sells, distributes, transmits, gives, dispenses or otherwise provides Medical Marijuana to qualifying patients.

Message Sign [Sign]: A sign which can change its message electronically and is designed to display various messages, including but not limited to signs displaying time and temperature. (5/98)

Multi-faced Sign [Sign]: A sign which has 2 or more identical sign faces, contained in a single sign structure. (5/98)

Multi-family Dwelling [Sign]: A residential structure or complex of structures which include 3 or more separate dwelling units, whether rented or owned by the occupants. (5/98)

Mini-Storage Warehouse: An area or areas located within an enclosed building or structure used only in connection with the storage of personal property. (5/98)

Mobile home [Flood]: A vehicle or structure, transportable in one or more sections, which is eight feet or more in width, is 32 feet or more in length, is built on a permanent chassis to which running gear is or has been attached, and is designed to be used as a dwelling with or without permanent foundation when connected to the required utilities. Such definition does not include any recreational vehicle as defined by this Section. (5/98)



Figure 1—Multi-Faced Sign

2.108 COMMERCIAL OFFICE (CO)

2.108.01 Purpose

The purpose of the CO (Commercial Office) zone is to provide areas suitable for professional and general commercial offices, membership organizations, similar low intensity, non-retail commercial activities and medium and high density residential accommodations. The Commercial Office zone is appropriate in those areas designated Commercial in the Comprehensive Plan where the location calls for limited traffic generation, and no increase in traffic except during normal business hours; or, commercial uses with low-intensity activity. (5/98)

2.108.02 Permitted Uses

The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the CO zone:

- A. **One or more buildings with one or more dwelling units** or guest rooms on a lot except as provided in (44) (b). (5/98)
- B. **Rooming and boarding houses** (SIC 702). (5/98)
- C. **Organization hotels and lodging houses** on membership basis (SIC 704). (5/98)
- D. **Landscape counseling and planning** (SIC 0781). (5/98)
- E. **Travel agency** (SIC 4722). (5/98)
- F. **Telephone/telegraph communication and radio and television broadcasting** (SIC 481, 482, 483). (5/98)
- G. **Water supply** (SIC 494). (5/98)
- H. **News dealers and newsstands** (SIC 5994). (5/98)
- I. **Finance, insurance and real estate** (SIC 60, 61, 62, 63, 64, 65, 66, 67). (5/98)
- J. **Beauty and barber shops** (SIC 723, 724). (5/98)
- K. **Consumer-credit reporting agencies, mercantile reporting agencies and adjustment and collection agencies** (SIC 732). (5/98)
- L. **Direct mail advertising services** (SIC 7331). (5/98)
- M. **Stenographic services** and reproduction services, not elsewhere classified (SIC 7339). (5/98)

DRAFT 9-14

- O. **News syndicates** (SIC 735). (5/98)
- P. **Personnel supply services** (SIC 736). (5/98)
- Q. **Computer and data processing services** (SIC 737). (5/98)
- R. **Management, consulting and public relations** (SIC 7392). (5/98)
- S. **Detective agencies and protective services** (SIC 7393). (5/98)
- T. **Commercial testing laboratories** (SIC 7397). (5/98)
- U. **Parking lots** (SIC 7523). (5/98)
- V. **Health services** (SIC 80) except hospitals (SIC 806) and nursing and personal care facilities (SIC 805). (5/98)
- W. **Legal services** (SIC 81). (5/98)
- X. **Correspondence schools and vocational schools** (SIC 824). (5/98)
- Z. **Schools and educational services, not elsewhere classified** (SIC 829). (5/98)
- AA. **Individual and family services** (SIC 832). (5/98)
- BB. **Social services, not elsewhere classified** (SIC 839). (5/98)
- CC. **Membership organizations** (SIC 86). (5/98)
- DD. **Miscellaneous services** (SIC 89). (5/98)
- EE. **Executive offices** (SIC 911). (5/98)
- FF. **Executive and legislative combined** (SIC 913). (5/98)
- GG. **Finance, taxation, and monetary policy** (SIC 93). (5/98)
- HH. **Administration of human resources programs** (SIC 94). (5/98)
- II. **Administration of environmental quality and housing programs** (SIC 95). (5/98)
- JJ. **Administration of economic programs** (SIC 96). (5/98)
- KK. **National security and international affairs** (SIC 97). (5/98)

- LL. **Community or neighborhood clubs.** (5/98)
- MM. **Swimming pools** open to the public free or for a fee. (5/98)
- NN. **Public parks, playgrounds, and other public and semi-public uses.** (5/98)
- OO. **Public utility structures and buildings.** (5/98)
- PP. **Residential home care** for 5 or fewer persons and adult residential home care. (5/98)
- QQ. **Child care facility.** (5/98)
- RR. **Child foster home.** (5/98)
- SS. **Elementary and secondary schools (SIC 8211).** (5/98)
- TT. **Transit Facilities (Section 2.305).** (Ordinance 2009-586 – 05/09)

2.108.03 Special Permitted Uses

The following special uses subject to the applicable standards in Section 2.4:

- A. **Funeral service** and crematories (SIC 726). (5/98)
- B. **Zero side yard dwellings.** (5/98)
- C. **Home occupations.** (5/98)
- D. **Child day care services.** (5/98)
- E. **Domiciliary Care Facility (SIC 836).** (5/98)
- F. **Bed and breakfast establishments.** (5/98)
- G. **Veterinary services (SIC 074).** (5/98)
- H. **Mixed-use buildings.** (5/98)
- I. **House of Worship.** (5/98)
- J. **Wireless Telecommunications Facilities (Section 2.421)** (5/98)
- K. **Medical Marijuana Facilities (Section 2.433).**

2.108.04 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit:

- A. Transit Station (Section 2.429). (Ordinance 2009-586 – 05/09)

2.108.05 Dimensional Standards

- A. Minimum Lot Dimension and Height Requirements

DIMENSION	Single Family	Duplex or Multi-Family	Commercial	Mixed Use
Lot Size	4,000 sq. ft. (1)	6,000 sq. ft. (2)	None (3)	None (3)
Average Width	40 feet	50 feet	None	None
Average Depth	70 feet	80 feet	None	None
Maximum Height	35 feet	50 feet	50 feet	50 feet

- (1) *A single family dwelling attached on one side has a minimum lot area of 3500 square feet, and a single family dwelling attached on both sides has a minimum lot area of 3000 square feet. (5/98)*
- (2) *Multi-family development must comply with the density standard in Section 2.107.07. (5/98)*
- (3) *Parcel size shall be adequate to contain all structures within the required yard setbacks and, where applicable, comply with residential density standards in Section 2.108.05. (5/98)*

- B. Minimum Yard Setback Requirements

SETBACKS	Single Family or Duplex	Multi-Family	Commercial	Mixed Use
Front	10 feet	10 feet	10 feet	10 feet
Side	5 feet (1)	(3)	(3)	(3)
Rear	(2)	(3)	(3)	(3)
Street-side (4)	10 feet	10 feet	10 feet	10 feet
Garage entrance (5)	20 feet (5)	20 feet (5)	20 feet (5)	20 feet (5)

- (1) *Zero side yard dwelling units are subject to the setback provisions in Section 2.404. (5/98)*
- (2) *The rear yard setback shall be as follows: 14 feet for a 1-story home, 20 feet for a 2-story home. (5/98)*
- (3) *The setback shall be no less than the minimum rear yard setback of the zone on the adjacent property. (5/98)*
- (4) *Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)*
- (5) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)*

2.108.06 Development Standards

All development in the CO Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements. If a conflict exists with a specific standard found in this section and a standard found elsewhere in this Ordinance, the standard in this section shall govern. (5/98)

A. Off-street parking:

1. **Parking shall be as specified in Section 2.303. In the event that on-street parking is provided, on-street parking that abuts the property can be used to meet the standard. (5/98)**
2. **Parking must be located to the side or rear of newly constructed buildings. If located on the side, parking is limited to 50 percent of the street frontage. (5/98)**
3. **No off-street parking is required for uses above the ground floor. (5/98)**
4. **The off-street parking requirement for residential uses is one space per unit. (5/98)**
5. **If mixed uses on the ground floor exhibit peak parking demand at different times, the resulting parking requirement is limited to the number of spaces generated at the highest combined peak demand at any one particular time. (For example, if there is a movie theater exhibiting peak parking demand between 7:00 and 10:00 PM with a total requirement of 100 spaces, and a pet store exhibiting peak demand between 1:00 and 5:00**

PM with a requirement of 50 spaces, the total requirement for the building would be 100 spaces.) (5/98)

- B. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)
- C. Yards and Lots. Yards and lots shall conform to the standards of Section 2.312. (5/98)
- D. Signs. Signs shall conform to the requirements of Section 2.308. (5/98)
- E. Accessory Structures: Accessory structures shall conform to requirements in Section 2.313. (5/98)
- F. Storage, Trash, and Service Functions: Storage areas, trash, recycling, utilities and other service functions shall be located within the main structure if possible. If any of the above functions are located outside the main structure, the area containing the function must be screened with a solid, durable structure that is architecturally related to the building. (5/98)
- G. Landscaping-General: All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in Section 2.309. The minimum landscaped area requirements shall be as follows: (5/98)

Commercial development:	10%
Mixed commercial and residential development:	15%
Residential development:	20%

- H. Landscaping-Parking Lots: One tree shall be provided for every eight parking spaces in parking lots. The trees shall be dispersed throughout the parking lot in minimum four by four foot planters located between parking spaces. (5/98)
- I. Lot Coverage: The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: (5/98)

	<u>Max.</u>	<u>Min</u>
Commercial development:	90%	50%
Mixed commercial and residential development:	85%	50%
Residential development:	80%	50%

- J. Density: The maximum residential density shall be 24 units per acre and minimum residential density shall be 8 units per acre. Developments limited exclusively to residential uses and containing less than 8 dwelling units per acre are allowed if they comply with the following: (5/98)

1. No more than 50% of the property shall be occupied. The occupied area shall include all buildings, accessory structures, driveways, parking and required landscaping. (5/98)
2. The remaining undeveloped portion of the property shall be in one contiguous piece. Access to a public street, in conformance with Ordinance requirements, shall be available. The undeveloped portion shall have sufficient width and depth to be developed for additional residential, or commercial, uses. (5/98)

2.108.07 Design Standards

All development in the CO Zone shall comply with the applicable design standards described below:

- A. Building Design Standards. Primary buildings shall comply with the following design standards:
 1. Design Standards - Unless specifically modified by provisions in this Section, buildings located within the CO zone shall comply with the following standards: (5/98)
 - a. Single family homes shall comply with the design standards in Section 2.314. (5/98)
 - b. Multi-family buildings and non-residential structures shall comply with the provisions in Section 2.315 Development Standards. (4/12)

2.109 COMMERCIAL RETAIL (CR)

2.109.01 Purpose

The purpose of the CR (Commercial Retail) zone is to provide areas suitable for professional and general commercial offices, retail sales within a building, eating and drinking places, commercial accommodations and commercial services. The Commercial Retail zone is appropriate in those areas designated Commercial in the Comprehensive Plan when the location has access to a collector or arterial street. (5/98)

2.109.02 Permitted Uses

The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the CR zone:

- A. **One dwelling unit in conjunction with the commercial uses(s) of the lot.** (5/98)
- B. **Offices for any use listed in SIC Division C - Construction.** (5/98)
- C. **Post offices (43).** (5/98)
- D. **Building materials, hardware, retail nurseries, and garden supply (52) except mobile home dealers (527).** (5/98)
- E. **General merchandise stores (53).** (5/98)
- F. **Food stores (54).** (5/98)
- G. **Auto and home supply stores (553).** (5/98)
- H. ~~Gasoline service stations (554) (Section 2.419) except as provided in Section 2.109.04 below.~~ (4/12)
- I. **Eating and drinking places (58) except as provided in Section 2.109.054 below.** (4/12)
- J. **Miscellaneous retail (59) except fuel and ice dealers (598) provided all display is within a building.** (5/98)
- K. ~~Used Merchandise Store (Section 2.417) provided all display is within a building.~~ (4/12)
- L. **Vehicle sales and secondary repair except as provided in Section 2.109.054 below.** (4/12)
- M. **Finance, insurance, and real estate (60, 61, 63, 64, 65, 66 and 67).** (5/98)

- N. **Hotels, motels, and tourist courts** (701). (5/98)
- ~~O. **Religious organizations** (Section 2.423) (4/12)~~
- ~~P. **Veterinary services** (074) (Section 2.414) (4/12)~~
- Q. **Membership organizations** (86). (5/98)
- R. **Public utility structures and buildings** except as provided in Section 2.109.054 below. (4/12)
- ~~S. **Recreational vehicle parks** (7033) (Section 2.412) except as provided in Section 2.109.04 below (4/12)~~
- T. Uses prescribed in Section 2.203 (4/12)
- U. **Unlimited number of guest rooms** including **rooming and boarding houses** (702), organization hotels and lodging homes on membership basis (704). (5/98)
- V. **Signs** (Section 2.308) (4/12)
- ~~W. **Bed and breakfast establishments** (Section 2.408) (4/12)~~
- X. **Miscellaneous amusement and recreation services** (799) except golf courses (7992) and amusement parks (7996). (5/98)
- Y. **Landscape counseling and planning** (0781). (5/98)
- Z. **News dealers and newsstands** (5994). (5/98)
- AA. **Commercial printing** (275). (5/98)
- BB. **Communications** (48). (5/98)
- CC. **Apparel and accessory stores** (56). (5/98)
- DD. **Furniture, home furnishings, and equipment stores** (57). (5/98)
- EE. **Electrical and lighting shops and office machines and equipment stores.** (5/98)
- FF. **Personal services** (72) except carpet and upholstery cleaning (7217) and industrial launderers (7218). (5/98)
- GG. **Business services** (73) except disinfecting and exterminating services (7342) and research and development laboratories (7391). (5/98)

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Blue strikeout is language proposed to be moved not deleted. Red is new.

- HH. **Automobile parking** (752) except as provided in Section 2.109.054 below. (4/12)
- II. **Watch, clock, and jewelry repair** (763). (5/98)
- JJ. **Motion picture distribution and allied services** (782). (5/98)
- KK. **Motion picture theaters** (783) except drive-ins (7838). (5/98)
- LL. **Dance halls, studios, and schools** (791). (5/98)
- MM. **Theatrical producers** (except motion pictures), **bands, orchestras, and entertainers** (792). (5/98)
- NN. **Bowling alleys and billiard and pool establishments** (793). (5/98)
- OO. **Health services** (80) except hospitals (806). (5/98)
- PP. **Ambulance service**. (5/98)
- QQ. **Legal services** (81). (5/98)
- RR. **Educational services** (82). (5/98)
- SS. **Social services** (83). (5/98)
- TT. **Museums, art galleries, botanical and zoological gardens** (84). (5/98)
- UU. **Miscellaneous services** (89). (5/98)
- VV. **Executive offices** (911). (5/98)
- WW. **Executive and legislative combined** (913). (5/98)
- XX. **Finance, taxation, and monetary policy** (93). (5/98)
- YY. **Administration of human resources programs** (94). (5/98)
- ZZ. **Administration of environmental quality and housing programs** (95). (5/98)
- AAA. **Administration of economic programs** (96). (5/98)
- BBB. **National security and international affairs** (97). (5/98)
- CCC. **Automotive Dealers** (55) but excluding gasoline service stations (554) except as provided in Section 2.109.054 below. (4/12)

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Blue strikeout is language proposed to be moved not deleted. Red is new.

~~DDD. Adult entertainment business (Section 2.418) (4/12)~~

~~EEE. Accessory commercial uses (Section 2.416) (4/12)~~

FFF. Residential home care and adult residential home care.

GGG. Printing & Publishing

HHH. Child foster home for five or fewer children as a secondary use. (6/99)

III. Pet Grooming (6/01)

JJJ. Transit Facilities (Section 2.305). (5/09)

2.109.03 Special Permitted Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the CR zone:

- A. Partitions, subject to the provisions in Section 2.310.
- B. Subdivision, subject to the provisions in Section 2.310.
- C. Planned unit development, subject to the provisions in Section 2.311.
- D. Gasoline service stations (554) (Section 2.419) except as provided in Section 2.109.054 below. (4/12)
- E. Used Merchandise Store (Section 2.417) provided all display is within a building. (4/12)
- F. Religious organizations (Section 2.423) (4/12)
- G. Veterinary services (074) (Section 2.414) (4/12)
- H. Recreational vehicle parks (7033) (Section 2.412) except as provided in Section 2.109.054 below (4/12)
- I. Bed and breakfast establishments (Section 2.408) (4/12)
- J. Adult entertainment business (Section 2.418) (4/12)
- K. Accessory commercial uses (Section 2.416) (4/12)
- L. Medical Marijuana Facilities (Section 2.433)

2.109.043 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit:

- A. **Water supply (494).** (5/98)
- B. **Carpet and upholstery cleaning (7217).** (5/98)
- C. **Automotive rental and leasing, without drivers (751)** except as provided in Section 2.109.054-below. (4/12)
- D. **Automotive repair shops (753)** except as provided in Section 2.109.054 below. (4/12)
- E. **Automotive services, except repair (754)** except as provided in Section 2.109.054 below. (4/12)
- F. **Electrical repair shops (762).** (5/98)
- G. **Reupholstery and furniture repair (764).** (5/98)
- H. **Professional sports clubs and promoters (7941).** (5/98)
- I. **Utilities - secondary truck parking and material storage yard** except as provided in Section 2.109.054 below. (4/12)
- J. **Manufacture of jewelry, silverware, and plated ware (391).** (5/98)
- K. **Manufacture of costume jewelry, novelties, buttons, etc. (396).** (5/98)
- L. **Local and suburban passenger transportation (411).** (5/98)
- M. **Intercity and rural highway passenger transportation** within 2,000 feet from the center point of an I-5 interchange and having direct access onto a major arterial (413). (4/12)
- N. **Transit Station (Section 2.429).** (05/09)

2.109.054 Prohibited Uses

The following uses are prohibited from the any property fronting on River Road or Chemawa Road in the following area; the west side of River Road between 5119 River Road on the north and Janet Avenue extended on the south; the east side of River Road between Claggett Street on the north and James Avenue on the south; and either side of Chemawa Road between Elizabeth Street on the west and Bailey Road on the east. This prohibition does not apply to any business facility, legally established as of the date of the adoption of this Ordinance, which as of that date has drive-through window facilities. (5/98)

- A. **Gasoline service stations** (554) (Section 2.419). (4/12)
- B. **Drive-Through windows or car service associated with eating and drinking places** (58). (5/98)
- C. **Vehicle sales and secondary repair.** (5/98)
- D. **Public utility structures and buildings.** (5/98)
- E. **Recreational vehicle parks** (7033) (Section 2.412) (4/12)
- F. **Automobile parking not associated with an allowed use** (752). (5/98)
- G. **Automotive Dealers** (55). (5/98)
- H. **Automotive rental and leasing, without drivers** (751). (5/98)
- I. **Automotive repair shops** (753). (5/98)
- J. **Automotive services, except repair** (754). (5/98)
- K. **Utilities – secondary truck parking and material storage yard.** (4/12)

2.109.065 Use Restrictions

A limitation of the total floor area of specified uses applies to all of Area C – Keizer Station Center of the Keizer Station Plan. A maximum total floor area shall apply to the uses identified in Sections 2.109.02 (D) – (M), (Z), (CC) – (EE), (CCC) and (DDD). This maximum floor area is set forth in the Keizer Station Plan, however this maximum floor area may change as part of an approved master plan or amended master plan. (06/10)

2.109.076 Dimensional Standards

- A. **Minimum Lot Dimension and Height Requirements**

Blue strikeout is language proposed to be moved not deleted. Red is new.

DIMENSION	Commercial	Mixed Use
Lot Size	None (1)	None (1)
Average Width	None	None
Average Depth	None	None
Maximum Height	50 feet	50 feet

- (1) *Parcel size shall be adequate to contain all structures within the required yard setbacks and, where applicable, comply with residential density standards in Section 2.107.07. (5/98)*

B. Minimum Yard Setback Requirements

SETBACKS	Commercial	Mixed Use
Front	10 feet	10 feet
Side	(1)	(1)
Rear	(1)	(1)
Street-side (2)	10 feet	10 feet
Garage entrance (3)	20 feet (3)	20 feet (3)

- (1) *The setback shall be no less than the minimum rear yard setback of the zone on the adjacent property (5/98)*
- (2) *Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)*
- (3) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)*

2.109.087 Development Standards

All development in the CR Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements. If a conflict exists with a specific standard found in this section and a

standard found elsewhere in this Ordinance, the standard in this section shall govern.
(5/98)

- A. Off-street parking:
1. Parking shall be as specified in Section 2.303. In the event that on-street parking is provided, on-street parking that abuts the property can be used to meet the standard. (5/98)
 2. No off-street parking is required for uses above the ground floor. (5/98)
 3. The off-street parking requirement for residential uses is one space per unit. (5/98)
 4. If mixed uses on the ground floor exhibit peak parking demand at different times, the resulting parking requirement is limited to the number of spaces generated at the highest combined peak demand at any one particular time. (For example, if there is a movie theater exhibiting peak parking demand between 7:00 and 10:00 PM with a total requirement of 100 spaces, and a pet store exhibiting peak demand between 1:00 and 5:00 PM with a requirement of 50 spaces, the total requirement for the building would be 100 spaces.)
- B. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)
- C. Yards and Lots. Yards and lots shall conform to the standards of Section 2.312. (5/98)
- D. Signs. Signs shall conform to the requirements of Section 2.308. (5/98)
- E. Accessory Structures: Accessory structures shall conform to requirements in Section 2.313. (5/98)
- F. Storage, Trash, and Service Functions: Storage areas, trash, recycling, utilities and other service functions shall be located within the main structure if possible. If any of the above functions are located outside the main structure, the area containing the function must be screened with a solid, durable structure that is architecturally related to the building. (5/98)
- G. Landscaping-General: All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in Section 2.309. The minimum landscaped area is 10%. (5/98)
- H. Landscaping-Parking Lots: One tree shall be provided for every eight parking spaces in parking lots. The trees shall be dispersed throughout the parking lot in minimum four by four foot planters located between parking spaces. (5/98)

Blue strikeout is language proposed to be moved not deleted. Red is new.

- I. Lot Coverage: The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: (5/98)

	<u>Max.</u>	<u>Min</u>
Commercial development:	90%	50%

2.109.098 Design Standards

All development in the CR Zone shall comply with the applicable design standards described below:

All development in the CR Zone shall comply with the applicable design standards described below:

Building Design Standards. Primary buildings shall comply with the following design standards: (5/98)

1. Design Standards - Unless specifically modified by provisions in this Section, buildings located within the CR zone shall comply with the following standards: (5/98)
 - a. Non-residential structures shall comply with the provisions in Section 2.315 – Development Standards. (4/12)
 - b. Residential structures shall comply with the provisions in Section 2.314 – Standards for Single Family Dwellings. (4/12)

2.110 COMMERCIAL MIXED USE (CM)

2.110.01 Purpose

The Commercial Mixed Use (CM) zone is the primary commercial zone within the City. The zone is specifically designed to promote development that combines commercial and residential uses. This zone will support transit use, provide new housing opportunities while allowing a full range of commercial retail, service and office uses. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses. Clusters of residential and commercial uses around landscaping features or parking areas can occur and are encouraged. The Commercial Mixed Use zone is suitable for the Commercial Plan designation. (5/98)

2.110.02 Permitted Uses

The following uses, when developed under the applicable development standards in the Zoning Ordinance, are permitted in the CM zone:

- A. **One or more buildings with one or more dwelling units** or guest rooms, and/or, one or more other uses allowed in this section on a lot. (5/98)
- B. **Residential homes** and facilities. (5/98)
- C. **Child day care service**, including family day care provider. (5/98)
- D. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (5/98)
- E. **Landscape counseling and planning (0781)**. (5/98)
- F. **Offices** for any use listed in SIC Division C - Construction. (5/98)
- G. **Commercial printing (275)**. (5/98)
- H. **Transportation, Communication and Utilities**. (5/98)
 - 1. **Public utility structures and buildings**. (5/98)
 - 2. **Post office (43)**. (5/98)
 - 3. **Travel agency (4722)**. (5/98)
 - 4. **Communications (48)**. (5/98)

I. **Retail Trade.** (5/98)

1. **Building materials, hardware, retail nurseries, and garden supply** (52), BUT EXCLUDING mobile home dealers (527). (5/98)
2. **General merchandise stores** (53). (5/98)
3. **Food stores** (54). (5/98)
4. **Automobile, recreational vehicle or trailer sales** (55), BUT EXCLUDING gasoline service stations (554). (5/98)
5. **Apparel and accessory stores** (56). (5/98)
7. **Furniture, home furnishings, and equipment stores** (57). (5/98)
8. **Eating and drinking places** (58) except as provided in Section 2.110.05, below. (5/98)
9. **Miscellaneous retail** (59), BUT EXCLUDING fuel and ice dealers (598). (5/98)
10. **Electrical and lighting shops and office machines and equipment stores.** (5/98)

J. **Business, Professional and Social Services.** (5/98)

1. **Finance, insurance and real estate** (60, 61, 62, 63, 64, 65, 67). (5/98)
2. **Hotels, motels and tourist courts** (701). (5/98)
3. **Organization hotels and lodging houses on membership basis** (704). (5/98)
4. **Personal services** (72) BUT EXCLUDING industrial launderers (7218). (5/98)
5. **Business services** (73) BUT EXCLUDING disinfecting and exterminating services (7342). (5/98)
6. **Parking lots** (7523) except as provided in Section 2.110.05, below. (5/98)
7. **Miscellaneous repair services** (76). (5/98)
8. **Motion pictures** (78), BUT EXCLUDING drive-ins (7838). (5/98)

9. **Amusement and recreation (79), BUT EXCLUDING** golf courses (7992) and amusement parks (7996). (5/98)
 10. **Health services (80), BUT EXCLUDING** hospitals (806). (5/98)
 11. **Legal services (81).** (5/98)
 12. **Elementary and secondary schools (8211).** (5/98)
 13. **Correspondence schools and vocational schools (824).** (5/98)
 14. **Schools and educational services** not elsewhere classified (829). (5/98)
 15. **Social services (83).** (5/98)
 16. **Museums, art galleries, botanical and zoological gardens (84).** (5/98)
 17. **Membership organizations (86).** (5/98)
 18. **Miscellaneous services (89).** (5/98)
 19. **Pet Grooming (6/01)**
- K. **Public Administration (91 - 97).** (5/98)
- L. **Child foster home** for five or fewer children as a secondary use. (6/99)

2.110.03 Special Permitted Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the CM zone:

- A. **Partitions**, subject to the provisions in Section 2.310. (5/98)
- B. **Subdivision**, subject to the provisions in Section 2.310. (5/98)
- C. **Planned unit development**, subject to the provisions in Section 2.311. (5/98)
- D. **Accessory structures and uses** prescribed in Section 2.203. (5/98)
- E. **Transit Facilities (Section 2.305).** (Ordinance 2009-586 – 05/09)
- F. The following **special uses** subject to the applicable standards in Section 2.4:
 1. **Shared housing facilities (Section 2.403).** (5/98)

2. **Zero side yard dwelling units** (Section 2.404). (5/98)
3. **Home occupations** (Section 2.407). (5/98)
4. **Bed and breakfast establishments** (Section 2.408). (5/98)
5. **Residential sales offices** (Section 2.409). (5/98)
6. **Public golf course** (7992) or membership recreation club having golf course (7997) (Section 2.410). (5/98)
7. **Boat and RV storage area** (Section 2.411) except as provided in Section 2.110.05, below. (5/98)
8. **House of Worship** (Section 2.423). (5/98)
9. **Recreational vehicle storage space** (Section 2.413) except as provided in Section 2.110.05, below. (5/98)
10. **Veterinary services** (074) (Section 2.414). (5/98)
11. **Funeral service and crematories** (726) (Section 2.415). (5/98)
12. **Used Merchandise Store** (Section 2.417)
13. **Adult entertainment business** (Section 2.418). (5/98)
14. **Service stations** (554) (Section 2.419) except as provided in Section 2.110.05, below. (5/98)
15. **Recreational vehicle parks** (7033) (Section 2.412) except as provided in Section 2.110.05, below. (5/98)
16. **Automobile services** (75) (Section 2.420) except as provided in Section 2.110.05, below. (5/98)
17. **Manufacturing and Assembly Facilities** (Section 2.421). (5/98)
18. **Wireless Telecommunications Facilities** (Section 2.427). (5/98)
20. Medical Marijuana Facilities (Section 2.433)

2.110.04 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit:

- A. **Craft Industries**, subject to the provisions in Section 2.421. (5/98)
- B. **Transit Station** (Section 2.429). (Ordinance 2009-586 – 05/09)

2.110.05 Use Restrictions

No permitted or special permitted use shall in any way involve any of the following:

- A. **Farm Use**. (5/98)
- B. The rendering, processing, or cleaning of animals, fish, seafoods, fowl, poultry, fruits, vegetables, or dairy products for wholesale use. (5/98)
- C. The following uses are prohibited from any property fronting on River Road or Chemawa Road in the following area: the west side of River Road between 5119 River Road on the north and Janet Avenue extended on the south; the east side of River Road between Claggett Street on the north and James Avenue on the south; and either side of Chemawa Road between Elizabeth Street on the west and Bailey Road on the east; and (2) Any property contained within the Area B as described in the Keizer Station Plan. This prohibition does not apply to any business facility, legally established as of the date of the adoption of this Ordinance, which as of that date has drive-through window facilities. (12/03)
 - 1. **Gasoline service stations** (554). (5/98)
 - 2. **Drive-Through windows or car service associated with eating and drinking places** (58). (5/98)
 - 3. **Vehicle sales and secondary repair**. (5/98)
 - 4. **Public utility structures and buildings**. (5/98)
 - 5. **Recreational vehicle parks** (7033). (5/98)
 - 6. **Automobile parking not associated with an allowed use** (752). (5/98)
 - 7. **Automotive Dealers** (55). (5/98)
 - 8. **Automotive rental and leasing, without drivers** (751). (5/98)
 - 9. **Automotive repair shops** (753). (5/98)

10. Automotive services, except repair (754). (5/98)

11. Utilities - secondary truck parking and material storage yard. (5/98)

D. A limitation of the total floor area of specified uses applies to all of Area B – Retail Service Center of the Keizer Station Plan. A maximum total floor area shall apply to the uses identified in Sections 2.110.02 (I) and 2.110.03 (E)(12) – (14). This maximum floor area is set forth in the Keizer Station Plan, however this maximum floor area may change as part of an approved master plan or amended master plan. (06/10)

2.110.06 Dimensional Standards

A. Minimum Lot Dimension and Height Requirements

DIMENSION	Single Family	Duplex or Multi-Family	Commercial	Mixed Use
Lot Size	4,000 sq. ft. (1)	6,000 sq. ft. (2)	None (3)	None (3)
Average Width	40 feet	50 feet	None	None
Average Depth	70 feet	80 feet	None	None
Maximum Height	35 feet	50 feet	50 feet	50 feet

- (1) *A single family dwelling attached on one side has a minimum lot area of 3500 square feet, and a single family dwelling attached on both sides has a minimum lot area of 3000 square feet. (5/98)*
- (2) *Multi-family development must comply with the density standard in Section 2.110.07. (5/98)*
- (3) *Parcel size shall be adequate to contain all structures within the required yard setbacks and, where applicable, comply with residential density standards in Section 2.110.07. (5/98)*

B. Minimum Yard Setback Requirements

SETBACKS	Single Family or Duplex	Multi-Family	Commercial	Mixed Use
Front	10 feet	10 feet	10 feet	10 feet
Side	5 feet (1)	(3)	(3)	(3)
Rear	(2)	(3)	(3)	(3)
Street-side (4)	10 feet	10 feet	10 feet	10 feet
Garage entrance (5)	20 feet (5)	20 feet (5)	20 feet (5)	20 feet (5)

- (1) *Zero side yard dwelling units are subject to the setback provisions in Section 2.404. (5/98)*
- (2) *The rear yard setback shall be as follows: 14 feet for a 1-story home, 20 feet for a 2-story home. (5/98)*
- (3) *The setback shall be no less than the minimum rear yard setback of the zone on the adjacent property. For the CM zone, the rear yard setback is 0 feet. (5/98)*
- (4) *Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)*
- (5) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)*

2.110.07 Development Standards

All development in the CM Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements. If a conflict exists with a specific standard found in this section and a standard found elsewhere in this Ordinance, the standard in this section shall govern. (5/98)

A. Off-street parking:

- 1. Parking shall be as specified in Section 2.303. In the event that on-street parking is provided, on-street parking that abuts the property can be used to meet the standard. (5/98)

2. No off-street parking is required for uses above the ground floor. (5/98)
 3. The off-street parking requirement for residential uses is one space per unit. (5/98)
 4. If mixed uses on the ground floor exhibit peak parking demand at different times, the resulting parking requirement is limited to the number of spaces generated at the highest combined peak demand at any one particular time. (For example, if there is a movie theater exhibiting peak parking demand between 7:00 and 10:00 PM with a total requirement of 100 spaces, and a pet store exhibiting peak demand between 1:00 and 5:00 PM with a requirement of 50 spaces, the total requirement for the building would be 100 spaces.)
- B. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)
- C. Yards and Lots. Yards and lots shall conform to the standards of Section 2.312. (5/98)
- D. Signs. Signs shall conform to the requirements of Section 2.308. (5/98)
- E. Accessory Structures: Accessory structures shall conform to requirements in Section 2.313. (5/98)
- F. Storage, Trash, and Service Functions: Storage areas, trash, recycling, utilities and other service functions shall be located within the main structure if possible. If any of the above functions are located outside the main structure, the area containing the function must be screened with a solid, durable structure that is architecturally related to the building. (5/98)
- D. Landscaping-General: All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in Section 2.309.
1. The minimum landscaped area requirements shall be as follows:

Commercial development:	10%
Mixed commercial and residential development:	15%
Residential development:	20%
 2. Properties located within Area B as defined in the Keizer Station Plan shall have a 20-foot landscape buffer along all property lines adjacent to any residential zone. Landscape and buffer requirements shall be met as defined in the Keizer Station Plan. (12/03)

- H. Landscaping-Parking Lots: One tree shall be provided for every eight parking spaces in parking lots. The trees shall be dispersed throughout the parking lot in minimum four by four foot planters located between parking spaces. (5/98)
- I. Lot Coverage: The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: (5/98)

	<u>Max.</u>	<u>Min</u>
Commercial development:	90%	50%
Mixed commercial and residential development:	85%	50%
Residential development:	80%	50%

- J. Density: The maximum residential density shall be 24 units per acre and minimum residential density shall be 8 units per acre. Developments limited exclusively to residential uses and containing less than 8 dwelling units per acre are allowed if they comply with the following: (5/98)
 - 1. No more than 50% of the property shall be occupied. The occupied area shall include all buildings, accessory structures, driveways, parking and required landscaping. (5/98)
 - 2. The remaining undeveloped portion of the property shall be in one contiguous piece. Access to a public street, in conformance with Ordinance requirements, shall be available. The undeveloped portion shall have sufficient width and depth to be developed for additional residential, or commercial, uses. (5/98)

2.110.08 Design Standards

All development in the CM Zone shall comply with the applicable design standards described below:

- A. Building Design Standards. Primary buildings shall comply with the following design standards: (5/98)
 - 1. Design Standards - Unless specifically modified by provisions in this Section, buildings located within the CM zone shall comply with the following standards: (5/98)
 - a. Single family homes shall comply with the design standards in Section 2.314. (5/98)
 - b. Multi-family buildings and non-residential structures shall comply with the provisions in Section 2.315 – Development Standards. (4/12)

2.112 COMMERCIAL GENERAL (CG)

2.112.01 Purpose

The purpose of the CG (Commercial General) zone is to provide areas suitable for warehousing, wholesale commercial sales and services with related outdoor storage or retail sales. The Commercial General zone is appropriate in those areas designated Commercial in the Comprehensive Plan where the location has access to an arterial street or highway for transport of bulk materials and where the noises, lights, odors, and traffic hazards associated with permitted uses will not conflict with local streets. (5/98)

2.112.02 Permitted Uses

The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the CG zone:

- A. **One dwelling unit in conjunction with the commercial use(s) of the lot.** (5/98)
- B. **Recycling Depots.** (5/98)
- C. **Auctions yards.** (5/98)
- D. **Landscape and horticultural services (078).** (5/98)
- E. **Construction contractor's offices and related outdoor storage (15, 16, 17)** (5/98)
- F. **Printing and publishing (27).** (5/98)
- G. **Transportation and Utilities.** (5/98)
 - 1. **Transportation, communication, electric, gas, and sanitary services (40 - 49).** (5/98)
 - 2. **Utilities - secondary truck parking and material storage yard.** (5/98)
 - 3. **Public utility structures and buildings.** (5/98)
- H. **Wholesale trade (50) except scrap and waste materials (5093).** (5/98)
- I. **Retail Trade.** (5/98)
 - 1. **Building materials, hardware, retail nurseries, and garden supply (52).** (5/98)
 - 2. **General merchandise stores (53).** (5/98)
 - 3. **Food stores (54).** (5/98)

4. Automobile, recreational vehicle or trailer sales and supply stores (55), BUT EXCLUDING gasoline service stations (554). (5/98)
 5. Apparel and accessory stores (56). (5/98)
 7. Furniture, home furnishings, and equipment stores (57). (5/98)
 8. Eating and drinking places (58). (5/98)
 9. Miscellaneous retail (59). (5/98)
 10. Electrical and lighting shops, office machines and equipment stores, and tractor and farm equipment shops. (5/98)
- J. **Business, Professional and Social Services.** (5/98)
1. Finance, insurance, and real estate (60, 61, 62, 63, 64, 65, 67). (5/98)
 2. Personal Services (72). (5/98)
 3. Business services (73). (5/98)
 4. Automotive repair services and garages (75). (5/98)
 5. Miscellaneous repair services (76). (5/98)
 6. Motion picture production and allied services (78), BUT EXCLUDING drive-ins (7832). (5/98)
 7. Amusement and recreation service (79), BUT EXCLUDING racing (7948). (5/98)
 8. Pet Grooming (6/01)
- K. **Public Administration.** (5/98)
1. Fire protection (9224). (5/98)
- L. **Child foster home** for five or fewer children as a secondary use.(6/99)

2.112.03 Special Permitted Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the CG zone:

- A. **Partitions**, subject to the provisions in Section 2.310. (5/98)
- B. **Subdivision**, subject to the provisions in Section 2.310. (5/98)

- C. **Planned unit development**, subject to the provisions in Section 2.311. (5/98)
- D. **Accessory structures** and uses prescribed in Section 2.203.02. (5/98)
- E. The following special uses subject to the applicable standards in Section 2.4:
 - 1. **Veterinary services (074)** (Section 2.414). (5/98)
 - 2. **Funeral service** and crematories (726) (Section 2.415). (5/98)
 - 3. **House of Worship** (Section 2.423). (5/98)
 - 4. **Used Merchandise Store** (Section 2.417). (5/98)
 - 5. **Home occupations** (Section 2.407). (5/98)
 - 6. **Adult entertainment business** (Section 2.418). (5/98)
 - 7. **Service stations (554)** (Section 2.419). (5/98)
 - 8. **Recreational vehicle storage space** (Section 2.413). (5/98)
 - 9. **Wireless Telecommunications Facilities (Section 2.427)**. (5/98)
 - 10. Medical Marijuana Facilities (Section 2.433).

2.112.04 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit:

- A. **Craft Industries**, subject to the provisions in Section 2.421. (5/98)

2.112.05 Dimensional Standards

- A. **Minimum Lot Dimension and Height Requirements**

LOT SIZE	The parcel size shall be adequate to contain all structures within the required yard setbacks.
STRUCTURE HEIGHT	50 feet provided required setbacks shall be increased 1 foot for every foot the structure height exceeds 35 feet.

B. Minimum Yard Setback Requirements

ADJACENT PROPERTY USE

SETBACKS	Single Family or Duplex	Multi-Family	Commercial	Industrial
Front	5 feet	5 feet	5 feet	5 feet
Side	(1)	(1)	(1)	(1)
Rear	(1)	(1)	(1)	(1)
Street-side (2)	5 feet	5 feet	5 feet	5 feet
Garage entrance (3)	20 feet	20 feet	20 feet	20 feet

- (1) *The setback shall be no less than the minimum rear yard setback of the zone on the adjacent property. For the CG zone, the rear yard setback is 0 feet. (5/98)*
- (2) *Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)*
- (3) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)*

2.112.06 Development Standards

All development in the CG Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements:

- A. **Off Street Parking.** Parking shall be as specified in Section 2.303. (5/98)
- B. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the CG zone shall comply with the Development Standards in Section 2.315. A caretaker's dwelling shall comply with the design standards in Section 2.314. (5/98)
- C. **Subdivisions and Partitions.** Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)

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- D. **Yards and Lots.** Yards and lots shall conform to the standards of Section 2.312.
(5/98)
- E. **Signs.** Signs shall conform to the requirements of Section 2.308. (5/98)
- F. **Accessory Structures:** Accessory structures shall conform to requirements in Section 2.313. (5/98)
- G. **Landscaping:** A minimum of 10% of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in Section 2.309. (5/98)
- H. **Lot Coverage:** The combined maximum building and parking area coverage shall not exceed 90%. (5/98)

2.113 INDUSTRIAL BUSINESS PARK (IBP)

2.113.01 Purpose and Uses

- A. Purpose. The IBP zone is intended to provide for high quality light industrial and office parks with related commercial uses. It sets high design standards focusing on visual aesthetics, while providing a framework for the marketplace to work within creating vibrant, economically viable commerce centers. (5/98)

- B. Classification of Uses: Most permitted, special, and conditional uses are classified with reference to the Standard Industrial Classification (SIC), Manual, Numbers in parenthesis following a use designation indicate that the use is listed and described under the number in the SIC. Where particular activities otherwise included under a SIC category are excluded from the permitted, a special, or conditional uses, those particular activities are listed, preceded by the words, "BUT EXCLUDING" following the more general category from which they are excluded. Particular activities thus excluded may or may not be listed in other sections of this chapter. The IBP zone may be utilized in conjunction with overlay zones, such as the AC (Activity Center) overlay zone used within the Keizer Station Plan, which may include use and development standards which are more restrictive than those found in this chapter. (02/03)

2.113.02 Permitted Uses.

The following uses, when developed under the general development standards in this zoning code applicable to the IBP district and to all such uses, generally, are permitted in the IBP district: (5/98)

- A. **Agriculture forestry and fishing;** (5/98)
 - 1. Agricultural production-crops (01). (5/98)

- B. **Manufacturing;** (5/98)
 - 1. Grain mill products (204). (5/98)
 - 2. Bakery products (205). (5/98)
 - 3. Beverages (208). (5/98)
 - 4. Miscellaneous food preparations and kindred products (209). (5/98)
 - 5. The manufacture of meat products (201) but excluding both meat packing plant and any on site abattoirs and slaughtering (2011), rendering of fats (2077), processing of hides and maintenance of live animals or fowl. (5/98)

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6. Textile mill products (22). (5/98)
7. Apparel and other finished products made from fabrics and similar products (23). (5/98)
8. Wood kitchen cabinets (2434). (5/98)
9. Nailed and lock corner wood boxes and shook (2441). (5/98)
10. Wood products, not elsewhere classified (2499). (5/98)
11. Furniture and fixtures (25). (5/98)
12. Paperboard containers and boxes (265). (5/98)
13. Printing, publishing, and allied industries (27). (5/98)
14. Drugs (283). (5/98)
15. Soaps detergents, and cleaning preparations, perfumes, cosmetics, and other toilet preparations (284). (5/98)
16. Miscellaneous plastic products (308). (5/98)
17. Leather and leather products (31) BUT EXCLUDING leather tanning and finishing (311). (5/98)
18. Glass products, made of purchased glass (323). (5/98)
19. Pottery and related products (326). (5/98)
20. Metal cans and shipping containers (341). (5/98)
21. Cutlery, hand tools, and general hardware (342). (5/98)
22. Heating equipment, except electric and warm air, and plumbing fixtures (343). (5/98)
23. Fabricated structural metal products (344). (5/98)
24. Screw machine products, and bolts, nuts, screws, rivets, and washers (345). (5/98)
25. Metal forgings and stampings (346). (5/98)

26. Metalworking machinery and equipment (354). (5/98)
27. Special industry machinery, except metalworking machinery (355). (5/98)
28. Pumps and pumping equipment (3561). (5/98)
29. Office, computing, and accounting machines (357). (5/98)
30. Electrical and electronic machinery, equipment, and supplies (36). (5/98)
31. Transportation Equipment (37). (5/98)
32. Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks (38). (5/98)
33. Miscellaneous manufacturing industries (39). (5/98)

C. Transportation, communications, electric, gas, and sanitary services;

1. Motor freight transportation and warehousing (42). (5/98)
2. Communication (48). (5/98)
3. Public Utility Structures and Buildings (49). (5/98)

D. Wholesale trade-nondurable goods (51) BUT EXCLUDING poultry and poultry products (5144), livestock (5154), farm-product raw materials, not elsewhere classified (5159), chemicals and allied products (5169), tobacco and tobacco products (5194), and nondurable goods, not elsewhere classified (5199). (5/98)

E. Wholesale trade-durable goods (50) BUT EXCLUDING automobiles and other motor vehicles (501), lumber and other construction materials (503), coal and other minerals and ores (5052), construction and mining machinery and equipment (5082) and scrap and waste materials (5093). (5/98)

F. The uses (b) through (e), excluding c) iii) shall:

1. Be within an enclosed building; and
2. Permit retail sales of products manufactured on the site. (5/98)

G. Services (5/98)

1. Computer and data processing services (737). (5/98)

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2. Research and development laboratories (873). (5/98)
3. Management, consulting, and public relations services (874). (5/98)
4. Noncommercial educational, scientific, and research organizations (8733). (5/98)

H. **Public administration;** (5/98)

1. Public order and safety (922) except correctional institutions (9223). (01/07)

I. **Office Uses;** (5/98)

1. Any use allowed in Section 2.108, Commercial Office excluding those residential uses listed in 2.108.02.A, B, C, PP, and RR. (5/98)

J. **Retail trade;** (5/98)

1. Eating and drinking places (58). (5/98)

K. **Finance, Insurance, and Real Estate;** (5/98)

1. Commercial and Stock Savings Banks (602). (5/98)
2. Mutual Savings Bank (603). (5/98)
3. Savings and Loan Associations (603). (5/98)
4. Personal Credit Institutions (606). (5/98)

L. **Services** (07/06)

1. Hotels, motels, and tourist courts (7011). (5/98)
2. Child daycare services (8351). (5/98)
3. Membership sports and recreation clubs (7997). (5/98)
4. Amusement and recreation (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (2/03)
5. Motion pictures (78), BUT EXCLUDING drive-in motion picture theaters (7833). (07/06)
6. Public and private sports facilities including but not limited to stadiums, arenas, ice rinks, parks, and aquatic facilities. (2/03)

7. Miscellaneous services. (5/98)

M. Transit facilities. (Ordinance 2009-586 – 05/09)

N. Flexible Space Uses

1. The following uses, when restricted, developed, and conducted as required in subsections 2 and 3 below, are permitted in the IBP district
 - a. Food Stores (54). (5/98)
 - b. Apparel and Accessory Stores (56). (5/98)
 - c. Furniture, Home Furnishings and Equipment Stores (57). (5/98)
 - d. Miscellaneous Retail (59); BUT EXCLUDING used merchandise stores (5932). (5/98)
 - e. Business Services (73). (5/98)
 - f. Miscellaneous Repair Services (76). (5/98)
2. In the Keizer Station Plan where Flexible Space uses are to be developed within the IBP district, the following development limits apply; (02/03)
 - a. No single building shall be more than 25,000 square feet in area, with no more than 10,000 square feet to be utilized for any individual use listed in subsection 1(a) through (d). (7/04 Ord 2004-510)
 - b. The aggregate floor area for uses devoted to food stores (54), apparel and accessory stores (56), furniture, home furnishings, and equipment stores (57), and miscellaneous retail (59) shall not exceed two percent of the total land area in the IBP district. "IBP district" is defined as IBP zoned property within the Keizer Station, including any internal public streets. In no case shall each contiguously zoned IBP district within the Keizer Station exceed 32,400 square feet of Flexible Use Space as set forth in subsections 1.a through d. (7/04 Ord 2004-510)
 - c. The area developed in all flexible space uses shall in the aggregate not exceed 30 percent of the gross area of the IBP district. (5/98)
 - d. Any outdoor storage area shall:

- i. Be no more than 3,000 square feet per building and shall not be aggregated with the storage of another building;
 - ii. Be enclosed with a sight-obscuring fence or wall;
 - iii. Have at least one side coterminous with the building that it serves;
 - iv. Have no opening within fifty feet and visible from any property boundary; and
 - v. Meet the other applicable requirements of this ordinance.
(5/98)
- e. Loading doors shall have no opening within seventy five feet and visible from any street or property boundary. (5/98)
- f. Buildings fronting a street and within fifty feet of an abutting property shall have glass frontage not less than thirty-five percent of the area of the street front wall. (5/98)
- g. All buildings shall be capable of development as flexible industrial space. (5/98)
3. For land that is outside of the Keizer Station where no master plan is established and where Flexible Space uses are to be developed the following development limits apply; (01/07)
- a. Properties to be developed with Flexible Space uses shall have frontage along an arterial street. (01/07)
 - b. Any outdoor storage area shall: (01/07)
 - i. Be enclosed with a sight-obscuring fence or wall; (01/07)
 - ii. Have at least one side coterminous with the building that it serves; (01/07)
 - iii. Have no opening for loading that is within fifty feet of a property boundary unless it is screened in accordance with provisions as specified in Section 2.113.05; and (01/07)
 - iv. Meet the other applicable requirements of this ordinance.
(01/07)

- c. Buildings fronting a street shall have not less than thirty-five percent of the area of the street front wall with windows, displays or doorway openings. (01/07)

O. **Wireless Telecommunications Facilities** (Section 2.427). (5/98)

P. Medical Marijuana Facilities (Section 2.433).

Q. Marijuana Grow Site (Section 2.433).

2.113.03 Conditional Use

The following uses may be permitted subject to obtaining a conditional use permit:

- A. Transit Station (Section 2.429). (Ordinance 2009-586 – 05/09)

2.113.04 Prohibited Uses.

Within any IBP district, no building, structure, or land shall be used, erected, structurally altered, or enlarged for any use not permitted under this chapter. (5/98)

2.113.05 Industrial Performance Standards.

In an IBP district no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law. (5/98)

2.113.06 Development Standards

- A. **Design Standards** – Unless specifically modified by provisions in this Section, buildings located within the IBP zone shall comply with the Development Standards in Section 2.315. (5/98)

- B. **Location Standards.** (5/98)

1. Each IBP district shall have direct access onto an arterial or collector street. (5/98)
2. Access to a local street abutting the district shall not be permitted from any lot within the IBP district; except that, access may be permitted to a local street if 75 percent of the property is zoned industrial or designated industrial in the Keizer Comprehensive Plan along both sides of the street for a distance of 600 feet from the center line of a proposed access in both directions along the street, or for the distance from said centerline to the next intersecting arterial or collector street in both directions, whichever is less. (5/98)

3. Calculation of the percent of industrial property shall be based upon the street frontage of properties having frontage on the local street within the described distance of the centerline of the proposed access. (5/98)
 4. The Zoning Administrator may require street right-of-way and improvements for streets abutting or within the IBP district in accordance with the Development Code, except that for local streets to which access is not allowed under 2. above, the Zoning Administrator may only require right-of-way dedication, and not improvements. (5/98)
- C. **Height.** Within the IBP district buildings and structures erected, altered or enlarged shall not exceed 100 feet in height, except for the area within 50 feet of any residential zone where the maximum height shall be 15 feet. (5/98)
- D. **Lot Area and Dimensions.** There are no minimum lot area requirements in an IBP district. (5/98)
- E. **Yards Adjacent to Streets.** Within an IBP district:
1. Along the full extent of each lot line adjacent to a street, there shall be a required yard 20 feet in depth. (5/98)
 2. Setbacks for accessory building and structures, except fences, shall be the same as for primary buildings. (5/98)
 3. No parking will be allowed in required yards. (5/98)
 4. No buildings or structures except transit shelters approved by the Salem Area Transit District shall be permitted in a required yard adjacent to a street. (5/98)
- F. **Yards Adjacent to Other Districts.** (5/98)
1. Where an IBP district within the Keizer Station Plan abuts any other district, except another "I" district, directly or across an alley, there shall be a required yard 40 feet in depth adjacent to the lot line separating the IBP district from the abutting district. (5/98)
 2. Where an IBP district not within the Keizer Station Plan abuts any other district, except another "I" district, directly or across an alley, there shall be a required yard 15 feet in depth plus 1 foot of depth for each foot of building height over 10 feet, adjacent to the lot line separating the IBP district from the abutting district. (5/98)

3. Where an IBP district within the Keizer Station Plan abuts another "I" district, directly or across an alley, there shall be a required yard 20 feet in depth adjacent to the lot line separating the IBP district from the abutting district. (5/98)
4. No buildings or structures shall be permitted in a required yard adjacent to an abutting district. (5/98)
5. All parking shall be set back at least 20 feet from the lot line separating the IBP district from the abutting district. (5/98)
6. Driveways shall be set back at least 20 feet from the lot line separating the IBP district from the abutting district, except where the driveway provides direct access to the abutting property or to a street. (5/98)

G. Side and Rear Yards. Notwithstanding Section 2.113.05.F, There are no side or rear yard requirements in the IBP district except:

1. As may be required for a yard adjacent to another district as defined above. (5/98)
2. Where a side or rear yard is not required but is provided it shall:
 - a. Be at least ten feet in depth;
 - b. Not include buildings, structure, parking or driveways; and
 - c. Be landscaped. (5/98)
3. Driveways and accessways shall set back at least ten feet from property lines, except where the driveway or accessway provides direct access to an adjacent street, or where a common driveway is provided along a lot line between two separately owned properties. In case of the latter exception, at least ten feet of landscaped yard shall exist parallel and along each side of the common driveway. (07/06)

H. Lot Coverage. Each lot within an IBP district shall have a least 20 percent of its gross area landscaped; that portion of the required yards, which are landscaped, may be included in the calculation to meet the 20 percent landscaped area. (5/98)

I. Open Storage

1. Open storage of materials and equipment is prohibited in required yards, but is otherwise permitted provided that such storage is enclosed with a sight-obscuring fence, wall or berm at least six feet in height, or a sight obscuring hedge no less than four feet in height and capable of obtaining

a height of six feet within two years, any of which shall be located on the property at the required set back line in the same manner as if such berm, fence, wall, or hedge were a building. (5/98)

2. Materials and equipment stored as permitted in this section shall be no more than 14 feet in height above the elevation of the storage area. (5/98)

J. Landscaping

1. Landscaping shall meet the requirements of the Keizer Development Code as well as the following requirements. (5/98)
2. Required yards shall include the following plant materials: (5/98)

**Number of Plant Units or Square Feet of Living Ground Cover
Per 1000 Square Feet of Landscaped yard**

Plant Type	Boundary of IBP District	Other Locations
Trees	2	1
Shrubs	5	3
Evergreens and Conifers	1	
Living Ground Cover	500 sq. ft.	500 sq. ft.

3. Plant units shall be distributed not less than two units per each 100 linear feet of boundary or lot line and each ten feet of depth. (5/98)
4. Plant units meeting the above standards shall also be planted and maintained in any planting strip or area within the public right of way adjacent to a use. Trees within the planting strip shall be in conformance with City standards for street trees. (5/98)

K. Off-Street Parking and Loading. Within an IBP district all uses shall meet the requirements of the Parking Chapter of the Keizer Development Code as well as the additional requirements of this section:

1. Parking
 - a. All parking shall be set back at least ten feet from all interior property lines. (5/98)

- b. Transit stop(s) approved, as to location, design and construction, by the Keizer Area Transit District may satisfy five percent of the parking space requirements for building sites located within 400 feet of any such transit stop(s). (5/98)
 - c. A ride sharing program approved by the Director of Public Works may satisfy five percent of the parking space requirements. (5/98)
 - d. Bicycle parking at a ratio of one bicycle space for each twenty vehicle parking spaces may satisfy three percent of the parking space requirements. (5/98)
2. Loading
- a. All loading spaces shall be screened from adjacent property by a sight-obscuring fence, wall, hedge, or berm at least four feet in height. (5/98)
 - b. Loading docks and loading doors shall be screened from the street by landscaping and shall be offset from driveway openings. (5/98)
- L. **Lighting.** Exterior lights fixtures shall be so located and designed that the light source, viewed by an observer five feet above the ground and five feet outside the boundary of the IBP district, shall within 50 feet of the base of the light standard be either:
- 1. Completely shielded from direct view, or. (5/98)
 - 2. Not greater than five foot candles. (5/98)

2.114 GENERAL INDUSTRIAL (IG)

2.114.01 Purpose

The purpose of the IG (General Industrial) zone is to provide appropriate areas suitable for warehousing primary and secondary processing, packaging, fabricating of finished goods and equipment with related outdoor storage and incidental sales. The General Industrial zone is appropriate in those areas designated General Industrial in the Comprehensive Plan where the location has access to an arterial street or highway for transport of bulk materials and where the noises, lights, odors, and traffic hazards associated with permitted uses will not conflict with local and collector streets. (5/98)

2.114.02 Permitted Uses

The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the IG zone:

- A. **Dwelling unit or guest room for a caretaker or watchman** on the premises being cared for or guarded. (5/98)
- B. **Recycling depots.** (5/98)
- C. **Agricultural services (07).** (5/98)
- D. **Construction contractor's offices** and related outdoor storage (15, 16, 17). (5/98)
- E. **Manufacturing and Assembly (20-39); BUT EXCLUDING.** (5/98)
 - 1. Pulp, paper and paper board mills (261, 262, 263, 266). (5/98)
 - 2. Agricultural chemicals (287) and miscellaneous chemical products (289). (5/98)
 - 3. Leather tanning and finishing (311). (5/98)
 - 4. Cement (324); structural clay products (325), concrete, gypsum and plaster products (327) and abrasive, asbestos and miscellaneous non-metallic mineral products (329). (5/98)
 - 5. Metal forgings and stamping (346) and ordnance and accessories (348). (5/98)
 - 6. Storage batteries (3691) and primary batteries (3692),. (5/98)
- F. **Transportation, utilities and communication (40 - 49), BUT EXCLUDING** travel agencies (4722). (5/98)

- G. **Wholesale trade** (50, 51), BUT EXCLUDING scrap and waste materials establishments (5093) livestock (5154). (5/98)
- H. **Food stores and eating and drinking places** (58). (5/98)
- I. **Business and Professional Services:** The following business and professional services are permitted provided the gross floor area shall not exceed 10,000 square feet. (5/98)
 - 1. Cleaning services, including power laundries, family and commercial (7211), dry cleaning plants (7216), carpet and upholstery cleaning (7217), industrial launderers (7218) and laundry and garment services, not elsewhere classified (7219). (5/98)
 - 2. Business services (73). (5/98)
 - 3. Repair shops and related services, not elsewhere classified (7699). (5/98)
 - 4. Vocational schools; except vocational high schools, not elsewhere classified (8249). (5/98)
 - 5. Miscellaneous services (89). (5/98)
- J. **Research, development and testing services** (873)
- K. **Fire protection** (9224). (5/98)
- L. **Public and Private Utilities.** (5/98)
- M. **Uses clearly accessory to and subordinate** to the above. (5/98)

2.114.03 Special Permitted Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the IG zone:

- A. **Partitions**, subject to the provisions in Section 2.310. (5/98)
- B. **Subdivision**, subject to the provisions in Section 2.310. (5/98)
- C. **Planned unit development**, subject to the provisions in Section 2.311. (5/98)
- D. **Accessory structures** and uses prescribed in Section 2.203. (5/98)

E. The following special uses subject to the applicable standards in Section 2.4:

1. **Energy facility** (Section 2.425). (5/98)
2. **Wireless Telecommunications Facilities** (Section 2.427). (5/98)
3. Medical Marijuana Facilities (Section 2.433).
4. Marijuana Grow Site (Section 2.433).

2.114.04 Conditional Uses

All uses in SIC categories 20 to 51 and not specifically identified as a permitted use in, or specifically excluded from, Section 2.114.03 may be established by a conditional use permit. The following shall also require a conditional use permit:

- A. **Wrecking yards**. (5/98)
- A. **Solid waste transfer facility**. (5/98)

2.114.05 Prohibited Uses

- A. The following uses are prohibited on properties within the Keizer Station Plan boundary: (02/03)
 1. Manufacturing of grain mill products (204) (02/03)
 2. Manufacturing of biological products, except diagnostic substances (2836) (02/03)
 3. Soaps, detergents, and cleaning preparations, perfumes, cosmetics, and other toilet preparations (284) (02/03)
 4. Miscellaneous plastic products (308) (02/03)
 5. Motor freight transportation and warehousing (42) (02/03)

2.114.06 Dimensional Standards

A. Minimum Lot Dimension and Height Requirements

LOT SIZE	The parcel size shall be adequate to contain all structures within the required yard setbacks.
STRUCTURE HEIGHT	100 feet (1)

- (1) *Required setbacks shall increase 1 foot for every foot the height exceeds 50 feet. (5/98)*
- (2) *Within the Keizer Station Plan boundary, one additional foot in height is permitted for every five feet of additional setback within fifty feet from property lines adjacent to residential uses. (02/03)*

B. Minimum Yard Setback Requirements

ADJACENT PROPERTY USE

SETBACKS	Single Family or Duplex	Multi-Family	Commercial	Industrial
Front	5 feet	5 feet	5 feet	5 feet
Side	(1), (2)	(1), (2)	(1)	(1)
Rear	(1), (2)	(1), (2)	(1)	(1)
Street-side	5 feet	5 feet	5 feet	5 feet
Garage entrance (3)	20 feet	20 feet	20 feet	20 feet

- (1) *The setback shall be no less than the minimum rear yard setback of the zone on the adjacent property. For the IG zone, the rear yard setback is 0 feet. (5/98)*
- (2) *A sight-obscuring fence shall contain yards adjacent to residential zones, wall, or hedge a minimum of 8 feet in height. (5/98)*
- (3) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)*

2.114.07 Development Standards

All development in the IG Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements:

- A. **Off Street Parking.** Parking shall be as specified in Section 2.303. (5/98)
- B. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the IG zone shall comply with the Development Standards in Section 2.315. A caretaker's dwelling shall comply with the design standards in Section 2.314. (5/98)

- C. **Subdivisions and Partitions.** Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)
- D. **Yards and Lots.** Yards and lots shall conform to the standards of Section 2.312. (5/98)
- E. **Signs.** Signs shall conform to the requirements of Section 2.308. (5/98)
- F. **Accessory Structures:** Accessory structures shall conform to requirements in Section 2.313. (5/98)
- G. **Landscaping:** A minimum of 10% of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in Section 2.309. (5/98)
- H. **Lot Coverage:** The combined maximum building and parking area coverage shall not exceed 90%. (5/98)
- I. **Open Storage:** Open storage of materials used for the manufacture or assembly of goods, and equipment is prohibited in required yards, but is otherwise permitted provided that such storage is enclosed with a sight-obscuring fence, wall, hedge, or berm a minimum of 8 feet in height. (5/98)

2.115 AGRICULTURAL INDUSTRIAL (AI)

2.115.01 Purpose The purpose of the AI (Ag-Industrial) zone is to provide appropriate areas suitable for agricultural uses, agricultural related industries, warehousing, transportation facilities, and other agricultural, industrial, and recreational uses that have relatively low employees per acre ratios. The Ag-Industrial zone is appropriate in those areas designated Ag-Industrial in the Comprehensive Plan where the location is impacted by the Willow Lake Wastewater Treatment Plan and the site has access to an arterial street for transport of bulk materials. (5/98)

2.115.02 Permitted Uses

The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the AI zone:

- A. **Lawful uses existing on a property at the time of the effective date of this zone.** (5/98)
- B. **Farm Use**, including farm dwellings as defined in ORS 215.213(e), (f), and (g). (5/98)
- C. **Timber tracts** (081) and forest nurseries (083). (5/98)
- D. **Agricultural services** (07). (5/98)
- E. **Wholesale** (5193) and **retail nurseries** (5261). (5/01)
- F. **Food and kindred products** (20). (5/98)
- G. **Recycling Centers and Depots.** (5/98)

2.115.03 Special Permitted Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the AI zone:

- A. **Non-Residential Partitions**, subject to the provisions in Section 2.310. (5/01)
- B. **Non-Residential Subdivision**, subject to the provisions in Section 2.310. (5/01)
- C. **Non-Residential Planned unit development**, subject to the provisions in Section 2.311. (5/01)
- D. **Accessory structures** and uses prescribed in Section 2.203.02. (5/98)

- E. The following special uses subject to the applicable standards in Section 2.4:
 - 1. **Energy facility** (Section 2.425). (5/98)
- F. **Wireless Telecommunications Facilities** (Section 2.427). (5/98)
- G. Medical Marijuana Facilities (Section 2.433).
- H. Marijuana Grow Site (Section 2.433).

2.115.04 Conditional Uses

The following uses may be permitted in a AI zone subject to obtaining a conditional use permit:

- A. **Solid waste transfer facility**. (5/98)
- B. **Public or Private Golf Course** or Driving Range. (5/98)
- C. **Public or Semi-Public Recreation Facility** incorporating outdoor fields for organized team play along with related concession, storage, and maintenance facilities. (5/98)
- D. **Composting and recycling facility** for organic yard debris. (5/98)
- E. **Construction contractor's offices** and related outdoor storage (15, 16, 17). (5/98)
- F. **Manufacturing and Assembly**. (5/98)
 - 1. Textile products and apparel (22). (5/98)
 - 2. Millwork (2431). (5/98)
 - 3. Wood kitchen cabinets (2434). (5/98)
 - 4. Structural wood members, not elsewhere classified (2439). (5/98)
 - 5. Furniture and fixtures (25). (5/98)
 - 6. Chemicals and allied products (28) except miscellaneous chemical products (289). (5/98)
 - 7. Rubber and miscellaneous plastics products (30). (5/98)
 - 8. Leather and leather products (31) except leather tanning and finishing (311). (5/98)

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9. Stone, clay, glass products (32) except cement (324); structural clay products (325), concrete, gypsum and plaster products (327) and abrasive, asbestos and miscellaneous non-metallic mineral products (329). (5/98)
10. Fabricated metal products including metal forging and stamping (346) but excluding ordnance and accessories (348). (2/04)
11. Machinery and equipment manufacturers (35). (5/98)
12. Transportation equipment (37). (5/98)
13. Miscellaneous manufacturing industries (39). (5/98)
14. Grain mill products. (2/04)
15. Bakery products. (2/04)
16. Beverages. (2/04)
17. Miscellaneous food preparations and kindred products. (2/04)
18. The manufacture of meat products but excluding both meat packing plant and any on site abattoirs and slaughtering, rendering of fats, processing of hides and maintenance of live animals or fowl. (2/04)
19. Apparel and other finished products made from fabrics and similar products. (2/04)
20. Wood kitchen cabinets. (2/04)
21. Nailed and lock corner wood boxes. (2/04)
22. Wood products, not elsewhere classified. (2/04)
23. Furniture and fixtures. (2/04)
24. Paperboard containers and boxes. (2/04)
25. Printing, publishing, and allied industries. (2/04)
26. Drugs. (2/04)
27. Soaps detergents, and cleaning preparations, perfumes, cosmetics, and other toilet preparations. (2/04)
28. Miscellaneous plastic products. (2/04)

29. Glass products, made of purchased glass. (2/04)
30. Cutlery, hand tools, and general hardware. (2/04)
31. Heating equipment, except electric and warm air, and plumbing fixtures (19). (2/04)
32. Screw machine products, and bolts, nuts, screws, rivets, and washers. (2/04)
33. Pumps and pumping equipment. (2/04)
34. Electrical and electronic machinery, equipment, and supplies. (2/04)
35. Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks. (2/04)
36. Miscellaneous manufacturing industries. (2/04)

H. Transportation, communications, electric, gas, and sanitary services;

1. Motor freight transportation and warehousing. (2/04)
2. Communication. (2/04)
3. Public Utility Structures and Buildings. (2/04)
4. Ancillary facilities for wastewater treatment including but not limited to administrative offices and vehicle maintenance shops. (2/04)

I. Wholesale trade-nondurable goods BUT EXCLUDING poultry and poultry products, livestock, farm-product raw materials, not elsewhere classified, chemicals and allied products, tobacco and tobacco products, and nondurable goods, not elsewhere classified. (2/04)

J. Wholesale trade-durable goods BUT EXCLUDING automobiles and other motor vehicles, lumber and other construction materials, coal and other minerals and ores, construction and mining machinery and equipment and scrap and waste materials. (2/04)

K. Transportation, utilities and communication (40 - 49), BUT EXCLUDING travel agencies (4722). (5/98)

L. Biomass facility (Section 2.425). (5/98)

M. Boat & RV Storage (section 2.411). (5/98)

- N. **Public and Semi-Public buildings** and structures excluding office space except as specified in H. (2/04)
- O. **Services** (2/04)
 - 1. Research and development laboratories. (2/04)
 - 2. Noncommercial educational, scientific, and research organizations. (2/04)
 - 3. Membership sports and recreation clubs. (2/04)
 - 4. Amusement and recreation (79). (2/04)
 - 5. Public and private sports facilities including but not limited to stadiums, arenas, ice rinks, parks, and aquatic facilities. (2/04)
 - 6. Miscellaneous services. (2/04)
- P. **Public administration;** (5/98)
 - 1. Fire protection. (5/98)
- Q. **Transit stop shelters.** (5/98)

In addition to any other notice required by law, notice shall be also sent to Marion County and the City of Salem for any hearing regarding any conditional use or other land use applications for property within the AI zone. (5/01)

2.115.05 Prohibited Use

The following uses are prohibited in the AI zone:

- A. **Wastewater treatment** including but not limited to primary clarifiers, trickling filters, aeration basins, secondary clarifiers, disinfection facilities and dewatering facilities. (2/04)

2.115.06 Dimensional Standards

A. Minimum Lot Dimension and Maximum Height Requirements (5/01)

LOT SIZE	The parcel size shall be adequate to contain all structures within the required yard setbacks.
MAXIMUM STRUCTURE HEIGHT	35 feet

B. Minimum Yard Setback Requirements (5/01)

SETBACKS	ADJACENT PROPERTY USE	
	Residential	Non-Residential
Front	20 feet	20 feet
Side	20 feet*	15 feet
Rear	20 feet*	15 feet
Street-side	20 feet	20 feet
*Plus 1 foot for each foot of building height over 10 feet		

Adjacent to residential zones, an eight (8) foot sight obscuring fence, wall or hedge is required. (5/01)

2.115.07 Development Standards

All development in the AI Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements:

- A. **Off Street Parking.** Parking shall be as specified in Section 2.303. (5/98)
- B. **Non Residential Subdivisions and Partitions.** Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/01)
- C. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the AI zone shall comply with the Development Standards in Section 2.315. (5/98)
- D. **Yards and Lots.** Yards and lots shall conform to the standards of Section 2.312. (5/98)

- E. **Signs.** Signs shall conform to the requirements of Section 2.308. (5/98)
- F. **Accessory Structures:** Accessory structures shall conform to requirements in Section 2.313. (5/98)
- G. **Landscaping:** A minimum of 10% of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in Section 2.309. (5/98)
- H. **Lot Coverage:** The combined maximum building and parking area coverage shall not exceed 90%. (5/98)
- I. **Open Storage:** (5/98)
 - 1. Open storage of materials used for the manufacture or assembly of goods, and equipment is prohibited in required yards, but is otherwise permitted provided that such storage is enclosed with a sight-obscuring fence, wall, hedge, or berm a minimum of 8 feet in height. (5/98)
 - 2. Materials and equipment stored as permitted in this section shall be no more than 14 feet in height above the elevation of the storage area. (5/98)
 - 3. Landscaping shall screen open storage over six feet in height above the elevation of the storage area. (5/98)
- J. **Easement/Waiver:** As a condition of approval of any building permit or land use action in the AI zone, and as a precondition of any occupancy permit, the property owner shall sign and cause to be recorded in the real property records of Marion County a document granting an easement and a waiver of claims with regard to impacts from the Willow Lake Wastewater Treatment Plant. Such easement/waiver shall be approved by the City Attorney and be in substantially the same form as that attached to that certain Willow Lake Settlement Agreement executed by Salem, Marion County and Keizer. The recorded easement/waiver shall also be referenced on the plat of any partition, subdivision or PUD. (5/01)

2.117 EXCLUSIVE FARM USE (EFU)

2.117.01 Purpose

The purpose of the EFU (EXCLUSIVE FARM USE) zone is to allow the continued practice of commercial agriculture in areas planned for future urban development. The Exclusive Farm Use zone is to be applied in those areas designated as Special Policy Area in the City of Keizer Comprehensive Plan. (5/98)

It is not the intent in the EFU zone to allow partitioning that creates residential acreage because fragmentation makes it difficult to achieve efficient urbanization when development is appropriate. The EFU zone is intended to be a farm zone consistent with ORS 215.203. (5/98)

2.117.02 Permitted Uses

The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the EFU zone:

- A. **Farm use** (see farm use definition). (5/98)
- B. The propagation or harvesting of **forest products**. (5/98)
- C. **Utility facilities** necessary for public service including transmission towers up to 200 feet high, except commercial facilities for power generation. (5/98)
- D. A **solid waste disposal site** that has been ordered to be established by the Environmental Quality Commission. (5/98)
- E. **Signs**. (5/98)

2.117.03 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit:

- A. **Dwellings** or mobile homes in conjunction with farm use. (5/98)
- B. **Single-family dwelling** or mobile home not in conjunction with farm use. (5/98)
- C. **Home occupations**. (5/98)
- D. Exploration, and processing of **geothermal** or other subsurface resources not used exclusively in conjunction with farm or forest management. (5/98)
- E. Portable or temporary facility for **primary processing of forest products** as defined in ORS 215. (5/98)
- F. **Commercial activities** in conjunction with farm use. (5/98)

- G. Private **power generation facilities**. (5/98)
- H. Personal-use **airports** for airplanes and helicopter pads, including associated hangar, maintenance, and service facilities as defined in ORS 215. (5/98)
- I. Public **stables**. (5/98)
- J. Private parks, playgrounds, hunting and fishing preserves, and campgrounds serving the general public. (5/98)
- K. **Parks, playgrounds, campgrounds, group camping, or community centers** owned and operated by a governmental agency or non-profit community organization. (5/98)
- L. Public **power generation facilities**. (5/98)
- M. **Houses of Worship, public and private schools**. (5/98)
- N. **Golf courses**. (5/98)
- O. **Wireless Telecommunication Facilities**. (5/98)
- P. **Kennels**. (5/98)
- Q. Marijuana Grow Site (Section 2.433).

2.117.04 Development Standards

The standards and regulations in this chapter and the additional standards and regulations of this ordinance apply to all lots, structures, and uses unless indicated otherwise. No structure or use shall be approved until all requirements in this chapter have been satisfied. (5/98)

The provisions of this chapter are complementary and supplementary to other provisions of this ordinance. In the event of a conflict between a provision of this chapter and a more restrictive provision of this ordinance applicable to a particular lot, structure or use, the more restrictive provision shall apply. (5/98)

- A. **Height.** Within an EFU zone, there is no height limit, except a maximum of 35 feet for dwellings, structures associated with special uses, and conditional uses. Greater height may be requested and approved as a conditional use. (5/98)
- B. **Lot Area Standards For Existing Dwellings.** For lots approved before adoption of this ordinance or lots created through partitioning containing an existing dwelling established prior to the adoption of this ordinance, the minimum lot sizes are:

1. Served by both public sewer and water: 6,000 square feet. (5/98)
2. Lacking public sewer or water: 20,000 square feet. (5/98)
3. Lacking both public sewer and water: 1 acre. (5/98)

C. **Lot Area Standards For New Development.** Additional partitioning of an undeveloped property to a parcel of less than 5 acres in area shall not be allowed. Minimum lot dimension standards are:

1. The property shall have no dimension less than 100 feet. (5/98)
2. The property shall have not less than 100 feet of frontage on a dedicated street which shall have a right-of-way width of not less than 40 feet. (5/98)

D. **Front Yards And Yards Adjacent To Streets.** Within an EFU zone:

1. Along the full extent of each front lot line and lot line adjacent to a street, there shall be a required yard 20 feet in depth; provided however, that any corner lot having one single-family dwelling shall have a required yard of 20 feet along the front lot line and 15 feet along the side lot line adjacent to the street. (5/98)
2. Notwithstanding the provisions of subsections 1. and 2. of this section, there shall be a required yard of 20 feet from the right-of-way of a designated arterial or collector street. (5/98)
3. Setbacks for accessory structures shall be subject to the requirements of Section 2.313. (5/98)

E. **Interior Side Yards.** Within an EFU zone, a side yard a minimum of 10 feet shall be provided. (5/98)

F. **Interior Rear Yards.** Within an EFU zone, a rear yard a minimum of 30 feet shall be provided. (5/98)

2.117.05 Requirements For On-Site Sewage Disposal Permits

The following conditions shall be met prior to the approval of an on-site sewage disposal system permit in conjunction with other criteria when applicable:

- A. The property shall not lie within the boundary of a sewer service district as it was drawn prior to the inclusion within the City limits or within the boundary of an improvement district for sewer services that have been established by the City. (5/98)
- B. The property must lie more than 300 feet in a straight line from an existing sewer line which can be extended to the property to provide gravity sewer service. (5/98)
- C. The property shall not be serviced by a city or district water system. (5/98)

- D. The property shall not be zoned or used for commercial or industrial purposes. (5/98)
- E. The on-site sewage disposal system shall be limited to serve one single-family residence on the property. (5/98)
- F. The property owner shall sign a non-remonstrance agreement for future sewer service by the City. (5/98)
- G. The property shall have no dimension less than 100 feet. (5/98)
- H. The property shall have not less than 100 feet of frontage on a dedicated street which shall have a right-of-way of not less than 40 feet. (5/98)
- I. Applicant shall have obtained from the County Sanitarian a favorable site evaluation to install an on-site sewage disposal system. (5/98)
- J. The applicant will be required to connect the proposed improvements to the public sewer system if, in the future, the public sewer system comes to within 300 feet of the building. (5/98)

2.119 GENERAL EMPLOYMENT (EG)

2.119.01 Purpose

The General Employment (EG) zone is located within the Keizer Station Plan (KSP) Area A – Village Center, and it corresponds directly with the Special Planning District (SPD) designation as described in the KSP and the Keizer Comprehensive Plan. Consistent with the KSP, the EG zone promotes a complementary mix of economic uses, development intensity, and development standards along with a wide range of employment opportunities. The EG zone regulations protect the health, safety and welfare of the public, address area character, and address environmental concerns, while enhancing economic opportunities in Keizer. The intent is to promote attractive industrial/commercial areas, which will support the economic viability of the City. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. (2/03)

2.119.02 Commercial and Industrial Use Limitations

- A. To implement the KSP, the EG zone requires that a minimum of 25% of all the EG zone land area be devoted to listed Industrial Uses and allows a maximum of 75% of the EG zone land area to be developed with Commercial Uses. The specific Industrial and Commercial Uses are defined in this chapter. The EG zone is unique because the location of the particular areas devoted to Industrial and Commercial Uses shall be determined as part of the required Site Master Plan review described in Chapter 2.125 of this Zoning Ordinance. (2/03)
- B. The land use limitations of the EG zone include: (2/03)
1. Permitted and Special Permitted Industrial Uses, in Sections 2.119.03 and 2.119.04 respectively, represent the allowable uses for the portion of the EG zone so designated as part of the Site Master Plan approval required by Chapter 2.125. A minimum of 25% of the land area of the EG zone shall be devoted to these uses. (2/03)
 2. Permitted and Special Permitted Commercial Uses, in Sections 2.119.05 and 2.119.06 respectively, represent the allowable uses for the portion of the EG zone so designated as part of a Site Master Plan approval required by Chapter 2.125. A maximum of 75% of the land area of the EG zone may be devoted to these uses. (2/03)
 3. Use restrictions, which apply to the entire EG zone, are identified in Section 2.119.07. (2/03)

2.119.03 Permitted Industrial Uses

Industrial Development. The following uses, drawn from the IBP and IG zones, when developed under the applicable development standards in the Zoning Ordinance, are permitted in the EG zone on a minimum 25% gross acreage of the Village Center: (2/03)

A **Construction contractor's offices.** (15) (2/03)

B. **Manufacturing;**

1. Bakery products. (205) (2/03)
2. Beverages. (208) (2/03)
3. Miscellaneous food preparations and kindred products. (209) (2/03)
4. The manufacture of meat products (201) but excluding both meat packing plant (2011) and any on site abattoirs and slaughtering, rendering of fats, processing of hides and maintenance of live animals or fowl. (Poultry slaughtering and processing (2015)) (2/03)
5. Textile mill products. (22) (2/03)
6. Apparel and other finished products made from fabrics and similar products. (23) (2/03)
7. Wood kitchen cabinets. (2434) (2/03)
8. Nailed and lock corner wood boxes and shook. (2441) (2/03)
9. Wood products, not elsewhere classified. (2499) (2/03)
10. Furniture and fixtures. (25) (2/03)
11. Paperboard containers and boxes. (265) (2/03)
12. Printing, publishing, and allied industries. (27) (2/03)
13. Drugs (283), **BUT EXCLUDING biological products, except diagnostic substances (2836)** (2/03)
14. Leather and leather products (31) **BUT EXCLUDING** leather tanning and finishing. (311) (2/03)
15. Glass products, made of purchased glass. (323) (2/03)

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16. Pottery and related products. (326) (2/03)
17. Metal cans and shipping containers. (341) (2/03)
18. Cutlery, hand tools, and general hardware. (342) (2/03)
19. Heating equipment, except electric and warm air, and plumbing fixtures. (343) (2/03)
20. Fabricated structural metal products. (344) (2/03)
21. Screw machine products, and bolts, nuts, screws, rivets, and washers. (345) (2/03)
22. Metal forgings and stampings. (346) (2/03)
23. Metalworking machinery and equipment. (354) (2/03)
24. Special industry machinery, except metalworking machinery. (355) (2/03)
25. Pumps and pumping equipment. (3561) (2/03)
26. Office, computing, and accounting machines. (Computer and Office Equipment (357); Calculating and Accounting Machines, Except Electronic Computers (3578); Office Machines, Not Elsewhere Classified (3579) (2/03)
27. Electrical and electronic machinery, equipment, and supplies. (Electronic and other electrical equipment and components, except computer equipment (36) (2/03)
28. Transportation Equipment. (37) (2/03)
29. Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks. (38) (2/03)
30. Miscellaneous manufacturing industries. (39) (2/03)

C. Transportation, communications, electric, gas, and sanitary services;

1. Communication. (48) (2/03)
1. Public Utility Structures and Buildings. (Electric, Gas, and Sanitary Services (49)) (2/03)

- D. **Wholesale trade-nondurable goods (51)** BUT EXCLUDING poultry and poultry products (5144), livestock (5154), farm-product raw materials, not elsewhere classified (5159), chemicals and allied products (516), tobacco and tobacco products (5194), and nondurable goods, not elsewhere classified. (5199) (2/03)
- E. **Wholesale trade-durable goods (50)** BUT EXCLUDING automobiles and other motor vehicles (5012), lumber and other construction materials (503), coal and other minerals and ores (5052), construction and mining machinery and equipment (5082) and scrap and waste materials. (5093) (2/03)
- F. **The uses listed in above A through D, excluding B(1) shall:**
 - 1. Be within an enclosed building; and (2/03)
 - 2. Permit retail sales of products manufactured on the site. (2/03)
- G. **Services**
 - 1. Computer and data processing services. (737) (2/03)
 - 2. Research and development laboratories. (2/03)
 - 3. Management, consulting, and public relations services. (Management and Public Relations Services (874) (2/03)
 - 4. Noncommercial educational, scientific, and research organizations. (2/03)
- H. **Office Uses:**
 - 1. Any use allowed in Section 2.108, Commercial Office excluding those residential uses listed in Section 2.108.02A, B, C, PP, and RR and parking lots U. (2/03)
- I. **Finance, Insurance, and Real Estate;**
 - 1. Commercial and Stock Savings Banks. (602) (2/03)
 - 2. Mutual Savings Bank. (2/03)
 - 3. Savings and Loan Associations. (603) (2/03)
 - 4. Personal Credit Institutions. (614) (2/03)
- J **Public Administration;** (2/03)

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1. Fire Protection. (9224) (2/03)

K. Retail trade;

1. Eating and drinking places. (2/03)

L. Services;

1. Hotels, motels, and tourist courts. (2/03)
2. Child daycare services. (2/03)
3. Membership sports and recreation clubs. (2/03)
4. Amusement and recreation (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (2/03)
5. Motion pictures (78), BUT EXCLUDING drive-in motion picture theaters (7833). (07/06)
6. Public and private sports facilities including but not limited to stadiums, arenas, ice rinks, parks, and aquatic facilities. (2/03)
7. Miscellaneous services, including pest control (7342). (2/03)

M. Transit facilities (Section 2.305) (Ordinance 2009-586 May 2009)

N. Flexible Space Uses. (2/03)

1. The following flexible space uses, when restricted, developed, and conducted as required in subsection 2 below, are permitted as industrial business park uses within the EG zone:
 - a. Food Stores (54). (2/03)
 - b. Apparel and Accessory Stores (56). (2/03)
 - c. Furniture, Home Furnishings and Equipment Stores (57). (2/03)
 - d. Miscellaneous Retail; BUT EXCLUDING used merchandise stores (59). (2/03)
 - e. Business Services. (2/03)
 - f. Miscellaneous Repair Services. (2/03)

2. In the Keizer Station where Flexible Space uses are to be developed as industrial business park uses within the EG zone, the following development limits apply; (2/03)
 - a. No single building shall be more than 25,000 square feet in area, with no more than 10,000 square feet to be utilized for any individual use listed in subsection (L)(1)(a) – (d). (2/03)
 - b. The aggregate floor area for uses devoted to food stores (54), apparel and accessory stores (56), furniture, home furnishings, and equipment stores (57), and miscellaneous retail (59) shall not exceed two percent of the total land area in the acreage identified for IBP uses within the EG zone. The acreage identified for IBP uses within the EG zone is defined as parcel or area of land used for IBP use land development including building site, parking, landscaping, drainage facilities and any other development on site to support the use on site. (2/03)
 - c. The area developed in all flexible space uses shall in the aggregate not exceed 30 percent of the gross area of the acreage identified for IBP uses within the EG zone. (2/03)
 - d. Any outdoor storage area shall:
 - 1) Be no more than 3,000 square feet per building and shall not be aggregated with the storage of another building; (2/03)
 - 2) Be enclosed with a sight-obscuring fence or wall; (2/03)
 - 3) Have at least one side conterminous with the building that it serves; (2/03)
 - 4) Have no opening within fifty feet and visible from any property boundary; and (2/03)
 - 5) Meet the other applicable requirements of this ordinance. (2/03)
 - e. Loading doors shall have no opening within 75 feet and visible from any street or property boundary. (2/03)
 - f. All buildings shall be capable of being redeveloped as flexible industrial space. (2/03)

2.119.04 Special Permitted Industrial Uses

- A. **Accessory structures and uses** prescribed in Section 2.203 are permitted when developed in conjunction with a use listed in Section 2.119.03 under the applicable development standards in this Zoning Ordinance. (2/03)
- B. Medical Marijuana Facilities (Section 2.433).
- C. Marijuana Grow Sites (Section 2.433).

2.119.05 Conditional Uses (Industrial Uses)

The following uses may be permitted subject to obtaining a conditional use permit:

- A. Transit Stations (Section 2.429). (Ordinance 2009-586 -- 05/09)

2.119.06 Permitted Commercial Uses

Commercial Development. The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the EG zone on a maximum 75% gross acreage of the Village Center: (2/03)

- A. **One or more buildings with one or more dwelling units** or guest rooms, and/or, one or more other uses allowed in this section on a lot. (2/03)
- B. **Residential homes** and facilities. (2/03)
- C. **Child day care service**, including family day care provider. (8351) (2/03)
- D. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (2/03)
- E. **Landscape counseling and planning** (0781). (2/03)
- F. **Offices** for any use listed in SIC Division C - Construction. (2/03)
- G. **Commercial printing** (275). (2/03)
- H. **Transportation, Communication and Utilities.** (2/03)
 - 1. **Public utility structures and buildings.** (2/03)
 - 2. **Post office** (43). (2/03)
 - 3. **Travel agency** (4722). (2/03)
 - 4. **Communications** (48). (2/03)

5. **Transit Facilities** (Section 2.305). (Ordinance 2009-586 – 05/09)

I. **Retail Trade.** (2/03)

1. **Building materials, hardware, retail nurseries, and garden supply** (52), BUT EXCLUDING mobile home dealers (527). (2/03)
2. **General merchandise stores** (53). (2/03)
3. **Food stores** (54). (2/03)
4. **Apparel and accessory stores** (56). (2/03)
5. **Home furniture, furnishings, and equipment stores** (57). (2/03)
6. **Eating and drinking places** (58). (2/03)
7. **Miscellaneous retail** (59), BUT EXCLUDING fuel and ice dealers (598). (2/03)
8. **Electrical and lighting shops and office machines and equipment stores.** (2/03)

J. **Business, Professional and Social Services.** (2/03)

1. **Finance, insurance and real estate** (60, 61, 62, 63, 64, 65, 67). (2/03)
2. **Hotels, motels and tourist courts** (701). (2/03)
3. **Organization hotels and lodging houses** on membership basis (704). (2/03)
4. **Personal services** (72) BUT EXCLUDING industrial launderers (7218). (2/03)
5. **Business services** (73) BUT EXCLUDING disinfecting and exterminating services (7342). (2/03)
6. **Parking lots** in accordance with Section 2.303.04 of this Ordinance. (7521) (2/03)
7. **Miscellaneous repair services** (76). (2/03)
8. **Motion pictures** (78), BUT EXCLUDING drive-ins (7838). (2/03)
9. **Amusement and recreation** (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (2/03)
10. **Health services** (80), BUT EXCLUDING hospitals (806). (2/03)
11. **Legal services** (81). (2/03)
12. **Elementary and secondary schools** (8211). (2/03)

13. **Correspondence schools and vocational schools (824).** (2/03)
 14. **Schools and educational services not elsewhere classified (829).** (2/03)
 15. **Social services (83).** (2/03)
 16. **Museums, art galleries, botanical and zoological gardens (84).** (2/03)
 17. **Membership organizations (86).** (2/03)
 18. **Miscellaneous services (89).** (2/03)
- K. **Public Administration (91 - 97).** (2/03)

2.119.07 Special Permitted Commercial Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the EG zone: (2/03)

- A. **Accessory structures and uses** prescribed in Section 2.203 are permitted when developed in conjunction with a use listed in Section 2.119.05 under the applicable development standards in this Zoning Ordinance. (2/03)
- B. The following **special uses** subject to the applicable standards in Section 2.4 and shall be considered commercial uses in the EG zone: (2/03)
 1. **House of Worship (Section 2.423).** (2/03)
 2. **Veterinary services (074) (Section 2.414).** (2/03)
 3. **Funeral service and crematories (726) (Section 2.415).** (2/03)
 4. **Used Merchandise Store (Section 2.417).** (2/03)
 5. **Service stations (554) (Section 2.419)** (2/03)
 6. **Automobile services (75) (Section 2.420) BUT EXCLUDING** automotive rental and leasing, without drivers (751), automotive repair shops (753), automotive repair (754). (2/03)
 7. **Commuter Rail Station** (2/03)

2.119.08 Conditional Uses (Commercial Uses)

The following uses may be permitted subject to obtaining a conditional use permit:

- A. **Transit Station (Section 2.429).** (Ordinance 2009-586 – 05/09)

.119.09 Use Restrictions

- A. The following uses are **prohibited** to be established in the EG zone: (2/03)
 - 1. Farm Use. (2/03)
 - 2. The rendering, processing, or cleaning of animals, fish, seafood's, fowl, poultry, fruits, vegetables, or dairy products for wholesale use.
 - 3. Vehicle sales and secondary repair.
 - 4. General Storage, including boat and RV storage.
 - 5. Recreational vehicle parks (7033).
 - 6. Automotive Dealers (55).
 - 7. Automotive rental and leasing, without drivers (751).
 - 8. Automotive repair shops (753).
 - 9. Automotive services, except repair (754).

- B. A limitation of the total floor area of specified uses applies to all of Area A – Village Center of the Keizer Station Plan. A maximum total floor area shall apply to the uses identified in Sections 2.119.03 (K) and 2.119.06 (I). This maximum floor area is set forth in the Keizer Station Plan, however this maximum floor area may change as part of an approved master plan or amended master plan. (06/10)

2.119.10 Development Standards

- A. Purpose. The Keizer Station Plan requires the development of Master Plans for each of the four areas. This process provides the City Council with an opportunity to review development proposals in conformance with the Keizer Development Code and the adopted Keizer Station Plan. Master Plans for each sub-area are required to meet the criteria identified in Section 3.113 of the Code.

- B. Master Plan Required. A master plan must be reviewed and approved by the City Council prior to subdivision platting or development. The Master Plan shall be reviewed through a Type II-B review process in accordance with this Section. It is recognized that the applicant of the master plan for the area may not own or control all the land within the master plan boundary. The master plan shall still cover the entire EG zone. For those portions not owned or controlled by the applicant, the Master Plan shall focus on a cohesive interconnected system of planned public facilities and shall set general guidelines to be used throughout the Master Plan area. Subdivision approval shall be based upon the zone and Section 3.108 as applicable.

1. The Master Plan will be developed and considered in accordance with the requirements of the Activity Center Overlay provisions (Section 2.125 of the Keizer Development Code). Once a Master Plan is adopted, the proposed development of each use shall be reviewed through Development Review as required in Section 2.315 of the Keizer Development Code. In the case of conflicts between the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards will apply.
2. The Master Plan shall include a detailed transportation system design plan for the EG zone. The location of transit facilities shall conform to Section 2.305 of the Code.

2.119.11 Dimensional Standards

- A. Purpose. The lot size standards promote new lots and parcels with sizes and shapes that are practical to assemble and develop. The standards are intended to prevent the creation of small lots or parcels, which are difficult to develop or to aggregate with other lots or parcels. The standards also discourage narrow lots or parcels, which increase demand for curb cuts. The EG zone is specifically designed for the property Contained in Area A – Village Center in the Keizer Station Plan. Uses in the gross acreage described shall be developed as a maximum seventy-five percent (75%) commercial uses listed in Sections 2.119.05 and .06 and a minimum twenty-five percent (25%) industrial uses listed in Sections 2.119.03 and 04. Uses shall be established in conformity with this Section and all other applicable regulations within the Keizer Development Code. Therefore, the division of such ground shall be approved to the standards in subsection 2.119.09.B. below. (07/06)
- B. Minimum Lot Dimension Requirements.
 1. Unless exempted under Section (4) below, within the acreage identified for commercial uses, at least eighty percent (80%) of the area of lots or qualified abutting lots must meet Standard A stated in the table within this subsection and the remainder lots or parcels must meet Standard B. (07/06)
 2. Unless exempted under Section (4) below, within the acreage identified for industrial uses, at least eighty percent (80%) of the area of lots or qualified abutting lots must meet Standard C stated in the table within this subsection and the remainder of the lots or parcels must meet Standard D. (07/06)
 3. Qualified abutting lots:
 - a. Qualified abutting lots are defined as lots or parcels having the same classification as either all industrial or all commercially designated lands, that abut one another on at least one side and

where there is no plan or proposal for curb cuts that would otherwise not be allowed if each individual lot was required to meet the dimensional standards of this Section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of determining such qualified abutting lots' compliance with the dimensional standards of this Section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of classification of such qualified abutting lots under Section A, B, C, or D below. (07/06)

- b. In the absence of the approval of a variance, for purposes of determining compliance with the dimensional standards below, any groups of qualified abutting lots shall consist of no more than four (4) individual lots or parcels. (07/06)

- 4. Exempt Lots, Parcels or Tracts. Lots, parcels or tracts created only for the purposes of providing a right-of-way or dedicated utilities, public drainage facilities or open space are exempt from the lot size and shape standards of this section. Lots, parcels, or tracts that are less than one acre in size, the perimeter of which is 80% or more surrounded by existing public rights of way or land that has previously been dedicated to the public for public access purposes are exempt from the classification standards and dimensional standards in the chart in the section that immediately follows. (07/06)

Development Type	Lot or Qualified Abutting Lots Standard	Minimum Lot or Qualified Abutting Lots Area	Minimum Average Width of individual Lot or of Qualified Abutting Lots*	Minimum Average Depth of individual Lots or of Qualified Abutting Lots*
COMMERCIAL (2.119.05 & .06)	Standard A	20,000 sq. ft.	100 ft.	100 ft.
	Standard B	10,000 sq. ft.	75 ft.	75 ft.
INDUSTRIAL (2.119.03 & .04)	Standard C	3 acres	350 ft.	350 ft.
	Standard D	1 acre	150 ft.	150 ft.

*Note: by definition, Qualified Abutting lots are lots or parcels of the same use type designation – either commercial or industrial – that may be considered as if they are single

lot or parcel for purposes of determining compliance with applicable dimensional standards and to determine classification as Standard A-D under this chart.

2.119.12 Development Standards

A. Height, Setback, Coverage, and Landscaping Requirements (07/06)

Development Type	Building Standards		Building Setbacks				Minimum Landscaping
	Maximum Height	Maximum Lot or parcel Coverage	Street-side		Side/Rear Not Adjacent to Residential zone	Adjacent to Residential zone	Percentage of Lot or parcel Area
			Min	Max			
Commercial (2.119.05 & .06)	100 ft. (1)	85% (2)	10 ft.	20 ft. (3)	None	40 ft.	15% (5)(6)
Industrial (2.119.03 & .04)	100 ft. / 15ft. within 50 of any residential zone (1)	80% (2)	10 ft.	None	None	40 ft.	20% (5)(6)

- (1) *Height Exceptions. Exceptions to the maximum height standard are stated below.*
- a. *Projections allowed. Chimneys, flag poles, satellite receiving dishes, and other items similar with a width, depth, or diameter of 5 feet or less may rise 10 feet above the height limit, or 5 feet above the highest point of the roof, whichever is greater. If they are greater than 5 feet in width, depth, or diameter, they are subject to the height limit.*
 - b. *Rooftop mechanical equipment. All rooftop mechanical equipment must be set back at least 15 feet from all roof edges that are parallel to street lot lines. Elevator mechanical equipment may extend up to 16 feet above the height limit. Other rooftop mechanical equipment, which cumulatively covers no more than 10 percent of the roof area may extend 10 feet above the height limit.*

- (a) *In accordance with Section 3.113 Keizer Station Master Plan Review, at the time of master plan approval by the Council, the Council may determine if streetscaped areas may be included in the minimum landscape area for a proposed development. (2/03)*
- (6) Parking
 - (a) *Averaging. KSP areas are master planned and as such are designed to be both planned and developed as a whole. Shared parking is encouraged in master planned areas. Therefore, parking within the KSP areas subject to a master plan, shall be deemed to meet the maximum and the minimum parking requirements set forth in the City's code so long as a parking plan is approved that contains a total number of parking spaces which is neither above the aggregate maximums nor below the aggregate minimums which result when parking requirements for the individual uses within the parking plan are calculated separately and the resulting maximums and minimums are totaled. (07/06)*
 - (b) *Modify or waive off-street parking standards. The applicant may request a modification to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of carpool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City. (07/06)*

B. Design Standards. All development in the EG zone shall comply with applicable standards in Section 2.315 of the Keizer Development Code, in addition to the standards below: (07/06)

- 1. Exterior Display, Storage, and Work Activities.
 - a. Exterior display and storage is allowed. Exterior display and storage shall not be located within required setbacks nor required landscaped areas. Exterior display and exterior storage areas shall not be located within 100 feet of any property line within 60 feet of a residential zone. (2/03)
 - b. Exterior work activities are allowed in the areas identified for industrial development. Exterior work activities shall not be located within required setbacks nor required landscaped areas. Such exterior work activities shall not be located within 100 feet of any property line within 60 feet of a residential zone. (2/03)

2. All development must comply with the applicable standards identified in the Keizer Development Code including, but not limited to, the following: (2/03)

Section 2.125	Activity Overlay Zone
Section 2.3	General Development Standards

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Section 2.301	General Provisions
Section 2.302	Street Standards
Section 2.303	Off-Street Parking and Loading
Section 2.305	Transit Facilities
Section 2.306	Storm Drainage
Section 2.307	Utility Lines and Facilities
Section 2.308	Signs
Section 2.309	Site and Landscaping Design
Section 2.310	Development Standards for Land Divisions
Section 2.312	Yard and Lots Standards
Section 2.315	Development Standards
Section 2.4	Special Uses

2.433 Medical Marijuana Facilities/Marijuana Grow Site

2.433.01 Medical Marijuana Facilities

Where permitted as a Special Permitted Use, Medical Marijuana Facilities may be allowed provided that they comply with the following:

- A. Obtain a state permit consistent with all applicable state regulations as developed by the Oregon Health Authority to operate a Medical Marijuana Facility;
- B. Obtain a Keizer permit consistent with all applicable Keizer regulations to operate a Medical Marijuana Facility.

2.433.02 Marijuana Grow Site

Where permitted as a Special Permitted Use, a Marijuana Grow Site may be allowed provided that comply with the following:

- A. Obtain a state permit consistent with all applicable state regulations as developed by the Oregon Health Authority to operate a Marijuana Grow Site;
- B. A Marijuana Grow Site shall be located indoors and shall not be located on the same tax lot as a Medical Marijuana Facility.

Note that the above provisions are not intended to regulate a single marijuana grow site that operates in accordance with provisions of state statutes and are legally established as accessory to residential uses. No more than one grow site operator is allowed on a single residential tax lot.