



KEIZER PLANNING COMMISSION MEETING AGENDA

Wednesday, April 11, 2019 @ 6:00 p.m.

Keizer Civic Center Council Chambers

- 1. CALL TO ORDER**
- 2. VOLUNTEER APPRECIATION ~ Daisy Hickman**
- 3. APPROVAL OF MINUTES – March 2019**
- 4. APPEARANCE OF INTERESTED CITIZENS**
This time is made available for those who wish to speak about an issue that is not on the agenda.
- 5. CONTINUATION OF PUBLIC HEARING: PROPOSED TEXT AMENDMENT: Section 2.118 Urban Transition (UT)**
- 6. NEW-OLD BUSINESS/STAFF REPORT**
- 7. COUNCIL LIAISON REPORT**
- 8. YOUTH COMMITTEE LIAISON REPORT**
- 9. COUNCIL REPRESENTATIVE: Michael DeBlasi, Monday April 15**
- 10. ADJOURN**

Next Meeting ~ May 8, 2019

Americans with Disabilities Act (ADA) Notice

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**KEIZER PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 13, 2019 @ 6:00 pm
Keizer Civic Center**

CALL TO ORDER

Chair Garry Whalen called the meeting to order at 6:00 pm.

ROLL CALL:

Present:

Garry Whalen, Chair
Crystal Wilson, Vice Chair
Mark Caillier
Michael DeBlasi
Kyle Juran
Matt Lawyer
Jeffrey Watson

Council Liaison:

Councilor Freeman

Staff Present:

Nate Brown, Community Development Director
Shane Witham, Senior Planner

Youth Liaison Christopher Wolfert

APPROVAL OF MINUTES: Commissioner Lawyer moved for approval of the January 2019 Minutes. Commissioner Caillier seconded. Motion passed as follows: Whalen, Juran, DeBlasi, Caillier, Watson and Lawyer in favor with Wilson abstaining.

APPEARANCE OF INTERESTED CITIZENS: None

PUBLIC HEARING: Proposed Text Amendments - Section 2.118 Urban Transition (UT) *Chair Whalen opened the public hearing.*

Community Development Director Nate Brown asked the Commission to discuss in depth the different aspects of the Urban Transition Zone and consider the choice of doing a text amendment or a legislative rezone. He noted that since the City Attorney was absent, he would prefer that the Commission discuss the issues, provide staff with direction and hold the public hearing open until the April meeting.

Senior Planner Shane Witham provided explanation and clarification of his staff report and explained the pros and cons of doing a legislative rezone (changing the current zoning to Residential Single Family), property owner rights, and Measure 56 requirements. He noted that barriers could be eliminated by amending the UT zone, or a legislative rezone could be pursued and then followed up with eliminating the section altogether. He indicated that staff is leaning towards the option of modifying the UT zone to clean it up a bit AND pursuing the legislative rezone.

Discussion followed at length regarding the importance of notifying property owners that would be affected by a legislative change, unintended consequences, RM vs. RS zoning, shadow plats, urban context, community expectations and property

owner expectations and rights. Staff was asked to simplify the language. Commissioners indicated that they wanted an invitation sent to affected property owners so that they could be included in the education process and Commission could make a viable recommendation to Council.

Chair Whalen continued the Public Hearing to the April meeting.

NEW/OLD BUSINESS/STAFF REPORT: Mr. Brown provided an update of the Revitalization Program noting that they were moving into a phase where the consultants are putting specific language together on tools; taking the zoning along River Road and consolidating it; providing land use efficiencies and putting together draft language. The Buildable Lands Inventory/Housing Needs Analysis Project Advisory Committee will meet again on Monday, March 25 and will be moving into the phase of identification of issues.

Chair Whalen brought attention to the Salem Multifamily Housing Design Project noting that it has some interesting ideas in terms of densifying the population without eating up more ground. He urged that when the Commission gets into RM use, they take a look at the zoning and consider new ideas.

Chair Whalen also announced a July event sponsored by the Keizer Police Department at Keizer Rapids Park that will benefit Special Olympics.

YOUTH LIAISON REPORT: Christopher Wolfert had nothing to report.

COUNCIL LIAISON REPORT: Councilor Freeman reviewed upcoming City events and meetings.

COUNCIL REPRESENTATIVE: Jeffrey Watson will report to Council.

ADJOURN: The meeting adjourned at 7:16 pm.

Next Meeting: April 11, 2019

Minutes approved: _____

TO: PLANNING COMMISSION
THRU: NATE BROWN, COMMUNITY DEVELOPMENT DIRECTOR
FROM: SHANE WITHAM, SENIOR PLANNER

DATE: April 3, 2019

**SUBJECT: Proposed text amendments to Keizer Development Code (Sections 2.118),
modifying the standards of the Urban Transition (UT) zone.**

ATTACHMENTS:

- **Development Code Section 2.118 (Urban Transition) – Draft**
- **Postcard Notice sent to UT property Owners**
- **Packet from March 6, 2019 PC Meeting**

DISCUSSION:

The Planning Commission held a public hearing on March 6, 2019 to consider proposed text changes to Keizer Development Code Section 2.118 (Urban Transition) which was carried forward to the April 10, 2019 meeting. At the March meeting, Planning Commission requested that staff reach out to property owners within the Urban Transition (UT) zone to gauge support for the proposed amendments. In addition, there was discussion regarding the possibility of the City initiating a legislative zone change to rezone UT properties to Residential Single Family. Planning Commission generally expressed the desire for additional public involvement prior to making a decision on the proposed changes. There were also some concerns by both Planning Commissioners and staff regarding the language requiring a “shadow plat” for development within the UT zone.

In response to these concerns and questions, staff mailed out an informational postcard (attached) to all property owners in the UT zone. The mailing informed property owners of the upcoming public hearing, directed them to the City website for the proposal, and invited them to participate in a short survey (5 questions) regarding the proposal and interest in having their property rezoned to Residential Single Family. Staff has fielded a few phone calls regarding the proposed changes, and a handful of survey responses have been received. Final results of the survey will be provided to the Planning Commission at the April 10th meeting to allow as much time as possible for property owners to respond.

Staff has modified the proposed language from the March 13th meeting to require that a “redevelopment site plan” be provided in conjunction with development of new structures only on properties over ¼ acre in size. This is intended to preserve future development options on properties with redevelopment potential.

It should further be noted that some additional text changes may be needed in order to align these changes with other sections of the KDC.

RECOMMENDATION:

That Planning Commission consider the proposal and recommend approval to the City Council, including any additional text changes identified.

2.118 URBAN TRANSITION (UT)

2.118.01 Purpose

The UT (URBAN TRANSITION) zone is generally located in the north part of Keizer and includes a number of parcels which are not contiguous to each other. The zone is intended to retain and protect for future urban use properties which are undeveloped or underdeveloped and do not have available urban facilities such as sanitary sewer, water, drainage, and streets. The zone allows the continuation of legally established uses and certain other limited uses that will not interfere with the efficient, later use of the land for urban development. Properties that have available urban services, or can be served by the City's infrastructure system will be allowed to develop with a demonstration that the efficient use of the land proposed for development will be made and will not impair the development of surrounding properties. (5/98)

2.118.02 Permitted Uses

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

- A. Lawful uses other than those listed in this Section 2.118.02 on a property at the time of the effective date of this zone except as provided in Section 2.118.03. (5/98)
- B. **Farm use.** (5/98)
- C. The propagation of **forest products.** (5/98)
- D. **Public and semi-public buildings and structures** rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations, reservoirs, and electrical transmission lines. (5/98)
- E. **A mobile home customarily provided in conjunction with farm use** subject to an agreement requiring removal if the property is subsequently placed in a zone that does not permit mobile homes. (5/98)
- F. **A mobile home subject to an agreement** requiring removal if the property is subsequently placed in a zone that does not permit mobile homes, and subject to Sections 2.118.11, 2.118.12, and 2.118.13. (5/98)
- D. **Nursery.** (5/98)
- H. **Child foster home** for five or fewer children. (6/99)
- I. **Single Family Dwelling.**
- J. **Accessory Structures** and uses prescribed in Section 2.203.02.

2.118.03 Conditional Uses

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

- A. Any permitted use listed in the most restrictive zone in this zoning ordinance that can be applied in the applicable Comprehensive Plan designation subject to meeting the criteria in Section 3.103.03. (5/98)
- ~~B. Expansion or replacement of a use permitted under Section 2.118.02 subject to meeting the criteria in Section 3.103.03. (5/98)~~
- C. Commercial and industrial activities in conjunction with farm or forest use occurring on the parcel. (5/98)
- D. Use of a mobile home as a temporary hardship dwelling subject to Section 2.406. (5/98)
- ~~E. Single family dwelling meeting criteria in Section 2.118.04 and Sections 2.118.11, 2.118.12, and 2.118.13. (5/98)~~
- ~~F.~~ E. Child foster home for six, seven or eight children, providing such home:
 - 1. Is properly accredited by the Council on Accreditation on Child and Family Programs;
 - 2. Be located on a lot of no less than 16,000 square feet;
 - 3. The lot shall be located on an arterial or major collector street;
 - 4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space;
 - 5. Shall have setbacks for all structures of no less than 16 feet on each side and 30 feet along the back of the property;
 - 6. Shall have usable paved off-street parking for no less than 6 vehicles, plus one additional usable off-street paved parking space is to be provided for each foster child that owns or is the principal driver of any vehicle;
 - 7. At least on half of the lot area (no less than 8,000 square feet) shall consist of open space, grass and landscaping, including landscaping area at least 8 feet wide for permanent visual screening along the sides and back of the property. (which landscaping along sides and back of the property shall be designed for a minimum height of no less than 6 feet after five years) Decks, patios, paved areas, and parking areas, (paved or unpaved) shall not be

included when calculating the amount of required open space, grass and landscaping.

8. Is not located within one-half (1/2) mile of another child foster home of six to eight children, as measured between the closest lot lines of the existing child foster home and the proposed child foster home.

All child foster homes shall meet all applicable laws and regulations, including, but not limited to, applicable building codes.^(6/99)

2.118.04 Conditional Use Criteria

~~Before a conditional use permit may be approved, it must be found that the following criteria applicable to the proposed use will be satisfied:~~

- ~~A. The use will not increase traffic beyond the capacity of existing roads. ^(5/98)~~
- ~~B. It will be located in such a manner that any significant unused portion of the property has adequate development options and will not restrict development options on adjacent properties. ^(5/98)~~
- ~~C. The use can utilize rural services or existing urban services, and will not individually or together with nearby uses increase pressure for installation of new urban services. ^(5/98)~~
- ~~D. The use meets the development standards of the most restrictive zone in the zoning ordinance consistent with the Comprehensive Plan designation. ^(5/98)~~
- ~~E. The expansion will result in an accumulated increase of no greater than 50 percent of the total ground floor and outside storage area lawfully existing on the effective date of the application of this zone to the property. ^(5/98)~~
- ~~F. The Comprehensive Plan designation clearly indicates that the use to be expanded will be a permitted use in the zones typically applied in the applicable designation. ^(5/98)~~
- ~~G. No new residential structures or mobile homes except as provided for in section 2.118.02.E are permitted unless the area is designated for residential development and the most restrictive zone would permit the residential use or mobile home. ^(5/98)~~

2.118.05 Development Standards

The standards and regulations in this chapter and the additional standards and regulations referenced in the Development Code apply to all lots, structures and uses unless indicated otherwise. For properties greater than ¼ acre in size, a redevelopment site plan shall be submitted to the Community Development Department in conjunction with the development of any new structure. The redevelopment site plan must be submitted for review at the time of building permit

approval. The redevelopment site plan must demonstrate the proposed placement of the new structure does not preclude the potential future redevelopment of the parcel to identified urban densities of the underlying Comprehensive Plan designation. In addition, the redevelopment site plan must account for connectivity options to adjacent parcels with future development potential. -No structure or use shall be approved until all requirements in this chapter have been satisfied. (5/98)

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

2.118.06 Height

Within an UT zone, there is no height limit except a maximum of 35 feet for dwellings, and structures associated with special uses, and conditional uses. Buildings and structures erected, altered, or enlarged shall not exceed 45 feet in height. ~~Greater height may be requested and approved as a conditional use.~~ (5/98)

2.118.07 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the UT Zone except for modifications permitted under Section 2.202, General Exceptions or as required in Section 2.4. (5/98)

A. Minimum Yard Setback Requirements

SETBACKS	Residential Uses	Non-Residential Uses
Front	10 feet (5)	20 feet
Side	5 feet (1)	10 feet
Rear	(2)	20 feet
Street-side (3)	10 feet	20 feet
Garage Entrance (4)	20 feet	20 feet

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

- (5) *The minimum front setback from an access easement shall be ten (10) feet. (10/15)*

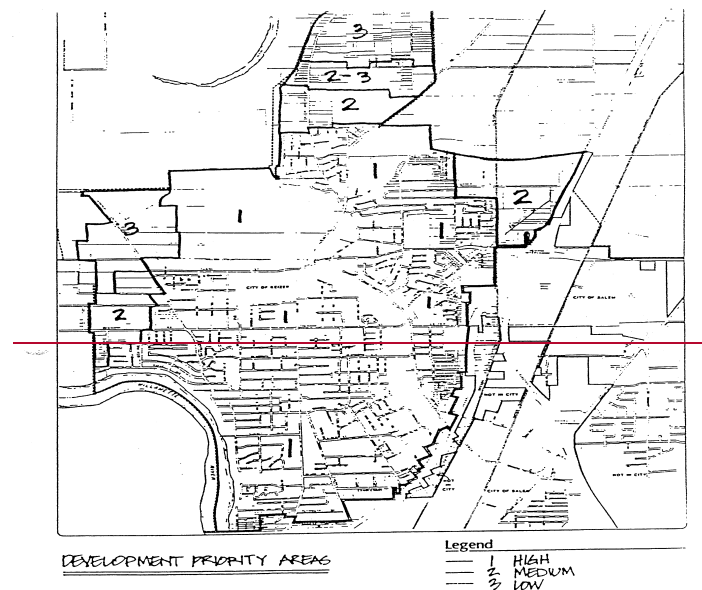
2.118.08 Other Development Standards

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

- A. **Off Street Parking:** Parking shall be as specified in Section 2.303. (5/98)
- B. **Subdivisions and Partitions:** Land divisions shall comply with provisions of Section 2.310. (5/98)
- C. **Yards and Lots:** Yards and lots shall conform to the standards of Section 2.312. (5/98)
- D. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the UT zone shall comply with the following standards:
(5/98)
 - 1. Single family homes shall comply with the design standards in Section 2.314. (5/98)
- E. **Signs:** Signs shall conform to the requirements of Section 2.308. (5/98)
- F. **Accessory Structures:** Accessory structures shall conform to requirements in Section 2.313. (5/98)
- G. **Landscaping:** A minimum of 30% of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in Section 2.309. (5/98)
- H. **Lot Coverage:** The maximum coverage allowed for buildings, accessory structures and paved parking shall be 70%. (5/98)

2.118.09 Development Priorities and Growth Management

The City of Keizer Comprehensive Plan establishes priorities for the future



~~expansion of public facilities and services to currently unserved areas in the City. These unserved areas are in an UT or EFU zone. The map shown on Figure 2.118-1 indicates three development priorities for the UT and EFU zoned areas in the City. Priority 1 areas are surrounded by or are immediately adjacent to areas where public sewer and water currently exists, where LIDs or other commitments for service extension are approved, and where new growth is likely during the next 10 years. Priority 2 areas have a medium priority for service extensions, and will likely experience new growth in 5 to 15 years. Priority 3 areas have a low priority for service extensions, and are not expected to experience growth for 10 to 20 years. The following development standards apply to these development priority areas.~~ (5/98)

2.118.10 Divisions of Land and Automatic Rezoning

- A. A subdivision, residential planned development or other residential development involving the division of land into 4 or more lots intended to be occupied by dwellings or mobile homes, or the establishment of a mobile home park, may be considered on property in the UT zone if public sewer and water will be available at the time of development. Notwithstanding the zone change procedures in Section 3.1, upon approval and recordation of the plat, or establishment of the mobile home park, the land included in the plat or park shall automatically be rezoned to the RS (SINGLE-FAMILY RESIDENTIAL) Zone. (5/98)
- B. Residential developments that are not allowable in the RS zone may only be considered as part of, or subsequent to, a change to a zone that allows the proposed development. (5/98)
- C. Notwithstanding the zone change procedures in Section 3.110, upon approval and recordation of a partition plat, the land included in the plat shall automatically be rezoned to the RS (SINGLE FAMILY RESIDENTIAL) Zone. The following regulations shall apply when property line adjustments and partitionings of land within the UT zone are proposed: (6/16)
 - 1. Existing parcels with dwellings may be separated from the remaining property provided the dwelling parcel does not preclude future redevelopment of the remaining parcel to maximum densities allowed in the Comprehensive Plan designation, and any additional street right-of-way required by adopted standards is dedicated along the parcel's street frontage. In addition, the following minimum lot sizes apply for the parcel containing the dwelling: (5/98)
 - a. Served by both public sewer and water: ~~65~~,000 square feet. (5/98)

- b. Lacking public sewer or water: 20,000 square feet. (5/98)
- c. Lacking both public sewer and water: 1 acre ~~in priority 1 and 2 development areas, 2 acres in priority 3 development areas~~. (5/98)
- 2. Street and drainage improvements applicable to any parcel created under Subsection 1 shall be imposed at the time the remnant parcel is developed for urban use. (5/98)
- 3. The location of parcel lines shall not significantly reduce feasible options for the future location of urban roads or services, or preclude basic development options on the property or adjacent properties. A development plan may be required which indicates how the proposed division will not preclude future development at densities allowed in the Comprehensive Plan. (5/98)
- ~~4. Partitioning of land creating an undeveloped parcel of less than 5 acres in area shall not be allowed in Priority 2 and 3 areas. Minimum lot dimension standards in Priority 2 and 3 areas are: (5/98)~~
 - ~~a. The property shall have no dimension less than 100 feet. (5/98)~~
 - ~~b. The property shall have not less than 100 feet of frontage on a dedicated street that shall have a right-of-way width of not less than 40 feet. (5/98)~~

2.118.11 Requirements for On-Site Sewage Disposal Permits

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

- A. The property shall not lie within the boundary of a sewer service district as it was drawn prior to the inclusion within the City limits or within the boundary of an improvement district for sewer services that has been proposed by the City. (5/98)
- B. The property must lie more than 300 feet in a straight line from an existing sewer line which can be extended to the property to provide gravity sewer service. (5/98)
- C. The property shall not be serviced by a city or district water system. (5/98)
- D. The property owner shall sign a non-remonstrance agreement for future sewer service by the City. (5/98)
- E. The property shall have no dimension less than 100 feet. (5/98)
- F. The property shall have not less than 100 feet of frontage on a dedicated street which shall have a right-of-way of not less than 40 feet. (5/98)

- G. Applicant shall have obtained from the County Sanitarian a favorable site evaluation to install an on-site sewage disposal system. (5/98)
- H. The applicant will be required to connect the proposed improvements to the public sewer system if, in the future, the public sewer system comes to within 300 feet of the building. (5/98)



NOTICE OF HEARING
April 10, 2019 – 6:00PM

Proposed Changes-Urban Transition Zone
Text Amendment Case-2019-03

On April 10, 2019 at 6:00pm, the Keizer Planning Commission will hold a public hearing to discuss proposed changes to the Urban Transition (UT) Zone. The proposed changes are intended to simplify residential development in the UT zone by eliminating the need for Conditional Use Permit approvals, and expanding automatic re-zone provisions. The full staff report and proposed text changes are available on the City's website at www.keizer.org/current-text-amendments

Your property is currently zoned UT, so we are asking for your participation and input on this issue. Please complete the short (5 question) survey online at <https://www.surveymonkey.com/r/UTZONE> and/or attend the public hearing on April 10th.

For more information contact Shane Witham, Senior Planner at withams@keizer.org or 503-856-3439.



NOTICE OF HEARING
April 10, 2019 – 6:00PM

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Text Amendment Case-2019-03

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Pages from March 2019 Packet

TO: PLANNING COMMISSION
THRU: NATE BROWN, COMMUNITY DEVELOPMENT DIRECTOR
FROM: SHANE WITHAM, SENIOR PLANNER

DATE: March 6, 2019

**SUBJECT: Proposed text amendments to Keizer Development Code (Sections 2.118),
modifying the standards of the Urban Transition (UT) zone.**

ATTACHMENTS:

- **Development Code Section 2.118 (Urban Transition) – Draft**
- **Map of UT zoned properties**

DISCUSSION:

One of the items on the work program list that Planning Commission reviewed at the beginning of the year was for a re-write of the existing Urban Transition (UT) zone. In addition, there was also an item for the possibility of doing a legislative re-zone of properties currently designated UT, which could effectively eliminate most of the UT zoned properties within the City. I have included a map showing the properties currently zoned UT to assist in the discussion. It should be noted that Planning Commission has the option to table this proposed amendment if it wishes to look at a legislative re-zone instead of a UT rewrite.

The UT zone applies to 118 properties in the northern part of Keizer. Originally, this area was not served by adequate public facilities (water and sewer) and the purpose of the zone was to allow for a transition from rural to urban uses as facilities were made available. Now that the area is served and is mostly developed, the language in the UT section is out of date and unnecessary. It could be argued that many of the existing UT parcels (if not all) should be rezoned to Single Family Residential (RS) to more accurately reflect the development pattern and for consistency with the underlying Comprehensive Plan Designation. As you can see from the attached map, some of the existing UT properties are larger than standard lot sizes in the RS zone, and have additional development potential, while others are already developed to the residential densities identified in the Comprehensive Plan.

Regardless of which approach Planning Commission chooses to take, special care must be given to protect future development options for these UT zoned properties and to allow for and encourage the efficient use of the land.

Staff has prepared draft language to modify the existing UT zone. The changes will:

- Eliminate references to “priority areas” which are out of date and not accurate
- Reduce the need for obtaining a conditional use permit (CUP) for developing in the UT zone, and eliminate the criteria found within the UT zone – instead relying on the standard CUP criteria found in Section 3.103 (Conditional Uses)

- Require development proposals to provide a “shadow plat” to preserve future development potential on larger parcels
- Expand the automatic rezone provision to include partitions

It should further be noted that some additional text changes may be needed in order to align these changes with other sections of the KDC.

RECOMMENDATION:

That Planning Commission consider the proposal and recommend approval to the City Council, including any additional text changes identified.

2.118 URBAN TRANSITION (UT)

2.118.01 Purpose

The UT (URBAN TRANSITION) zone is generally located in the north part of Keizer and includes a number of parcels which are not contiguous to each other. The zone is intended to retain and protect for future urban use properties which are undeveloped or underdeveloped and do not have available urban facilities such as sanitary sewer, water, drainage, and streets. The zone allows the continuation of legally established uses and certain other limited uses that will not interfere with the efficient, later use of the land for urban development. Properties that have available urban services, or can be served by the City's infrastructure system will be allowed to develop with a demonstration that the efficient use of the land proposed for development will be made and will not impair the development of surrounding properties. (5/98)

2.118.02 Permitted Uses

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- A. Lawful uses other than those listed in this Section 2.118.02 on a property at the time of the effective date of this zone except as provided in Section 2.118.03. (5/98)
- B. **Farm use.** (5/98)
- C. The propagation of **forest products.** (5/98)
- D. **Public and semi-public buildings and structures** rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations, reservoirs, and electrical transmission lines. (5/98)
- E. **A mobile home customarily provided in conjunction with farm use** subject to an agreement requiring removal if the property is subsequently placed in a zone that does not permit mobile homes. (5/98)
- F. **A mobile home subject to an agreement** requiring removal if the property is subsequently placed in a zone that does not permit mobile homes, and subject to Sections 2.118.11, 2.118.12, and 2.118.13. (5/98)
- D. **Nursery.** (5/98)
- H. **Child foster home** for five or fewer children. (6/99)
- I. **Single Family Dwelling.**
- J. **Accessory Structures** and uses prescribed in Section 2.203.02.

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

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- ~~B. Expansion or replacement of a use permitted under Section 2.118.02 subject to meeting the criteria in Section 3.103.03. (5/98)~~
- C. Commercial and industrial activities in conjunction with farm or forest use occurring on the parcel. (5/98)
- D. Use of a mobile home as a temporary hardship dwelling subject to Section 2.406. (5/98)
- ~~E. Single family dwelling meeting criteria in Section 2.118.04 and Sections 2.118.11, 2.118.12, and 2.118.13. (5/98)~~
- ~~F.~~ E. Child foster home for six, seven or eight children, providing such home:
 - 1. Is properly accredited by the Council on Accreditation on Child and Family Programs;
 - 2. Be located on a lot of no less than 16,000 square feet;
 - 3. The lot shall be located on an arterial or major collector street;
 - 4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space;
 - 5. Shall have setbacks for all structures of no less than 16 feet on each side and 30 feet along the back of the property;
 - 6. Shall have usable paved off-street parking for no less than 6 vehicles, plus one additional usable off-street paved parking space is to be provided for each foster child that owns or is the principal driver of any vehicle;
 - 7. At least on half of the lot area (no less than 8,000 square feet) shall consist of open space, grass and landscaping, including landscaping area at least 8 feet wide for permanent visual screening along the sides and back of the property. (which landscaping along sides and back of the property shall be designed for a minimum height of no less than 6 feet after five years) Decks, patios, paved areas, and parking areas, (paved or unpaved) shall not be

included when calculating the amount of required open space, grass and landscaping.

8. Is not located within one-half (1/2) mile of another child foster home of six to eight children, as measured between the closest lot lines of the existing child foster home and the proposed child foster home.

All child foster homes shall meet all applicable laws and regulations, including, but not limited to, applicable building codes.^(6/99)

2.118.04 Conditional Use Criteria

~~Before a conditional use permit may be approved, it must be found that the following criteria applicable to the proposed use will be satisfied:~~

- ~~A. The use will not increase traffic beyond the capacity of existing roads. ^(5/98)~~
- ~~B. It will be located in such a manner that any significant unused portion of the property has adequate development options and will not restrict development options on adjacent properties. ^(5/98)~~
- ~~C. The use can utilize rural services or existing urban services, and will not individually or together with nearby uses increase pressure for installation of new urban services. ^(5/98)~~
- ~~D. The use meets the development standards of the most restrictive zone in the zoning ordinance consistent with the Comprehensive Plan designation. ^(5/98)~~
- ~~E. The expansion will result in an accumulated increase of no greater than 50 percent of the total ground floor and outside storage area lawfully existing on the effective date of the application of this zone to the property. ^(5/98)~~
- ~~F. The Comprehensive Plan designation clearly indicates that the use to be expanded will be a permitted use in the zones typically applied in the applicable designation. ^(5/98)~~
- ~~G. No new residential structures or mobile homes except as provided for in section 2.118.02.E are permitted unless the area is designated for residential development and the most restrictive zone would permit the residential use or mobile home. ^(5/98)~~

2.118.05 Development Standards

The standards and regulations in this chapter and the additional standards and regulations referenced in the Development Code apply to all lots, structures and uses unless indicated otherwise. Development of a parcel with a new single family dwelling or accessory structure will require the submittal of a "shadow plat" to be accompanied with the building permit to assure the placement of the new structure does not preclude the potential for future redevelopment of the parcel to identified

urban densities of the underlying Comprehensive Plan designation. -No structure or use shall be approved until all requirements in this chapter have been satisfied. (5/98)

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

2.118.06 Height

Within an UT zone, there is no height limit except a maximum of 35 feet for dwellings, and structures associated with special uses, and conditional uses. Buildings and structures erected, altered, or enlarged shall not exceed 45 feet in height. ~~Greater height may be requested and approved as a conditional use.~~ (5/98)

2.118.07 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the UT Zone except for modifications permitted under Section 2.202, General Exceptions or as required in Section 2.4. (5/98)

A. Minimum Yard Setback Requirements

SETBACKS	Residential Uses	Non-Residential Uses
Front	10 feet (5)	20 feet
Side	5 feet (1)	10 feet
Rear	(2)	20 feet
Street-side (3)	10 feet	20 feet
Garage Entrance (4)	20 feet	20 feet

- (1) *Zero side yard dwelling units are subject to the setback provisions in Section 2.404. (5/98)*
- (2) *The rear yard setback shall be as follows: 14 feet for a 1-story home; 20 feet for a 2-story home. (5/98)*
- (3) *Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)*
- (4) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)*
- (5) *The minimum front setback from an access easement shall be ten (10) feet. (10/15)*

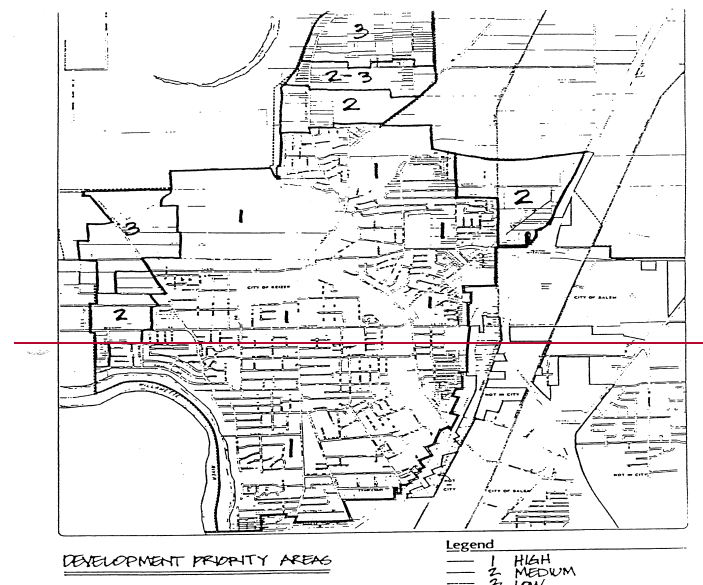
2.118.08 Other Development Standards

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

- A. **Off Street Parking:** Parking shall be as specified in Section 2.303. (5/98)
- B. **Subdivisions and Partitions:** Land divisions shall comply with provisions of Section 2.310. (5/98)
- C. **Yards and Lots:** Yards and lots shall conform to the standards of Section 2.312. (5/98)
- D. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the UT zone shall comply with the following standards:
(5/98)
 - 1. Single family homes shall comply with the design standards in Section 2.314. (5/98)
- E. **Signs:** Signs shall conform to the requirements of Section 2.308. (5/98)
- F. **Accessory Structures:** Accessory structures shall conform to requirements in Section 2.313. (5/98)
- G. **Landscaping:** A minimum of 30% of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in Section 2.309. (5/98)
- H. **Lot Coverage:** The maximum coverage allowed for buildings, accessory structures and paved parking shall be 70%. (5/98)

2.118.09 Development Priorities and Growth Management

The City of Keizer Comprehensive Plan establishes priorities for the future expansion of public facilities and services to currently unserved areas in the City. These unserved areas are in an UT or EFU zone. The map shown on Figure 2.118-1



~~indicates three development priorities for the UT and EFU zoned areas in the City. Priority 1 areas are surrounded by or are immediately adjacent to areas where public sewer and water currently exists, where LIDs or other commitments for service extension are approved, and where new growth is likely during the next 10 years. Priority 2 areas have a medium priority for service extensions, and will likely experience new growth in 5 to 15 years. Priority 3 areas have a low priority for service extensions, and are not expected to experience growth for 10 to 20 years. The following development standards apply to these development priority areas.~~ (5/98)

2.118.10 Divisions of Land and Automatic Rezoning

- A. A subdivision, residential planned development or other residential development involving the division of land into 4 or more lots intended to be occupied by dwellings or mobile homes, or the establishment of a mobile home park, may be considered on property in the UT zone if public sewer and water will be available at the time of development. Notwithstanding the zone change procedures in Section 3.1, upon approval and recordation of the plat, or establishment of the mobile home park, the land included in the plat or park shall automatically be rezoned to the RS (SINGLE-FAMILY RESIDENTIAL) Zone. (5/98)
- B. Residential developments that are not allowable in the RS zone may only be considered as part of, or subsequent to, a change to a zone that allows the proposed development. (5/98)
- C. Notwithstanding the zone change procedures in Section 3.110, upon approval and recordation of a partition plat, the land included in the plat shall automatically be rezoned to the RS (SINGLE FAMILY RESIDENTIAL) Zone.
The following regulations shall apply when property line adjustments and partitionings of land within the UT zone are proposed: (6/16)
 - 1. Existing parcels with dwellings may be separated from the remaining property provided the dwelling parcel does not preclude future redevelopment of the remaining parcel to maximum densities allowed in the Comprehensive Plan designation, and any additional street right-of-way required by adopted standards is dedicated along the parcel's street frontage. In addition, the following minimum lot sizes apply for the parcel containing the dwelling: (5/98)
 - a. Served by both public sewer and water: ~~65~~,000 square feet. (5/98)
 - b. Lacking public sewer or water: 20,000 square feet. (5/98)

- c. Lacking both public sewer and water: 1 acre ~~in priority 1 and 2 development areas, 2 acres in priority 3 development areas.~~ (5/98)
- 2. Street and drainage improvements applicable to any parcel created under Subsection 1 shall be imposed at the time the remnant parcel is developed for urban use. (5/98)
- 3. The location of parcel lines shall not significantly reduce feasible options for the future location of urban roads or services, or preclude basic development options on the property or adjacent properties. A development plan may be required which indicates how the proposed division will not preclude future development at densities allowed in the Comprehensive Plan. (5/98)
- ~~4. Partitioning of land creating an undeveloped parcel of less than 5 acres in area shall not be allowed in Priority 2 and 3 areas. Minimum lot dimension standards in Priority 2 and 3 areas are: (5/98)~~
 - ~~a. The property shall have no dimension less than 100 feet. (5/98)~~
 - ~~b. The property shall have not less than 100 feet of frontage on a dedicated street that shall have a right-of-way width of not less than 40 feet. (5/98)~~

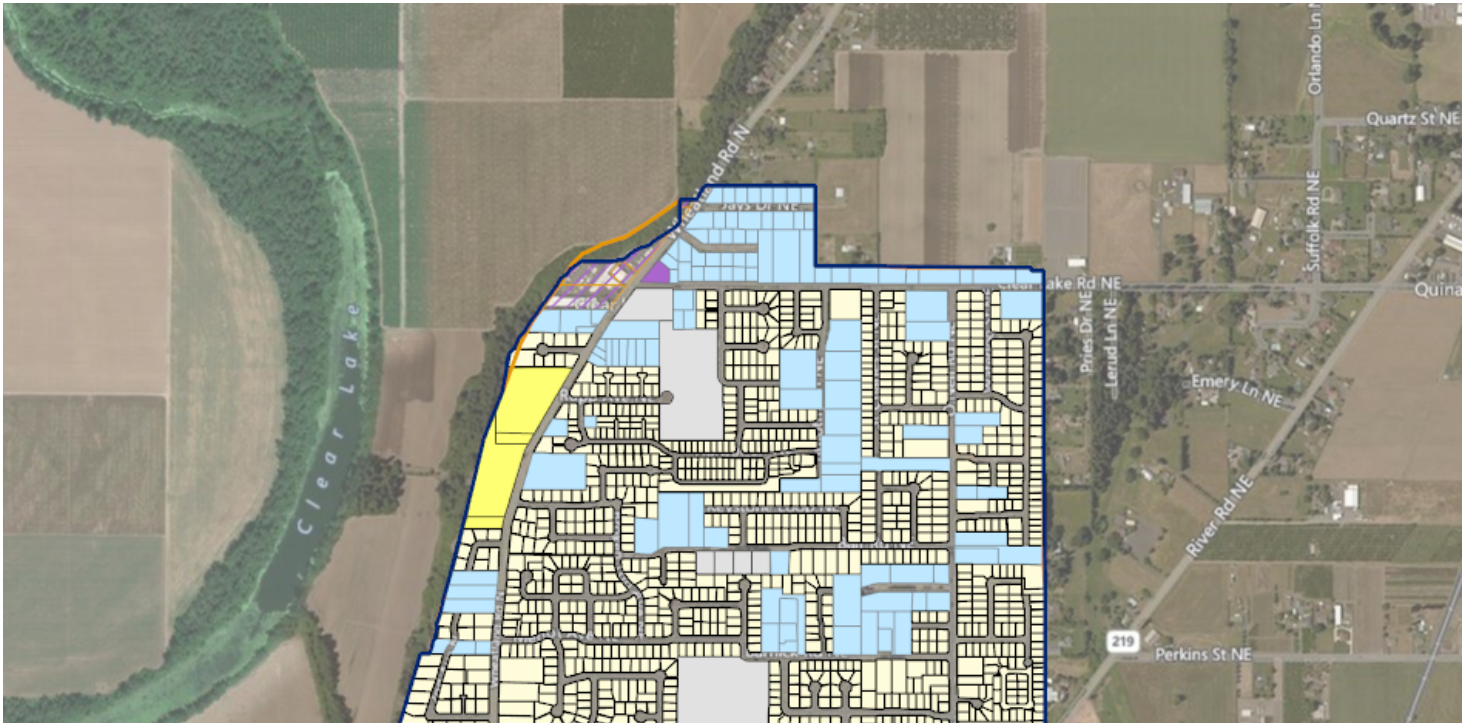
2.118.11 Requirements for On-Site Sewage Disposal Permits

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

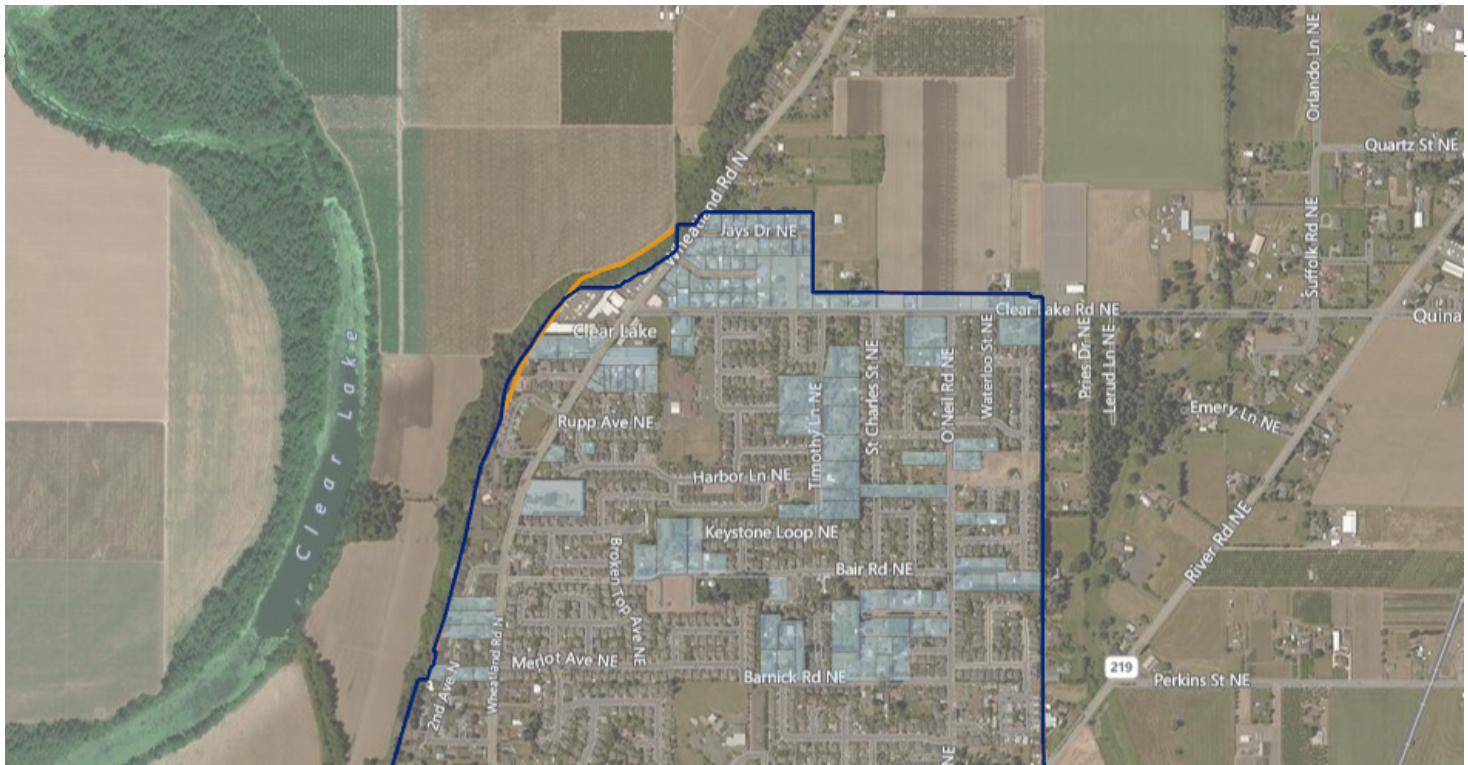
- A. The property shall not lie within the boundary of a sewer service district as it was drawn prior to the inclusion within the City limits or within the boundary of an improvement district for sewer services that has been proposed by the City. (5/98)
- B. The property must lie more than 300 feet in a straight line from an existing sewer line which can be extended to the property to provide gravity sewer service. (5/98)
- C. The property shall not be serviced by a city or district water system. (5/98)
- D. The property owner shall sign a non-remonstrance agreement for future sewer service by the City. (5/98)
- E. The property shall have no dimension less than 100 feet. (5/98)
- F. The property shall have not less than 100 feet of frontage on a dedicated street which shall have a right-of-way of not less than 40 feet. (5/98)
- G. Applicant shall have obtained from the County Sanitarian a favorable site evaluation to install an on-site sewage disposal system. (5/98)

- H. The applicant will be required to connect the proposed improvements to the public sewer system if, in the future, the public sewer system comes to within 300 feet of the building. (5/98)

UT Zoned Land- Light Blue Parcels - North Keizer



Aerial View - UT Zoned Land- Light Blue Parcels - North Keizer



- UT zone = Approx 120 properties
- Some Development potential on larger parcels
- Almost all parcels are developed to some extent