

ORDINANCE 2023-19

AN ORDINANCE RELATING TO PARKING DEVELOPMENT STANDARDS, RESPONDING TO THE STATEWIDE REQUIREMENTS TO ADOPT CLIMATE FRIENDLY AND EQUITABLE COMMUNITIES REGULATIONS, AMENDING THE CITY OF CORVALLIS LAND DEVELOPMENT CODE AND STATING AN EFFECTIVE DATE OF JUNE 30, 2023.

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1. Legislative Findings. The Council finds:

- a) The Council held a duly advertised public hearing on June 5, 2023, to consider the proposed Land Development Code (“LDC”) text amendments, in accordance with LDC § 1.2.80; and
- b) The public necessity, convenience, and general welfare require the proposed LDC text amendments, in accordance with LDC § 1.2.80.01. The City Council incorporates the staff analysis and findings addressing this criterion from the Planning Commission Staff Report dated May 3, 2023, and adopts the analysis and findings as the City Council’s own; and
- c) The proposed LDC text amendments comply with Statewide Planning Goal 1, “Citizen Involvement;” Goal 2, “Land Use Planning;” Goal 5, “Natural Resources, Scenic and Historic Area, and Open Spaces;” Goal 6, “Air, Land, and Water Resources Quality;” and Goal 12, “Transportation;” in accordance with LDC § 1.2.80.01. The City Council incorporates the staff analysis and findings addressing this criterion from the Planning Commission Staff Report dated May 3, 2023, and adopts the analysis and findings as the City Council’s own; and
- d) The proposed LDC text amendments conforms with Article 1 (Introduction and General Policies), Article 2 (Citizen Involvement), Article 3 (Land Use Guidelines), Article 4 (Natural Features, Land, and Water Resources), Article 5 (Urban Amenities), Article 7 (Environmental Quality), Article 8 (Economy), Article 9 (Housing), and Article 11 (Transportation) of the Corvallis Comprehensive Plan, in accordance with LDC § 1.2.80.01. The City Council incorporates the staff analysis and findings addressing this criterion from the Planning Commission Staff Report dated May 3, 2023, and adopts the analysis and findings as the City Council’s own.

Section 2. Land Development Code Sections 2.12.30.03.h.10, 2.12.30.03.h.11, 3.2.80.04, 3.3.80.04, and 3.4.80.04 are repealed.

Section 3. Land Development Code Chapter 4.1 – Parking, Loading, and Access Requirements is repealed.

Section 4. Land Development Code Section 1.6.30 the definition of “Accessway” is amended, as set out in Exhibit A to this Ordinance.

Section 5. Land Development Code Section 1.6.30 the definition of “Surface Parking Area” is added, as set out in Exhibit A to this Ordinance.

Section 6. Land Development Code Section 2.4.90.07 is amended as set out in Exhibit A to this Ordinance.

Section 7. Land Development Code Section 2.4.90.08 is amended as set out in Exhibit A to this Ordinance.

Section 8. Land Development Code Section 3.1.50.e and Table 3.1-3 are amended as set out in Exhibit A to this Ordinance.

Section 9. Land Development Code Section 3.2.50.e and Table 3.2-3 are amended as set out in Exhibit A to this Ordinance.

Section 10. Land Development Code Section 3.3.50.e and Table 3.3-3 are amended as set out in Exhibit A to this Ordinance.

Section 11. Land Development Code Section 3.4.50.01.e and Table 3.4-3 are amended as set out in Exhibit A to this Ordinance.

Section 12. Land Development Code Section 3.5.50 and Table 3.5-3 are amended as set out in Exhibit A to this Ordinance.

Section 13. Land Development Code Section 3.6.50.03.c and Table 3.6-3 are amended as set out in Exhibit A to this Ordinance.

Section 14. Land Development Code Section 3.10.70.a is amended as set out in Exhibit A to this Ordinance.

Section 15. Land Development Code Section 3.11.60 and Table 3.11-3 are amended as set out in Exhibit A to this Ordinance.

Section 16. Land Development Code Section 3.12.40 and Table 3.12-2 are amended as set out in Exhibit A to this Ordinance.

Section 17. Land Development Code Section 3.17.50 and Table 3.17-3 are amended as set out in Exhibit A to this Ordinance.

Section 18. Land Development Code Section 3.20.40 and Table 3.20-2 are amended as set out in Exhibit A to this Ordinance.

Section 19. Land Development Code Section 3.21.20.01.b is amended as set out in Exhibit A to this Ordinance.

Section 20. Land Development Code Section 3.21.30.06 is amended as set out in Exhibit A to this Ordinance.

Section 21. Land Development Code Section 3.22.20.01.b is amended as set out in Exhibit A to this Ordinance.

Section 22. Land Development Code Section 3.22.30.06 is amended as set out in Exhibit A to this Ordinance.

Section 23. Land Development Code Section 3.23.20.01.b is amended as set out in Exhibit A to this Ordinance.

Section 24. Land Development Code Section 3.23.30.05 is amended as set out in Exhibit A to this Ordinance.

Section 25. Land Development Code Section 3.25.30 and Table 3.25-1 are amended as set out in Exhibit A to this Ordinance.

Section 26. Land Development Code Section 3.25.50.04 is amended as set out in Exhibit A to this Ordinance.

Section 27. Land Development Code Section 3.27.30.01.b is amended as set out in Exhibit A to this Ordinance.

Section 28. Land Development Code Section 3.27.40.05 is amended as set out in Exhibit A to this Ordinance.

Section 29. Land Development Code Section 3.30.20.01.b is amended as set out in Exhibit A to this Ordinance.

Section 30. Land Development Code Section 3.36.40.04 is amended as set out in Exhibit A to this Ordinance.

Section 31. Land Development Code Section 3.36.60.08 is amended as set out in Exhibit A to this Ordinance.

Section 32. Land Development Code Section 3.36.60.13 is amended as set out in Exhibit A to this Ordinance.

Section 33. Land Development Code Section 4.0.30.a is amended as set out in Exhibit A to this Ordinance.

Section 34. Land Development Code Section 4.0.60.k is amended as set out in Exhibit A to this Ordinance.

Section 35. Land Development Code Chapter 4.1 – Parking, Loading, and Access Requirements is enacted, as fully set out in Exhibit A to this Ordinance.

Section 36. Land Development Code Section 4.2.30 is amended as set out in Exhibit A to this Ordinance.

Section 37. Land Development Code Section 4.5.100.02 and Section 4.5.120 are amended as set out in Exhibit A to this Ordinance.

Section 38. Land Development Code Section 4.8.70.a is amended as set out in Exhibit A to this Ordinance.

Section 39. Land Development Code Section 4.9.40, Section 4.9.50.02, Section 4.9.60.02, and Section 4.9.100 are amended as set out in Exhibit A to this Ordinance.

Section 40. Land Development Code Section 4.10.55.05.a, Section 4.10.70.01, and Section 4.10.70.03.b are amended as set out in Exhibit A to this Ordinance.

Section 41. Land Development Code Section 4.11.50.03 is amended as set out in Exhibit A to this Ordinance.

Section 42. Exhibit A to this Ordinance is attached and incorporated as part of this ordinance.

Section 43. No other provision of the Land Development Code is amended by this ordinance.

Section 44. The best interest of the people of the City of Corvallis will be served if the effective date of this ordinance is delayed until June 30, 2023.

PASSED by the City Council this 5TH day of June 2023

APPROVED by the Mayor this 5TH day of June 2023

EFFECTIVE this 30TH day of June 2023



Mayor

ATTEST:



City Recorder

ORDINANCE 2023-19

EXHIBIT A

Headings in this exhibit, corresponding to Sections 4 through 41 of this ordinance, are provided for reference, but will not be included in the text of the Land Development Code.

Section 4.

Section 1.6.30 SPECIFIC WORDS AND TERMS

[...]

Accessway - Narrow strip of land connecting a Parcel created by Partition, to a public street right-of-way or a private street located within its own separate Tract. The Accessway ensures Access to the parcel. Where proposed, vehicle and pedestrian pavement widths within an Accessway are in accordance with the City's Site Development Design Standards.

[...]

Section 5.

Section 1.6.30 SPECIFIC WORDS AND TERMS

[...]

Surface Parking Area – Portion of a Development Site, at Finished Grade, containing all paved surfaces intended for vehicular access including, but not limited to, parking spaces, drive aisles, driveways, and turnaround areas.

[...]

Section 6.

2.4.90.07 - Access and Minimum Street Frontage

- a. To ensure sufficient space is provided for required pedestrian facilities, utilities, street trees, emergency vehicle access, and (where applicable) on-street vehicle parking, each lot and parcel must abut a street for a distance of at least 20-ft. unless it complies with the exceptions listed in "1" or "2" below.
 - 1. On a lot or parcel zoned RS-6 or RS-9 and existing prior to December 31, 2006, an Applicant may use a Partition to create Flag Parcels that satisfy all of the following criteria:

- a) Each resulting parcel must contain an area equal to no more than 175 percent of the zone's minimum lot area for a Single Detached dwelling;
 - b) No provision of the Code requires a street through any part of the site per Section 4.0.60; and
 - c) The Applicant must provide Accessways that satisfy Section 2.4.90.08 requirements, below.
 - 2. The lot or parcel adjoins a public or private alley. The alley must comply with Section 4.0.60.j and be installed or financially secured by the applicant prior to final plat.
- b. For lots and parcels having a front lot line with a dimension less than 50 feet, proposed off-street vehicle parking must comply with one of the following options:
 - 1. Alley Access: Vehicular access is limited to a public or private alley adjoining the side or rear property line. The alley must comply with Section 4.0.60.j and be installed or financially secured by the applicant prior to final plat. Additionally, the applicant provides a deed restriction that applies to the lot or parcel, limiting vehicular access to the adjoining alley. The Applicant must record the deed restriction concurrently with the final plat.
 - 2. Shared Driveway: Vehicular access is shared between two adjoining lots or parcels. The width of the shared driveway may not exceed 20 feet, for that portion between the street and five feet interior to the front property line. The applicant must grant a reciprocal access and utility easement as part of the land division. The Applicant must provide deed restrictions that apply to the lots or parcels, noting the requirement for shared access and limit on driveway pavement width. The Applicant must record the deed restriction concurrently with the Final Plat. Additionally, the shared driveway and easement is placed to allow a minimum of 20 feet of uninterrupted curb along the frontage of the adjoining lots or parcels.
 - 3. Shared Parking Area: Vehicle parking is provided in a shared common area Tract containing up to eight spaces. The shared parking area must not be placed between buildings and the streets to which those buildings are primarily oriented. The Tract must abut one or more of the lots or parcels it serves and must be located interior to the Block.
- c. Vehicular access is not required to a lot, parcel, or tract, except where the Fire Code requires it.
 - 1. For each proposed lot, parcel, and tract where vehicle Access is proposed, the Access must comply with the standards in Sections 4.0.60.q, 4.1.30, 4.2.30.b.3, City Site Development Design Standards, Design Criteria Manual, and the Transportation System Plan. Where necessary to comply, driveway locations must be consolidated and the Applicant must grant reciprocal access easements for shared driveways consistent with Section 2.4.90.10. See definition of Access and Frontage in Section 1.6.30.
 - 2. For each proposed lot, parcel, and tract where vehicle Access is not proposed, a 1-ft.

wide Vehicular Non-Access Easement area must be provided along the full length of the frontage, and shown on the plat.

Section 7.

2.4.90.08 - Accessways for Flag Parcels

- a. For Partitions containing Flag Parcels, an Applicant may reduce and combine access requirements of Section 2.4.90.07 to provide an Accessway or combination of Accessways, in accordance with the standards in Table 2.4-1. See definition of Accessway in Section 1.6.30.

Table 2.4-1 Accessway Width Requirements

Number of Parcels Served	Minimum Combined Width of Reciprocal Access and Utility Easement	Minimum Accessway Width Per Parcel
1	n/a	17 ft.
2 (Accessway connecting to Local Street)	23 ft.	11.5 ft.
2 (Accessway connecting to Neighborhood Collector, Collector or Arterial Street)	25 ft.	12.5 ft.
3	25 ft.	8.33 ft.
When combined, Accessways and the associated Reciprocal Access and Utility Easement may not serve more than three parcels.		
Combined Accessways that provide fire access must be a minimum of 25 ft. wide. If a fire hydrant is required to be located along the Accessway, the minimum width must be 31 ft.		
Accessways are not required to contain a paved vehicular access, unless required for emergency access.		

- b. Accessways must connect to a public or private street. The Director may allow an exception to the paving requirements for the existing dedicated right-of-way if the proposed Partition meets all of the following conditions:
 1. The Accessway connects to a paved street that is a minimum of 20 ft. wide;
 2. The Accessway serves a single parcel and not more than four dwelling units;
 3. The property owner signs an irrevocable petition for public street improvements

and records it with the property through the Benton County Recorder's Office;
and

4. The property owner demonstrates that the grade of the property will allow foundation drainage to be carried by gravity, without pumping, to a public storm drain or other drainage facility approved by the City Engineer.

Section 8.

SECTION 3.1.50 – RS-6 DEVELOPMENT STANDARDS

Table 3.1-3 – RS-6 Zone Development Standards	
	Standard
[...]	[...]
e. Setbacks ^{4 6}	
1. Front yard ⁵	10 ft. minimum; 25 ft. maximum
2. Rear yard	15 ft. minimum
3. Side yard	5 ft. minimum
<u>Exceptions:</u> Townhouse – End Unit Townhouse – Interior Unit	0 ft. one side; 5 ft. opposite side 0 ft. both sides
4. Exterior Side Yard and Rear Yard abutting a street	15 ft. minimum
See also "I" below.	Cottage Cluster development standards are modified by Section 4.10.55 – Standards for Cottage Clusters
<p>⁴ See Section 4.9.50.02 – General Exceptions to Minimum Setback Standards</p> <p>⁵ Determination of the location of the front yard and front lot line on Flag Parcels and Lots / Parcels with Alley-only Access will be made using the provisions in Sections 4.9.50.03 and 4.9.50.04.</p> <p>⁶ increase minimum setback to comply with Vision Clearance – see Section 4.1.30.c</p>	
[...]	[...]

Section 9.

Section 3.2.50 - RS-9 DEVELOPMENT STANDARDS

Table 3.2-3 – RS-9 Zone Development Standards	
	Standard
[...]	[...]
e. Setbacks ^{4 6}	
1. Front yard ⁵	10 ft. minimum; 25 ft. maximum

Table 3.2-3 – RS-9 Zone Development Standards	
	Standard
2. Rear yard	5 ft. minimum
3. Side yard	5 ft. minimum
<u>Exceptions:</u> Townhouse – End Unit Townhouse – Interior Unit	0 ft. one side; 5 ft. opposite side 0 ft. both sides
4. Exterior Side Yard and Rear Yard abutting a street	10 ft. minimum
See also "l" below.	Cottage Cluster development standards are modified by Section 4.10.55 – Standards for Cottage Clusters
⁴ See Section 4.9.50.02 – General Exceptions to Minimum Setback Standards	
⁵ Determination of the location of the front yard and front lot line on Flag Parcels and Lots / Parcels with Alley-only Access will be made using the provisions in Sections 4.9.50.03 and 4.9.50.04.	
⁶ increase minimum setback to comply with Vision Clearance – see Section 4.1.30.c	
[...]	

Section 10.

Section 3.3.50 - RS-12 DEVELOPMENT STANDARDS

Table 3.3-3 – RS-12 Zone Development Standards	
	Standard
[...]	
e.	Setbacks ^{4 6}
1. Front yard ⁵	10 ft. minimum 25 ft. maximum; interior buildings within a development are exempt from this requirement.
2. Rear yard	5 ft. minimum
3. Side yard	5 ft. minimum
<u>Exceptions:</u> Townhouse – End Unit Townhouse – Interior Unit	0 ft. one side; 5 ft. opposite side 0 ft. both sides
4. Side and Rear Yard abutting a RS-6 or RS-9 Zone	10 ft. minimum

Table 3.3-3 – RS-12 Zone Development Standards	
	Standard
5. Exterior Side Yard and Rear Yard abutting a street	10 ft. minimum
See also "I" below.	Cottage Cluster development standards are modified by Section 4.10.55 – Standards for Cottage Clusters
⁴ See Section 4.9.50.02 – General Exceptions to Minimum Setback Standards	
⁵ Determination of the location of the front yard and front lot line on Flag Parcels and Lots / Parcels with Alley-only Access will be made using the provisions in Sections 4.9.50.03 and 4.9.50.04.	
⁶ increase minimum setback to comply with Vision Clearance – see Section 4.1.30.c	
[...]	

Section 11.

Section 3.4.50 – RS-20 DEVELOPMENT STANDARDS
3.4.50.01

Table 3.4-3 – RS-20 Zone Development Standards	
	Standard
[...]	
e. Setbacks ^{2 4}	
1. Front ³	10 ft. minimum 25 ft. maximum; interior buildings within a development are exempt from this requirement.
2. Side Yard	5 ft.
<u>Exceptions:</u> Townhouse – End Unit Townhouse – Interior Unit	
	0 ft. one side; 5 ft. opposite side 0 ft. both sides
Side Yard Adjacent to RS-6, RS-9, or RS-12 Zone	
3. Rear Yard	10 ft.
<u>Exceptions:</u> Rear Yard Adjacent to RS-6, RS-9, or RS-12 Zone	
	10 ft.
4. Exterior Side Yard and Rear Yard abutting a street	10 ft. minimum
See also "I" below.	Cottage Cluster development standards are modified by Section 4.10.55 – Standards for Cottage Clusters.

Table 3.4-3 – RS-20 Zone Development Standards	
	Standard
² See Section 4.9.50.02 – General Exceptions to Minimum Setback Standards	
³ Determination of the location of the front yard and front lot line on Flag Parcels and Lots / Parcels with Alley-only Access will be made using the provisions in Sections 4.9.50.03 and 4.9.50.04.	
⁴ increase minimum setback to comply with Vision Clearance – see Section 4.1.30.c	
[...]	

Section 12.

Section 3.5.50 – Table 3.5-3 – General RMU Zones Development Standards
[...]

[...]	
Off-Street Vehicle and Bicycle Parking	See Chapter 4.1
[...]	

Section 13.

3.6.50.03 - MUR Development Standards
[...]

Table 3.6-3 – MUR Zone Development Standards	
	Standard
[...]	
c. Setbacks ^{1 3}	
1. Front ²	No minimum 15 ft. maximum; interior buildings within a development are exempt from this requirement; additions to existing buildings are exempt from this requirement
2. Rear yard	10 ft. minimum
3. Side yard	None
4. Side and rear yard adjacent to RS-6 zone	10 ft. minimum
5. Exterior side yard	None

Table 3.6-3 – MUR Zone Development Standards	
	Standard
See also “j” below.	Cottage Cluster development standards are modified by Section 4.10.55 – Standards for Cottage Clusters.
¹ See Section 4.9.50.02 – General Exceptions to Minimum Setback Standards	
² Determination of the location of the front yard and front lot line on Flag Parcels and Lots / Parcels with Alley-only Access will be made using the provisions in Sections 4.9.50.03 and 4.9.50.04.	
³ increase minimum setback to comply with Vision Clearance – see Section 4.1.30.c	
[...]	

Section 14.

Section 3.10.70 – ADDITIONAL DEVELOPMENT STANDARDS

a. Design Menu - Development must incorporate a minimum of five of the following menu options:

1. Provided vehicle parking is located in a parking structure (above and/or below grade);
2. Provided parking arranged in small clusters of not more than 16 spaces in one cluster;
3. Increase in landscaped area to 15 percent of the lot area;
4. Provide trees on the site greater than 1.5-in. caliper as measured four ft. above finished grade;
5. Provide shrubs greater than the size typically found in gallon containers upon installation;
6. Provide either dedicated open space or quasi-public open space protected through scenic or view easements, deed restrictions, special setback requirements, and restriction of tree cutting, etc., of 20 percent greater than that already provided through the 35 percent requirement in “a,” above; and/or
7. Provide at least 15 percent more bicycle parking facilities than that required in Chapter 4.1 - Parking, Loading, and Access Requirements. This may be achieved by providing more spaces and/or increasing the covered area.

[...]

Section 15.

Section 3.11.60 – Table 3.11-3 – General CMU Zones Development Standards

[...]

[...]	
Off-Street Vehicle and Bicycle Parking	See Chapter 4.1
[...]	

Section 16.

Section 3.12.40 – PERMITTED USE TYPES

Table 3.12-2 – GC Zone Permitted Use Types		
“P” – Primary use permitted outright. “CD” – Primary use subject to approval in accordance with Chapter 2.3 – Conditional Development. “PCR” – Primary use subject to approval in accordance with Chapter 2.13 – Plan Compatibility Review “A” – Accessory use permitted outright.		
Use	P, CD, or A	Use-Specific Provisions
[...]		
Commercial Use Types		
[...]		
Automotive and Equipment	P	
[...]		

Section 17.

Section 3.17.50 – GENERAL CBF DEVELOPMENT STANDARDS

Table 3.17-3 – General CBF Zones Development Standards	
[...]	
Off-Street Vehicle and Bicycle Parking	See Chapter 4.1 – Parking, Loading, and Access Requirements
[...]	

Section 18.

Section 3.20.40 – Table 3.20-2 – LI-O Zone Permitted Use Types

[...]

[...]	
Commercial Use Types	
[...]	
Financial, Insurance, and Real Estate Services	P

[...]	
Laundry - industrial laundry and cleaning services only	P
Parking Lot Kiosk	P
Professional and Administrative Services	P
Repair Services - Industrial or business-related only	P
Research Sales and Services - when ancillary to a Primary Use	P
[...]	

Section 19.

Section 3.21.20 - PERMITTED USES

3.21.20.01 - Ministerial Development

[...]

b. Accessory Uses Permitted Outright

1. Essential Services
2. One residence per development site - developed simultaneously with or following development of Primary and Accessory Uses permitted outright.
3. Other development customarily incidental to the Primary Use in accordance with Chapter 4.3 - Accessory Development Regulations.
4. Colocated/attached Wireless Telecommunication Facilities on multi-family residential structures, three or more stories and that do not increase the height of the existing structures by more than 17 ft. for whip antennas, including mounting, or by 10 ft. for all other antennas, subject to the standards in Chapter 4.9 - Additional Provisions.
5. Colocated/attached Wireless Telecommunication Facilities on nonresidential structures that do not increase the height of the existing structures by more than 17 ft. for whip antennas, including mounting, or by 10 ft. for all other antennas, subject to the standards in Chapter 4.9 - Additional Provisions.
6. Garden
7. Community Garden – only as an accessory use to Civic Use Types, and subject to the provisions in Section 4.9.90 of Chapter 4.9 – Additional Provisions

Section 20.

3.21.30.06 - Off-Street Parking Facilities

If provided, off-street parking must meet the requirements of Chapter 4.1 - Parking, Loading, and Access Requirements.

Section 21.

Section 3.22.20 - PERMITTED USES

3.22.20.01 - Ministerial Development

[...]

- b. Accessory Uses Permitted Outright
 - 1. Essential Services
 - 2. Other development customarily incidental to the Primary Use in accordance with Chapter 4.3 - Accessory Development Regulations.
 - 3. Colocated/attached Wireless Telecommunication Facilities on nonresidential structures that do not increase the height of the existing structures by more than 20 ft., subject to the standards in Chapter 4.9 - Additional Provisions.
 - 4. Garden
 - 5. Community Garden – only as an accessory use to Civic Use Types, and subject to the provisions in Section 4.9.90 of Chapter 4.9 – Additional Provisions

Section 22.

3.22.30.06 - Off-Street Parking Facilities

If provided, off-street parking must meet the requirements of Chapter 4.1 - Parking, Loading, and Access Requirements.

Section 23.

Section 3.23.20 – PERMITTED USES

3.23.20.01 - Ministerial Development

[...]

- b. Accessory Uses Permitted Outright
 - 1. Essential Services
 - 2. Other development customarily incidental to the Primary Use in accordance with Chapter 4.3 - Accessory Development Regulations.
 - 3. Colocated/attached Wireless Telecommunication Facilities on nonresidential structures that do not increase the height of the existing structures by more than 20 ft., subject to the standards in Chapter 4.9 - Additional Provisions.
 - 4. Garden
 - 5. Community Garden – only as an accessory use to Civic Use Types, and subject to the provisions in Section 4.9.90 of Chapter 4.9 – Additional Provisions

Section 24.

3.23.30.05 - Off-Street Parking Facilities

If provided, off-street parking must meet the requirements of Chapter 4.1 - Parking, Loading, and Access Requirements.

Section 25.

Section 3.25.30 – Table 3.25-1 – Permitted Use Types
 [...]

[...]	
h. Accessory Uses [...]	
4. Off-street parking in accordance with Chapter 4.1 - Parking, Loading, and Access Requirements [...]	P
[...]	

Section 26.

3.25.50.04 - Off-street Parking

When provided, off-street vehicle parking must comply with Chapter 4.1 - Parking, Loading, and Access Requirements.

Section 27.

Section 3.27.30 - PERMITTED USES

3.27.30.01 - Ministerial Development

[...]

- b. Accessory Uses Permitted Outright
 - 1. Essential Services
 - 2. Day Care, Family
 - 3. Home Business - when conducted in conjunction with a Permitted Residential Use
 - 4. Off-street parking in accordance with Chapter 4.1 - Parking, Loading, and Access Requirements
 - 5. Other development customarily incidental to the Primary Use in accordance with Chapter 4.3 - Accessory Development Regulations
 - 6. Colocated/attached Wireless Telecommunication Facilities on multi-family residential structures, three or more stories and that do not increase the height of the existing structures by more than 17 ft. for whip antennas, including mounting, or by 10 ft. for all other antennas, subject to the standards in Chapter 4.9 - Additional Provisions.
 - 7. Colocated/attached Wireless Telecommunication Facilities on nonresidential structures that do not increase the height of the existing structures by more than 17 ft. for whip antennas, including mounting, or by 10 ft. for all other antennas, subject to the standards in Chapter 4.9 - Additional Provisions.
 - 8. Garden
 - 9. Market Garden - only as an accessory use to Residential Use Types and subject to the provisions in Section 4.9.90 of Chapter 4.9 – Additional Provisions
 - 10. Community Garden – only as an accessory use to Civic Use Types, and subject to the provisions in Section 4.9.90 of Chapter 4.9 – Additional Provisions

Section 28.

3.27.40.05 - Off-Street Parking

When provided, off-street parking must comply with the requirements of Chapter 4.1 - Parking, Loading, and Access Requirements.

Section 29.

Section 3.30.20 - PERMITTED USES

3.30.20.01 - Ministerial Development

[...]

b. Accessory Uses Permitted Outright

[...]

5. Off-street parking for Uses permitted in this Zone in accordance with Chapter 4.1 - Parking, Loading, and Access Requirements

Section 30.

Section 3.36.40.04 – Major Adjustments

A Major Adjustment is triggered if a proposal meets one or more of the following criteria:

- a. Modifies more than three of the dimensional standards in Section 3.36.60;
- b. Modifies any of the dimensional standards in Section 3.36.60 by more than 10 percent;
- c. Proposes a stand-alone parking lot or structure in a location not identified in Figure 7.3 - Future Parking Facilities, of the CMP;
- d. Proposes development with a gross square footage that is within the campus total development allocation but exceeds the maximum Sector allocation;
- e. Proposes development such that the amount of retained open space is consistent with the campus minimum open space requirement but falls short of the minimum requirement for the Sector. Requires a commensurate increase in open space allocation in another Sector;
- f. Is not consistent with the Transportation Improvement Plan in Chapter 6 of the CMP;
- g. Adds new land area to or subtracts land area from the CMP;
- h. Creates new CMP policies;
- i. Results in a change in Sector boundary or redistribution of development allocation between Sectors;
- j. Results in the cessation of intra-campus transit services - shuttle, bus, etc.;
- k. Proposes a change in use for any of the parcels associated with the College Inn/ Gem Apartments (Tax Lots 9800, 9900, and 11400);
- l. Proposes development in Sector J for building floor area in excess of 254,100 sq. ft.; or
- m. Proposes a new building within the 100-ft. transition area on the northern boundary of Sector A, B, and/or C from the western boundary of Sector A to 26th Street. In order to create a graceful

edge between the campus and northwest neighborhoods, any proposed building subject to this Section is subject to the following criteria:

1. Maximum building height is 35 ft. provided the following is satisfied: shadows from the new buildings must not shade more than the lower four ft. of a south wall of an existing structure on adjacent property between 10 a.m. and 2 p.m. on March 21;
2. Structures must not have a continuous horizontal distance exceeding 60 ft. along the boundary;
3. Along the vertical face of a structure, off-sets must occur at a minimum of every 20 ft. by providing any two of the following:
 - a) Recesses of a minimum depth of eight ft.;
 - b) Extensions a minimum depth of eight ft., a maximum length of an overhang must be 25 ft.;
 - c) Off-sets or breaks in roof elevations of three or more ft. in height.
4. Building materials must be consistent with the OSU standards for such materials, and must also be compatible with adjacent residential houses and structures;
5. New development must be designed to minimize negative visual impacts affecting the character of the adjacent neighborhood by considering the scale, bulk and character of the nearby structures in relation to the proposed building or structure;
6. Roofs must be gabled or hip type roofs, minimum pitch 3:1, with at least a 30-in. overhang and using shingles or similar roof materials;
7. A vegetative buffer must be installed in a manner consistent with Section 3.36.60.06.c;
8. Outdoor building components such as transformers and other types of mechanical equipment that produce noise are not permitted within the required setback;
9. Buildings proposed for the Transition Area described within this Section that are in an area adjacent to the College Hill West Historic District must have an advisory review completed by the Historic Resources Commission (HRC), or its successor. The HRC will provide comment and recommendations to the Planning Commission for consideration; and
10. Trash dumpsters, gas meters, and other utilities and or mechanical equipment serving a building or structure must be screened in accordance with Section 3.36.60.14.

Section 31.

Section 3.36.60.08 – Vehicle Parking Facilities

- a. Vehicle parking facilities must comply with the standards in Chapter 4.2.
- b. Vehicle parking facilities may be constructed as stand-alone (Parking Services Use Type) projects and/or accessory to another permitted use.
- c. The location of vehicle parking facilities constructed as stand-alone (Parking Services Use Type) projects must be consistent with Figure 7.3 - Future Parking Facilities, of the CMP.
- d. New development in Sectors A through H may construct additional vehicle parking facilities in any of the Sectors A through H, provided the OSU campus shuttle is operational.

- e. If the OSU campus shuttle ceases to operate, new development is subject to the provisions of Section 3.36.40.02.
- f. Except for stand-alone vehicle parking facilities permitted under “b” and “c” in this Section, vehicle parking must be located to the rear or side of buildings.
- g. On-street parking facilities are permitted subject to the provisions of Section 3.36.60.18.

Section 32.

Section 3.36.60.13 – Bicycle Parking Facilities

- a. Bicycle parking must be provided with each development based on the assignable square footage (i.e., office, classroom, research facility, etc.) of a proposed development according to the bicycle parking quantities in Section 4.1.50.a.
- b. All bicycle parking must comply with the design requirements in Section 4.1.50.b.

Section 33.

Section 4.0.30 – PUBLIC AND PRIVATE PEDESTRIAN REQUIREMENTS

- a. The applicant must provide sidewalks along both sides of all streets, as follows:
 - 1. The applicant must provide sidewalks and planting strips consistent with standards in the Transportation System Plan.

Planting strips must be eliminated, or widths reduced, to minimize impacts to Natural Resource areas governed by Chapter 4.12 - Significant Vegetation Protection Provisions and Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Special Flood Hazard Areas governed by regulations in Chapter 2.11 - Floodplain Development Permit and Chapter 4.5 - Floodplain Provisions.
 - 2. Sidewalk Installation Timing - The timing of sidewalk installation is as follows:
 - a) The applicant must install sidewalks and planting strips along Arterial Highway, Arterial, Collector, and Neighborhood Collector Streets with street improvements.
 - b) Except as noted in "c" below, construction of sidewalks along Local and Local Connector Streets may be deferred until development of the site and reviewed as a component of the Building Permit. However, in no case may construction of the sidewalks be completed later than three years from the recording of the Final Plat. The obligation to complete sidewalk construction within three years will be outlined in a deed restriction on affected parcels and recorded concurrently with the Final Plat.
 - c) On Local and Local Connector Streets, where there is an existing sidewalk with insufficient planting strip width, the existing sidewalk may be retained provided the Street Improvements Implementation Process in the Transportation System Plan is followed and all of the following are met:
 - i. The proposed development is residential and does not exceed four dwelling units on a single Lot or Parcel;
 - ii. The applicant signs an irrevocable petition, consistent with the provisions in Section 4.1.30.b.2;
 - iii. Street trees are provided consistent with Section 4.2.30.a.1; and

- iv. The frontage of the Development Site is less than 100-ft.
- d) Where sidewalks on streets abut common areas, drainageways, or other publicly owned areas, or where off-site street extensions are required and sufficient right-of-way exists, the sidewalks and planting strips must be installed with street improvements.

Section 34.

Section 4.0.60 - PUBLIC AND PRIVATE STREET REQUIREMENTS

[...]

- k. Location, grades, alignments, and widths for all public and private streets must be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided that the safety and capacity of the street network is not adversely effected. The following standards apply:
 - 1. Grading plans are required and must demonstrate that the proposal does not contain any grade changes (cuts or fills) that are inconsistent with the provisions of Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. Cut and fill is measured vertically from natural grade. The grading plan must identify all proposed cuts and fills and the associated grade changes in ft. to demonstrate adherence to this provision. Streets must be designed along natural contours.
 - 2. Location of streets in a Development Site must not preclude development of adjacent properties. Streets must conform to planned street extensions identified in the Transportation System Plan and/or provide for continuation of the existing street network in the surrounding area.
 - 3. Grades must not exceed six percent on Arterial Streets, 10 percent on Collector and Neighborhood Collector Streets, and 15 percent on Local and Local Connector Streets.
 - 4. As far as practicable, Arterial, Collector, and Neighborhood Collector Streets must be extended in alignment with existing streets by continuation of the street centerline. When staggered street alignments resulting in T intersections are unavoidable, they must leave a minimum of 200 ft. between the nearest edges of the two rights-of-way.
 - 5. Local street intersections must be located a minimum of 125 ft. from any other street intersection.
 - 6. Centerline radii of curves must not be less than 500 ft. on Arterial Streets; 300 ft. on Collector and Neighborhood Collector Streets; and 100 ft. on Local and Local Connector Streets.
 - 7. Streets must be designed to intersect at right angles and must comply with the following:
 - a) The intersection of an Arterial, Collector, or Neighborhood Collector Street with another Arterial, Collector, or Neighborhood Collector Street must have a minimum of 100 ft. of straight (tangent) alignment perpendicular to the intersection;
 - b) The intersection of a Local or Local Connector Street with another street must have a minimum of 50 ft. of straight (tangent) alignment perpendicular to the intersection;

- c) Where right-angle intersections are not possible, exceptions may be granted by the City Engineer provided that intersections have a minimum corner radius of 20 ft. along the right-of-way lines of the acute angle; and
 - d) All intersections must have a minimum curb corner radius of 20 ft.
8. Right-of-way and improvement widths must be as specified in the Transportation System Plan.
- Exceptions to this standard:
- Urban Commercial Street and Sidewalk Standards (Section 4.0.60.n), where on-street parking is provided
 - OSU Streets (Section 3.36.60.18)
9. Where streets must cross protected Natural Resources or Natural Hazards, street improvement widths must be minimized by reducing or eliminating on-street parking and planting strips
10. The vision clearance standards set forth in Section 4.1.30.c must be adhered to.

Section 35.

CHAPTER 4.1
PARKING, LOADING, AND ACCESS REQUIREMENTS

EDITOR'S NOTE:

Insert Table of Contents here with publication.

Section 4.1.10 - PURPOSES

The regulations in this Chapter are established to provide appropriate location and design of parking areas provided to serve Development. This Chapter also includes minimum requirements for off-street loading areas and minimum requirements for bicycle parking. The regulations in this Chapter also concern appropriate location, design, and capacity of accesses between properties and public rights-of-way, to implement the access management standards of the Transportation System Plan.

Section 4.1.20 - GENERAL PROVISIONS

- a. Provision and Maintenance of Vehicle Parking - The provision of a minimum number of off-street parking spaces for vehicles is not a requirement of this Code. However, when provided, facilities for off-street vehicle parking are subject to applicable City codes and standards, including the standards in this Chapter. Building or other Permits will only be issued after receipt of plans that show the location of parking facilities that are designed consistent with the applicable standards.

- b. Provision and Maintenance of Off-Street Loading Facilities - The provision of off-street loading facilities for vehicles is required pursuant to Section 4.1.40. Building or other Permits will only be issued after receipt of plans that show the location of loading facilities that are designed consistent with the applicable standards.
- c. Provision and Maintenance of Bicycle Parking Facilities - The provision of parking for bicycles is required pursuant to Section 4.1.50. Building or other Permits will only be issued after receipt of plans that show the location of bicycle parking that are designed consistent with the applicable standards.

Section 4.1.30 - STANDARDS FOR VEHICLE ACCESS, MANUEVERING, AND PARKING

All off-street parking facilities, vehicle maneuvering areas, driveways, loading facilities, and Accessways must be designed, paved, curbed, drained, striped, and constructed to the standards set forth in this Section and the Site Development Design Standards, as amended over time. A permit from the Development Services Division is required to construct parking, loading, private streets, and access facilities.

- a. Access to Arterial, Collector, and Neighborhood Collector Streets
 - 1. Off-street facilities must be designed and constructed with turnaround areas to prevent vehicle back-up movement onto Arterial Streets.
 - 2. Location of all accesses must be consistent with the access spacing standards of the Transportation System Plan, and are subject to review and approval by the City Engineer. Design and number of accesses must be consistent with the Design Criteria Manual.
 - 3. When developed property will be expanded or altered in a manner that affects on-site parking or circulation, both existing and proposed accesses will be reviewed under the standards in "2," above. As a part of an expansion or alteration approval, the City will require relocation and/or reconstruction of existing accesses not meeting those standards.
- b. Access to Substandard Streets – See Section 4.0.20 for associated street improvement requirements and exceptions.
 - 1. Development may occur on an existing substandard public street, when that development constitutes Infill. A condition of development will be to prepay the City for future street improvements according to current policies and procedures. This is required with approval of any of the following applications:
 - a) Land Divisions;
 - b) Conditional Developments;
 - c) Building Permits for new nonresidential construction or structural additions to nonresidential structures, except Accessory Development; and/or
 - d) Building Permits for new residential units.
 - 2. The City Engineer may allow the developer to sign an irrevocable petition for public street improvements in lieu of prepayment if it is determined that:

- a) Existing development along a particular street corridor is so extensive that the ability to fund a future street improvement project through the collection of prepayment fees is limited; or
 - b) Future improvement scenarios are uncertain to the extent that an estimate for street improvements cannot be generated with any degree of confidence; or
 - c) The street is listed as a Legacy Street per City Council Resolution 2017-13, or as amended.

- c. Vision Clearance - Except within the Commercial Mixed Use 3 (CMU-3) Zone, Vision Clearance Areas must be provided at the intersections of all streets and at the intersections of driveways and alleys with streets to promote pedestrian, bicycle, and vehicular safety.

- d. Backing or Maneuvering of Vehicles –
 - 1. Prohibitions - For developments with five or more surface parking spaces, vehicular backing or maneuvering movements are not permitted across public sidewalks or within any public street other than an alley, except as approved by the City Engineer.

The City Engineer may grant an exception based on an evaluation of constraints due to lot patterns and effects on the safety and capacity of the adjacent public street and on bicycle and pedestrian facilities.

 - 2. Minimum Driveway Length - Where vehicles will be backing out from a driveway to the public right-of-way, the length of the driveway must be a minimum of 19-ft. as measured from the sidewalk or future sidewalk. Where no sidewalk location has been established, the length of the driveway must be a minimum of 19-ft. as measured from the right-of-way.

- e. Parking Lot Landscaping and Lighting- Parking areas must include landscaping and lighting in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting and where specified by the Zone.

- f. Street Access Standards - Except where required for emergency vehicle and refuse / recycling collection vehicle access, driveway access points are not required by this Code. The standards of this section regulate driveway access points to streets. For the purpose of this section, a driveway access point is defined as any point where a private driveway accesses a public street. Any new or modified driveway access point requires a City development permit, and must comply with the standards of this Code, the Site Development Design Standards, Design Criteria Manual, and Transportation System Plan.

Due to potential conflicts with other requirements of this Code, including, but not limited to street tree requirements in Chapter 4.2 and utility spacing requirements, narrow lots and parcels with a limited Frontage dimension that are unable to establish a driveway access point at the Frontage, must provide desired access through rear or shared access points that can fully comply with all of the other requirements of this Code. This requirement to comply with all other requirements of

this Code applies to all lot Access scenarios, including the scenarios outlined in Section 4.1.30 “1” and “2” below.

1. Except where limited or prohibited by other regulations, driveway access point restrictions are as follows:
 - a) Driveway access point width must not exceed 40 percent of the lot’s street frontage width, up to a maximum of 20 feet (for residential building types with fewer than 5 dwelling units) or 24 feet (for all other development types).
 - b) Any interior lot with a front lot line dimension of less than 50 feet is limited to one driveway access point.
 - c) Single Detached, Duplex, Triplex, Fourplex and Townhome developments are limited to one driveway access point per lot.
 - d) Residentially-zoned Properties Abutting Alleys: For any residentially-zoned lot abutting an alley improved to city standards, any new vehicle access must be taken exclusively from the alley (see Figure 4.1-1).

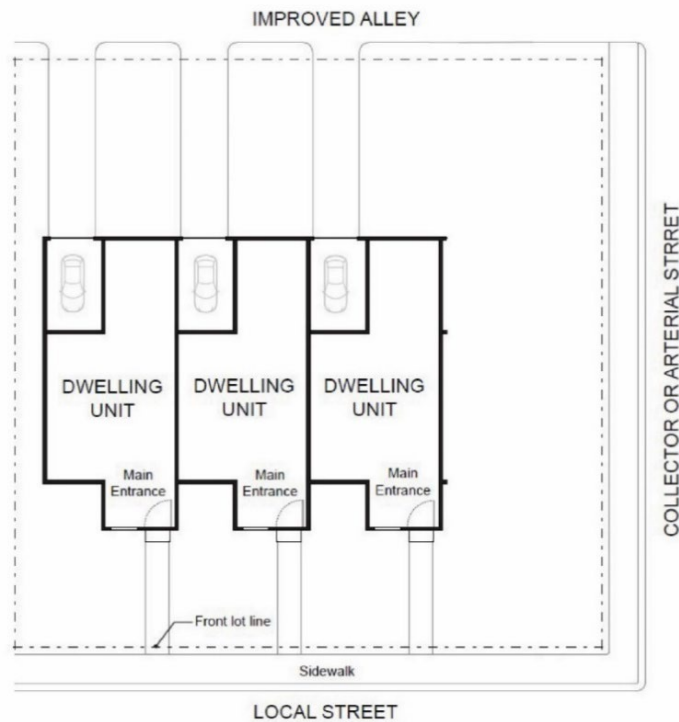
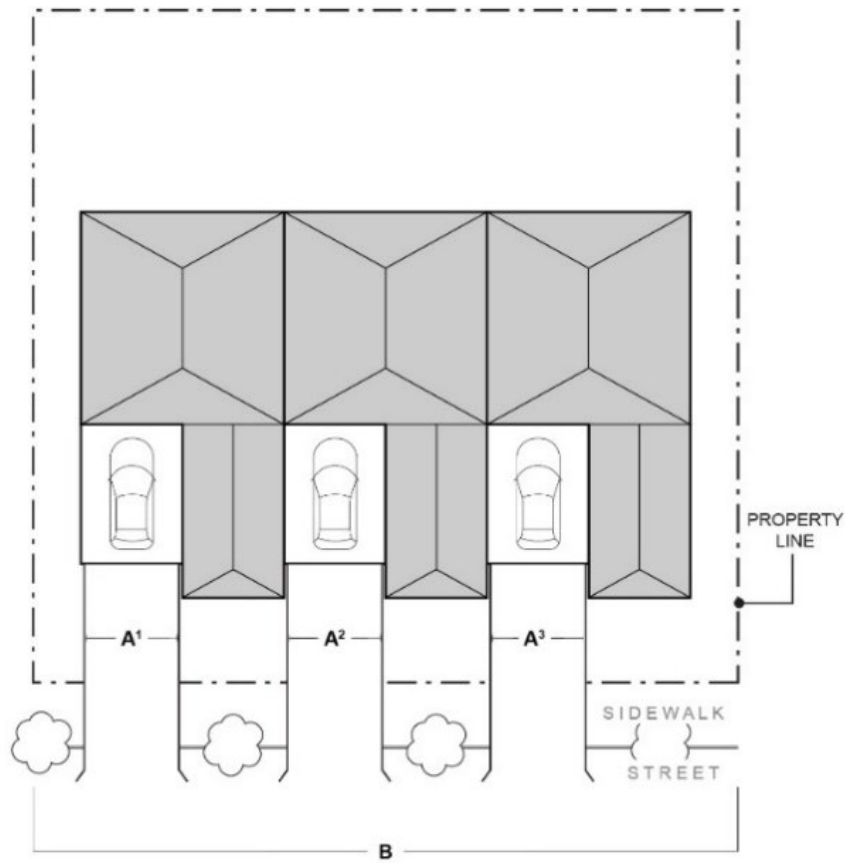


Figure 4.1-1

2. Restriction Exceptions: Exceptions to the above-listed driveway access point restrictions are as follows:
 - a) In lieu of one 20-ft. wide driveway access point, a Single Detached, Duplex, Triplex or Fourplex development on a corner lot may have two maximum 10-ft. wide driveway access points, one on each street frontage, provided both abutting

streets are classified as Local and all other applicable development standards can be met.

- b) A Triplex or Fourplex development may have multiple driveway access points if the following conditions are met:
- i. The development site does not abut an improved or paved alley;
 - ii. All driveway access points are taken from a Local street(s);
 - iii. A minimum separation of 20 feet is provided between driveway access points;
 - iv. Utility services are configured to allow for street tree planting in accordance with Chapter 4.2 standards;
 - v. The width for each individual driveway access point does not exceed 10 feet; and
 - vi. The combined width of all driveway access points (including on-site driveways and vehicle maneuvering areas) does not exceed a total of 50 percent of the street frontage (see Figure 4.1-2).



- (A) Garage and on-site parking and maneuvering areas
- (B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

Figure 4.1-2

- c) The 24-ft. maximum width for driveway access points serving nonresidential uses will be exceeded where the City Engineer determines additional drive aisles that provide turning lanes for site egress are necessary.
 - d) The 40 percent street frontage width limitation does not apply to driveways within a designated flag parcel Accessway.
3. Driveway access points are prohibited from First Street.
- g. Commercial Development – Shared Access between Sites via Parking Lots and/or Drives – An applicant of commercial and/or mixed use Development must extend new drive aisles to abutting commercially-zoned properties to reduce off-site traffic impacts and provide convenience for customers and delivery vehicles. The applicant must grant a shared access easement between the

abutting property and the public street that provides vehicular access to the Development Site. If Development occurs in a location where abutting properties have already provided shared access easements, the drive aisle connections and easements must be extended as part of the Development. Shared access easements between commercial and/or mixed use developments may be relocated upon consent of all parties, final approval by the City Engineer, and recording of new shared access easements.

- h. Climate Friendly Parking Design – An applicant proposing new Surface Parking Area for the Development Site that exceeds 21,780 sq. ft. (one-half acre) must provide at least one of the following:
1. Installation of solar panels with a generation capacity of at least 0.5 kilowatt for each new provided parking space on the Development Site. Solar panels may be located anywhere on the Development Site.
 2. Prior to issuance of site development permits, the applicant provides payment in an amount consistent with the City’s adopted fee schedule for each new provided parking space on the Development Site. Payments received will then be transmitted by the City into a fund managed by the Oregon Department of Energy dedicated to equitable solar and wind energy development.
 3. Supplemental Tree Canopy – Provide parking lot trees such that the total parking lot tree canopy covers at least 40% of new Surface Parking Area (excluding non-paved surfaces such as landscape or tree islands). Canopy of trees required per Chapter 4.2 – Landscaping, Buffering, Screening, and Lighting and canopy of existing trees that extends over the Surface Parking Area may count towards compliance with the 40% of Surface Parking Area standard. Tree canopy is measured at the projected growth rate 15 years after Development.

Exception for Public Buildings – Construction, reconstruction, or major renovation of a public building that involves actions to comply with Oregon Administrative Rule 330-135-0010 is not subject to this requirement for Climate Friendly Parking Design.

i. Location –

1. Location Relative to Buildings and Streets: Vehicle parking that is intended to be accessory to other Use Types must be located such that it does not separate buildings from streets.
Exceptions for Specific Use Types:
 - Household Residential: Single Detached, Duplex, Triplex, Fourplex, and Townhouse residential Development
 - Parking Services: Parking Services is considered a Civic or Commercial Primary Use, located on its own lot or parcel.
2. Location Relative to Primary Use Type: Vehicle parking that is intended to be accessory to other Use Types in residential zones must be located on the lot or parcel containing the Use Type, except where a Shared Parking Area is provided in conjunction with a Land Division and Section 2.4.90.07.

Vehicle parking that is intended to be accessory to other Use Types in other zones must be located on the lot or parcel containing the Use Type.

- j. Maximum Surface Parking Allowed – CMU Zones - The number of surface vehicle parking stalls provided on a Development Site in CMU Zones must not exceed the quantities for the specified Use Types in Table 4.1-1 – Maximum Surface Vehicle Parking in CMU Zones. Use Types not included in Table 4.1-1 are not subject to the maximum surface vehicle parking standard. See exceptions provided below in “j.1” and “j.2”.

When the calculated sum of the maximum surface vehicle parking spaces for all Use Types on a Development Site includes a fraction, the number of allowed spaces will be rounded down to the nearest whole number.

Table 4.1-1 – Maximum Surface Vehicle Parking in CMU Zones	
Development Type	Maximum Number of Surface Vehicle Parking Stalls
Residential Use Types	
Any permitted in the CMU Zones	No Maximum
Civic Use Types	
Any permitted in the CMU Zones	No Maximum
Commercial Use Types	
All other Commercial Use Types permitted in the CMU Zones and not listed below	5 spaces per 1000 sq. ft. of Gross Floor Area
Eating and Drinking Establishments	No Maximum
Participant Sports and Recreation	No Maximum
Spectator Sports and Entertainment	No Maximum
Industrial Use Types	
Any permitted in the CMU Zones	No Maximum

Exceptions to Maximum Parking Area:

1. Accessible Parking Exception - Required accessible spaces do not count toward the maximum parking spaces allowed pursuant to this Section.
2. Additional parking may be provided in excess of the surface vehicle parking maximum if the additional stalls are contained in a structure, including, but not limited to a parking deck, garage, or underground structure. If the first floor of a parking deck is at grade, the at grade parking underneath or on top of the parking structure is considered to be structured parking and not part of the Surface Parking Area.

- k. Structured Parking Required - For Commercial, Civic, and Industrial Development in all Zones, up to 200 vehicle parking stalls within the Surface Parking Area will be allowed for each Story of

structures within the development site. Parking in excess of the 200 stall per Story limit must be provided in a parking deck, garage, or underground structure. The maximum surface vehicle parking standards for the CMU Zones continue to apply.

1. Carpool and vanpool parking – New Commercial, Industrial, and Civic Developments that have more than 20 vehicle parking spaces intended for employee use must designate the following special purpose parking spaces:
 1. Parking designated for employee use must include preferential carpool and vanpool parking spaces.
 2. Five spaces or 5 percent of the designated employee-use parking spaces, whichever is less, must be designated as preferential carpool and vanpool parking spaces.
 3. Preferential carpool and vanpool parking spaces must be closer to the employee entrance(s) of the building than any other parking spaces, excepting ADA accessible parking spaces.
 4. Required carpool and vanpool spaces must be clearly marked “Reserved – Carpool/Vanpool Only.”

Section 4.1.40 - STANDARDS FOR OFF-STREET LOADING FACILITIES

- a. Quantity: Development of Commercial or Industrial Use Types with a gross floor area of 10,000 sq. ft. or more must provide at least one off-street loading facility consistent with the design requirements below. Provided off-street loading facilities must be utilized to prevent loading and unloading from public rights-of-way.
- b. Design Requirements: Off-street loading facilities must conform to the following standards:
 1. Each loading space must be at least 35 ft. by 10 ft. and have a minimum height clearance of 14 ft.;
 2. Sufficient space for turning and maneuvering of vehicles must be provided on the site in accordance with the standard specifications established by the City Engineer;
 3. Entrances and exits must be provided at locations approved in accordance with applicable City ordinances and state statutes;
 4. No on-site loading facilities are required where buildings abut a public alley, provided that loading operations can be conducted from the alley in accordance with applicable traffic and parking ordinances; and
 5. The applicant must provide screening and/or landscape buffering consistent with Chapter 4.2, to screen and/or buffer the facility from adjacent properties and street rights-of-way.

Section 4.1.50 - STANDARDS FOR BICYCLE ACCESS AND PARKING

All bicycle parking facilities required in conjunction with development must conform to the standards in this Section.

- a. Quantity

1. Bicycle Parking Spaces – A minimum of two bicycle parking spaces must be provided with development of each Use Type listed below, unless a greater amount is required per Table 4.1-2 – Bicycle Parking Requirements. Use Types not listed in Table 4.1-2 do not require associated bicycle parking.
2. Large Bicycle Parking Spaces – For Development that requires twenty or more bicycle parking spaces, a minimum of 5% of the required number of bicycle parking spaces, or one space, whichever is greater, must meet the large bicycle parking space dimensions provided in this Section.

Table 4.1-2– Bicycle Parking Requirements	
Use Types	Minimum Number of Bicycle Parking Spaces (GFA = Floor Area, Gross – see Section 1.6.30)
Residential	
Household Residential – Multi-dwelling (Five Dwellings or More)	
Studio or One-bedroom unit	1 space per unit
Two bedroom unit	1.5 spaces per unit
Three bedroom unit	2 spaces per unit
Four bedroom unit	3 spaces per unit
Five bedroom unit	4 spaces per unit
Group Residential	3 spaces per five residents ¹
Residential Care Facility	1 space per thirty residents, based on the maximum number of residents ¹
Civic	
Community Recreation Buildings	1 per 2,000 sq. ft. GFA
Cultural Exhibits	1 per 650 sq. ft. GFA
Group Assembly	1 per 500 sq. ft. (GFA of public assembly area only)
Library Services	1 per 3,500 sq. ft. GFA
Major Services and Utilities - Hospital	1 per 10,000 sq. ft. GFA
Public Safety Services	1 per 4,000 sq. ft. GFA
Schools	8 per classroom
Social Service Facilities	1 per 4,000 sq. ft. GFA
Commercial	
Agricultural Sales	1 per 4,000 sq. ft. GFA
Agricultural Services	1 per 4,000 sq. ft. GFA
Animal Sales and Services - Grooming	1 per 4,000 sq. ft. GFA

Animal Sales and Services - Veterinary	1 per 4,000 sq. ft. GFA
Automotive and Equipment – Car Wash	1 per 4,000 sq. ft. GFA
Automotive and Equipment - Fleet Storage	1 per 4,000 sq. ft. GFA
Automotive and Equipment – Heavy Equipment Repairs	1 per 8,000 sq. ft. GFA
Automotive and Equipment – Light Equipment Repairs	1 per 4,000 sq. ft. GFA
Automotive and Equipment – Farm Equipment Sales / Rentals	1 per 5,000 sq. ft. GFA
Automotive and Equipment – Heavy Equipment Sales / Rentals	1 per 8,000 sq. ft. GFA
Automotive and Equipment – Light Equipment Sales / Rentals	1 per 4,000 sq. ft. GFA
Automotive and Equipment - Storage of Non-operating Vehicles	1 per 4,000 sq. ft. GFA
Automotive and Equipment – Storage of Recreational Vehicles and Boats	1 per 4,000 sq. ft. GFA
Building Maintenance Services	1 per 4,000 sq. ft. GFA
Business Equipment Sales and Services	1 per 4,000 sq. ft. GFA
Business Support Services	1 per 4,000 sq. ft. GFA
Communications Service Establishments	1 per 4,000 sq. ft. GFA
Construction Sales and Services	1 per 4,000 sq. ft. GFA
Day Care, Commercial Facility	1 per 2,000 sq. ft. GFA
Eating and Drinking Establishments	1 per 500 sq. ft. GFA, or 1 space for every 40 fixed seats, whichever is greater
Explosive Storage	1 per 50,000 sq. ft. GFA
Financial, Insurance, and Real Estate Services	1 per 4,000 sq. ft. GFA
Fuel Sales	1 per 4,000 sq. ft. GFA
Funerals and Interment Services – Cremating and Undertaking	1 per 500 sq. ft. (GFA of public assembly area only)
Laundry Services	1 per 4,000 sq. ft. GFA
Lodging Services – Hotels / Motels	1 space for every 10 guest rooms

Medical Services	1 per 2,000 sq. ft. GFA
Participant Sports or Recreation	1 per 250 sq. ft. (GFA of public assembly area only)
Personal Services	1 per 4,000 sq. ft. GFA
Professional and Administrative Services	1 per 4,000 sq. ft. GFA
Repair Services, Consumer	1 per 4,000 sq. ft. GFA
Research Services	1 per 3,000 sq. ft. GFA
Retail Sales	1 per 4,000 sq. ft. GFA
Scrap Operations	1 per 4,000 sq. ft. GFA
Spectator Sports and Entertainment	1 per 250 sq. ft. (GFA of public assembly area only)
Technology and Support Services – Data Center	1 per 15,000 sq. ft. GFA, or 10% of total employees at largest shift, whichever is greater
Technology and Support Services – Except Data Center	1 per 1,500 sq. ft. GFA
Vocational or Professional Training	8 per classroom
Wholesaling, Storage, and Distribution	1 per 50,000 sq. ft. GFA
Industrial	
Limited Manufacturing	1 per 4,000 sq. GFA or 10% of number of employees on largest shift, whichever is greater
Technological Production, General Industrial, Intensive Industrial	1 per 10,000 sq. GFA or 10% of number of employees on largest shift, whichever is greater

Footnotes:

¹ capacity to be based on criteria set forth in the Oregon Structural Specialty Code

3. Alteration of Existing Structures and/or Change of Use- When an existing structure is altered and/or existing uses within the structure change, bicycle parking must be provided in the amount required for the resultant uses.
4. Mixed Uses - When several Uses occupy a Development Site, the total required bicycle parking is the sum of the requirements of individual Uses.
5. Fractions - When the calculated sum of the required bicycle parking spaces includes a fraction equal to or greater than one half of a space (0.5 or more), a full space is required. If the fraction is less than 0.5, an additional space is not required.

b. Design Requirements:

1. Location and Availability

- a) Bicycle parking required for all Use Types in all zones must be provided on the Development Site, with safe, convenient access to the public right-of-way.

Exception: Upon City Council creation of a Fee-in-Lieu program for bicycle parking, applicants may use the Fee-In-Lieu bicycle parking program, to allow for construction of bicycle parking in locations other than the Development Site.
- b) The applicant must provide pedestrian access between the bicycle parking area and the main entrance of the site's Primary Use.
- c) If the bicycle parking area is located within the vehicle parking area, it must be separated from vehicular maneuvering areas by curbing or other barriers to prevent damage to parked bicycles.
- d) A Curb Cut must be provided where a parking lot curb separates a bicycle driving surface from bicycle parking facilities.
- e) Where bicycle parking facilities are not directly visible or apparent from the public right-of-way, the applicant must provide entry and directional signs used to direct bicyclists to the facility. Signs must be designed, constructed and installed to the standards set forth in the Site Development Design Standards
- f) Bicycle parking facilities must be placed in a location convenient to the main entrance of the site's Primary Use.
- g) For security and convenience, exterior bicycle parking facilities must be located in areas visible from adjacent sidewalks and vehicle parking areas within the site.
- h) Required bicycle parking spaces must be unobstructed, and available for parking of bicycles of residents, customers, patrons, and employees.
- i) Applicants must provide unassigned bicycle parking area(s) for Development Sites containing Multi-dwelling units with more than 10 required bicycle parking spaces. The unassigned bicycle parking must consist of at least 15 percent of the total required parking spaces, to be located such that they are available for shared use by all residents, visitors, and staff within the development.

2. Bicycle Parking Space Dimensions

- a) Each bicycle parking space must have minimum dimensions of six ft. long by two ft. wide. The minimum width may be reduced for multiple abutting bicycle spaces as described in the City Engineer's standard bicycle construction specification.
- b) Each large bicycle parking space (example: cargo-style bikes) must have a minimum dimension of four ft. by ten ft.
- c) Overhead clearance in covered areas must be at least seven ft. This provision does not apply to bicycle lockers.
- d) A minimum five ft.-wide aisle must be provided beside or between each row of bicycle parking.

3. Enclosures and Racks

- a) Bicycle parking facilities must include lockable enclosures (lockers or spaces within secure buildings) in which the bicycle is stored, or stationary objects (racks) to which bicycles may be locked.
 - b) Lockers and racks must be securely anchored to the pavement or a structure.
 - c) Bicycle racks and covered bicycle parking must be consistent with the standards of the City Engineer.
4. Covering
- a) At least 50 percent of the required bicycle parking must be covered unless the facility is in a public park, or the Commercial Mixed Use 3 (CMU-3) Zone.
 - b) On Development Sites where a percentage of provided vehicle parking is covered, the same percentage of required bicycle parking must be covered. However, the minimum amount of covered bicycle parking specified in Section 4.1.50.b.4.a above must be provided.
 - c) Covering for bicycle parking facilities must be permanent and provide protection from precipitation.
 - d) Covering may be provided by an independent outdoor structure, a parking garage, a wide roof overhang, or a wide awning. Bicycle parking facilities may also be located within buildings, provided the other requirements of this Section are met.

5. Lighting

For security and convenience, the applicant must provide lighting in bicycle parking areas such that the facilities are thoroughly illuminated and visible from adjacent sidewalks and vehicle parking areas during all hours of use. Lighting must be consistent with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.

Section 36.

Section 4.2.30 - REQUIRED TREE PLANTINGS AND MAINTENANCE

a. Tree Plantings -

Tree plantings in accordance with this Section are required for:

- Street Trees within planting strips along public and private street frontages
- Parking lots

1. Street Trees -

- a) Along streets, applicants must plant trees in designated landscape planting strips. If street trees are required and City-standard planting strips are not provided, the applicant must utilize the “Tree for a Fee” program in order to satisfy the street tree requirements of this Code. If City-standard planting strips are not available

for tree planting due to tree / utility spacing conflicts as identified in Section 4.2.30.b, the applicant may utilize the “Tree for a Fee” program in order to satisfy the street tree requirements of this Code. Alternatively, the applicant can relocate the utility line and/or other features, in order to install the required street trees consistent with the spacing standards in Section 4.2.30.b.

An exception to street tree requirements applies in cases where planting strips have been eliminated from a street due to a protected Natural Features area(s), as required in Chapter 4.0 of this Code, in which case no street trees are required for the segment of street crossing the protected Natural Features area(s).

- b) Along all streets with planting strips in excess of eight ft. wide and where power lines are located underground, a minimum of 80 percent of the street trees must be large canopy trees.
- c) Planting strips on Local Connector and Local Streets must be planted with medium canopy trees.

Exception: Trees to be planted under or near power lines must be selected so as to not conflict with power lines at maturity. In this case, small canopy trees must be used.

- d) The distance between required street trees is determined by the type of tree used and its anticipated canopy size at maturity. See Table 4.2-1 - Street Trees.

Table 4.2-1 - Street Trees

Small-canopy trees	Maximum 20 ft. on-center spacing
Medium-canopy trees	Maximum 30 ft. on-center spacing
Large-canopy trees	Maximum 40 ft. on-center spacing

- 2. Parking Lot Trees– The applicant must provide trees within parking lots that contain eight or more vehicle spaces. Trees must be provided in the following locations.

- a) Tree Planting Islands – Tree planting islands are required for parking lots containing eight or more vehicle spaces as follows:

Table 4.2-2 - Parking Lot Trees within Tree Planting Islands

Medium-canopy trees	Minimum one tree planting island for each 8 vehicle spaces provided
Large-canopy trees	Minimum one tree planting island for each 12 vehicle spaces provided

Each tree planting island within parking lots must -

- i. Include one or more parking lot trees;
- ii. Be a minimum length of ten ft. at its smallest dimension, with sufficient additional dimension to accommodate the soil area and volume necessary to comply with Section 4.2.30.e;

- iii. Include at least 180 sq. ft. of ground area per tree to allow for root aeration;
- iv. Include raised concrete curbs around the perimeter; and
- v. Be located so that tree islands break up the parking area into rows of not more than 8 contiguous vehicle spaces (medium-canopy trees) or 12 contiguous vehicle spaces (large-canopy trees).

- b) Walkway Trees– Where other provisions of this Code require walkways within or through parking lots, the applicant must provide trees along the walkways at a rate of one tree per 40 linear ft. of walkway.
- c) Driveway Trees - The applicant must provide trees along both sides of driveways that connect to or through parking lots at a rate of one tree per 40 linear ft. of driveway.
- d) Buffer Planting Areas – The applicant must provide a sufficient quantity of trees within the parking lot perimeter landscaping buffers required per Section 4.2.40.a, to satisfy the Tree Canopy Coverage standard in Section 4.2.30.a.2.e, below.
- e) Tree Canopy Coverage - The combination of all required parking lot trees in Section 4.2.30.a.2 must result in a minimum Tree Canopy Coverage of 20% of new Surface Parking Area (excluding non-paved surfaces such as landscape or tree islands). Canopy of existing preserved trees that extends over the new Surface Parking Area may count towards meeting this requirement. Tree Canopy is measured at the projected growth rate 15 years after Development.

Exception: The 20% Tree Canopy Coverage Standard does not apply where the applicant chooses to install solar panels per Section 4.1.30.h.1.

b. Areas Where Trees May Not be Planted:

- 1. Within 10 ft. of fire hydrants and utility poles;
- 2. Within 20 ft. of street light poles;
- 3. Within 5 ft. of a driveway Curb Cut;
- 4. Within 10 ft. of a public sanitary sewer, storm drainage, or water line;
- 5. Trees may not block traffic signs or traffic signals. The minimum distance of trees from STOP signs in planter strips is 30 ft. on Local and Local Connector streets, and 50 ft. on Arterial, Collector, and Neighborhood Collector streets; and
- 6. Where the Director determines the trees may be a hazard to the public interest or general welfare.

Exceptions to the above spacing standards may be considered by the City Engineer on a case-by-case basis.

- c. Tree Maintenance Near Sidewalks and Paved Surfaces - Trees must be pruned to provide a minimum clearance of eight ft. above sidewalks and 12 ft. above street and roadway surfaces. Trees must be pruned in accordance with the American National Standards Institute (ANSI) A300 standards for Tree Care Operations.
- d. Trees Planted near Weather Protection - Where street trees are required in combination with weather protection features such as awnings, the trees must be allowed to grow and their canopies

trimmed above the weather protection features. Such trimming must be in accordance with the American National Standards Institute (ANSI) A300 standards for Tree Care Operations.

- e. Tree Planting Standards and Soil Preparation - Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil and space for root growth, according to the needs of the species. To meet this standard, each required tree must be provided with a minimum of 700 cubic feet (medium canopy species) or 1,050 cubic feet (large canopy species) of planting area. Planting must comply with the City's standard construction detail for tree planting.

Section 37.

4.5.100.02 - Parking Limitation - to Reduce Impervious Surface Area in the Floodplain

a. Where permitted, expansion, redevelopment, or Development of a parking lot containing four or more parking spaces within any portion of the Floodway Fringe is limited to 50 percent of the maximum amount of parking allowed per Chapter 4.1 - Parking, Loading, and Access Requirements., unless "1," or "2," below, is true. In Zones where the maximum amount of parking standard does not apply, all new parking must comply with "1" or "2" below.

1. Be constructed of appropriate pervious materials approved by the City Engineer; or
2. Be contained in a multi-story structured parking facility with at least 50 percent of the provided parking located above ground level and utilizing Flow-through Design.

b. Compact Spaces - Where parking lots are permitted in the Floodway Fringe:

1. 40 percent of the parking spaces within new and redeveloped parking lots must be compact spaces; and
2. If existing parking lots within the Floodway Fringe are permitted to expand, per the provisions of this Chapter, all additional parking spaces created in the expanded parking lot must be compact spaces, until the 40 percent threshold in "1," above, is reached for the overall parking lot.

[...]

Section 4.5.120 - SUBDIVISIONS, PARTITIONS, AND PROPERTY LINE ADJUSTMENTS

Subdivisions and Partitions that would create parcels or lots that cannot be developed in conformance with the regulations contained in this Chapter are prohibited, with the exception of lots created for public park purposes. See Section 4.5.90.03.

Property Line Adjustments that would result in properties that cannot be developed in conformance with the regulations contained in this Chapter are prohibited, with the exception of Property Line Adjustments affecting public parks. See Section 4.5.90.03.

Section 38.

Section 4.8.70 - SITE DEVELOPMENT STANDARDS

a. Parking and Accessways -

1. Parking – When provided, off-street parking facilities must be constructed in accordance with Chapters 4.1 - Parking, Loading, and Access Requirements.

[...]

Section 39.

Section 4.9.40 - ACCESSORY DWELLING UNITS

Accessory Dwelling Units, hereafter called ADUs, are subject to the standards listed below:

- a. The subject property is required to be a legally created lot, parcel, or lot of record that contains, or is proposed to contain via an active building permit, a dwelling unit or dwelling units. There is no minimum lot area or width required in order to develop an ADU.
- b. The ADU must not exceed 900 square feet of floor area, or 85 percent of the primary dwelling's floor area, whichever is less. The primary dwelling unit on a lot with multiple dwelling units is the dwelling unit with the greatest floor area.
- c. The proposed ADU must meet City and Building Code water, sewer, and storm drainage regulations and standards.
- d. The ADU must meet the height, lot coverage, and Green Area standards of the underlying zone as applicable to the primary dwelling unit, except that there is no Private Outdoor Space requirement for an ADU.
- e. The ADU must meet the setback standards of the underlying zone as applicable to the primary dwelling unit, with exception of the following:
 1. ADUs are not subject to maximum front yard setbacks; and
 2. A detached ADU located on a Townhouse lot must maintain a minimum interior side yard setback of 5 feet from all interior side lot lines, regardless of setback standards applicable to the primary dwelling. Note that the minimum exterior side yard setback must be maintained in accordance with the underlying zone.
- f. Only one ADU is allowed on a lot, parcel, or lot of record.
- g. An ADU may not encroach on a utility easement regardless of setback standards or the exceptions in "e" above.

Section 4.9.50 – EXCEPTIONS TO BUILDING HEIGHTS AND PROJECTIONS

[...]

4.9.50.02 - General Exceptions to Minimum Setback Standards -

Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, fireplaces, and flues may project up to three ft. into a required yard, provided that a minimum 30 in. setback is maintained from any property line. However, architectural features must not be located within a Vision Clearance Area as defined by Section 4.1.30.c, nor within franchise utility or other public easements. For the purposes of this Section, Architectural Features must not include any portion of a structure built for the support, conveyance, occupancy, shelter, or enclosure of persons, chattels, or property of any kind.

Within residential zones, unenclosed porches may encroach to within 7 feet of front and/or exterior side yard property lines, but must not be located within a Vision Clearance Area as defined by Section 4.1.30.c.

[...]

Section 4.9.60 - WIRELESS TELECOMMUNICATION FACILITIES

[...]

4.9.60.02 - Standard Requirements -

All Wireless Telecommunication Facilities must demonstrate compliance with the following standard requirements prior to a City-required final inspection. Only alternative setbacks and spacing requirements are allowed, provided they are approved under the Conditional Development process in accordance with Chapter 2.3 - Conditional Development.

[...]

- k. Site Access - Site access is subject to the provisions in Section 4.1.30 of Chapter 4.1 - Parking, Loading, and Access Requirements. The facility operator must implement measures to prohibit unauthorized site access.

[...]

Section 4.9.100 – MIXED USE BUILDING INCENTIVES

- a. As specified in subsection “b”, Mixed Use Buildings may be granted an 18-ft. bonus to the maximum structure height established in the Zone.
- b. In order to gain the benefits in subsection “a”, a Mixed Use Building must feature the following:
 - 1. At least 50% of the first floor Gross Floor Area must be occupied by nonresidential uses, which may include uses that are accessory to nonresidential uses, and;
 - 2. The cumulative upper-floor Gross Floor Area that is occupied by residential uses, including uses that are accessory to residential uses, is equal to at least 100% of the first floor Gross Floor Area.

Section 40.

4.10.55.05 - Vehicle Parking and Design Standards

- a. When provided, off-street parking must be constructed consistent with Chapter 4.1 – Parking, Loading, and Access Requirements.

[...]

4.10.70.01 - Applicability

- a. All new commercial, industrial, and civic building types and associated features, such as parking lots, within all zones that refer to Section 4.10.70 must comply with Sections 4.10.70.02 through 4.10.70.05. Buildings associated with stand alone Automotive and Equipment - Car Wash, Fuel Sales, and Wholesale, Storage, and Distribution - Mini Warehouses use types are not required to comply with these Sections.
- b. Independent or cumulative expansions of a commercial, industrial, or civic structure in existence and in compliance with this Code on December 31, 2006, or constructed after December 31, 2006, pursuant to a valid Conceptual or Detailed Development Plan approved on or before December 31, 2006, are not required to comply with this section provided that:
 - 1. The expansion adds floor area of 500 sq. ft. or less; or
 - 2. The expansion adds floor area of 3,000 sq. ft. or less and is equivalent to 20 percent or less of the existing structure's gross floor area.
- c. Independent or cumulative expansions of a commercial, industrial, or civic structure in existence and in compliance with the Code on December 31, 2006, or constructed after December 31, 2006, pursuant to a valid Conceptual or Detailed Development Plan approved on or before December 31, 2006, must comply with the requirements of Sections 4.10.70.02 through 4.10.70.05, subject to the provisions in "d," below, that allow choices among some standards, provided that:
 - 1. The expansion adds floor area of more than 3,000 sq. ft.; or
 - 2. The expansion adds floor area of more than 500 sq. ft. and is equivalent to more than 20 percent of the existing structure's gross floor area.
- d. Pedestrian oriented design requirements for commercial, industrial, or civic structure expansions identified in Section 4.10.70.01.c, above, are as follows:
 - 1. Applicants must choose at least four standards from Sections 4.10.70.02 - Building Orientation and 4.10.70.03 - Pedestrian Circulation Standards, with a minimum of one standard from each. This criterion does not apply if the expansion/enlargement is an upper story addition only. If the expansion/enlargement is for space not open to customers or to the public, applicants must choose only one standard from Section 4.10.70.02 and two standards from Section 4.10.70.03.
 - 2. New parking must comply with the Vehicle Circulation and Design Standards in Sections 4.10.70.04.a.2 and 4.10.70.04.b. For new drive-throughs, Section 4.10.70.04.c applies.
 - 3. Applicants must choose the option in Section 4.10.70.05.b.2.a or the option in Section 4.10.70.05.b.2.b.
 - 4. Applicants must choose at least two of the five standards from Section 4.10.70.05.b.3.a through 4.10.70.05.b.3.e. If the expansion/enlargement is for space not open to customers or to the public, applicants must choose only one standard from Section 4.10.70.05.b.3.a through 4.10.70.05.b.3.e.
- e. The required standards applicable to expansions must be applied either to the portion of the building being expanded, or in equal proportion to portions of the original building not in compliance with respect to the standard. For example, where windows may be required, but the security of a proposed storage room is needed, the applicant may install

windows on other portions of the building not in compliance with the window provisions to satisfy the requirements.

- f. Accessory Structures not open to customers or the public, and modular classroom buildings on school grounds, are not required to comply with this section provided that:
 - 1. The Accessory Structure is not located between the primary building and the street to which that building is oriented; and either
 - a) The building is 500 sq. ft. or less in size; or
 - b) The building is 3,000 sq. ft. or less in size and is equivalent to 20 percent or less of the primary structure's gross floor area.

[...]

4.10.70.03 - Pedestrian Circulation Standards

[...]

b. Additional Requirement for New Development and Additional List of Options for Expansions of a Commercial, Industrial, or Civic Structure, Consistent with Section 4.10.70.01.d.1 - Except in the Commercial Mixed Use (CMU) and Residential Mixed Use (RMU) Zones, an applicant proposing new Commercial, Industrial, or Civic development must include one of the following six design options. Applicants may add this list of choices to those presented in Section 4.10.70.03.a to obtain a larger list of options, to comply with the requirements of Section 4.10.70.01.d.1.

Design Options:

- 1. Curb Cut Consolidation - Removal of at least one existing Curb Cut through outright removal or access consolidation, such that the net number of Curb Cuts for the Development Site is at least one fewer than prior existing conditions.
- 2. Increased Landscape Buffer for Existing and New Vehicle Parking Areas - Construction or expansion of a landscape buffer for a parking, loading, and vehicle maneuvering area that exceeds the minimum width required in Section 4.2.40.a. The constructed or expanded landscape buffer must be a minimum of 20 ft. wide for its full length.
- 3. Photovoltaic Solar Installation for Surface Parking Areas Less Than 1/2 Acre - The Development Site contains less than 1/2 acre of Surface Parking Area, and the applicant installs photovoltaic solar panels with a generation capacity of at least 0.5 kilowatt per provided parking space on the Development Site.
- 4. Covered Walkways - Installation of weather protection resulting in covered pedestrian walkways between and around all buildings and between the primary building and adjacent public pedestrian facilities. This option does not require covered pedestrian walkways along any facade without a pedestrian entrance.
- 5. Street Median Improvements and Waiver of Remonstrance - Where development is proposed on property adjacent to existing five-lane arterial streets or highways, the applicant and owner record a signed and notarized letter with the Benton County Clerk

stating the owner and future owners of the Development Site agree not to oppose construction of a future median or pedestrian refuge.

6. Covered Bicycle Parking – The applicant provides covering (weather protection) for 100 percent of the bicycle parking spaces provided with development.

Section 41.

4.11.50.03 - Variations Allowed Outright to Minimize Development Encroachments -

The following provisions apply to Development Sites where the amount of Unconstrained Area as determined by Section 4.11.50.01.b is less than the total of the base MADA and additional allowances, as determined by Section 4.11.50.02 (a) through (c).

- a. Residential Properties and Residential Uses - The Building Types and development standards of the next most intensive residential zone may be used. For purposes of this provision, development standards does not include the Maximum Density of the next most intensive residential zone.

Additionally, for development on lots zoned RS-6 that are 24,000 square feet in size or less, Development is allowed within required front, side, and rear yard areas up to three feet from property lines. However, all such development must comply with vision clearance requirements and garage setback standards.

- b. Nonresidential Properties and Nonresidential Uses – Minimum setbacks required by the applicable zone may be reduced up to 15 percent.