

ARTICLE 2 - ZONING DISTRICTS	2
Chapter 2.1 - Establishment of Zoning Districts	3
2.1.010 Purpose and Classification of Zoning Districts	3
2.1.020 Determination of Land Use District Boundaries	3
Chapter 2.2 - Zoning District Regulations	4
2.2.010 Purpose	4
2.2.020 Allowed Land Uses by Zoning District	5
2.2.030 Development Standards by Zoning District	10
2.2.040 Setback Yard Exceptions	11
Chapter 2.3 - Special Use Standards	12
2.3.010 Purpose	12
2.3.020 Applicability	12
2.3.030 Bed and Breakfast Inns	12
2.3.040 Residential Care Homes and Residential Facilities	13
2.3.050 Home Occupations	13
2.3.060 Manufactured Homes on Lots	15
2.3.070 Mobile Homes and Manufactured Dwelling Parks	16
2.3.080 Multiple Family Development	17
2.3.090 Commercial Development	19

Article 2 - Zoning Districts

Chapters:

- 2.1 Establishment of Zoning Districts
- 2.2 Zoning District Regulations
- 2.3 Special Use Standards

Chapter 2.1 – Establishment of Zoning Districts

Sections:

2.1.010 Purpose and Classification of Zoning Districts

2.1.020 Determination of Zoning Boundaries

2.1.010 Purpose and Classification of Zoning Districts

Every parcel, lot, and tract of land within the City of Ukiah is designated with a zoning district. The use of land is limited to the uses allowed by the applicable zoning district. Zoning designations shall be as provided on the City of Ukiah Zoning Map, which shall be consistent with the City of Ukiah Comprehensive Plan. The City Recorder maintains official copies of the Zoning Map and Comprehensive Plan. Where a conflict between documents arises, the Comprehensive Plan shall govern.

2.1.020 Determination of Land Use District Boundaries

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

- A. **Rights-of-way.** Boundaries that approximately follow the centerlines of streets, highways, alleys, bridges, or other right-of-way shall be construed to follow such centerlines. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same zoning district designation that is applicable to lands abutting the vacated areas. In cases where the right-of-way formerly served as a zoning district boundary, the vacated lands within the former right-of-way shall be allocated proportionately among the subject zoning districts;
- B. **Parcel, lot, tract.** Boundaries indicated as approximately following the boundaries of a parcel, lot, or tract shall be construed as following such boundaries;
- C. **Jurisdiction boundary.** Boundaries indicated as approximately following a City or County boundary, or the Urban Growth Boundary, shall be construed as following said boundary; and
- D. **Natural features.** Boundaries indicated as approximately following a river, stream, topographic contour or other changeable natural feature not corresponding to any feature listed in subsection A-C, above, shall be construed as following such feature, except that the location may be corrected administratively through a Code Interpretation procedure, in accordance with Chapter 1.5.

Chapter 2.2 – Zoning District Regulations

Sections:

- 2.2.010 Purpose
- 2.2.020 Allowed Land Uses by Zoning District
- 2.2.030 Development Standards by Zoning District
- 2.2.040 Development Standards Exceptions

2.2.010 Purpose

The zoning district regulations are intended to implement the City of Ukiah Comprehensive Plan, consistent with the purposes of Section 1.2.020 of this Code. The City’s three zoning districts are generally summarized as follows. For specific regulations and requirements, please refer to Sections 2.2.020 through 2.2.090.

- A. **Residential (R) District.** The R district, together with the Residential-Commercial (RC) district, is intended to meet the housing needs of the community, including the need for single-family dwellings, two-family dwellings, and multifamily and attached dwellings. Both districts also allow home businesses, parks, schools, family daycare, residential care, and places of worship.
- B. **Residential-Commercial (RC) District.** The RC district is intended to accommodate a mix of employment and housing options while maintaining compatibility between uses. In addition to those uses described above, the Residential-Commercial (RC) district allows new commercial and light industrial uses.
- C. **Industrial (M) District.** The M district is intended to accommodate intensive commercial and industrial uses that may not otherwise be allowed in the R or RC districts.

2.2.020 Allowed Land Uses by Zoning District

Table 2.2.020 identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and uses are defined in Chapter 5.1. A Zoning Checklist is required before changing a use, applying for a building permit, or commencing development.

Table 2.2.020 – Land Uses Allowed in Zoning Districts (R, RC, M)				
Uses	Status of Use in District			
Use Categories <i>(Examples of uses are in Chapter 5.1)</i>	Residential (R)	Residential Commercial (RC)	Industrial (M)	Special Use Standards (Ch. 2.3)
Residential Categories				
Household Living				
Single-Family Dwelling (not attached)	P	P	N	
Two-Family Dwelling (two dwellings on one lot, may be attached or not attached)	P	P	N	
Manufactured Home	S	S	N	2.3.060 ORS 446
Mobile Homes and Manufactured Dwelling Parks	S	S	N	2.3.070 ORS 446
Multifamily Dwellings (3 or more dwellings on lot, including senior housing, assisted living, and single room occupancy uses but not group living)	S	S	N	2.3.080
Use of Recreational Vehicle as Dwelling (must be connected to water, electrical supply and sewage disposal systems)				Per ORS 197.493
- In an approved manufactured dwelling park, mobile home park or RV park	P	P	N	
- Not in an approved manufactured dwelling park, mobile home park, or RV park	CU	CU	N	
Short-Term Vacation Rental Dwelling	CU	CU	N	2.3.090

Key:

P = Permitted

S = Permitted with Special Use Standards

CU = Conditional Use Permit required

N = Not permitted

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Uses	Status of Use in District			
Use Categories <i>(Examples of uses are in Chapter 5.1)</i>	Residential (R)	Residential Commercial (RC)	Industrial (M)	Special Use Standards (Ch. 2.3)
Group Living				
Group Care Home (must be licensed with State Dept. of Human Services)	P	P	N	2.3.040
Group Care Facility	P	P	N	2.3.040
Commercial Categories				2.3.090
Drive-Up/Drive-In/Drive-Through Uses (includes but is not limited to drive-up windows, drive-up ATM's, auto service and repair, and similar uses and facilities)	N	CU	P	
Bed and Breakfast Inn	CU+S	S	N	2.3.030
Educational Services, not a school and not a home occupation (e.g., tutoring center or similar services)	N	P	CU	
Entertainment, Major Event	N	CU	CU	
Family Daycare (16 or fewer children) under ORS 657A.250 and ORS 657A.440(4)	P	P	N	
Home Occupation - Greater than 500 square feet of use - Less than 500 square feet of use	S+CU S	S S	N N	2.3.050
Lodging (Hotels, Motels, Inns)	N	P	N	
Medical Center or Clinic	N	P	CU	
Office	N	P	P	

Key:

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Use Categories <i>(Examples of uses are in Chapter 5.1)</i>	Residential (R)	Residential Commercial (RC)	Industrial (M)	<i>Special Use Standards (Ch. 2.3)</i>
Outdoor Recreation, Commercial	N	CU	CU	
Vehicle Servicing, Gas Station, or Vehicle Repair	N	CU	P	
Retail Sales and Service, enclosed in building	N	P	P	
Retail Sales and Service, not enclosed	N	CU	P	
Self-Service Storage	N	CU	P	
Industrial Categories				
Industrial Service	N	CU	P	
Manufacturing and Production	N	CU	CU	
Warehouse and Freight Movement	N	CU	P	
Waste-Related, including Biomass Energy	N	N	CU	
Wholesale Sales	N	CU	P	
Institutional Categories				
Utilities	P	P	P	
Community Service	P	P	P	
Daycare Center, adult or child day care, does not include Family Daycare	CU	P	N	
Parks and Open Space	P	P	CU	
Religious Institutions and Houses of Worship	CU	CU	CU	

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Use Categories <i>(Examples of uses are in Chapter 5.1)</i>	Residential (R)	Residential Commercial (RC)	Industrial (M)	<i>Special Use Standards (Ch. 2.3)</i>
Schools	CU	CU	CU	
Other Categories				
Accessory Structures (with a permitted use) <ul style="list-style-type: none"> - not taller or larger than primary use - taller or larger than primary use 	P CU	P CU	P CU	
Agriculture – Animals <ul style="list-style-type: none"> - Livestock, limited to 1 head of cattle, horse, sheep, or similar size animal per ½ acre undeveloped pasture. Swine: 1 per ½ acre - Small Animals, excluding roosters and swine, limited to 5 of each type of animal (e.g., chickens, rabbits, and similar) per ½ acre. 	N P	N P	P P	
Agriculture – Crop Cultivation, Commercial Gardening/Horticulture, Plant Nursery	P	P	P	
Mining	N	N	CU	
Radio Frequency Transmission Facilities	CU	CU	CU	
Regional Utility Corridors (e.g., irrigation, electrical, gas, oil, and similar transmission lines) extending through the City.	CU	CU	CU	

Key:

P = Permitted

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Table 2.2.020 – Land Uses Allowed in Zoning Districts (R, RC, M)				
Uses	Status of Use in District			
Use Categories <i>(Examples of uses are in Chapter 5.1)</i>	Residential (R)	Residential Commercial (RC)	Industrial (M)	<i>Special Use Standards (Ch. 2.3)</i>
Temporary Uses (limited to uses that are allowed as primary uses in zoning district)	Temporary Uses are regulated the same as other uses; except the City Council may waive Site Plan Review for uses that are 6-months or less in duration, provided Zoning Checklist approval is required.			
Transportation Facilities: operation, maintenance, preservation, right-of-way acquisition, and construction activities in accordance with the City’s Transportation System Plan, including construction of streets and roadways as part of approved land division and emergency measures necessary for public safety and protection of property, when approved by the applicable roadway authority.	P	P	P	OAR 660-012-060

2.2.030 Development Standards by Zoning District

The development standards in Table 2.2.030 apply to all new or expanded development, subject to Chapter 1.4 Nonconforming Situations.

Table 2.2.030 – Development Standards for New or Expanded Development				
Standards by Zoning District	R	RC	M	[Reserve]
Minimum Lot Area (square feet)	6,000 sf for first dwelling unit, plus 1,000 square feet for each dwelling unit over one; except existing Lots of Record (smaller than 6,000 sf) may be developed pursuant to Chapter 1.3.		5,000 sf; except as allowed pursuant to Chapter 1.3.	
Minimum Lot Width at Front Building Line				
- Common Wall/Zero Lot Line Development	Not Applicable	20 ft	50 ft	
- Non-Common Wall Development	50 ft	50 ft	80 ft	
- Substandard Lot of Record (smaller than 6,000 square feet)	40 ft	40 ft	Not Applicable	
Minimum Lot Depth	90 ft	90 ft	90 ft	
Maximum Lot Coverage (Bldg Foundation)	40%	80%	80%	
Minimum Open Space and/or Landscape Area in New Subdivisions and Multifamily Developments (% of overall site)	10%	5%	Not Applicable	
Maximum Structure Height	35 ft, subject to fire protection requirements	35 ft, subject to fire protection requirements; except increased height may be approved with Conditional Use Permit, provided fire protection requirements met		
Minimum Front or Street Side Setback on Lot Abutting Standard Right-of-Way	15 ft; except garage openings, carport entries, and areas where vehicles are serviced, stored, or repaired must be setback at least 20 ft from right-of-way		10 ft	
Minimum Front or Street Side Setback on Lot Abutting Sub-Standard Right-of-Way	The minimum front or street setback equals one-half of the ultimate/planned width of the abutting right-of-way, per the City of Ukiah Transportation System Plan, and is measured from the street or highway centerline, as applicable.			

Standards by Zoning District	R	RC	M	[Reserve]
Minimum Side Setback, except where common wall/zero-lot line development is allowed	5 ft	5 ft	10 ft	
Minimum Rear Setback	10 ft	10 ft	10 ft	

Note: Other standards may preclude building at the allowable density, lot coverage, or setback.

2.2.040 Setback Yard Exceptions

Setback yards provide space for private yards and building separation for fire protection/security, building maintenance, sunlight and air circulation. The setback standards are also intended to allow for flexibility in maintaining existing structures and in developing needed housing, consistent with the policies of the City of Ukiah Comprehensive Plan. Setbacks may be adjusted through the Minor Variance process in Chapter 4.7.030. In addition, the following exceptions are permitted without the need for a variance:

- A. Architectural features, such as eaves, chimneys, bay windows, overhangs, and similar architectural features, may encroach into the setback yards by not more than 36 inches, provided all applicable building and fire codes are met, and the clear vision standards in Section 3.1.020 are met.
- B. Porches, decks and similar structures not exceeding 30 inches in height may encroach into setbacks, provided that all applicable building and fire codes are met, and the clear vision standards in Section 3.1.020 are met.
- C. Garden walls, retaining walls, and fences may be built on property lines, provided they meet the standards for fences and walls in Section 3.2.020. Property owners, not the City of Ukiah, are responsible for knowing the location of property lines.
- D. Buildings on corner lots and buildings on reverse-frontage lots (lots with two front or rear yards) shall be required to meet the front yard setback on only one street, except that garage openings facing a street shall comply with the 20-foot minimum street setback for garages. See also, the fence standards for reverse-frontage lots in Section 3.2.020.
- E. The City Council may reduce the required front yard setback requirement for a new or expanded building where it finds that one or more buildings on lots abutting the subject site have less than the minimum front yard setback. In such cases, the Council may establish a minimum setback that is equal to the average front setback on the two abutting lots.

Chapter 2.3 – Special Use Standards

Sections:

2.3.010	Purpose
2.3.020	Applicability
2.3.030	Bed and Breakfast Inns
2.3.040	Residential Care Homes and Residential Facilities
2.3.050	Home Occupations
2.3.060	Manufactured Homes on Lots
2.3.070	Mobile Homes and Manufactured Dwelling Parks
2.3.080	Multifamily Development
2.3.090	Commercial Development

2.3.010 Purpose

The Special Use Standards in Chapter 2.3 address the unique requirements of certain land uses and building types, as identified in Table 2.2.020. The standards in Chapter 2.3 do not replace, but supplement, the standards in Sections 2.2.010 through 2.2.040.

2.3.020 Applicability

The City applies the Special Use Standards when a new use, a change in use, or a development is proposed that requires review of a Zoning Checklist, Site Plan, or Conditional Use Permit.

2.3.030 Bed and Breakfast Inns

Where Bed and Breakfast Inns are allowed, they shall comply with all of the following standards. See also, Short-Term Vacation Rental Dwellings, which are different than Bed and Breakfast Inns, under Section 2.3.090.

- A. **Accessory Use.** The use must be accessory to a household already occupying the site.
- B. **Maximum Size.** Six (6) bedrooms for guests, and a maximum of twelve (12) guests are permitted per night.
- C. **Length of Stay.** Maximum length of stay is 28 days per guest; anything longer is classified as a hotel or commercial lodging.
- D. **Employees.** Up to two (2) non-resident employees. There is no limit on residential employees.
- E. **Food Service.** May be provided only to overnight guests of the business, except where a restaurant use is allowed (e.g., RC District).

F. Signs. Signs shall not exceed a total of four (4) square feet of surface area on each side of one or two faces. See also Chapter 3.5 Signs.

2.3.040 Residential Care Homes and Residential Facilities

Residential care homes are residential treatment or training homes or adult foster homes licensed by the State of Oregon. They may provide residential care alone, or in conjunction with treatment and/or training, for 5 or fewer individuals (“homes”) or 6 to 15 individuals (“facilities”) who need not be related. Developments with two or more homes, i.e., projects housing more than 5 individuals, are classified as residential care facilities. Staff persons required to meet State-licensing requirements are not counted in the number of facility residents and need not be related to each other or the residents. Residential Facilities are not the same as an Acute Care Facilities, which are classified as Community Service uses; and they are not the same as Senior Housing facilities that provide limited or no medical care, which are classified as Multifamily Housing. Residential care homes and facilities shall comply with the following standards, consistent with ORS 197.660-.670:

- A. **Licensing.** All residential care homes and residential facilities shall be duly licensed by the State of Oregon.
- B. **Access.** Comply with Chapter 3.1.
- C. **Parking.** Comply with Chapter 3.3.
- D. **Landscaping, Screening, and Outdoor Lighting.** Comply with the Chapter 3.2.
- E. **Site Plan Review.** Site Plan Review is required to ensure compliance with the above requirements.

2.3.050 Home Occupations

The purpose of this Section is to encourage those who are engaged in small commercial ventures that could not necessarily be sustained if it were necessary to lease commercial quarters, or which by the nature of the venture are appropriate in scale and impact to be operated within a residence. Home Occupations in the Residential-Commercial (RC) zone and Home Occupations of less than 500 square feet in the Residential (R) zone are permitted subject to Zoning Checklist approval. Home Occupations greater than 500 square feet in the Residential (R) zone are allowed, subject to approval of a Conditional Use Permit. All Home Occupations shall conform to the threshold standards in subsections A-H, below, except the City Council may approve adjustments to the threshold standards through the Conditional Use Permit approval, provided all uses and structures on the subject property conform with applicable City regulations, including but not limited to nuisance regulations.

A. Appearance of Residence:

1. The home occupation shall be restricted to lawfully built enclosed structures and be conducted in such a manner as not to give an outward appearance of a business.
2. The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.
3. The home occupation shall not violate any conditions of development approval (*i.e.*, prior land use development permit or approval).
4. No products and/or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.

B. Storage:

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

C. Employees:

1. Other than family members residing within the dwelling located on the home occupation site, there shall be not more than one (1) employee at the home occupation site at any given time. As used in this chapter, the term “home occupation site” means the legal lot on which the home occupation is conducted.
2. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home occupation site.
3. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch of employees to other locations.

D. Advertising and Signs: Signs shall not exceed a total of four (4) square feet of surface area on each side of one or two faces. See also Chapter 3.5 Signs.

E. Vehicles, Parking and Traffic:

1. Not more than two (2) commercially licensed vehicles associated with the home occupation are allowed at the home occupation site. Vehicles shall be of a size that would not overhang into the public right-of-way when parked.
2. There shall be no commercial vehicle deliveries during 9:00 p.m. to 7:00 a.m.

F. Business Hours: There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation only from 7:00 a.m. to 9:00 p.m. only, Monday through Friday, subject to subsections A and E, above.

G. Prohibited Home Occupation Uses:

1. Any activity that produces radio, TV, or other electronic interference; noise, glare, vibration, smoke, or odor beyond allowable levels as determined by local, state or federal standards, or that can be detected beyond the property line, is prohibited.
2. Any activity involving on-site retail sales, including garage sales exceeding the thresholds of a temporary use, is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by home business is allowed subject to A-F, above.
3. The following uses and uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke or vibration, are prohibited:
 - (a) Ambulance service
 - (b) Animal hospital, veterinary services, kennels or animal boarding
 - (c) Auto and other vehicle repair, including auto painting
 - (d) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site

H. Enforcement: The City's designated Code Enforcement Officer or other law enforcement official may visit a home occupation site periodically, or upon request, to ensure compliance with all applicable regulations.

2.3.060 Manufactured Homes on Lots

Manufactured homes on individual lots shall comply with applicable building codes.

2.3.070 Mobile Homes and Manufactured Dwelling Parks

Manufactured/mobile home parks (not including recreational vehicles) are permitted on parcels of one (1) acre or larger, subject to compliance with subsections 1-5, below:

- A. **Permitted Uses.** Single family residences, manufactured home park manager’s office, home occupations, and accessory structures that are necessary for the operation and maintenance of the manufactured dwelling park (*e.g.*, landscape maintenance).
- B. **Development Standards.** Development of manufactured and mobile home parks, including placement of manufactured and mobile homes with a park, shall comply with applicable building codes and State requirements for Mobile Home and Manufactured Dwelling Parks in ORS 446
- C. **Perimeter Landscaping.** When manufactured dwellings are oriented with their back or side yards facing a public right-of-way, the City **may** require installation of fencing and/or planting of a landscape buffer of 5-10 feet in width between the right-of-way and a manufactured home park for the privacy and security of park residents or for privacy of adjacent residences.
- D. **Flood Plain.** Compliance with the City of Ukiah Flood Plain Management Regulations is required.

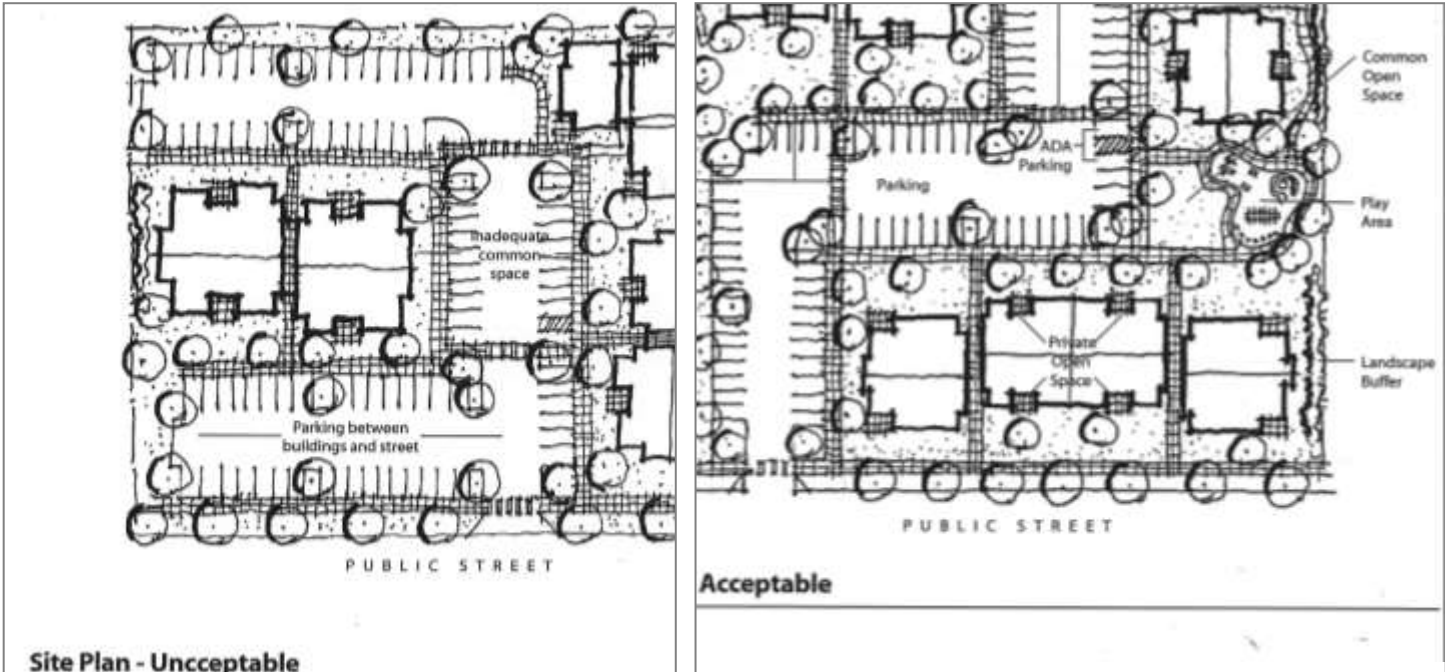
2.3.080 Multiple Family Development

Where multiple family housing is allowed, it shall conform to all of the following standards, which are intended to promote livability for residents and compatibility with nearby uses. Figure 2.2.100.H provides a conceptual illustration of the requirements listed below.

- A. **Purpose.** The following standards are intended to ensure that multifamily developments are planned with adequate open space and are designed to prevent conflicts between residential uses, on-site recreation, and vehicle circulation and parking areas. Design standards that orient multifamily dwellings with visibility of adjacent streets, walkways, and yards also support crime prevention through natural surveillance of such areas.
- B. **Applicability.** Section 2.3.080 applies to all multifamily developments.
- C. **Standards.** Compliance with all of the following standards is required:
1. Building Orientation.
 - a. Multifamily buildings shall generally orient to a public street or shall orient to an internal driveway containing a separated or raised walkway connecting each dwelling unit entrance to the parking area, any on-site recreation areas, and the street right-of-way.
 - b. Parking areas, to the extent practicable, shall not be placed between residences and adjacent streets, but instead should be oriented internally to the development site as generally depicted in the following exhibits.
 2. Common Open Space and Landscaping. A minimum of 10 percent of the site area in the R district and 5 percent of the site area in the RC district shall be designated and permanently reserved as common area or open space, in accordance with all of the following criteria:
 - a. “Site area” for the purposes of this Section is defined as the subject lot or lots after subtracting any required dedication of street right-of-way;
 - b. The common area or open space shall contain one or more of the following: outdoor recreation area, tree grove (e.g., existing mature trees), turf play fields or playgrounds, sports courts, swim pool, walking fitness course, natural area with picnic benches, or similar open space amenities as appropriate for the intended residents.
 - c. In order to be counted as eligible toward the minimum open space area, such areas shall have dimensions of not less than 20 feet;
 - d. Open space and common areas not otherwise developed with recreational facilities shall be landscaped; alternatively, the City Council may approve a tree preservation plan (retain mature tree groves) in lieu of landscaping;

- 3. Private Open Space. Private open space areas shall be required for dwelling units based on the following criteria:
 - a. A minimum of 40 percent of all ground-floor dwelling units shall have front or rear patios or decks containing of at least 48 square feet of usable area. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (*i.e.*, after grading and landscaping);
 - b. A minimum of 40 percent of all upper-floor housing units shall have balconies or porches containing at least 48 square feet of usable area. Upper-floor housing means housing units that are more than 5 feet above the finished grade.
- 4. Trash receptacles. Trash receptacles shall be oriented away from building entrances, setback at least ten (10) feet from any public right-of-way and adjacent residences and shall be screened with an evergreen hedge or solid fence or wall of not less than 6 feet in height. Receptacles must be accessible to trash pick-up trucks.

Figure 2.3.080 Multifamily Development (Exhibits)



2.3.090 Commercial Development

Commercial developments shall conform to all of the following standards, which are intended to manage traffic flow, avoid conflicts with the highway, and protect pedestrian safety.

- A. The building shall have a primary entrance facing an adjacent street so that it is visible and accessible from the public right-of-way.
- B. Driveway access requires City or ODOT approval, as applicable, in conformance with Chapter 3.1; driveways and any drive-up/through queuing areas shall be designed so that vehicles do not obstruct any fire apparatus access lane, walkway, or public right-of-way.
- C. Any drive-up, drive-in or drive-through facility (e.g., coffee kiosks, drive-up windows, teller machines, drop-boxes, or similar facilities) placed within 20 feet of the highway right-of-way shall be setback from the highway right-of-way behind a landscape buffer of not less than 10-feet in width. Such landscaping shall conform to the standards in Chapter 3.2;
- D. Parking shall be provided in conformance with Chapter 3.3; and
- E. The City Council may require additional landscaping, screening, lighting, or pedestrian walkway improvements to ensure compatibility with adjacent residential areas and other uses. See also, Article 3.

Figure 2.3.090 Commercial Development Standards

