

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION

A G E N D A
KEIZER CITY COUNCIL
EXECUTIVE SESSION

Tuesday, September 4, 2018

6:15 p.m.

**Keizer Civic Center
Keizer, Oregon 97303**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - a. Pursuant to ORS 192.660(2)(f) - *To consider information or records that are exempt by law from public inspection; AND***
- 4. ADJOURN**

The Oregon Public Meeting Law authorizes governing bodies to meet in executive session in certain limited situations. An executive session is defined as any meeting or part of a meeting of a governing body which is closed to certain persons for deliberations on certain matters as defined by ORS 192.660. These sessions are closed to the public. The media may attend the session, unless the Oregon State Statutes specifically prohibits media attendance. The governing body is not allowed to take any final action or make any final decisions during the executive sessions. Any final action or decision must be made after returning or at the next regularly scheduled meeting.

The City of Keizer is committed to providing equal access to all public meetings and information per the requirements of the ADA and Oregon Revised Statutes (ORS). The Keizer Civic Center is wheelchair accessible. If you require any service that furthers inclusivity to participate, please contact the Office of the City Recorder at least 48 business hours prior to the meeting by email at davist@keizer.org or phone at (503)390-3700 or (503)856-3412. Most regular City Council meetings are streamed live through the City's website and cable-cast on Comcast Channel 23 within the Keizer City limits. Thank you for your interest in the City of Keizer.

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO THE
COMMUNITY IN A COORDINATED, EFFICIENT, AND LEAST COST FASHION**

AGENDA
KEIZER CITY COUNCIL
REGULAR SESSION
Tuesday, September 4, 2018
7:00 p.m.
Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **FLAG SALUTE**

4. **SPECIAL ORDERS OF BUSINESS**

a. Introduction and Oath of Officer for new Keizer Police Officers

5. **COMMITTEE REPORTS**

a. Volunteer Coordinating Committee Recommendations for Appointments to
Budget Committee and Planning Commission

6. **PUBLIC TESTIMONY**

*This time is provided for citizens to address the Council on any matters other than
those on the agenda scheduled for public hearing.*

7. **PUBLIC HEARINGS**

a. **RESOLUTION** – Forming Summerview Estates Street Lighting Local
Improvement District
ORDINANCE – Spreading Assessments to Summerview Estates Street Lighting
Local Improvement District

8. **ADMINISTRATIVE ACTION**

a. **RESOLUTION** – Authorizing the Community Development Director to Apply for a
Consolidated Rail Infrastructure and Safety Improvement Grant

- b. ORDINANCE – Amending Keizer Development Code Regarding Section 2.107 (Mixed Use (MU)), Section 2.109 (Commercial Retail (CR)), Section 2.110 (Commercial Mixed Use (CM)), Section 2.119 (General Employment (EG)), Section 2.125 (Activity Center Overlay Zone (ACO)), Section 2.315 (Development Standards), Section 3.101 (Summary of Application Types), Section 3.113 (Keizer Station Master Plan Review), Section 3.202 (General Procedures – Types I, II, and III Actions); Amending Ordinance 98-389; and Amending Keizer Station Plan; Amending Ordinance 2003-479

9. CONSENT CALENDAR

- a. Approval of August 6, 2018 Regular Session Minutes
- b. Approval of August 20, 2018 Regular Session Minutes

10. COUNCIL LIAISON REPORTS

11. OTHER BUSINESS

This time is provided to allow the Mayor, City Council members, or staff an opportunity to bring new or old matters before the Council that are not on tonight's agenda.

12. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications.

13. AGENDA INPUT

September 10, 2018

5:45 p.m. – City Council Work Session

- City of Keizer Parks Tour

September 17, 2018

7:00 p.m. City Council Regular Session

October 1, 2018

7:00 p.m. City Council Regular Session

14. ADJOURNMENT

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COUNCIL MEETING: September 4, 2018

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: CHIEF JOHN TEAGUE
KEIZER POLICE DEPARTMENT**

SUBJECT: INTRODUCTION OF NEWLY HIRED OFFICERS

TOPIC:

As the result of recruitment processes for police officers, the Keizer Police Department has hired six full time police officers this year. Four of the positions were previously frozen, one was newly authorized by the City Council, and one vacancy was created when an officer retired.

Michael Kowash and Garrett Van Cleave had been reserve officers at Keizer PD for two years before being selected in the recruitment process as full time officers. They began official employment at Keizer PD on February 26, 2018.

In October 2011, when he was 14 years old, Jeremy Darst became a cadet with Keizer PD. In anticipation of aging out of the cadet program, Jeremy applied for and was selected as a reserve officer and began the Mid-Valley Reserve Training Academy in November 2017. When a police officer recruitment was announced, he applied and was hired as a full time officer. Fortunately, the timing of the process was such that Jeremy turned 21 years old before being hired. Jeremy is believed to be the youngest officer ever hired by Keizer PD.

Chad Fahey was also selected last Fall to become a reserve officer and was attending the Mid-Valley Reserve Training Academy when he applied for the full time officer position and was selected. While Chad has no previous law enforcement experience, we anticipate he will be a great asset to the department.

Jeremy and Chad started employment on March 12th of this year. These four officers attended the 16 week Basic Police Academy together and graduated on July 13th.

Marcus Risteen obtained an Associate's Degree from Chemeketa Community College and a Bachelor's Degree in Criminal Justice Administration from Western Oregon University, which included a 400 hour practicum with the Polk County Sheriff's Office.

Marcus was hired on April 10th of this year and graduated from the 16 week Basic Police Academy on August 10th.

Jennifer Starns has a diverse background that includes horses, employment as a veterinary technician, a degree in music, and roller derby. She is now pursuing her long time goal of being a police officer. Jennifer's first day of employment with Keizer PD was last Wednesday, August 29th. She will attend Basic Police Class 384, which begins September 10th and graduates on January 18, 2019.

Please join us in congratulating and welcoming these officers to the Keizer Police Department.

JKK/wjb

CITY COUNCIL MEETING: September 4, 2018

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, MMC
CITY RECORDER

SUBJECT: VOLUNTEER COORDINATING COMMITTEE RECOMMENDATIONS
FOR APPOINTMENT

ISSUE:

The Volunteer Coordinating Committee met on August 16th to review applications and interview candidates for openings on several City committees. The Committee is recommending the following applicants for appointments:

- ***Budget Committee*** – J. D. Gillis and Jonathan Thompson to positions 6 and 7 respectively.
- ***Planning Commission*** – Mark Caillier to position 6.

RECOMMENDATION:

It is recommended the City Council accept the Volunteer Coordinating Committee recommended appointments.

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

**SUBJECT: PUBLIC HEARING - FORMING AND SPREADING ASSESSMENTS TO
SUMMERVIEW ESTATES STREET LIGHTING LOCAL IMPROVEMENT
DISTRICT**

ISSUE:

On July 2, 2018 the Keizer City Council adopted Resolution R2018-2888 Initiating Summerview Estates Street Lighting District and directing the City Engineer to make a survey and file a report. On August 6, 2018 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to the proposed assessments. Notice of public hearing stating the intention to form the district and to assess for the lighting improvements was published in the Keizertimes and mailed to the property owners as required under City of Keizer Ordinance 94-278.

FISCAL IMPACT:

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and an administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

RECOMMENDATION:

Open the public hearing to first consider oral objections and written remonstrances to formation of Summerview Estates Street Lighting Local Improvement District. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months. If remonstrances are not received, close the public hearing and consider adoption of the Resolution forming the lighting district. If Council forms the district, consider adoption of the proposed assessment ordinance.

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City Recorder

A BILL FOR

**AN ORDINANCE SPREADING ASSESSMENTS TO
SUMMERVIEW ESTATES STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT**

Section 1. FINDINGS. The Keizer City Council makes the following findings:

- a. The City Council did heretofore declare its intention to install street lights to serve an area known as Summerview Estates Street Lighting Local Improvement District which is described as follows:

Summerview Estates - identified on the assessor's map 06 3W 36CB – lots 1-8 all within in the City of Keizer, County of Marion, State of Oregon;

which includes the installation of three (3) 47-watt LED luminaries at 25' mounting height on a 30' heavy duty gray, direct burial fiberglass pole with 6' aluminum mast arm located within the subject local improvement district, all in accordance with the City Engineer's Report for Summerview Estates Street Lighting Local Improvement District.

- b. The total initial estimated cost of Summerview Estates Street Lighting Local Improvement District is \$649.12.
- c. The per space/lot assessment formula was used for this district.
- d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.
- e. Notice was duly mailed to the benefited property owners on August 16, 2018.
- f. A meeting of the City Council was held at the time and place fixed by public notice for the purpose of considering any such written objections to the proposed assessments.
- g. No written objections to the proposed assessments were filed.

h. The Council has considered the matter and determined that construction of said improvements was and is of material benefit to the City, and all the property to be assessed therefore will be specially benefited by the improvements in the amounts shown on the assessment roll.

NOW, THEREFORE, the City Council of the City of Keizer ordains as follows:

Section 2. ASSESSMENTS.

a. First Annual Assessment. It is hereby determined that the share of the cost of the improvements for Summerview Estates Street Lighting Local Improvement District for each parcel and property benefited thereby for the first annual assessment is the amount set opposite the description of each piece or parcel of land as described in Summerview Estates Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land benefited by the improvements, to the full extent of the amount so set opposite such piece or parcel and that the respective amounts represent the proportionate benefits of said improvements to said respective parcels of property, and the Council does hereby declare that each of the parcels of property described in Summerview Estates Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual assessment amount set opposite each respective description.

i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "Summerview Estates Street Lighting Local Improvement District":

Three Poles and 47-Watt Luminaries	\$472.32
Engineering Costs	\$ 112.00
Administrative Fee	<u>\$ 64.80</u>
Total Estimated Assessments	\$649.12

ii. The Recorder of the City of Keizer is hereby directed to send a notice of first annual assessment to each owner of assessed property by mail within ten (10) days after this Ordinance levying the first annual installments is passed. The notice shall include information that an application to make installment payments may be filed with the City if the assessment is collected directly from the property owner and not pursuant to ORS 223.866.

b. Second and Subsequent Annual Assessments. After a municipal lighting district has been formed in accordance with City of Keizer Ordinance 94-278, the second and subsequent annual assessments shall be spread by Resolution which may include changes in the mode of collecting the assessment. The method of assessment and notification for subsequent annual assessments shall be determined in accordance with City of Keizer Ordinance 94-278.

c. Mode of Collecting Assessments. Assessments for Summerview Estates Street Lighting Local Improvement District shall be collected pursuant to ORS 223.866.

d. Lien on Property. The assessment shall be entered as a lien against the benefited property in the City Lien Docket.

PASSED this _____ day of _____, 2018.

SIGNED this _____ day of _____, 2018.

Mayor

City Recorder

PRELIMINARY ASSESSMENT ROLL

SUMMERVIEW ESTATES
STREET LIGHTING DISTRICT

*Assessors Map 06 3W 36CB 08201

<u>Lot#</u>	<u>Owner</u>	<u>Cost (per lot)</u>
1-8	Pacific Const., LLC P.O. Box 1094 Salem, OR 97308	\$81.14 (first year)
	Total Assessment:	\$649.12

TO: CITY COUNCIL

THRU: CHRIS EPPLEY, CITY MANAGER

**FROM: NATE BROWN, COMMUNITY DEVELOPMENT DIRECTOR,
SHANE WITHAM, SENIOR PLANNER**

DATE: SEPTEMBER 4, 2018

**SUBJECT: AUTHORIZATION TO APPLY FOR FY18 Consolidated Rail
Infrastructure and Safety Improvements GRANT--QUIET CROSSING AT CHEMAWA
RD.**

The Federal Railroad Administration is accepting grant applications for **FY18 Consolidated Rail Infrastructure and Safety Improvements**. The deadline to apply for this grant is September 17, 2018. We ask for permission to apply for a grant to fund 50% of the project cost, estimated in 2016 to be \$123,000.

This is a national grant that is focused on safety, and therefore we will have to stress the safety aspect of our request. This crossing is recently constructed and does not have significant safety issues, however, we feel the opportunity exists to improve and strengthen this aspect of our community.

RECOMMENDATION: Adopt the attached resolution authorizing the application for a **FY18 Consolidated Rail Infrastructure and Safety Improvements** grant with a match of 50%.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2018-_____

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5 AUTHORIZING THE COMMUNITY DEVELOPMENT
6 DIRECTOR TO APPLY FOR A CONSOLIDATED RAIL
7 INFRASTRUCTURE AND SAFETY IMPROVEMENT GRANT
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9 WHEREAS, the U.S. Department of Transportation's Federal Railroad
10 Administration has recently announced that grant funding is available for projects that
11 improve intercity passenger and freight rail transportation safety, efficiency, and
12 reliability;

13 WHEREAS, the City of Keizer desires to apply for a grant to improve, strengthen,
14 and make the crossing at Chemawa Road a quiet crossing;

15 WHEREAS, the City of Keizer desires to participate in this grant program to the
16 greatest extent possible;

17 WHEREAS, the City of Keizer anticipates that if awarded the grant, the City will
18 benefit from the funding by improving and strengthening this crossing in the community;

19 WHEREAS, the City of Keizer hereby certifies that the estimated costs will be
20 approximately \$123,000;

21 WHEREAS, the City of Keizer hereby certifies that the City match will be
22 approximately 50% of the total project cost pursuant to the terms of the grant;

23 WHEREAS, the deadline for submitting the application expires on September 17,
24 2018;

1 WHEREAS, the authority to sign the application must be authorized by the City
2 Council;

3 NOW, THEREFORE,

4 BE IT RESOLVED by the City Council of the City of Keizer that the Community
5 Development Director is authorized to apply for a grant from the U.S. Department of
6 Transportation's Federal Railroad Administration.

7 BE IT FURTHER RESOLVED that should local match be required, such funds
8 are authorized from the Street Fund.

9 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately
10 upon the date of its passage.

11 PASSED this _____ day of _____, 2018.

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13 SIGNED this _____ day of _____, 2018.

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Mayor

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City Recorder

CITY COUNCIL MEETING: September 4, 2018

AGENDA ITEM NUMBER:_____

TO: MAYOR CLARK AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

**SUBJECT: ORDINANCE AMENDING KEIZER DEVELOPMENT CODE
AND KEIZER STATION PLAN**

At the August 6, 2018 Council meeting, Council directed staff to prepare an Ordinance approving the Keizer Development Code text changes and the Keizer Station Plan revisions to create a Keizer Station Master Plan Amendment process. Such Ordinance is attached for your review.

To clarify what this process pertains to, this amendment process only applies to Keizer Station Master Plan amendments. It allows an applicant, in limited situations, to have a more streamlined process for minor amendments.

RECOMMENDATION:

Adopt the attached Ordinance.

Please let me know if you have any questions. Thank you.

ESJ/tmh

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A BILL
FOR
AN ORDINANCE

ORDINANCE NO.
2018-_____

AMENDING KEIZER DEVELOPMENT CODE REGARDING SECTION 2.107 (MIXED USE (MU)), SECTION 2.109 (COMMERCIAL RETAIL (CR)), SECTION 2.110 (COMMERCIAL MIXED USE (CM)), SECTION 2.119 (GENERAL EMPLOYMENT (EG)), SECTION 2.125 (ACTIVITY CENTER OVERLAY ZONE (ACO)), SECTION 2.315 (DEVELOPMENT STANDARDS), SECTION 3.101 (SUMMARY OF APPLICATION TYPES), SECTION 3.113 (KEIZER STATION MASTER PLAN REVIEW), SECTION 3.202 (GENERAL PROCEDURES – TYPES I, II, AND III ACTIONS); **AMENDING ORDINANCE 98-389**; AND AMENDING KEIZER STATION PLAN; **AMENDING ORDINANCE 2003-479**

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

WHEREAS, the Keizer Planning Commission has recommended to the Keizer City Council amendments to the Keizer Station Plan (Ordinance No. 2003-479);

WHEREAS, the City Council held a hearing on this matter on August 6, 2018 and considered the testimony given and the recommendation of the Keizer Planning Commission;

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

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

4 NOW, THEREFORE,

5 The City of Keizer ordains as follows:

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

8 Section 2. AMENDMENT TO THE KEIZER DEVELOPMENT CODE.

9 The Keizer Development Code (Ordinance No. 98-389) is hereby amended by the
10 adoption of the changes to Section 2.107 (Mixed Use (MU)), Section 2.109
11 (Commercial Retail (CR)), Section 2.110 (Commercial Mixed Use (CM)), Section
12 2.119 (General Employment (EG)), Section 2.125 (Activity Center Overlay Zone
13 (ACO)), Section 2.315 (Development Standards), Section 3.101 (Summary of
14 Application Types), Section 3.113 (Keizer Station Master Plan Review), Section 3.202
15 (General Procedures – Types I, II, AND III Actions) as set forth in Exhibit "B" attached
16 hereto, and by this reference incorporated herein.

17 Section 3 AMENDMENT OF THE KEIZER STATION PLAN
18 (ORDINANCE NO. 2003-479). Ordinance No. 2003-479 (Keizer Station Plan) is
19 hereby amended by the replacement of the Keizer Station Plan with the revised Keizer
20 Station Plan as indicated in Exhibit “C” attached hereto, and by this reference
21 incorporated herein.

1 Section 4 SEVERABILITY. If any section, subsection, sentence, clause,
2 phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional,
3 or is denied acknowledgment by any court or board of competent jurisdiction,
4 including, but not limited to the Land Use Board of Appeals, the Land Conservation
5 and Development Commission and the Department of Land Conservation and
6 Development, then such portion shall be deemed a separate, distinct, and independent
7 provision and such holding shall not affect the validity of the remaining portions
8 hereof.

9 Section 5 EFFECTIVE DATE. This Ordinance shall take effect thirty (30)
10 days after its passage.

11 PASSED this _____ day of _____, 2018

12 SIGNED this _____ day of _____, 2018

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Mayor

City Recorder

EXHIBIT “A”

Findings regarding the adoption of amendments to Section 2.107 (Mixed Use); Section 2.109 (Commercial Retail); Section 2.110 (Commercial Mixed Use); Section 2.119 (General Employment); Section 2.125 (Activity Center Overlay Zone); Section 2.315 (Development Standards); Section 3.101 (Summary of Application Types); Section 3.113 (Keizer Station Master Plan Review); Section 3.202 (General Procedures-Types I, II, and III Actions) of the Keizer Development Code (KDC), and the Keizer Station Plan.

The City of Keizer finds that:

1. General Findings.
The particulars of this case are found within Planning file Text Amendment 2018-01. Public hearings were held before the Planning Commission on February 14, 2018 and before the City Council on August 6, 2018.
2. Criteria for approval are found in Section 3.111.04 of the Keizer Development Code. Amendments to the Comprehensive Plan or Development Code shall be approved if the evidence can substantiate the criteria are met. Amendments to the map shall be reviewed for compliance with each of the criteria contained in Section 3.111.04, while text amendments shall only be reviewed for compliance with Section 3.111.04 B, C, and D. Given that this is a text amendment, Section 3.111.04 A is not applicable.
3. **Section 3.111.04.B - A demonstrated need exists for the product of the proposed amendment -**

Findings: The proposed revisions to the Keizer Development Code (KDC) and Keizer Station Plan reflect a demonstrated need. The existing language in the KDC was unclear as to the process and criteria for amending a previously approved master plan. These amendments clarify the master plan amendment process and provide minor changes to multiple sections of the KDC and Keizer Station Plan in order to provide continuity within the documents. Therefore, this proposal complies with this review criterion.
4. **Section 3.111.04.C- The proposed amendment to the Keizer Development Code complies with statewide land use goals and related administrative rules**

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

Goal 1 – Citizen Involvement: The adoption of this ordinance followed notice, a public process involving public hearings, deliberation, and ordinance adoption. Public notice was provided in the Keizertimes newspaper. Public hearings were held before the Planning Commission on February 14, 2018, and before the City

Council on August 6, 2018. Citizens were afforded the opportunity to participate in the public process. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this planning process as is required by this goal and with implementing administrative rules within Oregon Administrative Rules.

Goal 2 – Land Use Planning: This ordinance amends the Keizer Development Code and text within the Keizer Station Plan. The city has an adopted comprehensive plan acknowledged by the state. The adoption proceeding was conducted in a manner consistent with the Keizer Comprehensive Plan, Keizer Development Code, and applicable state law. The revisions to the Keizer Development Code and Keizer Station Plan are consistent with this statewide planning goal and administrative rules.

Goal 3 – Farm Land: The purpose of this goal is to protect lands that are designated for agricultural uses. Within the city limits the Exclusive Farm Use (EFU), Special Agriculture (SA), Urban Transition (UT), and Public (P) allow commercial agricultural uses. However, only the city’s SA zone is a state recognized EFU qualifying zone. The amendments involve regulations affecting the process for conducting a master plan amendment and will not affect lands that are outside the city limits or any lawful uses occurring on those lands. Nothing in the amendments will affect the ability for an existing farm use to continue, or for a new farm use to be established on appropriately zoned property. Therefore, the amendments will comply with the Farm Land Goal and with implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands designated for commercial forest uses. There are no zoning districts specifically designated within the city limits that will allow for commercial forestry. Also, there are no commercial forest lands near, or adjacent to the city limits of Keizer. The amendments to the KDC do not involve any land which is designated as forest land, nor will it impact the use of any forest lands. The amendments will comply with this Goal and with implementing administrative rules.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces: The intent of the Natural Resources Goal is to protect various natural resources and conserve scenic and historic areas and open spaces. The city has a local wetland inventory of sites where wetland soils may be present. The city has an adopted Willamette River Greenway Overlay zone to protect resources along the Willamette River. There are no identified big game habitats within the city limits of Keizer. The city established a Resource Conservation overlay zone to maintain, preserve and protect the natural features adjacent to Claggett Creek. In addition, the City has storm water regulations to protect water quality of the local water ways. These changes will not affect or preclude any of the city’s natural resources protection regulations nor the lawful use of any properties that are

within this overlay zone. Therefore, the amendments will be consistent with this goal and with administrative rules which implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city’s air, water and land qualities. The city provides its residents with city water from groundwater sources. The quality of the water is monitored to ensure that it complies with all state and federal water quality standards. New construction is required to be connected to the established sanitary sewer system thereby reducing the potential of groundwater contamination from failing on-site septic systems. The city has storm water regulations which are to maintain water quality in the Willamette River and local streams. Land quality is preserved through the city’s erosion control regulations and through zone code development regulations. Air quality is preserved through the city’s development code regulations which limit certain types of uses and are enforced by appropriate state agencies which govern air emission standards. The revisions will have no effect on Air, Water and Land Quality and therefore will comply with this goal and with the administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The city has floodplain regulations that govern the placement of structures within identified 100-year floodplains within the city limits. In Keizer, these are primarily located along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the floodplain. While there are some steep slopes in the northwest quadrant of the city, there are no mapped areas of steep slopes in Keizer that might warrant any special engineering. The text amendments will neither impact this goal nor any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. The city has an adopted Parks and Recreation Master Plan that inventories parks, playgrounds, and recreational opportunities within the city limits and plans for the city’s future park and recreation needs. The amendments will have no impact on the recreational activities that occur on any park land within the city and will not impact either this goal or any administrative rules that implement it.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. The City has an adopted Economic Opportunities Analysis which addresses projected job needs based on both regional growth patterns and desired targeted industries. The growth forecast calls for a total of 3,774 new jobs over the next 20 years. The adopted Economic Opportunities Analysis identifies a net need for commercial and institutional lands amounting to 63.3 gross acres above and beyond what the City’s remaining

buildable employment lands can accommodate. The text amendment will not have any adverse impact on the economic development activities or uses within the city. Therefore, the changes are consistent with this goal.

Goal 10 – Housing: This goal requires the city to plan and provide for the housing needs of its residents. The adopted Housing Needs Analysis found that for the upcoming 20-year period that there will be a need for 4,513 new units to house the future population. The inventory of buildable residential lands contain a supply of 315.2 acres which are vacant, partially vacant or re-developable and can accommodate an estimated 2,422 units resulting in 2,090 units which must be accommodated beyond the City’s existing capacity. When this remaining land need is apportioned to Keizer’s residential zones, the HNA estimates a 20-year need of 267 gross acres of residential land. The amendments will have no impact on this goal.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of Keizer. The city provides its residents with water, an established street system, administrative services and police services. Sanitary sewer service is provided by the city of Salem through an intergovernmental agreement. Fire protection services are provided by the Keizer Fire District or Marion County Fire District #1. There is sufficient capacity in the municipal water delivery system and also within the sanitary sewer treatment system to accommodate planned growth within the upcoming 20 year planning period. The text amendments will not impact this goal.

Goal 12 – Transportation: The city has an adopted Transportation System Plan that describes the city’s transportation systems. This system includes streets, transit, bike, and pedestrian systems. It inventories the existing systems and contains plans for improving these systems. The text amendment will not affect any transportation facility within the city limits and so is consistent with Section 3.111.05 regarding Transportation Planning Rule compliance. The text amendment will have no adverse impact on the city’s transportation systems and so will not affect this goal or any implementing rules.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance for review to applicable energy conservation standards. The text amendments will have no impact on this goal or any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that complies with the goal. The text amendments will affect only land that is within the city limits and will not impact the use of any land being transitioned from rural to urbanized uses and is therefore consistent with this goal.

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

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

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

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

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

FINDINGS: The text amendments will revise Section 3.1113 (Keizer Station Master Plan Review) along with several other related sections of the Keizer Development Code and the Keizer Station Plan in order to clarify and establish the process for amending a previously approved master plan. The amendments will also modify several sections of KDC and the Keizer Station Plan to provide continuity and to align the proposed changes with other sections within the KDC. These changes represent a logical implementation of the Keizer Comprehensive Plan. The City Council has, by this adoption, determined that the text revisions are desirable, appropriate, and proper. As such, the changes comply with this criterion.

2.107 MIXED USE (MU)

2.107.01 Purpose

The Mixed Use (MU) zone promotes development that combines differing uses (permitted or special permitted) in a single building or complex. This zone will allow increased development on busier streets without fostering a strip commercial appearance. The zone encourages the formation of neighborhood "nodes" of activity where residential and commercial uses mix in a harmonious manner. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. (4/08)

The Mixed Use zone is intended to include a variety of uses identified in this section in relative close proximity to each other as compared to a traditional zone district in which differing uses are segregated. Vertical mixed use is a building in which significant amounts of differing uses are located in the same building with different uses on different floors. While mixed use development is primarily intended to consist of retail or other businesses on the ground floor with housing or office uses on upper stories it is not required that every building within a mixed use area is developed with different uses within it. Clusters of residential and commercial uses around landscaping features or parking areas will also occur. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses. (4/08)

The Mixed Use zone is suitable for the Medium Density Residential, Medium-High Density Residential and Mixed Use Comprehensive Plan designations. (5/98)

2.107.02 Permitted Uses

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

- A. **One or more buildings with one or more dwelling units** or guest rooms on a lot. (5/98)
- B. **One or more buildings with one or more dwelling units** or guest rooms and one or more other uses allowed in this section on a lot. (5/98)
- C. **Residential homes** and facilities. (5/98)
- D. **Day care facility** for 17 or more children consistent with state regulations, including Family day care provider for 16 or fewer children consistent with state regulations. (4/16)
- E. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (5/98)

F. **Public or private utility substation**, but excluding electrical substation. (5/98)

G. **Landscape counseling and planning (078)**. (5/98)

H. **Transportation, Utilities and Communication**. (5/98)

1. **Travel agency (4722)**. (5/98)

2. **Communication (48) BUT EXCLUDING** communication services, not elsewhere classified (489). (5/98)

3. **Public utility** structures and buildings. (5/98)

4. **Transit Facilities (Section 2.305)**. (Ordinance No. is 2009-586, 5/09)

I. **Retail Trade:**

Except as allowed under Section 2.107.05.B, the following retail uses shall be limited to buildings of 10,000 square feet or less:

1. **General merchandise stores (53)**. (04/08)

2. **Food stores (54)**. (04/08)

3. **Apparel and accessory stores (56)**. (04/08)

4. **Home furnishing, appliance and equipment stores (57)**. (04/08)

5. **Eating and drinking places (58)**. (04/08)

6. **Retail, (59) BUT EXCLUDING** non-store retailers (596) and fuel and ice dealers (598). (04/08)

7. Uses listed in 2.107.02.I. through 7 if developed in a vertical mixed use development shall not be considered as a specified use in 2.107.05.E. (10/15)

J. **Business, Professional and Social Services:** The following business and professional and service oriented uses are allowed:

1. **Finance, insurance and real estate (60, 61, 62, 63, 64, 65, 67)**. (5/98)

2. **Hotels, motels and lodging facilities (701)**. (5/98)

3. **Personal services (72) BUT EXCLUDING:** power laundries, family and commercial (7211), linen supply (7213), dry cleaning plants, except rug cleaning (7216), carpet and upholstery cleaning (7217); and industrial laundries (7218). (5/98)

4. **Business services** (73) BUT EXCLUDING disinfecting and exterminating services (7342), building and cleaning services (7349), and equipment rental (735). (5/98)
5. **Watch, clock and jewelry repair** (763). (5/98)
6. **Recreational or athletic clubs.** (5/98)
7. **Health services** (80) BUT EXCLUDING hospitals (806). (5/98)
8. **Legal services** (81). (5/98)
9. **Miscellaneous services** (89). (5/98)
10. **Community or neighborhood clubs.** (5/98)
11. **Parking lots.** (5/98)
12. **Pet Grooming** (6/01)
13. **Veterinary Services** (Section 2.414) (6/15)

K. **Public administration** (91 - 97). (5/98)

2.107.03 Special Permitted Uses

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

- A. **Partitions**, subject to the provisions in Section 2.310. (5/98)
- B. **Subdivision**, subject to the provisions in Section 2.310. (5/98)
- C. **Planned unit development**, subject to the provisions in Section 2.311. (5/98)
- D. **Accessory structures** and uses prescribed in Section 2.203.02. (5/98)
- E. The following special uses subject to the applicable standards in Section 2.4:
 1. **Shared housing facilities** (Section 2.403). (5/98)
 2. **Zero side yard dwelling** units (Section 2.404). (5/98)
 3. **Home occupations** (Section 2.407). (5/98)
 4. **Bed and breakfast** establishments (Section 2.408). (5/98)
 5. **Residential sales offices** (Section 2.409). (5/98)

6. **Public golf course** (SIC 7992) or membership recreation club having golf course (SIC 7997) (Section 2.410). (5/98)
7. **Boat and RV storage** area (Section 2.411). (5/98)
8. **House of Worship** (Section 2.423). (5/98)
9. **Recreational vehicle storage** space (Section 2.413). (5/98)
10. **Electrical substations** (Section 2.426). (5/98)
11. **Wireless Telecommunications Facilities** (Section 2.427). (5/98)
12. **Cottage Cluster Development** without the creation of any new lots (Section 2.432). (6/14)
13. **Mobile Food Vendor** (Section 2.434). (07/17)

2.107.04 Conditional Uses

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

- A. **Craft Industries**, subject to the provisions in Section 2.421. (5/98)
- B. Transit Station (Section 2.429). (5/09)
- C. Cottage Cluster Development with the creation of new lots (Section 2.432). (6/14)

2.107.05 Use Restrictions

- A. The following uses are not permitted: (04/08)
 1. Farm Use. (5/98)
 2. The rendering, processing, or cleaning of animals, fish, seafoods, fowl, poultry, fruits, vegetables, or dairy products for wholesale use. (5/98)
 3. Any outdoor display or storage of merchandise or materials unless consistent with Section 2.107.05.B.7. (04/08)
 4. Camping or over-night in parking lots. (04/08)
- B. Retail uses as set forth in Section 2.107.02(I) are limited to buildings not exceeding 10,000square feet of gross leasable area except as provided herein. Such retail uses over 10,000 square feet may be permitted as allowed in an approved master plan subject to meeting the following requirements: (04/08)

1. In addition to the requirements in Section 2.309 (Site and Landscaping Design), provide increased screening and buffering when any portion of the building is located adjacent (as defined in Section 1.200) to existing or planned residential areas so as to adequately screen the building. (04/08)
2. In addition to the requirements in Section 2.107.06(B), provide increased building setbacks when any portion of the building is located adjacent (as defined in Section 1.200) to existing or planned residential areas. (04/08)
3. In addition to the requirements in Section 2.315.06, provide increased architectural features such as the use of three differing materials, color, textures, on building facades that are visible from a public street so as to minimize the effect of large blank walls. The elevations of all buildings shall be varied in textures, and material and shall incorporate human scale design elements. Elevations of all buildings shall incorporate no more than fifteen feet between varied vertical elements such as materials, patterns and textures, architectural features such as columns, projections, and differing planes shall be used liberally with no greater than 22 feet between such features. Materials shall be varied at the same frequency as the architectural elements. These materials shall incorporate cultured stone, split face Concrete mortar units (CMU's), as well as smooth faced CMU walls. (10/15)
4. Include architectural features that reflect those of the remainder of the building around any outdoor garden / nursery area to include such things as hard walls, windows and awnings. (04/08)
5. Limit any outdoor display or storage of merchandise to the area adjacent to the building. (04/08)
6. Direct lighting to avoid causing glare onto adjacent properties and be generally low in height, light sources shall not be visible beyond development boundaries. (04/08)
7. Provide mitigation measures that address adverse traffic and livability impacts in the surrounding neighborhood. This will include such things as enclosing all service equipment and service areas and any other issues identified in a master plan or traffic impact analysis. (04/08)
8. Drive-thru businesses shall have the drive-thru oriented away from both existing and planned residential areas. (04/08)

- C. A retail building of the type described in Section 2.107.02(I) is allowed to exceed the 10,000 square foot limit subject to Master Plan approval and compliance with all requirements of this Chapter. (04/08)

D. Larger Format Stores.

1. Retail buildings of the type described in Section 2.107.02(I) that exceed 10,000 square feet ("Larger Format Stores") require the development of non-retail/non-single family home uses in the Master Plan area that have a total square footage of at least 25% of the gross leasable area of the Larger Format Store. As used herein, "non-retail" shall mean uses other than those listed in Section 2.107.02(I). (04/08)
2. Larger Format Stores in excess of 80,000 square feet of the type described in Section 2.107.02(I) shall meet the requirement set forth in Subsection D(1) above. In addition to such requirement, for each square foot of vertical mixed use development in the Master Plan area, the Larger Format Store can be increased above 80,000 square feet by an equivalent amount. The mixed use square footage requirements of Subsection D(1) and this Subsection cannot be combined. (04/08)
3. The development required in Subsections D(1) and D(2) above shall take place in the same Master Plan area. The approved Master Plan shall be conditioned to require such development to be constructed before or concurrently with the Larger Format Store. (04/08)

E. A limitation of the total floor area for specified uses applies to all of Area C – Keizer Station Center of the Keizer Station Plan. A maximum total floor area shall apply to the uses identified in Section 2.107.02(I). This maximum floor area is set forth in the Keizer Station Plan, however this maximum floor area may change as part of an approved Master Plan ~~or amended master plan.~~ (06/10)

F. Proposals to develop properties within Area C of the Keizer Station shall comply with Master Plan or Master Plan Amendment requirements outlined in Section 3.113, and also with requirements specified in 2.107.05.G.1 through 6 below. (04/08)

G. Proposals to develop properties outside of Area C of the Keizer Station shall require approval of a Master Plan and compliance with the following: (04/08)

1. Pedestrian Access, Safety and Comfort (04/08)
 - a. To ensure safe, direct, and convenient pedestrian circulation, development shall provide a continuous pedestrian and/or multi-use path system. (04/08)
 - b. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas wherever possible. (04/08)

- c. Pathways with developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and parking areas. (04/08)
 - d. For all developments subject to Master Plan review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable. (04/08)
 - e. Recessed entries, canopies, and/or similar features shall be used at the entries to a building in order to create a pedestrian scale. (04/08)
 - f. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (04/08)
2. Vehicular Movement (04/08)
- a. Encourage traffic to enter and exit the development at locations in a safe manner. (04/08)
3. Crime Prevention and Security (04/08)

Crime prevention shall be considered in the site design through application of all of the following guidelines: (04/08)

- a. Territoriality – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in b.; and (04/08)
- b. Natural Surveillance – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and (04/08)

- c. Activity Support – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and (04/08)
- d. Access Control – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or (04/08)
- e. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (04/08)

4. Reduced Parking (04/08)

Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of car pool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City. (04/08)

5. Creating and Protecting Public Spaces (04/08)

- a. The development provides an appropriate amount of public space as determined by the City Council in addition to sidewalks and landscaping. (04/08)
- b. Public space may be a landscaped open space or plaza with pedestrian amenities, as approved by the City Council. (04/08)

6. Human Scaled Building Design (04/08)

Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and design character of a development. The City Council may determine architectural character, continuity of building sizes, roof forms, rhythm of window and door spaces and the general relationship of buildings to public spaces such as street, plazas, other open space and public parking. (04/08)

The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (04/08)

In addition, the provisions within Section 3.113.05 apply.

2.107.06 Dimensional Standards

A. Minimum Lot Dimension and Height Requirements

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

- (1) *A single family dwelling attached on one side has a minimum lot area of 3500 square feet, and a single family dwelling attached on both sides has a minimum lot area of 3000 square feet. (5/98)*
- (2) *Multi-family development must comply with the density standard in Section 2.107.07.I (06/07)*
- (3) *Parcel size shall be adequate to contain all structures within the required yard setbacks. (06/07)*
- (4) *Height of vertical mixed use development may exceed this limitation without a concurrent variance and maximum height will be determined during master plan process. (04/08)*

B. Minimum Yard Setback Requirements

SETBACKS (5)	Single Family or Duplex	Multi-Family	Commercial	Mixed Use
Front	10 feet (7)	10 feet (1)	10 feet (1)	10 feet (1)
Side	5 feet (2)	10 feet	(4)	(4)
Rear	(3)	(3)	(4)	(4)
Street-side	10 feet	10 feet	10 feet	10 feet
Garage entrance (6)	20 feet	20 feet	20 feet	20 feet

- (1) *For all MU zoned property fronting Cherry Avenue south of Manbrin Drive the minimum setback shall be 5 feet and the maximum shall be 10 feet for yards adjacent to Cherry Avenue. The maximum setback shall apply to the primary wall of the building. Indentations in the primary wall, such as alcoves, courtyards, etc. have no maximum setback. (5/98)*
- (2) *Zero side yard dwelling units are subject to the setback provisions in Section 2.404. (5/98)*
- (3) *The rear yard setback shall be as follows: 14 feet for a 1-story single family home, duplex, or multi-family building; 20 feet for a 2-story single family home, duplex, or multi-family building. Setbacks are to be measured from the architectural rear of the building regardless of the building's orientation to the property lines. (06/07)*
- (4) *The rear and side yard setbacks adjacent to a residential zone shall be no less than the minimum rear yard setback of the zone on the adjacent property. In no case shall the setback be less than 10 feet, except there is no required setback adjacent to a non-residential zone. (5/98)*
- (5) *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)*
- (6) *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)*
- (7) *The minimum front setback from an access easement shall be ten (10) feet. (10/15)*

2.107.07 Development Standards

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

- A. **Off Street Parking:** Parking shall be as specified in Section 2.303. (5/98)
- B. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the MU 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)
 - 2. Residential structures with four or more attached dwelling units¹ including Cottage Cluster Developments), and non-residential structures shall comply with the provisions in Section 2.315 - Development Standards. (6/14)
 - 3. For MU zoned property fronting Cherry Avenue south of Manbrin Drive; residential use shall occupy no less than 35% and no more than 65% of the building floor area on any property. (5/98)
- C. **Subdivisions and Partitions:** Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)
- D. **Yards and Lots:** Yards and lots shall conform to the standards of Section 2.312. (5/98)
- E. **Signs:** Signs shall conform to the requirements of Section 2.308. (5/98)
- F. **Accessory Structures:** Accessory structures shall conform to requirements in Section 2.313. (5/98)
- G. **Landscaping:** All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in Section 2.309. The minimum landscaped area requirements shall be as follows: (5/98)

Commercial development:	15%
Mixed commercial and residential development:	20%
Residential development:	25%

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

Commercial development:	85%
Mixed commercial and residential development:	80%
Residential development:	75%

I. **Density:**

1. For property zoned MU as identified in the Keizer Station Plan, the minimum density for subdivisions, partitions, multi-family or any residential development shall be a minimum 8 units per acre and a maximum 24 units per acre, except there shall be no minimum residential density requirement for multi-family development within a mixed use building. (12/03)

The minimum density for multi-family development shall be 8 units per acre; the maximum density shall be 24 units per acre, except there shall be no minimum residential density requirement for multi-family development within a mixed use building. (05/98)

2.109 COMMERCIAL RETAIL (CR)

2.109.01 Purpose

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

2.109.02 Permitted Uses

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

- A. **One dwelling unit in conjunction with the commercial uses(s)** of the lot. (5/98)
- B. **Offices for any use listed in SIC Division C - Construction.** (5/98)
- C. **Post offices (43).** (5/98)
- D. **Building materials, hardware, retail nurseries, and garden supply (52)** except mobile home dealers (527). (5/98)
- E. **General merchandise stores (53).** (5/98)
- F. **Food stores (54).** (5/98)
- G. **Auto and home supply stores (553).** (5/98)
- H. **Eating and drinking places (58)** except as provided in Section 2.109.05. (10/14)
- I. **Miscellaneous retail (59)** except fuel and ice dealers (598) provided all display is within a building. (5/98)
- J. **Vehicle sales and secondary repair** except as provided in Section 2.109.05. (10/14)
- K. **Finance, insurance, and real estate (60, 61, 63, 64, 65, 66 and 67).** (5/98)
- L. **Hotels, motels, and tourist courts (701).** (5/98)
- M. **Membership organizations (86).** (5/98)

- N. **Public utility structures and buildings** except as provided in Section 2.109.05. (10/14)
- O. Uses prescribed in Section 2.203 (4/12)
- P. **Unlimited number of guest rooms** including **rooming and boarding houses** (702), organization hotels and lodging homes on membership basis (704). (5/98)
- Q. **Signs** (Section 2.308) (4/12)
- R. **Miscellaneous amusement and recreation services** (799) except golf courses (7992) and amusement parks (7996). (5/98)
- S. **Landscape counseling and planning** (0781). (5/98)
- T. **News dealers and newsstands** (5994). (5/98)
- U. **Commercial printing** (275). (5/98)
- V. **Communications** (48). (5/98)
- W. **Apparel and accessory stores** (56). (5/98)
- X. **Furniture, home furnishings, and equipment stores** (57). (5/98)
- Y. **Electrical and lighting shops and office machines and equipment stores.** (5/98)
- Z. **Personal services** (72) except carpet and upholstery cleaning (7217) and industrial launderers (7218). (5/98)
- AA. **Business services** (73) except disinfecting and exterminating services (7342) and research and development laboratories (7391). (5/98)
- BB. **Automobile parking** (752) except as provided in Section 2.109.05. (10/14)
- CC. **Watch, clock, and jewelry repair** (763). (5/98)
- DD. **Motion picture distribution** and allied services (782). (5/98)
- EE. **Motion picture theaters** (783) except drive-ins (7838). (5/98)
- FF. **Dance halls, studios, and schools** (791). (5/98)

- GG. **Theatrical producers** (except motion pictures), **bands, orchestras**, and **entertainers** (792). (5/98)
- HH. **Bowling alleys** and **billiard and pool establishments** (793). (5/98)
- II. **Health services** (80) except hospitals (806). (5/98)
- JJ. **Ambulance service**. (5/98)
- KK. **Legal services** (81). (5/98)
- LL. **Educational services** (82). (5/98)
- MM. **Social services** (83). (5/98)
- NN. **Museums, art galleries, botanical and zoological gardens** (84). (5/98)
- OO. **Miscellaneous services** (89). (5/98)
- PP. **Executive offices** (911). (5/98)
- QQ. **Executive and legislative combined** (913). (5/98)
- RR. **Finance, taxation, and monetary policy** (93). (5/98)
- SS. **Administration of human resources programs** (94). (5/98)
- TT. **Administration of environmental quality and housing programs** (95). (5/98)
- UU. **Administration of economic programs** (96). (5/98)
- VV. **National security** and **international affairs** (97). (5/98)
- WW. **Automotive Dealers** (55) but excluding gasoline service stations (554) except as provided in Section 2.109.05. (10/14)
- XX. **Residential home care** and **adult residential home care**.
- YY. **Printing & Publishing**
- ZZ. **Child foster home** for five or fewer children as a secondary use. (6/99)
- AAA. **Pet Grooming** (6/01)
- BBB. **Transit Facilities** (Section 2.305). (5/09)

2.109.03 Special Permitted Uses (10/14)

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

- A. **Partitions**, subject to the provisions in Section 2.310. (10/14)
- B. **Subdivision**, subject to the provisions in Section 2.310. (10/14)
- C. **Planned unit development**, subject to the provisions in Section 2.311. (10/14)
- D. **Gasoline service stations** (554) (Section 2.419) except as provided in Section 2.109.05 below. (10/14)
- E. **Used Merchandise Store** (Section 2.417) provided all display is within a building. (4/12)
- F. **Religious organizations** (Section 2.423) (4/12)
- G. **Veterinary services** (074) (Section 2.414) (4/12)
- H. **Recreational vehicle parks** (7033) (Section 2.412) except as provided in Section 2.109.05 below (10/14)
- I. **Bed and breakfast establishments** (Section 2.408) (4/12)
- J. **Adult entertainment business** (Section 2.418) (4/12)
- K. **Accessory commercial uses** (Section 2.416) (4/12)
- L. **Medical Marijuana Facilities** (Section 2.433) (10/14)
- M. **Marijuana Retailer** (Section 2.433) (1/16)
- N. **Mobile Food Vendor** (section 2.434) (07/17).

2.109.04 Conditional Uses

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

- A. **Water supply** (494). (5/98)
- B. **Carpet and upholstery cleaning** (7217). (5/98)

- C. **Automotive rental and leasing, without drivers** (751) except as provided in Section 2.109.05 below. (4/12)
- D. **Automotive repair shops** (753) except as provided in Section 2.109.05 below. (4/12)
- E. **Automotive services**, except repair (754) except as provided in Section 2.109.05 below. (4/12)
- F. **Electrical repair shops** (762). (5/98)
- G. **Reupholstery and furniture repair** (764). (5/98)
- H. **Professional sports clubs and promoters** (7941). (5/98)
- I. **Utilities - secondary truck parking and material storage yard** except as provided in Section 2.109.05. (10/14)
- J. **Manufacture of jewelry, silverware, and plated ware** (391). (5/98)
- K. **Manufacture of costume jewelry, novelties, buttons, etc.** (396). (5/98)
- L. **Local and suburban passenger transportation** (411). (5/98)
- M. **Intercity and rural highway passenger transportation** within 2,000 feet from the center point of an I-5 interchange and having direct access onto a major arterial (413). (4/12)
- N. **Transit Station** (Section 2.429). (05/09)

2.109.05 Prohibited Uses

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

- A. **Gasoline service stations** (554) (Section 2.419). (4/12)
- B. **Drive-Through windows or car service associated with eating and drinking places** (58). (5/98)

- C. **Vehicle sales and secondary repair.** (5/98)
- D. **Public utility structures and buildings.** (5/98)
- E. **Recreational vehicle parks (7033) (Section 2.412)** (4/12)
- F. **Automobile parking not associated with an allowed use (752).** (5/98)
- G. **Automotive Dealers (55).** (5/98)
- H. **Automotive rental and leasing, without drivers (751).** (5/98)
- I. **Automotive repair shops (753).** (5/98)
- J. **Automotive services, except repair (754).** (5/98)
- K. **Utilities – secondary truck parking and material storage yard.** (4/12)

2.109.06 Use Restrictions

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

~~Master Plan or amended master plan.~~ (06/10)

2.109.07 Dimensional Standards

A. Minimum Lot Dimension and Height Requirements

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

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

B. Minimum Yard Setback Requirements

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

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

2.109.08 Development Standards

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

A. Off-street parking:

1. Parking shall be as specified in Section 2.303. In the event that on-street parking is provided, on-street parking that abuts the property can be used to meet the standard. (5/98)
2. No off-street parking is required for uses above the ground floor. (5/98)
3. The off-street parking requirement for residential uses is one space per unit. (5/98)

4. If mixed uses on the ground floor exhibit peak parking demand at different times, the resulting parking requirement is limited to the number of spaces generated at the highest combined peak demand at any one particular time. (For example, if there is a movie theater exhibiting peak parking demand between 7:00 and 10:00 PM with a total requirement of 100 spaces, and a pet store exhibiting peak demand between 1:00 and 5:00 PM with a requirement of 50 spaces, the total requirement for the building would be 100 spaces).
- B. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)
 - C. Yards and Lots. Yards and lots shall conform to the standards of Section 2.312. (5/98)
 - D. Signs. Signs shall conform to the requirements of Section 2.308. (5/98)
 - E. Accessory Structures: Accessory structures shall conform to requirements in Section 2.313. (5/98)
 - F. Storage, Trash, and Service Functions: Storage areas, trash, recycling, utilities and other service functions shall be located within the main structure if possible. If any of the above functions are located outside the main structure, the area containing the function must be screened with a solid, durable structure that is architecturally related to the building. (5/98)
 - G. Landscaping-General: All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in Section 2.309. The minimum landscaped area is 10%. (5/98)
 - H. Landscaping-Parking Lots: One tree shall be provided for every eight parking spaces in parking lots. The trees shall be dispersed throughout the parking lot in minimum four by four foot planters located between parking spaces. (5/98)
 - I. Lot Coverage: The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: (5/98)

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

2.109.09 Design Standards

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

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

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

2.110 COMMERCIAL MIXED USE (CM)

2.110.01 Purpose

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

2.110.02 Permitted Uses

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

- A. **One or more buildings with one or more dwelling units** or guest rooms, and/or, one or more other uses allowed in this section on a lot. (5/98)
- B. **Residential homes** and facilities. (5/98)
- C. **Day care facility** for 17 or more children consistent with state regulations, including Family day care provider for 16 or fewer children consistent with state regulations. (4/16)
- D. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (5/98)
- E. **Landscape** counseling and planning (0781). (5/98)
- F. **Offices** for any use listed in SIC Division C - Construction. (5/98)
- G. **Commercial printing** (275). (5/98)
- H. **Transportation, Communication and Utilities.** (5/98)
 - 1. **Public utility** structures and buildings. (5/98)
 - 2. **Post office** (43). (5/98)
 - 3. **Travel agency** (4722). (5/98)
 - 4. **Communications** (48). (5/98)

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

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

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

1. **Finance, insurance and real estate** (60, 61, 62, 63, 64, 65, 67). (5/98)
2. **Hotels, motels and tourist courts** (701). (5/98)
3. **Organization hotels and lodging houses** on membership basis (704). (5/98)
4. **Personal services** (72) BUT EXCLUDING industrial launderers (7218). (5/98)
5. **Business services** (73) BUT EXCLUDING disinfecting and exterminating services (7342). (5/98)
6. **Parking lots** (7523) except as provided in Section 2.110.05, below. (5/98)
7. **Miscellaneous repair services** (76). (5/98)
8. **Motion pictures** (78), BUT EXCLUDING drive-ins (7838). (5/98)
9. **Amusement and recreation** (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (5/98)

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

2.110.03 Special Permitted Uses

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

- A. **Partitions**, subject to the provisions in Section 2.310. (5/98)
- B. **Subdivision**, subject to the provisions in Section 2.310. (5/98)
- C. **Planned unit development**, subject to the provisions in Section 2.311. (5/98)
- D. **Accessory structures and uses** prescribed in Section 2.203. (5/98)
- E. **Transit Facilities** (Section 2.305). (05/09)

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

1. **Shared housing facilities** (Section 2.403). (5/98)
2. **Zero side yard dwelling units** (Section 2.404). (5/98)
3. **Home occupations** (Section 2.407). (5/98)
4. **Bed and breakfast establishments** (Section 2.408). (5/98)
5. **Residential sales offices** (Section 2.409). (5/98)
6. **Public golf course** (7992) or membership recreation club having golf course (7997) (Section 2.410). (5/98)
7. **Boat and RV storage area** (Section 2.411) except as provided in Section 2.110.05, below. (5/98)
8. **House of Worship** (Section 2.423). (5/98)
9. **Recreational vehicle storage space** (Section 2.413) except as provided in Section 2.110.05, below. (5/98)
10. **Veterinary services** (074) (Section 2.414). (5/98)
11. **Funeral service and crematories** (726) (Section 2.415). (5/98)
12. **Used Merchandise Store** (Section 2.417)
13. **Adult entertainment business** (Section 2.418). (5/98)
14. **Service stations** (554) (Section 2.419) except as provided in Section 2.110.05, below. (5/98)
15. **Recreational vehicle parks** (7033) (Section 2.412) except as provided in Section 2.110.05, below. (5/98)
16. **Automobile services** (75) (Section 2.420) except as provided in Section 2.110.05, below. (5/98)
17. **Manufacturing and Assembly Facilities** (Section 2.421). (5/98)
18. **Wireless Telecommunications Facilities** (Section 2.427). (5/98)
19. **Medical Marijuana Facilities** (Section 2.433) (10/14)
20. **Marijuana Retailer** (Section 2.433) (1/16)
21. **Mobile Food Vendor** (Section 2.434) (9/16)

2.110.04 Conditional Uses

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

- A. **Craft Industries**, subject to the provisions in Section 2.421. (5/98)
- B. **Transit Station** (Section 2.429). (05/09)
- C. **Gasoline service stations** (554) located in the Chemawa/River Rd restriction area described in Section 2.110.05.C. subject to the following requirements (9/17):
 - 1. May only sell fuel related products such as gasoline and oil, and non-fuel-related products typically for sale in the primary Food Store use. The building containing the non-fuel related sales shall not exceed a total of 900 square feet, and the sales floor area portion shall not exceed 450 square feet. No service or repair functions are allowed. (9/17)
 - 2. Subject to the provisions in Section 2.419. (9/17)
 - 3. Must be accessory to a **Food store (54)** use. The primary Food Store use must be a minimum of 15,000 square feet in area. (9/17)
 - 4. Must be setback more than 100 feet from adjacent public streets, and must provide pedestrian oriented amenities on the entire site. (9/17)
 - 5. Must provide screening and buffering to adjacent residential uses, and must mitigate the aesthetic impacts of on-site stacking and queuing visible from any public right of way or adjacent properties. (9/17)
 - 6. Employ access management and control standards as appropriate to eliminate and/or reduce conflicts. (9/17)
 - 7. Comply with all applicable requirements and standards, including, but not limited to KDC 2.301.04 (Traffic Impact Analysis) and all mitigations required by such section. Traffic analysis must address the operational needs of the Keizer Fire District. (9/17)

2.110.05 Use Restrictions

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

- A. **Farm Use**. (5/98)
- B. The rendering, processing, or cleaning of animals, fish, seafoods, fowl, poultry, fruits, vegetables, or dairy products for wholesale use. (5/98)

C. The following uses are prohibited from any property fronting on River Road or Chemawa Road in the following area: the west side of River Road between 5119 River Road on the north and Janet Avenue extended on the south; the east side of River Road between Claggett Street on the north and James Avenue on the south; and either side of Chemawa Road between Elizabeth Street on the west and Bailey Road on the east; and (2) Any property contained within the Area B as described in the Keizer Station Plan. This prohibition does not apply to any business facility, legally established as of the date of the adoption of this Ordinance, which as of that date has drive-through window facilities. (12/03)

1. Gasoline service stations (554) except as provided in Section 2.110.04.C. (9/17)
2. Drive-Through windows or car service associated with eating and drinking places (58). (5/98)
3. Vehicle sales and secondary repair. (5/98)
4. Public utility structures and buildings. (5/98)
5. Recreational vehicle parks (7033). (5/98)
6. Automobile parking not associated with an allowed use (752). (5/98)
7. Automotive Dealers (55). (5/98)
8. Automotive rental and leasing, without drivers (751). (5/98)
9. Automotive repair shops (753). (5/98)
10. Automotive services, except repair (754). (5/98)
11. Utilities - secondary truck parking and material storage yard. (5/98)

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

2.110.06 Dimensional Standards

A. Minimum Lot Dimension and Height Requirements

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

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

B. Minimum Yard Setback Requirements

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

- (1) *Zero side yard dwelling units are subject to the setback provisions in Section 2.404. (5/98)*
- (2) *The rear yard setback shall be as follows: 14 feet for a 1-story home, 20 feet for a 2-story home. (5/98)*
- (3) *The setback shall be no less than the minimum rear yard setback of the zone on the adjacent property. For the CM zone, the rear yard setback is 0 feet. (5/98)*
- (4) *Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than*

five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)

- (5) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)*

2.110.07 Development Standards

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

- A. Off-street parking:
1. Parking shall be as specified in Section 2.303. In the event that on-street parking is provided, on-street parking that abuts the property can be used to meet the standard. (5/98)
 2. No off-street parking is required for uses above the ground floor. (5/98)
 3. The off-street parking requirement for residential uses is one space per unit. (5/98)
 4. If mixed uses on the ground floor exhibit peak parking demand at different times, the resulting parking requirement is limited to the number of spaces generated at the highest combined peak demand at any one particular time. (For example, if there is a movie theater exhibiting peak parking demand between 7:00 and 10:00 PM with a total requirement of 100 spaces, and a pet store exhibiting peak demand between 1:00 and 5:00 PM with a requirement of 50 spaces, the total requirement for the building would be 100 spaces.)
- B. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)
- C. Yards and Lots. Yards and lots shall conform to the standards of Section 2.312. (5/98)
- D. Signs. Signs shall conform to the requirements of Section 2.308. (5/98)
- E. Accessory Structures: Accessory structures shall conform to requirements in Section 2.313. (5/98)

F. Storage, Trash, and Service Functions: Storage areas, trash, recycling, utilities and other service functions shall be located within the main structure if possible. If any of the above functions are located outside the main structure, the area containing the function must be screened with a solid, durable structure that is architecturally related to the building. (5/98)

G. Landscaping-General: All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in Section 2.309.

1. The minimum landscaped area requirements shall be as follows:

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

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

H. Landscaping-Parking Lots: One tree shall be provided for every eight parking spaces in parking lots. The trees shall be dispersed throughout the parking lot in minimum four by four foot planters located between parking spaces. (5/98)

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

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

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

1. No more than 50% of the property shall be occupied. The occupied area shall include all buildings, accessory structures, driveways, parking and required landscaping. (5/98)
2. The remaining undeveloped portion of the property shall be in one contiguous piece. Access to a public street, in

conformance with Ordinance requirements, shall be available. The undeveloped portion shall have sufficient width and depth to be developed for additional residential, or commercial, uses. (5/98)

2.110.08 Design Standards

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

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

2.119 GENERAL EMPLOYMENT (EG)

2.119.01 Purpose

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

2.119.02 Commercial and Industrial Use Limitations

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

2.119.03 Permitted Industrial Uses

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

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

B. **Manufacturing;**

1. Bakery products. (205) (2/03)
2. Beverages. (208) (2/03)
3. Miscellaneous food preparations and kindred products. (209) (2/03)
4. The manufacture of meat products (201) but excluding both meat packing plant (2011) and any on site abattoirs and slaughtering, rendering of fats, processing of hides and maintenance of live animals or fowl. (Poultry slaughtering and processing (2015)) (2/03)
5. Textile mill products. (22) (2/03)
6. Apparel and other finished products made from fabrics and similar products. (23) (2/03)
7. Wood kitchen cabinets. (2434) (2/03)
8. Nailed and lock corner wood boxes and shook. (2441) (2/03)
9. Wood products, not elsewhere classified. (2499) (2/03)
10. Furniture and fixtures. (25) (2/03)
11. Paperboard containers and boxes. (265) (2/03)
12. Printing, publishing, and allied industries. (27) (2/03)
13. Drugs (283), **BUT EXCLUDING biological products, except diagnostic substances (2836)** (2/03)
14. Leather and leather products (31) BUT EXCLUDING leather tanning and finishing. (311) (2/03)
15. Glass products, made of purchased glass. (323) (2/03)
16. Pottery and related products. (326) (2/03)

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

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

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

D. Wholesale trade-nondurable goods (51) BUT EXCLUDING poultry and poultry products (5144), livestock (5154), farm-product raw materials, not elsewhere classified (5159), chemicals and allied products (516), tobacco and tobacco products (5194), and nondurable goods, not elsewhere classified. (5199) (2/03)

- E. **Wholesale trade-durable goods (50)** BUT EXCLUDING automobiles and other motor vehicles (5012), lumber and other construction materials (503), coal and other minerals and ores (5052), construction and mining machinery and equipment (5082) and scrap and waste materials. (5093) (2/03)
- F. **The uses listed in above A through D, excluding B(1) shall:**
1. Be within an enclosed building; and (2/03)
 2. Permit retail sales of products manufactured on the site. (2/03)
- G. **Services**
1. Computer and data processing services. (737) (2/03)
 2. Research and development laboratories. (2/03)
 3. Management, consulting, and public relations services. (Management and Public Relations Services (874) (2/03)
 4. Noncommercial educational, scientific, and research organizations. (2/03)
- H. **Office Uses:**
1. Any use allowed in Section 2.108, Commercial Office excluding those residential uses listed in Section 2.108.02A, B, C, PP, and RR and parking lots U. (2/03)
- I. **Finance, Insurance, and Real Estate;**
1. Commercial and Stock Savings Banks. (602) (2/03)
 2. Mutual Savings Bank. (2/03)
 3. Savings and Loan Associations. (603) (2/03)
 4. Personal Credit Institutions. (614) (2/03)
- J **Public Administration;** (2/03)
1. Fire Protection. (9224) (2/03)
- K. **Retail trade;**
1. Eating and drinking places. (2/03)

L. Services;

1. Hotels, motels, and tourist courts. (2/03)
2. **Day care facility** for 17 or more children consistent with state regulations. (4/16)
3. Membership sports and recreation clubs. (2/03)
4. Amusement and recreation (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (2/03)
5. Motion pictures (78), BUT EXCLUDING drive-in motion picture theaters (7833). (07/06)
6. Public and private sports facilities including but not limited to stadiums, arenas, ice rinks, parks, and aquatic facilities. (2/03)
7. Miscellaneous services, including pest control (7342). (2/03)

M. Transit facilities (Section 2.305) (05/09)

N. Flexible Space Uses. (2/03)

1. The following flexible space uses, when restricted, developed, and conducted as required in subsection 2 below, are permitted as industrial business park uses within the EG zone:
 - a. Food Stores (54). (2/03)
 - b. Apparel and Accessory Stores (56). (2/03)
 - c. Furniture, Home Furnishings and Equipment Stores (57). (2/03)
 - d. Miscellaneous Retail; BUT EXCLUDING used merchandise stores (59). (2/03)
 - e. Business Services. (2/03)
 - f. Miscellaneous Repair Services. (2/03)
2. In the Keizer Station where Flexible Space uses are to be developed as industrial business park uses within the EG zone, the following development limits apply; (2/03)
 - a. No single building shall be more than 25,000 square feet in area, with no more than 10,000 square feet to be utilized for any individual use listed in subsection (L)(1)(a) – (d). (2/03)

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

2.119.04 Special Permitted Industrial Uses

- A. **Accessory structures and uses** prescribed in Section 2.203 are permitted when developed in conjunction with a use listed in Section 2.119.03 under the applicable development standards in this Zoning Ordinance. (2/03)
- B. Medical Marijuana Facilities (Section 2.433). (10/14)
- C. Marijuana Grow Sites (Section 2.433). (10/14)
- D. Marijuana Retailer (Section 2.433). (1/16)

- E. Marijuana Processor (Section 2.433). (1/16)
- F. Marijuana Producer (Section 2.433). (1/16)
- G. Marijuana Wholesaler (Section 2.433). (1/16)
- H. Mobile Food Vendor (Section 2.434) (07/17).

2.119.05 Conditional Uses (Industrial Uses)

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

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

2.119.06 Permitted Commercial Uses

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

- A. **One or more buildings with one or more dwelling units** or guest rooms, and/or, one or more other uses allowed in this section on a lot. (2/03)
- B. **Residential homes** and facilities. (2/03)
- C. **Day care facility** for 17 or more children consistent with state regulations, including Family day care provider for 16 or fewer children consistent with state regulations. (8351) (4/16)
- D. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (2/03)
- E. **Landscape** counseling and planning (0781). (2/03)
- F. **Offices** for any use listed in SIC Division C - Construction. (2/03)
- G. **Commercial printing** (275). (2/03)
- H. **Transportation, Communication and Utilities.** (2/03)
 - 1. **Public utility structures and buildings.** (2/03)
 - 2. **Post office** (43). (2/03)
 - 3. **Travel agency** (4722). (2/03)

4. **Communications (48).** (2/03)
5. **Transit Facilities (Section 2.305).** (05/09)

I. Retail Trade. (2/03)

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

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

1. **Finance, insurance and real estate (60, 61, 62, 63, 64, 65, 67).** (2/03)
2. **Hotels, motels and tourist courts (701).** (2/03)
3. **Organization hotels and lodging houses on membership basis (704).** (2/03)
4. **Personal services (72) BUT EXCLUDING industrial launderers (7218).** (2/03)
5. **Business services (73) BUT EXCLUDING disinfecting and exterminating services (7342).** (2/03)
6. **Parking lots in accordance with Section 2.303.04 of this Ordinance. (7521)** (2/03)
7. **Miscellaneous repair services (76).** (2/03)
8. **Motion pictures (78), BUT EXCLUDING drive-ins (7838).** (2/03)

9. **Amusement and recreation** (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (2/03)
 10. **Health services** (80), BUT EXCLUDING hospitals (806). (2/03)
 11. **Legal services** (81). (2/03)
 12. **Elementary and secondary schools** (8211). (2/03)
 13. **Correspondence schools and vocational schools** (824). (2/03)
 14. **Schools and educational services** not elsewhere classified (829). (2/03)
 15. **Social services** (83). (2/03)
 16. **Museums, art galleries, botanical and zoological gardens** (84). (2/03)
 17. **Membership organizations** (86). (2/03)
 18. **Miscellaneous services** (89). (2/03)
- K. **Public Administration** (91 - 97). (2/03)

2.119.07 Special Permitted Commercial Uses

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

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

7. **Commuter Rail Station** (2/03)
8. **Mobile Food Vendor** (Section 2.434) (07/17).

2.119.08 Conditional Uses (Commercial Uses)

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

- A. Transit Station (Section 2.429). (05/09)

2.119.09 Use Restrictions

- A. The following uses are **prohibited** to be established in the EG zone: (2/03)
 1. Farm Use. (2/03)
 2. The rendering, processing, or cleaning of animals, fish, seafood's, fowl, poultry, fruits, vegetables, or dairy products for wholesale use.
 3. Vehicle sales and secondary repair.
 4. General Storage, including boat and RV storage.
 5. Recreational vehicle parks (7033).
 6. Automotive Dealers (55).
 7. Automotive rental and leasing, without drivers (751).
 8. Automotive repair shops (753).
 9. Automotive services, except repair (754).
- B. A limitation of the total floor area of specified uses applies to all of Area A – Village Center of the Keizer Station Plan. A maximum total floor area shall apply to the uses identified in Sections 2.119.03 (K) and 2.119.06 (I). This maximum floor area is set forth in the Keizer Station Plan, however this maximum floor area may change as part of an approved ~~Master Plan~~ or amended master plan. (06/10)

2.119.10 Development Standards

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

- B. Master Plan Required. A ~~M~~master ~~P~~plan must be ~~reviewed and~~ approved by the City Council prior to subdivision platting or development. The Master Plan shall be reviewed through a Type ~~III-B~~ review process in accordance with this Section. It is recognized that the applicant of the ~~M~~master ~~P~~plan for the area may not own or control all the land within the ~~M~~master ~~P~~plan boundary. The ~~master-Master~~ plan shall still cover the entire EG zone. For those portions not owned or controlled by the applicant, the Master Plan shall focus on a cohesive interconnected system of planned public facilities and shall set general guidelines to be used throughout the Master Plan area. Subdivision approval shall be based upon the zone and Section 3.108 as applicable.
1. The Master Plan or Master Plan Amendment will be developed and considered in accordance with the requirements of the Activity Center Overlay provisions (Section 2.125 of the Keizer Development Code). Once a Master Plan or Master Plan Amendment is adopted, the proposed development of each use shall be reviewed ~~through the dDevelopment rReview~~ as required in Section 2.315 of the Keizer Development Code during the building permit process. In the case of conflicts between the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards will apply.
 2. The Master Plan or Master Plan Amendment shall include a detailed transportation system design plan for the EG zone. The location of transit facilities shall conform to Section 2.305 of the Code.

2.119.11 Dimensional Standards

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

qualified abutting lots must meet Standard A stated in the table within this subsection and the remainder lots or parcels must meet Standard B. (07/06)

2. Unless exempted under Section (4) below, within the acreage identified for industrial uses, at least eighty percent (80%) of the area of lots or qualified abutting lots must meet Standard C stated in the table within this subsection and the remainder of the lots or parcels must meet Standard D. (07/06)
3. Qualified abutting lots:
 - a. Qualified abutting lots are defined as lots or parcels having the same classification as either all industrial or all commercially designated lands, that abut one another on at least one side and where there is no plan or proposal for curb cuts that would otherwise not be allowed if each individual lot was required to meet the dimensional standards of this Section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of determining such qualified abutting lots' compliance with the dimensional standards of this Section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of classification of such qualified abutting lots under Section A, B, C, or D below. (07/06)
 - b. In the absence of the approval of a variance, for purposes of determining compliance with the dimensional standards below, any groups of qualified abutting lots shall consist of no more than four (4) individual lots or parcels. (07/06)
4. Exempt Lots, Parcels or Tracts. Lots, parcels or tracts created only for the purposes of providing a right-of-way or dedicated utilities, public drainage facilities or open space are exempt from the lot size and shape standards of this section. Lots, parcels, or tracts that are less than one acre in size, the perimeter of which is 80% or more surrounded by existing public rights of way or land that has previously been dedicated to the public for public access purposes are exempt from the classification standards and dimensional standards in the chart in the section that immediately follows. (07/06)

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

*Note: by definition, Qualified Abutting lots are lots or parcels of the same use type designation – either commercial or industrial – that may be considered as if they are single lot or parcel for purposes of determining compliance with applicable dimensional standards and to determine classification as Standard A-D under this chart.

2.119.12 Development Standards

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

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

- (1) *Height Exceptions. Exceptions to the maximum height standard are stated below.*
 - a. *Projections allowed. Chimneys, flag poles, satellite receiving dishes, and other items similar with a width, depth, or diameter of 5 feet or less may rise 10 feet above the height limit, or 5 feet above the highest point of the roof, whichever is greater. If they are greater than 5 feet in width, depth, or diameter, they are subject to the height limit.*
 - b. *Rooftop mechanical equipment. All rooftop mechanical equipment must be set back at least 15 feet from all roof edges that are parallel to street lot lines. Elevator mechanical equipment may extend up to 16 feet above the height limit. Other rooftop mechanical equipment, which cumulatively covers no more than 10 percent of the roof area may extend 10 feet above the height limit.*
 - c. *Radio and television antennas, utility power poles, and public safety facilities are exempt from the height limit.*
- (2) *Maximum lot coverage allowed for buildings, accessory structures and paved parking.*
- (3) *Alternative maximum setback option for large commercial uses.*
 - a. *Purpose. The intent of these regulations is to allow significantly deeper street setbacks for very large retail stores locating along transit street or street in a pedestrian district in exchange for a pedestrian and transit-friendly main street type of development. These large commercial sites can still be transit-supportive and pedestrian-friendly by placing smaller commercial buildings close to the street and by creating an internal circulation system that is similar to streets to separate the parking area into blocks. The intent is to encourage development that will, over time, form a pedestrian-friendly main street along the perimeter of the parking blocks. (2/03)*
 - b. *Regulation. Commercial buildings that exceed 100,000 square feet of floor area are exempt from the maximum setback requirements identified in Section 2.119.10.A. provided the pedestrian system connects buildings on the site to all adjacent properties. (2/03)*
- (4) *Landscaping. All required yards, except driveways, are required to be landscaped; that portion within the required yard, which is landscaped, may be included in the calculation to meet minimum landscape area requirements. Landscaping shall meet all applicable standards identified in Section 2.309 of the Keizer Development Code. In addition to landscaping provisions identified in Section 2.309, landscaping for properties within the EG zone shall be defined as follows: (07/06)*

“Landscaped Area” must be native or non-native trees, vegetation, ponds, rocks, ground cover, bark chips, cinders, terraces, vegetable or flower gardens, trellises, pathways, or structural features including but not limited to fountains, reflecting pools, outdoor art work, screen walls, fences and benches, which reasonably requires and continues to reasonably require human management to distinguish the area from a natural area. (07/06)

Within the EG zone, landscape area requirements may be determined by the City Council to have a portion of landscaped or streetscaped area within the right-of-way to be included within the minimum landscape area requirement. (2/03)

- (5) *Streetscaping.* *Streetscaping is defined as pedestrian oriented improvements to property. Streetscaping may include, but is not limited to, walkways with varied materials (other than plain concrete or asphalt), art features, water features, planters, benches, hanging plant baskets, and plazas. (07/06)*
- a. *In accordance with Section 3.113 Keizer Station Master Plan ~~Review~~, at the time of master plan approval by the Council, the Council may determine if streetscaped areas may be included in the minimum landscape area for a proposed development. (2/03)*
- (6) *Parking*
- a. *Averaging. KSP areas are master planned and as such are designed to be both planned and developed as a whole. Shared parking is encouraged in master planned areas. Therefore, parking within the KSP areas subject to a master plan, shall be deemed to meet the maximum and the minimum parking requirements set forth in the City’s code so long as a parking plan is approved that contains a total number of parking spaces which is neither above the aggregate maximums nor below the aggregate minimums which result when parking requirements for the individual uses within the parking plan are calculated separately and the resulting maximums and minimums are totaled. (07/06)*
- b. *Modify or waive off-street parking standards. The applicant may request a modification to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of carpool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City. (07/06)*

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

1. Exterior Display, Storage, and Work Activities.

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

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

Section 2.125	Activity Overlay Zone
Section 2.3	General Development Standards
Section 2.301	General Provisions
Section 2.302	Street Standards
Section 2.303	Off-Street Parking and Loading
Section 2.305	Transit Facilities
Section 2.306	Storm Drainage
Section 2.307	Utility Lines and Facilities
Section 2.308	Signs
Section 2.309	Site and Landscaping Design
Section 2.310	Development Standards for Land Divisions
Section 2.312	Yard and Lots Standards
Section 2.315	Development Standards
Section 2.4	Special Uses

2.125 ACTIVITY CENTER OVERLAY ZONE (ACO)

2.125.01 Purpose

The ACO (ACTIVITY CENTER OVERLAY) zone is adopted to implement the policies of the Comprehensive Plan for Activity Centers which include provisions for a mixture of intensive land uses emphasizing employment opportunities, transit and pedestrian facilities, and circulation. (5/98)

2.125.02 Application

The provisions of this Section apply to Activity Centers as identified in the Comprehensive Plan. (5/98)

2.125.03 Uses

Uses allowed in an Activity Center shall be as specified in the underlying district. (5/98)

2.125.04 General Development Standards

All development within an Activity Center is subject to City review as provided in Chapter 3.101, and shall also include the following factors: (02/03)

- A. Activity Center Design Plan. All new developments and expansions of existing developments shall comply with the adopted activity center design plan for each Activity Center. (5/98)
- B. ~~Site~~ Master Plan. Developments in an activity center shall be required to submit a Master Plan application for approval ~~as part of the application process~~. The elements of such Master Plan shall include, but are not limited to, the following: (5/98)
 - 1. A Master Plan map showing the location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan. (5/98)
 - 2. For any project for which the projected average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated. (5/98)

2.125.05 Keizer Station Plan Development Standards – IBP Zone

All development within the Keizer Station Activity Center, which is zoned Industrial Business Park (IBP) shall be subject to the following additional requirements. (02/03)

A. Specific Use Restrictions. A limitation of the total floor area of specified IBP uses applies to all of Area A – Sports Center and Area D – Commerce Center of the Keizer Station Plan. The uses identified in Sections 2.113.02 (J) and (N) shall be subject to total floor area limitations. This maximum floor area is set forth in the Keizer Station Plan, however this maximum floor area may change as part of an approved Mmaster Plan ~~or amended master plan~~. (06/10)

B. Flexible Space Uses.

The following uses, when restricted, developed, and conducted as required in Section 2.113.02 N. 2. are also permitted in the IBP district: (02/03)

1. Within Area A “Sports” of the Keizer Station Plan boundary: (02/03)

a. Recreational Vehicle Parks and Campsites (7033), provided, however, that such uses are not subject to the limitation in Section 2.113.02 N. 2. (c). (02/03)

2. Within Area D of the Keizer Station Plan boundary: (02/03)

a. General Merchandise Stores (5399). (02/03)

b. Gasoline Service Stations (554) in accordance with Section 2.419. (02/03)

2.125.06 Keizer Station Plan Prohibited Uses – IBP and EG Zones

The following uses are prohibited on properties within the Keizer Station Plan boundary, which are zoned IBP or EG: (02/03)

A. Manufacturing of grain mill products (204) (02/03)

B. Manufacturing of biological products, except diagnostic substances (2836) (02/03)

C. Soaps, detergents, and cleaning preparations, perfumes, cosmetics, and other toilet preparations (284) (02/03)

D. Miscellaneous plastic products (308) (02/03)

E. Motor freight transportation and warehousing (42) (02/03)

2.125.07 Conditions of Approval

The City may attach conditions to any development within an Activity Center to achieve the following objectives:

- A. Transit Orientation. The development shall emphasize transit usage by residents, employees and customers. This may require: (5/98)
1. Orienting building and facilities towards transit services. (5/98)
 2. Minimizing transit/auto conflicts. (5/98)
 3. Encouraging transit supportive uses. (5/98)
 4. Minimizing walking distance to transit stops. (5/98)
 5. Avoiding excess parking areas. (5/98)
 6. Encouraging shared parking and structures or understructure parking. (5/98)
- B. Pedestrian/Bicycle Circulation. The development shall facilitate pedestrian/bicycle circulation. This may require: (5/98)
1. Providing efficient, convenient, and continuous pedestrian and bicycle transit circulation systems, linking developments with the Activity Center facilities, and surrounding development. (5/98)
 2. Separating auto and truck circulation and activities from pedestrian areas. (5/98)
 3. Pedestrian-oriented design. (5/98)
 4. Pedestrian amenities. (5/98)
 5. Bicycle parking. (5/98)
 6. Outdoor lighting. (5/98)
- C. Coordination. Coordination of development within an Activity Center area. This may require: (5/98)
1. Continuity and/or compatibility of landscaping, circulation, access, public facilities, and other improvements. (5/98)
 2. Siting and orientation of land uses. (5/98)
 3. Frontage roads or shared access. (5/98)

- D. Compatibility. Developments within the Activity Center should be compatible with, and complement the surrounding neighborhood. This may require: (5/98)
1. Sensitive use of landscaping, building heights, building scale, materials, lighting, circulation systems, and architectural features. (5/98)
 2. Buffering of adjacent residential uses. (5/98)

2.315 DEVELOPMENT STANDARDS

2.315.01 Purpose

The Development Standards herein called Standards are intended to implement the Keizer Comprehensive Plan and the purpose of each zoning district. They do this by promoting functional, safe, and attractive developments that maximize compatibility with surrounding uses and commercial corridors, and that are compatible with and enhance the transportation system. The Standards mitigate potential conflicts and problems, and maximize harmonious relationships. Alternatives to the Standards on a case-by-case basis may be reviewed and approved as a land use action. In such cases, the purpose of this ordinance shall be met through factual findings and conclusions about the proposed design, and attachment of specific conditions if necessary, by the review body. Application of the Standards does not evaluate the proposed use, nor the specific architectural style or design. Rather, the Standards focus on the structural elements of texture, color, and materials, and on the site elements of building placement. (01/04)

2.315.02 Applicability

- A. Exterior changes to all buildings in matters relating to color or facade materials only shall comply with the applicable or relevant development standards found in Section 2.315.06 of this code. (10/15)
- B. Serial additions, alterations or expansions as defined in Section 1.2 of this code shall be limited so that the standards specified in Section 2.315.03.A and B are not exceeded in a 3-year period. (01/04)
- C. The provisions of this section shall apply to all development as defined in Section 1.2 of this code. (01/04)

2.315.03 Exemptions

The following are exempt from the Standards: (01/04)

- A. Structural additions, alterations, or expansions which are 25 percent or less of existing building(s) gross floor area and/or impervious surface area are affected; **OR**, when 500 square feet or less of an existing building(s) gross floor area and/or impervious surface area, whichever is less, is affected. (01/04)
- B. Exterior changes involving the addition, alteration or moving of a door, window, porch, canopy, or awning where the combined area of change is less than 500 square feet in area in a 3-year period, (01/04)

- C. Repainting of exterior walls due to minor repairs or vandalism, which is 25% or less, or no more than 100 sq. ft. (01/04)
- D. Agricultural uses (01/04)
- E. Any residential building housing three or fewer dwelling units. (01/04)
- F. Accessory structures of less than 500 square feet. (5/98)
- G. Any interior remodeling (01/04)
- H. A temporary business (01/04)

2.315.04 Administration of the Development Standards

These Standards are intended to be objective and to serve as a guide to designers of developments. The Standards are applied in one of four ways: (01/04)

- A. The Standards embodied in this ordinance are administratively reviewed at the time of a building permit application. Compliance to the Standards is a condition of building permit approval. (01/04)
- B. In instances where conformance to the standards is outside of the scope of a building permit, such as repainting a building, the owner shall be responsible for conformance with these Standards as contained in Section 2.315.02. (01/04)
- C. The Standards embodied in this ordinance are to be perpetually maintained on all properties. This particularly applies to color and facade materials, which may change without requiring a building permit. (01/04)
- D. In the event a development proposal or a change to an existing building does not conform to the standards contained in this ordinance due to an applicant wishing to propose alternatives, the applicant may choose to apply for approval of a Development Standards Alternative application. A Development Standards Alternative application shall comply with the same procedures as a Conditional Use Permit in Section 3.103, with the initial decision rendered by the Planning Commission (Section 3.103.06.C.). No building permit will be issued for a use requiring Development Standards Alternative approval until the application is approved. (01/04)

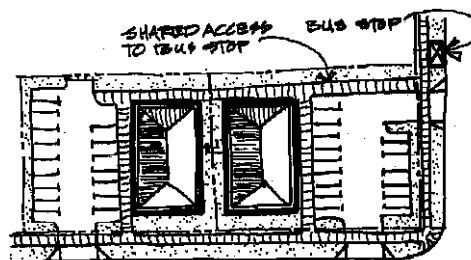
2.315.05 Non-Conforming Buildings

Any building that did not conform to the Standards on May 18, 1998 is considered a legally non-conforming building as-regulated within this Code. (01/04)

2.315.06 Development Standards

All applicable development must meet the following standards: (5/98)

- A. Pedestrian Circulation. As used herein “walkway” means a hard surfaced area intended and suitable for use by pedestrians, including both public and private sidewalks. (01/04)
1. Connection Required. The pedestrian circulation system for the proposed development must connect uses, building entrances, adjacent streets and existing and planned (as adopted in the City Transportation System Plan) transit facilities within 600 feet of the site. (07/09)
 2. Walkway Location and Design. Walkway(s) shall be located so that a pedestrian can conveniently walk between a transit street and the entrance(s) to a building(s). Except where it crosses a driveway, a walkway shall be separated by a raised curb or other physical barrier from the auto travel lane and parking. If a raised path is used the ends of the raised portions must be equipped with curb ramps which comply with Oregon State Building Code Requirements. (01/04)
 3. Additional Street Access. A walkway from a building entrance to a public street shall be provided for every 300 feet of street frontage. (01/04)
 4. Driveway Crossings. Driveway crossings shall be a maximum of 36 feet in width. Where the pedestrian system crosses driveways, parking areas and loading areas, the system must be clearly identifiable through the use of elevation changes, a different paving material, texture, or other similar method. (01/04)
 5. Lighting. Lighting shall be provided for all walkways. Pedestrian walkways must be lighted to a level where the system can be used at night by employees and customers. (01/04)
 6. Walkway Coverage.
 - a. Any portion of a walkway located within three feet of a building frontage shall be covered with awnings or building overhangs. The minimum vertical clearance shall be 9 feet for awnings and building overhangs. The maximum vertical clearance shall be 15 feet. (01/04)



Pedestrian Access Standards

- b. In the EG zone, Any portion of a walkway located within three feet of a building frontage shall be covered with awnings or building overhangs as provided in Subsection a, except for buildings, which have greater than 300 feet of lineal frontage, where this requirement shall apply to at least 33 percent of the building frontage. The maximum vertical clearance shall be 15 feet. (01/04)
- 7. Dimensions. Walkways shall be at least five feet in paved unobstructed width. Walkways that serve multiple uses or tenants shall have a minimum unobstructed width of eight feet. (01/04)
- 8. Stairs or ramps shall be in place where necessary to provide a direct route between the transit street and the building entrance. Walkways without stairs shall comply with the accessibility requirements of the Oregon State Building Code. (01/04)
- 9. Access to Adjacent Property. If the proposed development has the potential of being a significant attractor or generator of pedestrian traffic, potential pedestrian connections between the proposed development and existing or future development on adjacent properties other than connections via the street system shall be identified. (01/04)
- 10. The building permit application or Development Standards Alternative application shall designate walkways and pedestrian connections on the proposed site plan. If the applicant considers walkways are infeasible proposed findings shall be submitted demonstrating that the walkway or connection is infeasible. The findings will be evaluated in conjunction with the building permit or Development Standards Alternative process. (01/04)

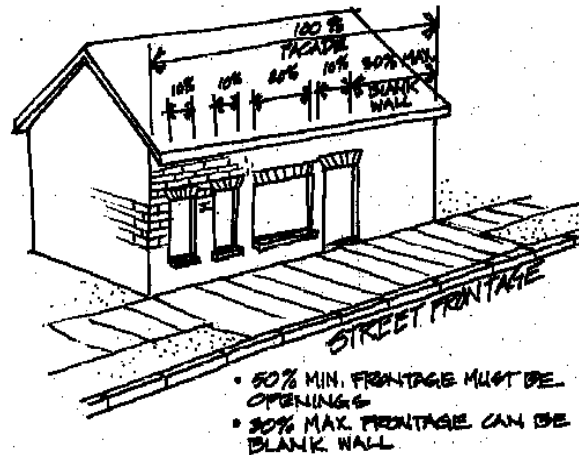
B. Building Design

- 1. Ground floor windows
 - a. In the CM, CR, and MU zones, all street-facing elevations containing permitted uses as listed under Sections 2.110.02 F, G, H, I, J and K shall have no less than 50 percent of the ground floor wall area with windows, display areas or doorway openings. (5/98)
 - b. In the EG zone, one elevation of any building with more than 100,000 square feet of floor area, which contains permitted uses listed under Sections 2.119.05 F, G, H, I, J, and K, shall have no less than 33 percent of the ground floor wall area, defined from the ground to the height of the awning, with windows or window facsimiles or other architectural features that simulate windows,

display areas or doorway openings. The location of this elevation shall be determined as part of the required ~~Site~~-Master Plan review described in Chapter 2.125 of this Zoning Ordinance. (01/04)

2. Building facades

- a. In the CM, CR, and MU zones, facades that face a public street shall extend no more than 30 feet without providing a variation in building materials, a building off-set of at least 2 feet, or a wall



Facade Standards

area this is entirely separated from other wall areas by a projection, such as a porch or a roof over a porch. No building facade shall extend for more than 300 feet without a pedestrian connection between or through the building, provided that there is a pedestrian purpose being served. (01/04)

- b. In the EG zone, facades facing a public street shall extend no more than 60 feet without providing a variation of building materials for buildings over 20,000 square feet. In the EG zone, no building facade shall extend for more than 400 feet without a pedestrian connection between or through the building, provided that there is a pedestrian purpose being served. (01/04)

3. Awnings – Awnings or canopies, shall be provided along building storefronts abutting a public sidewalk. Awnings and canopies shall be constructed of canvass, acrylic fabric, laminated vinyl, metal or similar standard material. Awnings and canopies of corrugated fiberglass or polycarbonate roofing shall be prohibited. Awnings and canopies shall not be back lit. (01/04)

4. Materials and Texture

- a. Building Materials. (01/04)

- 1) All buildings shall have wood, brick, stone, or stucco siding, or vinyl siding made to look like wood siding. Metal siding as described in this section shall be allowed. (5/98) In the EG zone, all buildings shall have wood, brick, stone, architectural block, slump stone, architectural concrete or stucco siding, or vinyl siding made to look like wood siding. (01/04)
- 2) Metal siding other than corrugated or reflective material are allowed except for residential buildings housing 3 or more dwellings and buildings within the EG zone metal siding is allowed with the exception of corrugated or reflective metal. (01/04)
- 3) Plain concrete block, plain concrete, plywood and sheet press board may not be used as exterior finish materials. (01/04)

b. Trim Material. (01/04)

Building trim shall be wood, brick, stone, stucco, vinyl siding material made to look like wood, or metal. (01/04)

c. Roofing Material. (01/04)

Any roofing material is allowed including metal roofs. (5/98)

d. Foundation Material. (01/04)

Foundation material may be plain concrete or plain concrete block where the foundation material is not revealed for more than 3 feet. (5/98)

5. Color

- a. Any portion of a building that is painted or stained may use as the main color, and roof color for all portions of the roof visible from the ground, any color which meets all of the following criteria: (01/04)
 - 1) The Red-Green-Blue factors (also known as XYZ factors) shall not exceed a saturation level of 20%. (01/04)
 - 2) Each component factor, as a percentage of the whole component value, shall equal or exceed 38%, with no

greater than a 20% difference between any of the three values. (01/04)

- 3) Light Reflectance Value (LRV) of any color shall be between the values of 30 and 85. (01/04)
- 4) The finish shall be either matt or satin. (01/04)
- b. For the purpose of this ordinance, "main color" is the principal color of the building which must be at least 75% of the surface of the building excluding windows; the trim colors of all buildings may be any color. (01/04)
- c. In no case shall the main color or the trim color of any structure be "florescent", "day-glo", or any similar bright color. (01/04)
6. Roof Lines - Roof lines shall establish a distinctive "top" to a building. When flat roofs are proposed, a cornice a minimum 12 inches high projecting a minimum 6 inches from the wall at the top of the wall or parapet shall be provided. (5/98)
7. Roof-mounted equipment – In a CM, CR, CO, EG or MU zone, all roof-mounted equipment, including satellite dishes and other communication equipment, must be screened from view from adjacent public streets. Solar heating panels are exempt from this standard. (01/04)

C. Accessory Structures

1. Accessory Structures including buildings, sheds, trash receptacles, mechanical devices, and other structures outside the main building, shall either be screened from view by the public by either a hedge or fence: **OR**, with the exception of trash receptacles, accessory structures including buildings, sheds, mechanical devices, and other structures outside the main building must be screened by painting them the same color as the main color of the building. (01/04)
2. Trash enclosures shall be designed to be large enough to accommodate the projected amount of trash being generated at the development. The area must be able to fully contain all necessary trash and recycling containers. (09/10)

D. Alternative Design Solutions. (01/04)

Depending upon the applicable review process identified in this code, the Planning Commission or City Council may approve design alternatives to the Standards in this chapter, or approve them with conditions, if it finds the

alternative design can meet the purpose and intent of this ordinance and be successfully applied to a particular property. (01/04)

E. Transit Facility Requirement

New retail, office and institutional buildings at, or within 600 feet of an existing or planned transit facility, as identified in the city TSP, shall provide either the transit facility on site or connection to a transit facility along a transit route when the transit operator requires such an improvement. (07/09)

F. Transit Access

New retail, office and institutional buildings within 600 feet of a transit facility, as identified in the city TSP, shall provide for convenient pedestrian access to transit through the measures listed in Subsections 1 and 2 below. (07/09)

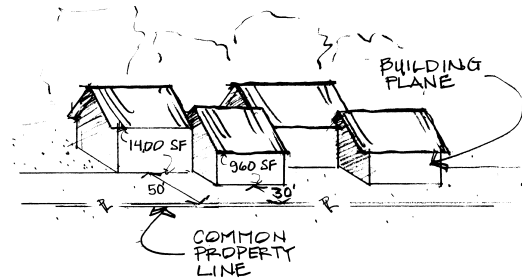
1. Walkways shall be provided connecting building entrances and streets adjoining the site; (07/09)
2. Pedestrian connections to adjoining properties shall be provided except where such a connection is impracticable. Pedestrian connections shall connect the onsite circulation system to existing or proposed streets, walkways, and driveways that abut the property. Where adjacent properties are undeveloped or have potential for redevelopment, streets, access ways and walkways on site shall be laid out or stubbed to allow for extension to the adjoining property; (07/09)
3. In addition to Subsections 1 and 2 above, sites at transit facilities must provide the following: (07/09)
 - a. Either locate buildings within 20 feet of the transit facility, a transit street, or an intersecting street or provide a pedestrian plaza at the transit facility or a street intersection; (07/09)
 - b. A reasonably direct pedestrian connection between the transit facility and building entrances on the site; (07/09)
 - c. A transit passenger landing pad accessible to disabled persons; (07/09)
 - d. An easement or dedication for a passenger shelter if requested by the transit provider; and (07/09)
 - e. Lighting at the transit facility. (07/09)

G. Multifamily Design. Multifamily structures shall create a form and scale to provide a transition between the multifamily development and any adjacent

single-family districts. When multifamily development abuts a single-family district, the following shall apply to multifamily structures within 50 feet of the common property line: (10/15)

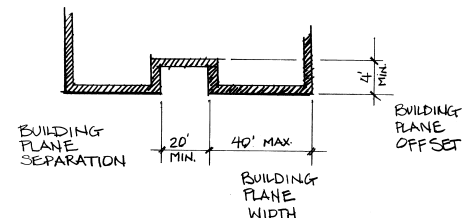
1. In addition to the requirements outlined in 2.315.06 all new apartment buildings shall include a minimum of 3 significant different materials and textures in the design of the exterior building envelope. (10/15)
2. Building planes for multifamily dwellings facing the property line abutting a residential district shall be subject to the following standards: (10/15)

- a. No building plane that faces the street or common property line shall exceed 960 square feet within 30 feet of the property line. No building plane that faces the common property line shall exceed 1,400 square feet within 50 feet of the property line. (10/15)



- b. No building plane shall have a greater dimension than 40 feet in length or 35 feet in height. (10/15)
- c. If more than one building plane faces a street or property line and the building planes align at a common distance from the line, the building planes shall be horizontally separated by at least 20 feet. For the purposes of this standard, "common distance" shall be defined within 12 feet. (10/15)

- d. Building planes are defined as the plane of a building wall that extends from the ground to the top of each wall of a structure. Area is determined by multiplying the length of each wall by the height. (10/15)



The plane does not include roof area. When a structure along a wall juts out from the wall, or is off-set from an adjacent part less than 4 feet, the structure is considered part of the building plane of a wall behind it. If the structure protrudes greater than 4 feet, it represents a separate building plane. If a building plane is at an angle in relation to the property line, the midpoint of the wall shall provide the point at which the plane and related distance are measured. (10/15)

2.315.07 Determination of Conformance to Development Standards as Part of Building Permit Review

The Zoning Administrator, or designee, during the normal course of reviewing a building permit application, shall include as part of that review, a determination of the proposal's conformance with the provisions of this chapter. Corrections may be noted on the plans, or required to be submitted as amended plans, to assure conformance to the standards or a design alternative, which was approved by the planning Commission or City Council. Building plans shall not be approved unless there is conformance with the provisions of this chapter. (01/04)

2.315.08 Criteria for Development Review

The Planning Commission, or Council upon appeal, may approve the proposed design alternatives, or approve them with conditions, if it finds the alternative design can meet the purpose and intent of this ordinance and be successfully applied to a particular property. (5/98)

3.101 SUMMARY OF APPLICATION TYPES

There are four types of development permits and land use actions, each with its own procedures as found in Chapter 3.2. (5/98)

3.101.01 Type I Action - Summary

Type I actions are administrative reviews processed by the City staff according to the procedures found in Section 3.202.01, 02 & 03. The review standards are generally clear and objective and allow little or no discretion. This process is further divided into four parts: (3/10)

- A. Type I-A: A ministerial action reviewed by staff based on clear and objective standards. Conditions may be placed on the decision and notice of the decision is sent only to the applicant. Appeal is to the Hearings Officer. The following actions are processed under the Type I-A procedure: (2/01)
 - 1. Signs (excluding variances or conditional uses) (5/98)
 - 2. Temporary Use Permit (3/10)
- B. Type I-B: A ministerial action reviewed by staff based on generally clear and objective standards with some discretion afforded to staff. Conditions may be placed on the decision and notice is sent to the applicant and property owners within the required notice area. Appeal is to the Hearings Officer. The Zoning Administrator may refer any application to the Hearings Officer or the City Council for public hearing and decision. The following actions are processed under the Type I-B procedure: (5/98)
 - 1. Variance (Minor and Sign) (11/05)
 - 2. Property Line Adjustment (6/16)
 - 3. Conditional Use (except Transit Station) (5/09)
 - 4. Partitions (5/98)
 - 5. Greenway Development Permit (2/01)
 - 6. Floodplain Development Permit (including Floodplain Development Permit Variance) (3/10)
- C. Type I-C: A ministerial action reviewed by staff based on generally clear and objective standards with some discretion afforded to staff. Conditions may be placed on the decision and notice is sent to the applicant. Appeal is to the Planning Commission. Notice is sent to property owners within the required notice area for public hearing. The Zoning Administrator may refer any application to the Planning Commission or the City Council for public hearing

and decision. The following action is processed under the Type I-C procedure:

1. Development Review (2/01)
 2. Alternative Design Review for Accessory Residential Housing (Front Yard) (6/15)
- D. Type I-D: A ministerial action reviewed by staff based on generally clear and objective standards with some discretion afforded to staff. Conditions may be placed on the decision and notice is sent to the applicant and property owners within the required notice area. Appeal is to the Planning Commission. The Zoning Administrator may refer any application to the Planning Commission or City Council for public hearing and decision. The following actions are processed under the Type I-D procedure: (7/03)
1. Variance (Major) (7/03)

3.101.02 Type II Actions - Summary

- A. A Type II action is a quasi-judicial review in which the Hearings Officer applies a mix of objective and subjective standards that allow considerable discretion. A Type II action follows the procedures found in Section 3.202.04. Staff has an advisory role. The Zoning Administrator may refer any application to the City Council for public hearing and decision bypassing the Hearings Officer. Public notice and a public hearing are provided. Section 3.204 lists the notice requirements. Appeal of a Type II decision is to the City Council. The following actions are processed under a Type II procedure: (2/01)
1. Subdivision (5/98)
 2. Planned Unit Development (5/98)
 3. Manufactured Home Parks (5/98)
- B. Type II-B: A quasi-judicial action in which the City Council applies a mix of objective and subjective standards that allow considerable discretion. Type II-B actions follow the procedures found in Section 3.204.02. Staff has an advisory role. The City Council shall hold a public hearing and make the decision instead of the Hearings Officer. Public notice and a public hearing are provided. Section 3.202 lists the notice requirements. Section 3.206 sets forth the hearings process. The following actions are processed under a Type II-B procedure: (2/03)
1. Transit Station (5/09)
 2. Designation or Removal of a Historic Resource (9/18)

- C. Type II-C: A quasi-judicial action in which the Planning Commission applies a mix of objective and subjective standards that allow considerable discretion. Type II-C actions follow the procedures found in Section 3.204.02. Staff has an advisory role. The Planning Commission shall hold a public hearing and make the decision instead of the Hearings Officer. Public notice and a public hearing are provided. Section 3.202 lists the notice requirements. Section 3.206 sets forth the hearings process. The following actions are processed under a Type II-C procedure: (9/18)
1. Nursing and Residential Care Facilities (6/11)
 2. Cottage Cluster Developments with the creation of lots (6/14)
 3. Cottage Cluster Developments with or without the creation of lots in an RS zone. (6/14)
 4. Permit for demolition, modification, or moving of a Historic Resource (9/18)

3.101.03 Type III Actions - Summary

A Type III action is a quasi-judicial process in which the City Council applies a mix of objective and subjective standards. A Type III action follows the procedures found in Section 3.202.04. Staff and the Hearings Officer have advisory roles for Comprehensive Plan Map Amendments and Zone Changes. Staff and Planning Commission have advisory roles for Annexations. Public notice is provided and public hearings are held before the Hearings Officer, Planning Commission and City Council as determined by the application. Section 3.204 lists the notice requirements. In addition to applications by private parties, the City Council, by resolution, may initiate a Type III action. Appeal of the decision is to the Land Use Board of Appeals (LUBA). The following actions are processed under a Type III procedure: (2/01)

- A. Comprehensive Plan Map Amendments (involving 5 or fewer adjacent land ownerships) (5/98)
- B. Zone Changes (involving 5 or fewer adjacent land ownerships) (5/98)
- C. Annexation (5/98)
- D. Keizer Station Master Plans which may include Subdivision and Partitioning (4/10)

E. Keizer Station Master Plan Amendments

3.101.04 Type IV Actions - Summary

A Type IV action is a legislative review in which the City considers and enacts or amends laws and policies. A Type IV action follows the procedures found in Section 3.203. Private parties cannot apply for a Type IV action; it must be initiated by City staff, Planning Commission, or City Council. Public notice and hearings are provided in

a Type IV process. The following actions are processed under a Type IV procedure:
(2/01)

- A. Text Amendments to the Comprehensive Plan (5/98)
- B. Text Amendments to the Development Code (5/98)
- C. Enactment of new Comprehensive Plan or Development Code text (5/98)
- D. Comprehensive Plan Map Amendments (involving more than 5 adjacent land ownerships, or, non-adjacent properties) (5/98)
- E. Zone Changes (involving more than 5 adjacent land ownerships, or, non-adjacent properties) (5/98)

LAND USE APPLICATION PROCESS (9/18)

LAND USE ACTION	TYPE	STAFF	HEARINGS OFFICER	PLANNING COM-MISSION	CITY COUNCIL
Signs, Temporary Use	I-A	Final Decision	Appeal of Staff Decision		Appeal of H.O. decision
Floodplain Development Permit (including Floodplain Development Permit Variances) (3/10)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. decision
Greenway Development Permit	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Conditional Use (except Transit Station) (05/09)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Variance (Minor and Signs)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Property Line Adjustment	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Partition	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision

LAND USE ACTION	TYPE	STAFF	HEARINGS OFFICER	PLANNING COM-MISSION	CITY COUNCIL
Development Review	I-C	Final Decision		Appeal of Staff Decision	Appeal of Planning Commission Decision
Alternative Design Review for Accessory Residential Housing (Front Yard) (6/15)	I-C	Recommendation to Planning Commission		Final Decision	Appeal of Planning Commission Decision
Variances (Major)	I-D	Final Decision		Appeal of Staff Decision	Appeal of Planning Commission Decision
Subdivision	II	Recommendation to Hearings Officer	Final Decision		Appeal of H.O. Decision
Planned Unit Development	II	Recommendation to Hearings Officer	Final Decision		Appeal of H.O. Decision
Manufactured Home Park	II	Recommendation to Hearings Officer	Final Decision		Appeal of H.O. Decision
Transit Station (05/09)	II-B	Recommendation to City Council			Final Decision
Designation or Removal of a Historic Resource (9/18)	II-B	Recommendation to City Council			Final Decision
Nursing and Residential Care Facilities (06/11)	II-C	Recommendation to Planning Commission		Final Decision	Appeal of Plan Comm Decision

LAND USE ACTION	TYPE	STAFF	HEARINGS OFFICER	PLANNING COMMISSION	CITY COUNCIL
Cottage Cluster Development as a Conditional Use (6/14)	II-C	Recommendation to Planning Commission		Final Decision	Appeal of Plan Comm Decision
Permit for demolition, modification, or moving of a Historic Resource (9/18)	II-C	Recommendation to Planning Commission		Final Decision	Appeal of Plan Comm Decision
Comprehensive Plan Map Amendment	III	Recommendation to Hearings Officer	Recommendation to City Council		Final Decision
Zone Change	III	Recommendation to Hearings Officer	Recommendation to City Council		Final Decision
Annexation	III	Recommendation to Planning Commission		Recommendation to City Council	Final Decision
Keizer Station Master Plan Review	III	Recommendation to Planning Commission		Recommendation to City Council	Final Decision
<u>Keizer Station Master Plan Amendment</u>	<u>III</u>	<u>Recommendation to City Council</u>			<u>Final Decision</u>
Text Amendments; Legislative Zone and Comprehensive Plan Map Changes	IV	Recommendation to Planning Commission		Recommendation to City Council	Final Decision

3.113 KEIZER STATION MASTER PLAN ~~REVIEW~~

3.113.01 Area of Application

The Keizer Station Plan requires the development of Master Plans for each of the five ~~sub-a~~Areas. This process provides the City Council with an opportunity to review development proposals in conformance with the Keizer Development Code and the adopted Keizer Station Plan. Each Master Plan shall be reviewed through a Type III review process. (4/10)

3.113.02 Review Procedures

The Keizer Station Plan identifies different areas for planned development. Each area has provisions to be approved through the Keizer Station Master Plan ~~Review~~ (Type III) application procedure. (4/10)

Type III actions follow the procedures found in Section ~~3.204.023.202.04~~. Staff has an advisory role. The Zoning Administrator shall make a recommendation to the Planning Commission which then makes a recommendation to the City Council for public hearing and ~~final~~ decision ~~bypassing the Hearings Officer~~. In the case of an amendment to a previously approved master plan, the Zoning Administrator shall make a recommendation to the City Council for public hearing, bypassing the Planning Commission. Public notice and a public hearing are provided. Section ~~3.2023.204.02~~ lists the notice requirements. Section 3.205 and 3.206 sets forth the hearings process. (4/10)

Properties in Area C may develop as an individual parcel with a Conditional Use Permit (Type I-B) approved by the Zoning Administrator in accordance with the applicable criteria and subject to conditions of approval in Section 3.113.04. Areas A, B, D, and two or more parcels in Area C, may develop with Type III Keizer Station Master Plan ~~Review~~ approval by the City Council. (4/10)

3.113.03 Submittal Requirements

1. Infrastructure engineering and architectural site plans showing all structures in relation to projected final topography of the project, all proposed connections to existing or proposed roads, transportation facilities (including proposed right-of-way and pedestrian connections), utilities, open space and parking areas, depicting the number and types of spaces. (2/03)
2. Landscape plans generally showing the common and botanical name of plant species, the number and size of plantings and demonstrating the location and type of irrigation. (2/03)

3. Building elevations, typical cross-sections and typical wall sections of all building areas. (2/03)
4. Typical elevations of the buildings to determine the specific configuration and relationship of design elements of the typical building exteriors, which describe the general aesthetic and technical aspects of the building exterior, including materials. (2/03)
5. Elevations, typical cross sections of the interior space layout of the building areas, entrance canopies, interior public courts, specialty areas, and service area layouts. (2/03)
6. Proposed layouts for exterior signage and graphics. (2/03)
7. Preliminary outline specifications describing exterior construction materials and methods, including indications of colors, finishes, and patterns. (2/03)
8. An outline of amenities, including, but not limited to, public art, furniture, handrails, seating areas and food areas, if any. (2/03)
9. A description of servicing requirements, trash compactors and related areas, loading docks, etc. (2/03)
10. Calculation of gross building, parking and open space. (2/03)
11. For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated. (2/03)
12. Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan. (2/03)

3.113.04 Review Criteria

Approval of a Master Plan for an area of the Keizer Station Plan shall require compliance with the following: (2/03)

- A. The master plan shall meet the purpose and objectives identified in the Keizer Station Design Plan. (2/03)
- B. The master plan shall meet the following standards as identified in the Keizer Station Plan in addition to standards within applicable zones: (2/03)
 1. Design standards (2/03)
 2. Transportation system standards (2/03)

3. Utility standards (2/03)
4. Parking standards (2/03)
5. Landscape standards (2/03)

If a conflict exists between standards within the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards shall be applied. (2/03)

C. Development Strategies (4/10)

1. Pedestrian Access, Safety and Comfort (2/03)
 - a. To ensure safe, direct, and convenient pedestrian circulation, development, shall provide a continuous pedestrian and/or multi-use path system. (4/10)
 - b. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas wherever possible. (2/03)
 - c. Pathways with developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and parking areas. (2/03)
 - d. For all developments subject to Master Plan review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable. (2/03)
 - e. Recessed entries, canopies, and/or similar features shall be used at the entries to a building in order to create a pedestrian scale. (2/03)
 - f. For driveways that service more than 100 parking spaces, shall not have any parking within twenty-five feet of the driveway intersection. This area shall be landscaped in accordance with Section 2.309 of the Keizer Development Code. (4/10)
 - g. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (2/03)
2. Crime Prevention and Security (2/03)

Crime prevention shall be considered in the site design through application of all of the following guidelines: (2/03)

- a. Territoriality – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in b.; and (2/03)
- b. Natural Surveillance – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and (2/03)
- c. Activity Support – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and (2/03)
- d. Access Control – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or (2/03)
- e. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (2/03)

3. Reduced Parking (2/03)

Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of car pool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City. (2/03)

4. Creating and Protecting Public Spaces (2/03)

- a. The development provides an appropriate amount of public space as determined by the City Council in addition to sidewalks and landscaping. (2/03)
- b. Public space may be a landscaped open space or plaza with pedestrian amenities, as approved by the City Council. (2/03)

5. Human Scaled Building Design (2/03)

Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and design character of a development. The City Council may determine architectural character, continuity of building sizes, roof forms, rhythm of window and door spaces and the general relationship of buildings to public spaces such as street, plazas, other open space and public parking. (2/03)

6. Request for Reallocation of Retail Square Footage Limit

The Keizer Station Plan (as amended) allows an applicant to request a reallocation of the retail square footage limits in the context of a master plan ~~or master plan amendment application~~. If an applicant is requesting such reallocation, the applicant shall comply with the following criteria: (06/10)

- a. Does not result in significant adverse traffic impacts beyond those mitigated in the Keizer Station Master Plan TIA or that any resulting impacts can be mitigated in order to maintain as that TIA now exists or as it may from time to time be amended (Keizer Station TIA unless additional mitigation beyond that specified in the Keizer Station TIA is required to make such identified traffic impacts consistent with the Level of Service and volume/capacity Standards in the Keizer Station TIA; (06/10)
- b. The reallocation results in a total limitation of no more than 975,000 square feet for all of the Keizer Station Plan area; (06/10)
- c. Other property owners in the Keizer Station will not be unduly burdened by the direct or indirect effects of the reallocation. (06/10)
- d. Residents and/or property owners in the vicinity of Keizer Station will not be unduly burdened by the direct or indirect effects of the reallocation. (06/10)

- e. Considering all positive and negative impacts overall, the citizens of Keizer will benefit from the reallocation. (06/10)

A reallocation shall not reduce the amount of retail square footage allowed in an approved Master Plan for a different Area without the amendment of the Master Plan for such different Area. ~~In other words, a reallocation can reduce the square footage for another Area, but not below the restricted use levels approved in the Master Plan for that Area.~~ (06/10)

3.113.05 Conditions of Approval

The City may attach conditions to any development within an Activity Center to achieve the following objectives: (2/03)

- A. Transit Orientation. The development shall emphasize transit usage by residents, employees and customers. This may require: (2/03)
 - 1. Orienting building and facilities towards transit services. (2/03)
 - 2. Minimizing transit/auto conflicts. (2/03)
 - 3. Encouraging transit supportive uses. (2/03)
 - 4. Minimizing walking distance to transit stops. (2/03)
 - 5. Avoiding excess parking areas. (2/03)
 - 6. Encouraging shared parking and structures or under-structure parking.
- B. Pedestrian/Bicycle Circulation. The development shall facilitate pedestrian/bicycle circulation. This may require: (2/03)
 - 1. Providing efficient, convenient, and continuous pedestrian and bicycle transit circulation systems, linking developments with the Activity Center facilities, and surrounding development. (2/03)
 - 2. Separating auto and truck circulation and activities from pedestrian areas. (2/03)
 - 3. Pedestrian-oriented design. (2/03)
 - 4. Pedestrian amenities. (2/03)
 - 5. Bicycle parking. (2/03)

6. Outdoor lighting. (2/03)
- C. Coordination. Coordination of development within an Activity Center area. This may require: (2/03)
1. Continuity and/or compatibility of landscaping, circulation, access, public facilities, and other improvements. (2/03)
 2. Siting and orientation of land uses. (2/03)
 3. Frontage roads or shared access. (2/03)
- D. Compatibility. Developments within the Activity Center should be compatible with, and complement the surrounding neighborhood. This may require: (2/03)
1. Sensitive use of landscaping, building heights, building scale, materials, lighting, circulation systems, and architectural features. (2/03)
 2. Buffering of adjacent residential uses. (2/03)
- E. Other Conditions. The Council may impose other conditions of approval it deems appropriate for the health, safety, and welfare of the citizens of Keizer or to ensure the desired implementation of the approved master plan. (2/03)
- F. Traffic Impact. To minimize congestion and traffic impact within the development and in adjacent areas. (2/03)

3.113.06 Master Plan Amendment Process

Amendments to an adopted Master Plan may be allowed subject to the provisions of this Section.

A. Applicability. The amendment process is limited to the following:

1. Site plan changes that have no increase to overall square footage allowed in the existing Master Plan and cause no increase in the overall vehicle trips generated. For example, an amendment could be a change in the number of buildings and their location.
2. Landscaping design changes.
3. Changes to building design.

Any other proposed changes to any adopted Master Plan shall be processed as a new Master Plan application.

B. Application Submittal Requirements:

1. All changes to any items identified in Section 3.113.03.
2. A written explanation demonstrating how the proposed amendment is generally consistent with the adopted Master Plan.
3. A transportation analysis demonstrating consistency with the adopted Master Plan Traffic Impact Analysis (TIA).
4. An overall Master Site Plan which includes details for the subject area of change as well as the incorporation of those changes into the entire Master Plan Area.

C. Review Criteria:

1. All applicable review criteria of Section 3.113.04 considering the type and extent of the proposed amendment.
2. The amendment is consistent with the adopted Master Plan, or achieves an equally desirable result.
3. The amendment does not result in additional traffic generation and is consistent with the adopted Traffic Impact Analysis.

D. Conditions of Approval:

1. All original conditions of the adopted Master Plan shall remain in effect unless specifically modified.
2. Additional conditions may be placed for any Master Plan Amendment to assure the objectives in Section 3.113.05 are achieved.

3.202 GENERAL PROCEDURES –TYPES I, II, AND III ACTIONS

3.202.01 Procedure for Type I-A Review

(Type 1-A: Temporary Use Permit, Signs excluding variances or conditional uses)
(3/10)

Applications subject to a Type I-A administrative review shall be reviewed and decided by the Zoning Administrator. (5/98)

- A. Initial Review. Upon receipt of an application for a Type I-A land use action, the City staff shall review the application for completeness. (5/98)
 - 1. Incomplete applications shall not be reviewed until the applicant has submitted all required information. (5/98)
 - 2. If incomplete, the applicant shall be notified and provided additional time of up to 30 days to submit supplemental information as necessary. (5/98)
- B. Complete Application. The application shall be deemed complete for the purposes of processing the application and all related timing provisions either:
(5/98)
 - 1. Upon receipt of the additional information; or, if the applicant refuses to submit the information; (5/98)
 - 2. On the 31st day after the original submittal the application shall be deemed complete for review purposes. (5/98)
- C. Staff Review. Within thirty (30) days of receipt of a complete application or such longer period mutually agreed to by both staff and the applicant, staff shall review the application and shall make a decision based on an evaluation of the proposal and on applicable criteria as set forth in this Ordinance; (5/98)
- D. Conditions. Approvals of a Type I-A action may be granted subject to conditions. The following limitations shall be applicable to conditional approvals: (2/01)
 - 1. Conditions shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by a proposed land use described in an application. Conditions shall be related to the following:
(2/01)
 - a. Ensure that the standards of the development code are met; or, (2/01)
 - b. Fulfillment of the need for public service demands created by the proposed use. (2/01)

2. Changes of alterations of conditions shall be processed as a new administrative action. (2/01)
- E. Notice. Notice shall be provided to the applicant consistent with Section 3.204.01. (5/98)
- F. Appeals. A Type I-A land use decision may be appealed by the applicant to the Hearings Officer, except that Site plan ~~r~~Reviews shall be appealed to the Planning Commission. The appeal shall be filed within 10 days from the date of mailing of the decision, pursuant to the provisions of Section 3.205. (5/98)
- G. Final Decision. The final land use decision, including all appeals, shall be completed within 120 days as per the requirements in Section 3.202.05 (2/01)

3.202.02 Procedure for Type I-B and I-D Review

(Type I-B: Minor Variance, Property Line Adjustment, Conditional Use, Partition, Greenway Development Permit, Floodplain Development Permit, including Floodplain Development Permit Variances) (Type I-D Major Variance) (6/16)

Applications subject to administrative review shall be reviewed and decided by the Zoning Administrator. (5/98)

- A. Initial Review. Upon receipt of an application for a Type I-B or I-D land use action, the City staff shall review the application for completeness. (7/03)
 1. Incomplete applications shall not be reviewed until the applicant has submitted all required information. (5/98)
 2. If incomplete, the applicant shall be notified and provided additional time of up to 30 days to submit supplemental information as necessary. (5/98)
- B. Complete Application. The application shall be deemed complete for the purposes of scheduling the hearing and all related timing provisions either: (5/98)
 1. Upon receipt of the additional information; or, if the applicant refuses to submit the information; (5/98)
 2. On the 31st day after the original submittal the application shall be deemed complete for review purposes. (5/98)
- C. Agency Referrals. Referrals may be sent to interested agencies such as City departments, police and fire departments, school district, utility companies, regional and local transit service providers and applicable city, county, and state agencies at the Director's option. Notice of projects affecting state transportation facilities will be sent to ODOT. Referrals will be sent to affected neighborhood associations. (6/14)

- D. Staff Review. Within thirty (30) days of receipt of a complete application or such longer period mutually agreed to by both staff and the applicant, staff shall review the application and shall make a decision based on an evaluation of the proposal and on applicable criteria as set forth in this Ordinance; The Administrator shall have the option of referring a type I-B application to the Hearings Officer or City Council for the initial decision. The Administrator shall have the option of referring a type I-D application to the Planning Commission or City Council for the initial decision. (7/03)
- E. Conditions. Approvals of a Type I-B and I-D action may be granted subject to conditions. The following limitations shall be applicable to conditional approvals: (7/03)
1. Conditions shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by a proposed land use described in an application. Conditions shall be related to the following: (2/01)
 - a. Ensure that the standards of the development code are met; or, (2/01)
 - b. Fulfillment of the need for public service demands created by the proposed use. (5/98)
 2. Changes of alterations of conditions shall be processed as a new administrative action. (5/98)
 3. Performance bonding to comply with applicable conditions of approval shall comply with the provisions in Section 3.202.05B. (2/01)
- F. Notice. Notice of the decision shall comply with the provisions in Section 3.204.01. (5/98)
- G. Appeals. A Type I-B land use decision may be appealed to the Hearings Officer, by either the applicant or persons receiving notice of the decision. A Type I-D land use decision may be appealed to the Planning Commission, by either the applicant or persons receiving notice of the decision. (7/03)
- The appeal shall be filed within 10 days from the date of the mailing of the decision, pursuant to the provisions of Section 3.205. (5/98)
- H. Time Limit. The final land use decision, including all appeals, shall be completed within 120 days as per the requirements in Section 3.202.05. (5/98)
- I. Expedited Land Division. If qualified under ORS 197, an expedited land division provides an alternative to the standard review procedures for land division as set forth by the city. The application shall be processed as provided by state statute in lieu of the city's procedures. (6/16)

3.202.03 Procedure for Type I-C Review

- A. Initial Review. Upon receipt of an application for a Type I-C land use action, the City staff shall review the application for completeness. (2/01)
 - 1. Incomplete applications shall not be scheduled for Type I-C review until all required information has been submitted by the applicant. (2/01)
 - 2. If incomplete, the applicant shall be notified and provided additional time of up to 30 days to submit supplemental information as necessary. (2/01)
- B. Complete Application. The application shall be deemed complete for the purposes of scheduling the hearing and all related timing provisions either: processing the application and all related timing provisions either: (2/01)
 - 1. Upon receipt of the additional information; or, if the applicant refuses to submit the information; (2/01)
 - 2. On the 31st day after the original submittal the application shall be deemed complete for review purposes. (2/01)
- C. Staff Review. Within thirty (30) days of receipt of a complete application or such longer period mutually agreed to by both staff and the applicant, staff shall review the application and shall make a decision based on an evaluation of the proposal and on applicable criteria as set forth in this Ordinance; (2/01)
- D. Conditions. Approvals of a Type I-C action may be granted subject to conditions. The following limitations shall be applicable to conditional approvals: (2/01)
 - 1. Conditions shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by a proposed land use described in an application. Conditions shall be related to the following: (2/01)
 - a. Ensure that the standards of the development code are met; or, (2/01)
 - b. Fulfillment of the need for public service demands created by the proposed use. (2/01)
 - 2. Changes of alterations of conditions shall be processed as a new administrative action. (2/01)
- E. Notice. Notice shall be provided to the applicant consistent with Section 3.204.01. (2/01)
- F. Appeals. A Type I-C land use decision may be appealed by the applicant to the Planning Commission. The appeal shall be filed within 10 days from the date of mailing of the decision, pursuant to the provisions of Section 3.205. (2/01)

- G. Final Decision. The final land use decision, including all appeals, shall be completed within 120 days as per the requirements in Section 3.202.05 (2/01)

3.202.04 Procedures for Type II and Type III Actions

(Type II Subdivision, Planned Unit Development and Manufactured Home Parks) (4/10)

(Type II-C Conditional Use for Nursing and Residential Care Facilities - Planning Commission decision) (9/18)

(Type II-B Transit Station – City Council decision) (6/11)

(Type II-B Designation or Removal of a Historic Resource – City Council Decision) (9/18)

(Type II-C Cottage Cluster Development with or without creating new lots in the RS zone – Planning Commission decision) (6/14)

(Type II-C Cottage Cluster Development creating new lots in the RM; RL; RH; and MU zones – Planning Commission decision) (6/14)

(Type II-C Permit for demolition, modification, or moving of a Historic Resource – Planning Commission Decision) (9/18)

(Type III Annexation, Zone Changes involving 5 or fewer adjacent land ownership and Comprehensive plan Map Amendments involving 5 or fewer adjacent land ownerships, ~~and Keizer Station Master Plan Review~~ which may include Subdivision and Partitioning), and Keizer Station Master Plan Amendments) (4/10)

- A. Initial Review. Upon receipt of an application for Type II or Type III land use action, the City staff shall review the application for completeness. (5/98)
1. Incomplete applications shall not be scheduled for Type II or Type III review until all required information has been submitted by the applicant. (5/98)
 2. If incomplete, the applicant shall be notified and provided additional time of up to 30 days to submit supplemental information as necessary. (5/98)
- B. Complete Application. The application shall be deemed complete for the purposes of scheduling the hearing and all related timing provisions either: (5/98)
1. Upon receipt of the additional information; or, if the applicant refuses to submit the information;
 2. On the 31st day after the original submittal the application shall be deemed complete for scheduling purposes only. (5/98)
- C. Agency Referrals. Referrals will be sent to interested agencies such as City departments, police and fire districts, school district, utility companies, regional and local transit service providers and applicable city, county, and state agencies. Affected jurisdictions and agencies could include the Department of Environmental Quality, The Oregon Department of Transportation, Salem-Keizer Transit District, and the City of Salem. Notice of projects affecting state transportation facilities will be sent to ODOT. Referrals will be sent to affected neighborhood associations. (6/14)

- D. Public Hearing. The Public Hearing shall be scheduled and notice shall be mailed to the applicant and adjacent property owners. Notice requirements shall comply with Section 3.204.02. (5/98)
- E. Staff Review. Staff shall prepare and have available within 7 days of the scheduled hearing a written recommendation concerning the proposed action. This report shall be mailed to the applicant and available at City Hall for all interested parties. The Zoning Administrator may refer the initial decision to the City Council. (5/98)
- F. Notice of Application. Notice of a subdivision application shall be mailed to owners of property within 250 feet of the site and neighborhood association representatives. The notice to owners and neighborhood association members will invite the submittal of written comments on the proposal to the City within 10 days. (1/02)
- G. Hearings Procedures. The public hearing shall comply with the provisions in Section 3.205 or Section 3.206. (6/11)
- H. Conditions. Approvals of any Type II or Type III action may be granted subject to conditions. The following limitations shall be applicable to conditional approvals: (5/98)
 - 1. Conditions shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by a proposed land use described in an application. Conditions shall be related to the following: (5/98)
 - a. Protection of the public from the potentially deleterious effects of the proposed use; or, (5/98)
 - b. Fulfillment of the need for public service demands created by the proposed use. (5/98)
 - 2. Changes of alterations of conditions shall be processed as a new administrative action. (5/98)
 - 3. Performance bonding for applicable conditions shall comply with the provisions in Section 3.202.05B. (2/01)
- I. Notice. The applicant shall be notified, in writing, of the decision or recommendation. In addition, notice of the decision shall be mailed to individuals who request such notice at the public hearing, or, by those individuals who submitted a written request for notice prior to the public hearing. (6/11)

- J. Appeals. With the exception of a conditional use for a Transit Station, which is a final decision by the City Council, a Type II land use decision may be appealed to the City Council by either the applicant, persons receiving notice of the decision or the Administrator. The appeal shall be filed within 10 days from the date of the mailing of the decision, pursuant to the provisions of Section 3.205. Type III land use applications are automatically reviewed by the City Council. (6/11)
- K. Time Limit. The final land use decision, including all appeals, shall be completed within 120 days as per the requirements in Section 3.202.05. (2/01)
- L. Expedited Land Division. If qualified under ORS 197, an expedited land division provides an alternative to the standard review procedures for land division as set forth by the city. The application shall be processed as provided by state statute in lieu of the city's procedures. (6/16)

3.202.05 Special Procedural Requirements

A. 120 Day Time Limit

If for any reason it appears that such final action may not be completed within the 120 day period, unless the applicant voluntarily extends the time period, the following procedures shall be followed regardless of other processes set forth elsewhere in this Ordinance. (5/98)

1. The City staff shall notify the City Council of the timing conflict by the 95th day. The City Council shall, in accordance with its own procedures, set a time for an emergency meeting within the 120 day period. (5/98)
2. Public notice shall be mailed to affected parties as specified in Section 3.204.02. (5/98)
3. The City Council shall hold in a public hearing on the specified date, in accordance with the provisions of Section 3.204 and render a decision approving or denying the request within the 120 day period. Such action shall be the final action by the City on the application. (5/98)

B. Performance and Maintenance Bonding (2/01)

Conditions of approval required by the City shall be completed prior to the issuance of any building permit within a residential subdivision or partitioning, or an occupancy permit for any other use. When an applicant provides information which demonstrates that it is not practical to fulfill all conditions prior to issuance of such permit, the City may require a performance bond or other guarantee to ensure compliance with zoning regulations or fulfillment of required conditions. (2/01)

1. Types of Guarantees - Performance guarantees may be in the form of performance bond payable to the City of Keizer, cash, certified check, time certificate of deposit, or other form acceptable to the City. The City Attorney must approve the form and appropriate documents filed with the City Recorder. Agreements may be recorded to restrict building permits. (2/01)
2. Amount of Guarantee - The amount of the guarantee must be equal to at least one-hundred-ten percent (110%) of the estimated cost of the performance. The applicant must provide a written estimate acceptable to the City, which must include an itemized estimate of all materials, labor, equipment and other costs of the required performance. (5/98)
3. Completion of Performance - All improvements shall be completed within one year of filing the performance guarantee. The Administrator may extend this time limit for up to one additional year. (2/01)
4. Maintenance Bonds for public improvements of 40% of the total cost of improvements is required for one year warranty. (2/01)

KEIZER STATION PLAN

INTRODUCTION

Planning for this area began in 1987 when the Keizer Comprehensive Plan established the Chemawa Activity Center and McNary Activity Center. The first Chemawa Activity Center Plan was adopted in 1993, followed by amendments to the plan in 1995. The city amended the plan two years later and adopted the 1997 version of the Chemawa Activity Center Plan, which provides for development of a mixed-use area incorporating service commercial, industrial, housing, retail, office, and public uses. The Chemawa Activity Center Plan and the Keizer Station Plan are both “activity center design plans” as described in the Keizer Comprehensive Plan. The activity center is divided into four areas (A through D) corresponding with specific sections on the north and south side of Chemawa Road and Lockhaven Drive.

Suggested changes to the Comprehensive Plan and Zoning maps are recommended to be consistent with the types of uses based on anticipated market demand. The changes to the zoning pattern are further supported by the economic analysis conducted by Hobson Ferrarini & Associates, which demonstrates that there is a large shortfall of commercial land within Keizer. This analysis also indicates that the existing industrial land in Keizer is more than sufficient to meet the 20-year demand for industrial uses.

This plan also provides specific development standards within the Keizer Station Plan area. Development standards design details for buildings and on-site improvements and uses are provided in the Keizer Development Code.

This plan establishes four specific areas within the Keizer Station Plan area (Figure 1):

- Area A – Village Center/Sports Center
- Area B – Retail Service Center
- Area C – Keizer Station Center
- Area D – Commerce Center

FIGURE 1: SUBAREAS



FIGURE ONE

KEIZER STATION PLAN -

SUBAREAS
SEPTEMBER 2001



ANKROM MOISAN
ASSOCIATED ARCHITECTS



The Keizer Station Plan is intended to build on the objectives that were previously used to guide the preparation of the Chemawa Activity Center Plan:

- Establish a northern gateway into the Keizer area;
- Provide an opportunity for multi-modal transportation options;
- Provide the opportunity to live, work and shop in close proximity to the Center;
- Provide an additional focal point for industry, commerce and community activities;
- Enhance economic activity within the community without threatening the economic health and redevelopment activities along the River Road and Cherry Avenue corridors;
- Provide an appropriate site for community facilities;
- Offer a source of employment, including family wage jobs; and
- Be a Source of Pride.

KEIZER STATION PLAN LAND USE AND ZONING

The Plan takes advantage of the access and visibility of the Keizer Station Plan area and is designed to allow flexibility with applicable development standards. Compared with the Chemawa Activity Center Plan, which excludes the ballpark and properties immediately north, the Keizer Station Plan area includes these properties. The Plan land use designations, which are shown in Figure 2, include:

Plan Designation	Acres
Area A	
Industrial General	30.8
Campus Light Industrial	37.2
Special Planning District	93.0
Area B	
Commercial	11.4
Low Density Residential	1.1
Area C	
Mixed Use	34.5
Commercial	1.5
Area D	
Campus Light Industrial	15.7
<hr/>	
Total Approximate Acres	225.2

The Plan also features a new zoning district called Employment General (EG) that develops standards to promote an employment center with the opportunity for a mix of industrial and commercial uses. ~~The Keizer Development Code amendments that are necessary to implement the Keizer Station Plan are provided in Attachments A through N.~~

Based on the Comprehensive Plan Map amendments (Figure 2), the Zoning Map (Figure 3) the following approximate acreage totals for the Keizer Station Plan area by zoning district are summarized below. All of these properties are within the Activity Center Overlay for the Keizer Station Plan.

Zoning District	Existing Acres	Proposed Acres	Change/Acres
Industrial Business Park (IBP)	122.1	52.7*	-69.2
General Industrial	0	30.8	+30.8
Commercial Mixed Use (CM)	19.7	11.4	-8.3
Mixed Use (MU)	36	34.5	-1.5
Public (P)	34.9	0	-34.9
Commercial Office (CO)	12.5	0	-12.5
Commercial Retail (CR)	0	1.5	+1.5
Single Family Residential (RS)	0	1.1	+1.1
Employment General (EG)	0	93	+93
Total Approximate Acres	225.2	225.2	

The above listed acreage is based upon data from the Marion County Assessor's Office, October 31, 2002.

The existing and proposed zoning is further described for the four areas of the Keizer Station Plan as follows in approximate acreage:

Area A

Village Center

<u>Zoning</u>	<u>Existing Acres</u>	<u>Proposed Acres</u>
Employment General (EG)	0	93
Industrial General (IG)	0	2
Industrial Business Park (IBP)	84	0
Commercial Mixed (CM)	11	0

Sports Center

<u>Zoning</u>	<u>Existing Acres</u>	<u>Proposed Acres</u>
Industrial Business Park (IBP)	38.1	37.2
General Industrial (IG)	0	28.8
Public (P)	27.9	0

Area B - Retail Service Center

<u>Zoning</u>	<u>Existing Acres</u>	<u>Proposed Acres</u>
Commercial Mixed Use (CM)	0	11.4
Single Family Residential (RS)	0	1.1
Commercial Office (CO)	12.5	0

Area C - Keizer Station Center

<u>Zoning</u>	<u>Existing Acres</u>	<u>Proposed Acres</u>
Mixed Use (MU)	36	34.5
Commercial Retail (CR)	0	1.5

Area D - Commerce Center

<u>Zoning</u>	<u>Existing Acres</u>	<u>Proposed Acres</u>
Industrial Business Park (IBP)	0	15.7
Commercial Mixed-Use (CM)	8.7	0
Public (P)	7.0	0

The above listed acreage is based upon data from the Marion County Assessor's Office.

Figure 2: Comprehensive Plan Map Land Use Designations

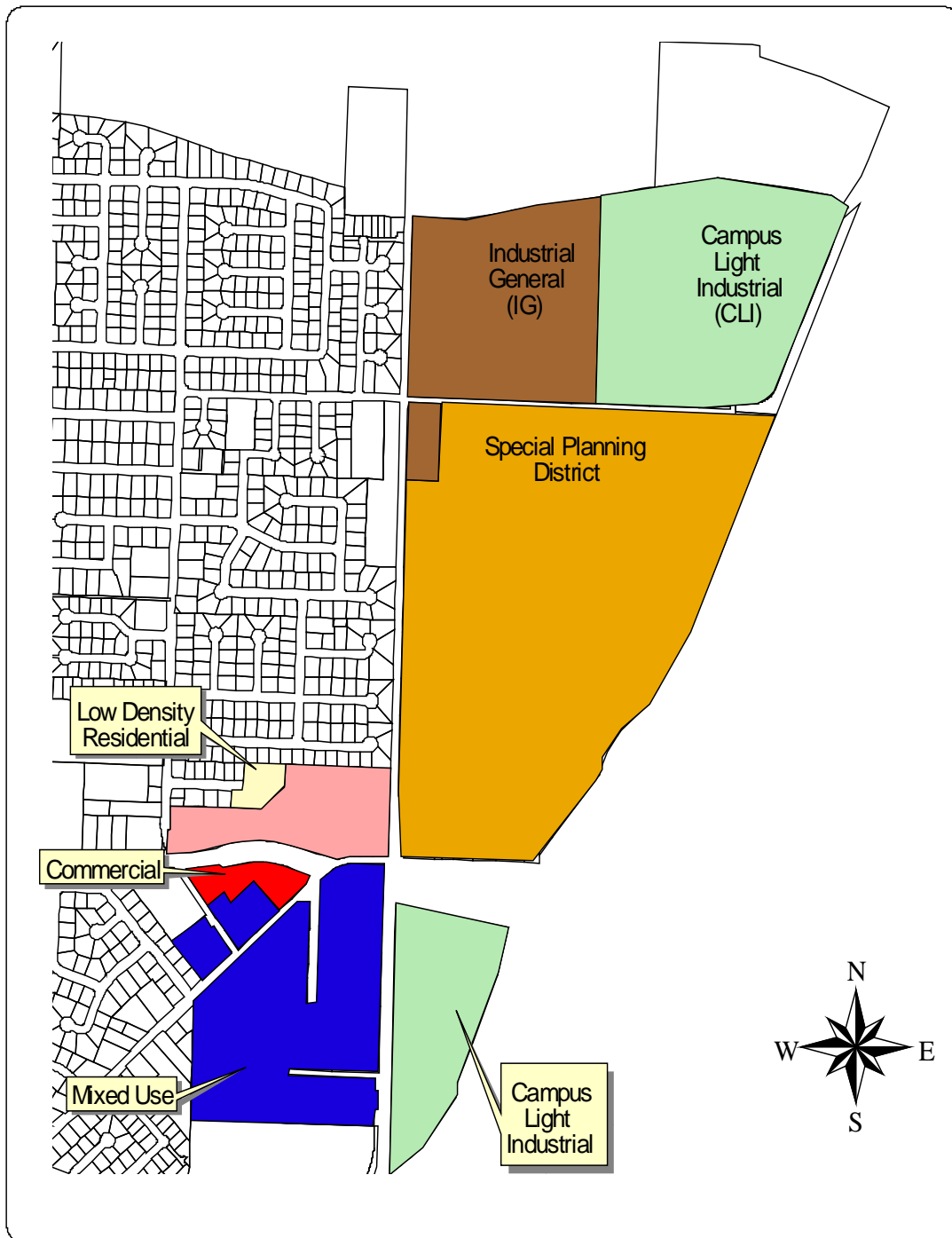
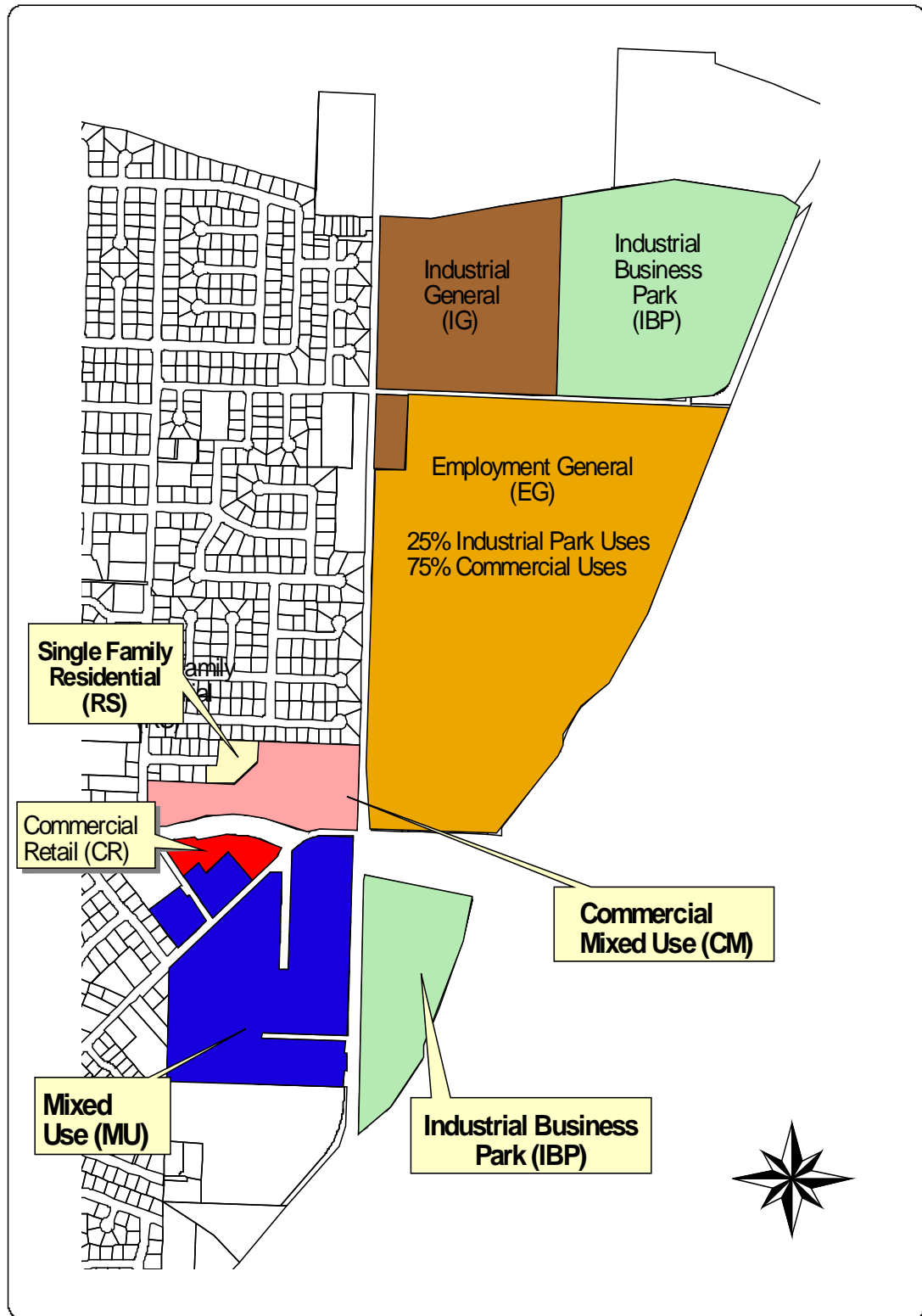


Figure 3: Zoning Designations



SITE CHARACTERISTICS

One factor that will influence future development in the Keizer Station Plan area is the site's physical constraints. These constraints will shape where future development and infrastructure will be located include:

- Utility easements, including the BPA and PGE powerline easements;
- ODOT access easements; and
- Rail right-of-way.

KEIZER STATION PLAN AREAS AND DESIGN GUIDELINES

The Keizer Station Plan has evaluated each of the four areas from a development, urban design, transportation and public facilities perspective. Based on this evaluation, this Plan recommends a number of specific design guidelines and identifies development issues that will need to be addressed as development occurs in each area. The following section provides the specific area descriptions, design guidelines and issues that will guide future development for each of the following areas:

- Area A – Village Center/Sports Center
- Area B – Retail Service Center
- Area C – Keizer Station Center
- Area D – Commerce Center

To help create the mix of uses envisioned in the Keizer Station Plan, the floor area for specified uses, which generally have retail and commercial characteristics, is limited as provided in the Keizer Development Code (KDC). The types of uses that are restricted are set forth in the applicable zones. Subject to an approved reallocation as provided below and in the KDC, the square footage of Specified Uses is allocated among the following areas as follows:

<u>Areas</u>	<u>Square Footage Limitation for Specified Uses</u>
Area A –	
<i>Village Center</i>	675,000 sq. ft.
<i>Sports Center</i>	15,000 sq. ft.
Area B – <i>Retail Service Center</i>	80,000 sq. ft.
Area C – <i>Keizer Station Center</i>	135,000 sq. ft.
Area D – <i>Commerce Center</i>	70,000 sq. ft.
TOTAL	975,000 sq. ft.

As part of a master plan application, an applicant may request a reallocation of specified uses among Area A Keizer Station, Area A Sports, Area B, Area C, or Area D other than is specified herein. Approval of such a reallocation shall not be considered an amendment to this Keizer Station Plan, the Keizer Comprehensive Plan or the Keizer Development Code. Any proposed reallocations of square footage of Specified Uses in Areas A-D may only occur in ~~either~~ the context of an application ~~for an amendment to a master plan or an application~~ for master plan approval. The Council may approve such a request if it finds such request for a reallocation of the square footage for such specified uses meets all of the criteria below:

- a. Does not result in significant adverse traffic impacts beyond those mitigated in the Keizer Station Master Plan TIA as that TIA now exists or as it may from time to time be amended (Keizer Station TIA) unless additional mitigation beyond that specified in the Keizer Station TIA is required to make such identified traffic impacts consistent with the Level of Service and volume/capacity Standards in the Keizer Station TIA;
- b. The reallocation results in a total limitation of no more than 975,000 square feet for all of the Keizer Station Plan area;
- c. Other property owners in the Keizer Station will not be unduly burdened by the direct or indirect effects of the reallocation.
- d. Residents and/or property owners in the vicinity of Keizer Station will not be unduly burdened by the direct or indirect effects of the reallocation.
- e. Considering all positive and negative impacts overall, the citizens of Keizer will benefit from the reallocation.

A reallocation shall not reduce the amount of square footage allowed in an approved Master Plan for a different Area without the amendment of the Master Plan for such different Area. In other words, a reallocation can reduce the square footage for another Area, but not below the restricted use levels approved in the Master Plan for that Area.

KEIZER STATION PLAN IMPLEMENTATION PROCEDURES

Land Use Review Procedures

This Plan calls for the development of Master Plans for Area A – Village Center, Area A – Sports Center, Area B, and Area D. In Area C, a Master Plan is only required for development of two or more lots/parcels. The Master Plans are to be reviewed and approved by the City Council through a ~~Type II-B~~ review process in accordance with the Keizer Station Plan design guidelines. These Master Plans are to be publicly or privately prepared representing the development proposal for a given area. It is recognized that the applicant of the Master Plan for an area may not own or control all the land within the Master Plan boundary. All property owners in each area are encouraged to join together as co-applicants. However, to properly plan development and provision of public facilities and services, the master plan shall still cover all the area in appropriate detail based on ownership. For those portions not owned or controlled by an applicant, the Master Plan shall focus on a cohesive interconnected system of planned public facilities and shall set general design guidelines to be used throughout the Master Plan area. Amendments to an approved Master Plan shall require City Council approval. Subdivision approval shall be based upon the applicable zone and applicable KDC Section 3.108 requirements.

The Master Plans will be developed and considered in accordance with the requirements of the Activity Center Overlay provisions (KDC Section 2.125 of the Keizer Development Code). Individual areas may require a detailed transportation system design plan as a requirement of Master Plan approval. Once a Master Plan is adopted, individual buildings and uses must receive building permit approval. As part of the building permit process, the proposal will be evaluated for compliance with the adopted Master Plan, zone standards, and applicable design standards as referenced in the Keizer Development Code. In the case of conflicts between the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards will apply.

◆ ~~In order to establish the Type II-B procedures, KDC Section 3.101.02 is amended and shown in Attachment B.~~

◆ ~~In order to establish the criteria for Type II-B review, KDC Section 3.113 is added as shown in Attachment C.~~

Transportation Review Procedures

Beginning with the adoption of the Chemawa Activity Center Plan (1997) a transportation level-of-service standard for future traffic operations at the signalized intersections on Lockhaven Drive and Chemawa Road between River Road and the eastern I-5 ramp was developed. This level-of-service standard (volume to capacity (V/C) ratio of 0.87) is included in Keizer's Transportation System Plan (TSP) as well. Traffic operations are a critical element of the future implementation of the Keizer Station Plan. Therefore, the Keizer Station Plan includes the 0.87 volume to capacity (v/c) ratio as adopted in the Chemawa Activity Center Plan.

The transportation requirements of the Keizer Station Plan may include an underpass of Chemawa Road. The underpass is one of several optional elements of the overall transportation system needed to provide safe access to and from the developing areas of the Keizer Station Plan. Provisions for construction of the underpass and/or other improvements shall be in place so as to not allow the intersection of Radiant Drive with Chemawa Road to fall below the v/c ratio of 0.87 as calculated by the critical movement analysis methodology as development occurs.

Off-ramp and other ODOT facility improvements, if necessary, shall be constructed as a regional improvement to the I-5 Interchange under ODOT's direction. Funding shall be provided, as appropriate, by all parties benefiting from the improvements.

Street right of way dedications and street vacations will be required. Prior to development, an overall preliminary plan shall be submitted for review and approval by the Department of Public Works indicating the location of all proposed public and private streets to be dedicated and vacated. All new public streets shall be constructed to the requirements of the City of Keizer Department of Public Works Design and Construction Standards. During the master planning process, circulation to and within the Keizer Station Plan shall be addressed to promote pedestrian and bicycle access to the site from all surrounding areas.

Utility Review Procedures

General:

- A. A street lighting master plan shall be developed. A street lighting district shall be created while under the control of the developer to provide for adequate streetlights along the frontage of all new street rights of way. Decorative lighting shall be used.
- B. Construction permits are required by the Department of Public Works prior to any public facility construction. Contact the City Engineer's office at 390-7402 for the necessary permit information that is required.
- C. A Pre-design meeting with the City of Keizer Department of Public Works will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.
- D. Street opening permits are required for any work within the City right-of-way that is not covered by a Construction Permit.
- E. Facility phasing plans and arrangements for reimbursing developers for providing additional capacity to serve future development shall be approved by the Keizer Department of Public Works.

Sanitary Sewer:

A portion of the Keizer Station Plan is located within the original Keizer Sewer District and a portion is located outside of the original district. Developers will construct the sewer trunk line and pay an acreage fee for the property outside of the original district.

- A. Prior to development of the subject property, a master sewer plan for the proposed development shall be submitted to the Department of Public Works for review and approval. The entire project shall be served by an existing 18-inch trunk sewer line located adjacent to Keizer Stadium.
- B. City of Salem approval for both sewer trunk lines and local sewers is required. Permits from the City of Salem shall be issued prior to construction. Prior to

submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.

- C. Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property.
- D. Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right of ways.
- E. It will be the responsibility of the developer's engineer to locate any existing wells (including those on adjacent property) in the vicinity of the proposed new sanitary sewer lines for the subject property. Any conflicts between existing wells and proposed sanitary sewers shall be addressed by the developer prior to issuance of public works construction permits. The timing for resolving any conflicts shall be identified as part of a Master Plan approval.

Domestic Water:

- A. A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Location of all meters shall be approved by the Keizer Department of Public Works. To provide for adequate peak consumption and fire protection requirements, it is anticipated that new public wells and storage facilities will be required. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Dedication of property to the City shall be required for any wells or storage facilities developed. Any system development charges for water system improvements will be those in place at the time of individual service connections.
- B. Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to any issuance of public works construction permits by the City of Keizer.
- C. Existing wells on the subject property are to be located by the developer and reviewed by the Keizer Department of Public Works to determine if existing

water rights can be transferred to municipal use. If so, the developer shall make the transfer at the request of the City. The City will be responsible for any fees charged by the State of Oregon associated with the transfer. If the wells cannot be incorporated into the city system, the developer shall abandon them in accordance with the rules of the Oregon State Water Resources Department.

Storm Sewer:

- A. Development plans will require an evaluation of the present drainage patterns and runoff characteristics. The property is within a critical drainage basin and strict compliance with city ordinances will be necessary. No increase in runoff will be allowed as development occurs. Prior to development, an overall storm water master plan shall be submitted for review and approval by the Department of Public Works.
- B. Storm water detention will be required. All storm water and roof drains shall be connected to an approved system designed to provide adequate drainage for the proposed new driveways and other impervious surfaces.
- C. A grading and drainage plan shall be prepared and submitted for review and approval by the Department of Public Works. Details shall include adequate conveyance of storm water from adjacent property across the subject property.
- D. As part of the Keizer Station Plan development, a detailed analysis of the various drainage basins within the planning area was completed ~~(Chapter of the September 2001 KSP proposal, Attachment N)~~. In all cases, storm water detention and treatment will be required to the standards in place at the time of development
- E. Prior to development, a phasing plan shall be submitted for review and approval by the Department of Public Works to indicate how the storm water system will be developed to provide service to each area.

AREA A – VILLAGE CENTER

I. PURPOSE AND OBJECTIVES

- A. **Purpose:** The Village Center (95 acres) portion of Area A is the heart of the Keizer Station Plan. The Village Center will provide the opportunity to establish a true economic activity center that will focus on offering a variety of industrial and commercial activities. In order to achieve the necessary mix of uses and design environment to create the Village Center, this plan sets forth a series of objectives for new development to accomplish.

Key issues that will need to be considered as Area A – Village Center develops include:

- Location and design of transportation facilities.
 - Traffic operations at the Chemawa Interchange.
 - Physical constraints (e.g. power lines, utility easements, rail right-of-way) that will influence the amount of buildable land and building locations; and
 - Phasing of development.
- B. **Objectives:** Development in Area A – Village Center will be focused on achieving the following objectives:
- Provide a northern gateway to Keizer;
 - Develop a variety of employment opportunities;
 - Create a focal point for commerce and community activities;
 - Establish a place for multiple activities;
 - Provide a gateway to sports activities; and
 - Be a source of employment opportunities.
- C. **Base Zones:** In order to achieve the Development Objectives for Area A – Village Center, the Special Planning District Comprehensive Plan designation shall apply to the property within the Village Center. Property within this area shall be zoned as follows:

Zoning	Acres
Employment General (EG)	93.0
Industrial General (IG)	2.0

II. DESIGN STANDARDS

Following Master Plan approval, as described earlier, subsequent development within Area A – Village Center, shall satisfy the development standards of the underlying zone, Employment General (EG) – Section 2.119, along with the following design standards:

A. **Development Standards:** KDC Section 2.315 *Development Standards* requires new development to ~~apply for Development Review and to~~ comply with standards identified in KDC Section 2.315.08~~–~~as part of the building permit approval process. These standards are intended to be objective and to serve as a guide to designers of developments. A building permit shall be issued when the proposal:

1. Is consistent with the Development Standards of KDC Section 2.315; and
2. Is in substantial conformity to the approved Master Plan.

Modification of a building permit application, which is not in substantial conformity with the Development Standards or the approved Master Plan, may be approved by the City Council under KDC Section 2.315.09~~–~~as a design alternative.

B. **Additional Design Standards:** Development throughout Area A – Village Center will also be controlled by a set of design standards aimed at establishing an environment that promotes a coordinated approach to developing the entire 95 acres. The intent is to establish design standards in addition to the standards identified in KDC Section 2.315 that will guide future development in a manner that will achieve the development objectives for Area A – Village Center. The following Design Standards shall also apply to new development in Area A – Village Center area as part of the Master Plan approval process:

1. **Gateway.** In order to achieve the objective of making Area A – Village a gateway to Keizer, a gateway feature visible from I-5 shall be provided.
2. **Weather protection.** Weather protection for pedestrians, such as awnings, canopies and arcades, shall be provided at building entrance(s). Weather protection is encouraged along building frontages abutting a public

sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or accessway.

III. TRANSPORTATION SYSTEM

The extension of Radiant Drive through Area A – Village is a key element, not only to the transportation system, but to the visual quality of the center. Accordingly, the following design features shall apply to Radiant Drive:

- A. **Streetscape.** Radiant Drive is relocated to bisect Area A – Village Center and will provide a landscaped entry as well as providing a direct connection into Area A – Village Center. The design of Radiant Drive and internal streets shall include landscape features as approved by the City Council as part of the Master Plan approval process. Landscaping and streetscaping provisions identified in KDC Section 2.119, ~~Attachment A~~.
- B. **Access.** Access from Radiant Drive to adjoining property shall be controlled. The intent of Radiant Drive is to provide efficient through traffic. Signalized access connections will be located at least 600 feet apart, except where approved by the City Traffic Engineer. Additional access connections on Radiant Drive should be limited and designed to maximize the flow of traffic. All internal signalized intersections on Radiant Drive will operate at a V/C standard of 0.87 or better.
- C. **Pedestrian circulation:**
 - 1. The on-site pedestrian circulation system shall be continuous, connecting the ground-level entrances of primary structure(s) to the following:
 - a. Streets abutting the site;
 - b. Parking areas;
 - c. Shared open spaces and play areas;
 - d. Abutting transit stops;
 - e. Any pedestrian amenity such as plazas, resting areas and viewpoints; and
 - d. Adjacent buildings.

2. There shall be at least one pedestrian connection to an abutting street frontage for each 300 linear feet of street frontage.

IV. UTILITIES

In addition to the development standards of Utility Lines and Facilities – Section 2.307 the following standard shall apply to new utilities:

- A. All utilities located adjacent to Radiant Drive and connecting transportation facilities shall be located underground.
- B. All other new utility connections and lines shall be located underground where practicable.

V. PARKING

Parking standards for Area A – Village Center shall follow the standards located in the corresponding base zone as well as Off-Street parking and Loading – Section 2.302. In addition to these standards, the following shall also apply:

- A. Location of parking – If the building is located within 20 feet of the Radiant Drive right-of-way, there shall be no parking or maneuvering between the building and the right-of-way.

VI. LANDSCAPE

In addition to the development standards of Site and Landscape Design – Section 2.309 the following standards shall apply:

- A. A coordinated landscape plan shall be provided for the frontage portion of the Village Center along I-5 with the request for master plan approval.
- B. Restriction on Tree Removal. From the date of adoption of this ordinance, no trees shall be removed from any property within Area A- Village Center without approval from the City. The City recognizes that factors such as disease and safety concerns or other practical considerations may require the approval to remove such trees. The City otherwise may determine existing trees to remain on the property.

Upon application for master plan approval, the applicant shall submit a tree inventory of all existing trees and trees removed since the date of this ordinance.

AREA A – SPORTS CENTER

I. PURPOSE AND OBJECTIVES

A. **Purpose:** Area A – Sports Center (66 acres) is the location of the Keizer Stadium as well as the potential location for a variety of industrial, entertainment, recreation and sports-related facilities. A portion of this area is devoted to an existing power substation and a baseball stadium. Area A – Sports Center will be accessed via the extension of Radiant Drive through Area A - Village. Key issues that will need to be considered as Area A – Sports Center develops include:

- Location and design of Radiant Drive;
- Physical constraints that will influence the amount of buildable land and building locations;
- Phasing of development;
- Coordination with Keizer Stadium activities; and
- Relationship to Lake Labish restoration improvements.

B. **Objectives:** Development in Area A – Sports Center will be focused on achieving the following objectives:

- Providing development opportunities for industrial and recreation facilities while addressing building constraints;
- Creating an industrial, recreation and community center; and
- Providing compatible uses to the existing power transmission center.

B. **Base Zone:** In order to achieve the Area A – Sports Center Development Objectives, the Comprehensive Plan designation for property within Area A – Sports Center shall be Campus Light Industrial and General Industrial. Property within the Sports Center shall be zoned as follows:

Zoning	Acres
Industrial Business Park (IBP)	37.2
General Industrial (IG)	28.8

II. DESIGN STANDARDS

Following Master Plan approval, as described earlier, subsequent development within Area A – Sports Center, shall satisfy the development standards of the underlying zone, Industrial Business Park—Section 2.113 along with the following design standards:

A. **Development Standards:** KDC Section 2.315 *Development Standards* requires new development to apply for Development Review and to comply with standards identified in KDC Section 2.315-08 as part of the building permit approval process. These standards are intended to be objective and to serve as a guide to designers of developments. A building permit shall be issued when the proposal:

1. Is consistent with the Development Standards of KDC Section 2.315; and
2. Is in substantial conformity to the approved Master Plan.

Modification of a building permit application, which is not in substantial conformity with the Development Standards or the approved Master Plan, may be approved by the City Council under KDC Section 2.315-08 as a design alternative.

B. **Additional Design Standards:** In addition to the design standards in the underlying base zones, the following design standards shall apply as part of the Master Plan approval process:

1. The requirement in Industrial Business Park Section 2.113-05-H (Lot Coverage) for 20 percent of the gross area of a lot in the IBP district shall also apply to Area A – Sports Center.
2. The requirement in General Industrial Section 2.114-05-B is amended to allow an additional one foot of height for every five feet of setback from residential areas in Area A – Sports Center.

III. TRANSPORTATION SYSTEM

The extension of Radiant Drive into Area A - Sports Center is a key element, not only to the transportation system, but also to the visual quality of the center. Accordingly, the following design features shall apply to Radiant Drive:

- A. Radiant Drive is relocated to bisect Area A – Village Center and will provide a landscaped entry into the area as well as providing a direct connection into the Area A - Sports Center.
- B. Access from Radiant Drive to adjoining property shall be controlled. The intent of Radiant Drive is to provide efficient through traffic. Signalized access connections will be located at least 600 feet apart, except where approved by the City Traffic Engineer. Additional access connections on Radiant Drive should be limited and designed to maximize the flow of traffic. All internal signalized intersections on Radiant Drive will operate at a V/C standard of 0.87 or better.
- C. **Pedestrian circulation:**
 - 1. The on-site pedestrian circulation system shall be continuous, connecting the ground-level entrances of primary structure(s) to the following:
 - a. Streets abutting the site;
 - b. Parking areas;
 - c. Shared open space and play areas; and
 - d. Abutting transit stops;
 - e. Any pedestrian amenity such as plazas, resting areas and viewpoints; and
 - f. Adjacent buildings.
 - 2. There shall be at least one pedestrian connection to an abutting street frontage for each 300 linear feet of street frontage.

IV. LANDSCAPE

In addition to the development standards of Site and Landscape Design – KDC Section 2.309 the following standard shall apply:

- A. A coordinated landscape plan shall be provided for the frontage portion of the Sports Center along I-5 with the request for master plan approval.

- B. Restriction on Tree Removal. From the date of adoption of this ordinance, no trees shall be removed from any property within Area A- Sports Center without approval from the City. The City recognizes that factors such as disease and safety concerns or other practical considerations may require the approval to remove such trees. The City otherwise may determine existing trees to remain on the property.
1. Upon application for master plan approval, the applicant shall submit a tree inventory of all existing trees and trees removed since the date of this ordinance.

AREA B – RETAIL SERVICE CENTER

I. PURPOSE AND OBJECTIVES

A. **Purpose.** Area B – Retail Service Center (12.5 acres) is envisioned to offer community supporting retail services such as a food store, personal services and specialty retail. In addition, the plan proposes the completion of Dennis Ray Avenue to complete the residential neighborhood nearby. In addition to the permitted uses, a Transit Station (bus service or commuter rail service) is allowed as a Conditional Use in the CR zone consistent to Section 2.4 of the Keizer Development Code.

Key issues that will need to be considered as Area B develops include:

- Site access;
- Buffering between adjacent residential areas; and
- Traffic operations on Lockhaven.

B. **Objectives:** Development in Area B will be focused on achieving the following objectives:

- Complete residential neighborhood on Dennis Ray Avenue and provide a pedestrian and bicycle connection to nearby commercial activities;
- Provide convenient retail opportunities for nearby residential areas;
- Create a landscape buffer along the northern edge of the site; and
- Protect traffic operations on Lockhaven Drive and McLeod Lane.
- Location and operation of future Commuter Rail Transit Station.

C. **Base Zones:** In order to achieve Area B Development Objectives, the Comprehensive Plan designation for property within the Area B shall be Low Density Residential for those properties zoned Single Family Residential and Commercial for the property zoned Commercial Mixed (CM). Property within Area B shall be zoned as follows:

Zoning	Acres
Commercial Mixed Use (CM)	11.4
Single Family Residential (RS)	1.1

II. DESIGN STANDARDS

Following Master Plan approval, as described earlier, subsequent development within Area B, shall satisfy the development standards of the underlying zone, along with the following design standards:

- A. **Development Standards:** KDC Section 2.315 *Development Standards* requires all new commercial and multi-family development to apply for Development Review and to comply with standards identified in Section 2.315-08 as part of the building permit approval process. These standards are intended to be objective and to serve as a guide to designers of developments. A building permit shall be issued when the proposal:

1. Is consistent with the Development Standards of KDC Section 2.315; and
2. Is in substantial conformity to the approved Master Plan.

Modification of a building permit application, which is not in substantial conformity with the Development Standards or the approved Master Plan, may be approved by the City Council under KDC Section 2.315-08 as a design alternative.

- B. **Other Design Standards:** In addition, the Residential Single Family (RS) and Commercial Mixed (CM) zones provide design standards for new development.

III. TRANSPORTATION SYSTEM

Traffic operations on Lockhaven Drive are an important design issue as Area B develops. Careful consideration of the location of access points to Lockhaven Drive and McLeod to the site will need to occur. Based on initial traffic assessments for the Keizer Station Plan, the following traffic-related elements shall be a part of future development of Area B:

- A. **Access to Lockhaven Drive.** Access will be via a single access point forming the northern leg of the Lockhaven Drive and Chemawa Road intersection. Additional

or alternative access will only be allowed when it is demonstrated to the approval of the City Traffic Engineer that it can be designed so as to have minimal impacts on the safe and efficient flow of traffic on Lockhaven Drive.

- B. **Access to McLeod.** Access may be provided via a single access point located as far north as possible. No automobile access shall be allowed to Dennis Ray Avenue. At the City Traffic Engineer's discretion, this driveway may be limited to right-in/right-out depending on anticipated traffic flows.
- C. **Pedestrian Connectivity.** A pedestrian/bicycle connection Area B shall be provided at Dennis Ray Avenue. The circulation system shall include provisions to provide pedestrian and bicycle connections to the overall Keizer Station Activity Center area from Area B and to Dennis Ray Avenue.
- D. **Internal Circulation.** This is provided to allow internal circulation and avoid the need to use Lockhaven Drive for vehicle trips within Area B.
- E. **Pedestrian circulation:**
 - 1. The on-site pedestrian circulation system shall be continuous, connecting the ground-level entrances of primary structure(s) to the following:
 - a. Streets abutting the site;
 - b. Parking areas;
 - c. Abutting transit stops; and
 - d. Adjacent buildings.
 - 2. There shall be at least one pedestrian connection to an abutting street frontage for each 300 linear feet of street frontage.
- F. The potential location of the Commuter Rail Transit Center in Area B of the Keizer Station. This is intended to be located along the west side of the Portland Western Railroad and in close conjunction with the bus transit center.

IV. UTILITIES

In addition to the development standards of Utility Lines and Facilities – Section 2.307 the following standard shall apply to new utilities:

- A. All new utility connections and lines shall be located underground.

V. LANDSCAPE

In addition to the development standards of Site and Landscape Design – Section 2.309 the following standard shall apply:

- A. A coordinated landscape plan, including the use of trees, shall be provided for the frontage portion of Area B along Lockhaven Drive and McLeod with the request for master plan approval.
- B. Restriction on Tree Removal. From the date of adoption of this ordinance, no trees shall be removed from any property within Area B without approval from the City. The City recognizes that factors such as disease and safety concerns or other practical considerations may require the approval to remove such trees. The City otherwise may determine existing trees to remain on the property.
 - 1. Upon application for master plan approval, the applicant shall submit a tree inventory of all existing trees and trees removed since the date of this ordinance.

AREA C – KEIZER STATION CENTER

I. PURPOSE AND OBJECTIVES

A. **Purpose.** Area C (36 acres) is intended to allow for a mix of uses, both residential and commercial as well as opportunities for connection to public transit. Key issues that will need to be considered as the Keizer Station Center area develops include:

- Traffic operations on Lockhaven and Chemawa, especially at the intersection;
- Appropriate mix of uses;
- Compatibility with existing residential development

B. **Objectives:** Development in Area C will be focused on achieving the following objectives:

- Compatibility with existing residential development;
- Mix of uses that support transit development; and
- Preserving opportunities to support a future Commuter Rail Transit Station.

C. **Base Zones:** In order to achieve the Keizer Station Plan Development Objectives, the Comprehensive Plan designation for property within the Keizer Station Center area shall be Mixed Use and Commercial. Property within the Keizer Station Center area shall be zoned as follows:

Zoning	Acres
Mixed Use (MU)	34.5
Commercial Retail (CR)	1.5

II. DESIGN STANDARDS

Following Master Plan approval, as described earlier, subsequent development within Area C, shall satisfy the development standards of the underlying zone, along with the following design standards:

- A. **Development Standards:** KDC Section 2.315 *Development Standards* requires all new commercial, industrial and multi-family development to apply for Development Review and to comply with standards identified in KDC Section 2.315-08 as part of the permit approval process. These standards are intended to be objective and to serve as a guide to designers of developments. A building permit shall be issued when the proposal:

1. Is consistent with the Development Standards of KDC Section 2.315; and
2. Is in substantial conformity to the approved Master Plan.

Modification of a building permit application, which is not in substantial conformity with the Development Standards or the approved Master Plan, may be approved by the City Council under KDC Section 2.315-08 as a design alternative.

- B. **Permitted Uses:** All permitted uses listed in the corresponding base zones are allowed in the Keizer Station Center

- C. **Other Design Standards:** In addition to the design standards in the underlying base zones, Mixed Use – KDC Section 2.107 and Commercial Retail – KDC Section 2.109, the following design standard shall apply to CR zoned properties within the Keizer Station Center area as part of the Master Plan approval process:

1. **Building orientation:** Buildings located within the Commercial Retail area shall have the building's primary entrance oriented to Lockhaven.

III. TRANSPORTATION SYSTEM

Traffic operations on Lockhaven Drive are an important design issue as the Keizer Station Center area develops. Careful consideration of the location of access points to Lockhaven Drive, McLeod and Chemawa will need to occur. Based on initial traffic assessments for the overall Keizer Station Plan, the following traffic-related elements shall be a part of future development of Area C:

- A. Access to Lockhaven Drive will be allowed when it is demonstrated to the approval of the City Traffic Engineer that it can be designed so as to have minimal impacts on the safe and efficient flow of traffic on Lockhaven Drive.
- B. Access to McLeod and Chemawa shall be coordinated with properties on both sides of these roads to minimize the number of access points and to align primary access points opposite each other. At the City Traffic Engineer's discretion, driveways may be limited to right-in/right-out depending on anticipated traffic flows.
- C. The circulation system shall include provisions to provide pedestrian and bicycle connections to the overall Keizer Station Plan area.

IV. UTILITIES

In addition to the development standards of Utility Lines and Facilities – Section 2.307 the following standard shall apply to new utilities:

- A. All new utility connections and lines shall be located underground.

V. LANDSCAPE

In addition to the development standards of Site and Landscape Design – Section 2.309 the following standard shall apply:

- A. A coordinated landscape plan, including the use of trees, shall be provided for the frontage portion of the Keizer Station Center along Lockhaven Drive with the request for master plan approval.

- B. Restriction on Tree Removal. From the date of adoption of this ordinance, no trees shall be removed from any property within Area C without approval from the City. The City recognizes that factors such as disease and safety concerns or other practical considerations may require the approval to remove such trees. The City otherwise may determine existing trees to remain on the property.
1. Upon application for master plan approval, the applicant shall submit a tree inventory of all existing trees and trees removed since the date of this ordinance.

AREA D – COMMERCE CENTER

I. PURPOSE AND OBJECTIVES

A. **Purpose:** Area D (15 acres) is proposed to have a mix of industrial uses. Key issues that will need to be considered as Area D develops include:

- Location and design of transportation facilities;
- Traffic operations at the Chemawa Interchange; and
- Physical constraints (e.g. power lines, utility easements and rail right-of-way) that will influence the amount of buildable land and building locations.

B. **Objectives:** Development in Area D will be focused on achieving the following objectives:

- A Source of Employment Opportunities; and
- Protect Traffic Operations

C. **Base Zone:** In order to achieve the Commerce Center Development Objectives, the Comprehensive Plan designation for property within the Commerce Center shall be Campus Light Industrial. Property within Area D shall be zoned as follows:

Zoning	Acres
Industrial Business Park (IBP)	15.7

II. DESIGN STANDARDS

Following Master Plan approval, as described earlier, subsequent development within Area D, shall satisfy the development standards of the underlying zone, along with the following design standards:

A. **Development Standards:** KDC Section 2.315 *Development Standards* requires new development to apply for Development Review and to comply with standards identified in KDC Section 2.315.08. These standards are intended to be objective and to serve as a guide to designers of developments during the building permit approval process. A building permit shall be issued when the proposal:

1. Is consistent with the Development Standards of KDC Section 2.315; and
2. Is in substantial conformity to the approved Master Plan.

Modification of a building permit application, which is not in substantial conformity with the Development Standards or the approved Master Plan, may be approved by the City Council under KDC Section 2.315:~~08~~ as a design alternative.

- B. **Other Design Standards:** Design standards the underlying base zone, Industrial Business Park – Section 2.113 shall apply.

III. TRANSPORTATION SYSTEM

The extension of transportation facilities through Area D is a key element, not only to the transportation system but also to the visual quality of the center. Accordingly, the following design features shall apply to Radiant Drive:

- A. Transportation facilities may be established to bisect Area D to provide a landscaped entry into Area D and Area A – Village activities.
- B. Access from a potential transportation facility to adjoining property shall be controlled. The intent of Radiant Drive is to provide efficient through traffic. Signalized access connections will be located at least 600 feet apart, except where approved by the City Traffic Engineer. Additional access connections on Radiant Drive should be limited and designed to maximize the flow of traffic. All internal signalized intersections on Radiant Drive will operate at a V/C standard of 0.87 or better.

IV. UTILITIES

In addition to the development standards of Utility Lines and Facilities – Section 2.307 the following standard shall apply to new utilities:

- A. All utilities located adjacent to transportation facilities connecting to Radiant Drive shall be located underground.

- B. All other new utility connections and lines shall be located underground.

V. LANDSCAPE

In addition to the development standards of Site and Landscape Design – Section 2.309 the following standard shall apply:

- A. A coordinated landscape plan shall be provided for the frontage portion of Area D along I-5 with the request for master plan approval.
- B. Restriction on Tree Removal. From the date of adoption of this ordinance, no trees shall be removed from any property within Area D without approval from the City. The City recognizes that factors such as disease and safety concerns or other practical considerations may require the approval to remove such trees. The City otherwise may determine existing trees to remain on the property.
 - 1. Upon application for master plan approval, the applicant shall submit a tree inventory of all existing trees and trees removed since the date of this ordinance.

FINANCING OPTIONS – ALL AREAS

Financing for certain pieces of infrastructure and/or facilities within the Keizer Station Plan area may be financed through the implementation of certain public financing options if agreeable to the City and property owner(s). Some of these options could include, but not necessarily be limited to the implementation of one or more local improvement district(s), creation of one or more tax overlay zone(s), and/or the issuance of Bancroft bonds as allowed for by the Oregon State Constitution. Infrastructure components and/or facilities funded by public financing options could include, but not necessarily be limited to, recreational facilities, streets, water/sewer/storm water improvements, or similar improvements.



MINUTES
KEIZER CITY COUNCIL
Monday, August 6, 2018
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER	<p>Mayor Clark called the meeting to order at 7:00 pm. Roll call was taken as follows:</p>				
	<table><tr><td data-bbox="457 688 878 905">Present: Cathy Clark, Mayor Kim Freeman, Councilor Laura Reid, Councilor Bruce Anderson, Councilor Roland Herrera, Councilor</td><td data-bbox="927 688 1487 940">Staff: Chris Eppley, City Manager Shannon Johnson, City Attorney Nate Brown, Community Development John Teague, Police Chief Machell DePina, Human Resources Tracy Davis, City Recorder</td></tr><tr><td data-bbox="457 909 878 1016">Absent: Marlene Parsons, Councilor Amy Ryan, Councilor</td><td></td></tr></table>	Present: Cathy Clark, Mayor Kim Freeman, Councilor Laura Reid, Councilor Bruce Anderson, Councilor Roland Herrera, Councilor	Staff: Chris Eppley, City Manager Shannon Johnson, City Attorney Nate Brown, Community Development John Teague, Police Chief Machell DePina, Human Resources Tracy Davis, City Recorder	Absent: Marlene Parsons, Councilor Amy Ryan, Councilor	
Present: Cathy Clark, Mayor Kim Freeman, Councilor Laura Reid, Councilor Bruce Anderson, Councilor Roland Herrera, Councilor	Staff: Chris Eppley, City Manager Shannon Johnson, City Attorney Nate Brown, Community Development John Teague, Police Chief Machell DePina, Human Resources Tracy Davis, City Recorder				
Absent: Marlene Parsons, Councilor Amy Ryan, Councilor					
FLAG SALUTE	<p>Mayor Clark led the pledge of allegiance.</p>				
SPECIAL ORDERS OF BUSINESS	<p>None</p>				
COMMITTEE REPORTS	<p><i>Meredith Mooney</i>, Keizer, explained the focus and purpose of the organization and provided information related to the \$2,000 request that Keizer United made of the Budget Committee.</p>				
PUBLIC TESTIMONY	<p><i>Brandon Smith</i>, Salem, and <i>Rodney Gardner</i>, Keizer, representing Willamette Valley Victory Riders, shared information about the club and the 2018 Poker Run proceeds benefitting children of the community. Several police officers accepted the donated "Go Bags" for children.</p> <p><i>Shirley DeShon</i>, Keizer, invited Council to the Sunset and Rivercrest National Night Out event.</p> <p><i>Danielle Bethel</i>, Keizer Chamber, introduced <i>Dave Walery</i> and <i>Bob Shackelford</i> and explained that funds from the Iris Festival benefit the community and that this year \$1000 would be donated to BLAST Camp. Lt. Andrew Copeland explained that BLAST Camp stands for "Bringing Law Enforcement and Students Together". This year registrations were filled in 8 hours. It is free and held at Claggett Creek Middle School. He added that donations like this are welcomed and the money would be put to good use.</p>				

Regarding the following testimony related to the Sign Code, City Attorney Shannon Johnson explained that the Public Hearing was closed but because it is a legislative issue and not quasi-judicial, and there is no strict rule about testimony after the public hearing for legislative matters, the testimony could be heard but it is awkward because someone who attended the public hearing wouldn't be here to hear the additional testimony. He urged Council to keep that in mind.

Jonathan Thompson, Keizer, Chair of Chamber Government Affairs Committee, provided background regarding the work done with staff over the past year to bring the sign code in compliance with a recent US Supreme Court decision as well as other sections of the Code. He specifically criticized the way staff handled issues related to real estate signage and permitting of larger signs and requested a change to the ordinance being considered for adoption at this meeting. He requested that the allowance for portable signs be changed from 6 square feet to 16 square feet which would be the same as that allowed for feather flags in the new proposal and negate the need for permitting.

Danielle Bethel, Keizer Chamber, added that she had sent emails that were not answered due to technical difficulties with the new spam filter at the City. She urged transparency.

Mayor Clark clarified that the Planning Commission adopted language was 6 square feet and real estate signs are generally 16 square feet. The request of the Chamber is that commercial real estate signs be allowed to be 16 square feet. However, the rule cannot be content-based so further discussion will be necessary.

Carol Doerfler, Keizer, thanked Mayor Clark, Council, and City Attorney for their efforts in assisting the West Keizer Neighborhood Association to resolve the shooting issue across the river. She urged that everyone continue to put pressure on Polk County and the owner of the property.

Rhonda Rich, Keizer, questioned when Polk County could be expected to take action noting that gun shots are still being heard. She explained that the neighborhood will continue to put pressure on Polk County. She also noted that since the city limits go to the middle of the river, Keizer would be responsible for any injuries that occurred due to the shooting. Chief Teague interjected that Polk County handles river calls, and injuries go to the Salem Fire Department because they do water rescue. Additional dialog took place with Ms. Rich, Ms. Doerfler and Ms. DeShon regarding jurisdiction, notifying park users of shooting dangers, putting warning signs up in the park, and reduced property values.

Representative Bill Post, Keizer, explained that at this point there is no legislation planned to prohibit shooting from one county to another. He expressed disappointment at the lack of action from the Polk County State Representative in spite of his frequent efforts to make contact. He urged Keizer citizens to contact the representative for District 20 themselves and

demand action.

Matt Lawyer and *Dan Kohler*, Keizer, addressed Council regarding school safety. Mr. Kohler provided a brief history of shootings in Oregon schools. Matt Lawyer shared information on work that has been done to provide a solution for this problem including a survey. The results of the survey and additional information were reviewed in detail and included in the handout with details provided by Mr. Lawyer and Mr. Kohler.

Discussion followed regarding the respondents, school district involvement, and funding of School Resource Officers. Chief Teague noted that the Police interest in the school is to see the law enforced less and instead to develop relationships, taking care of problems early and diverting children out of the justice system. If increased security is the goal, then civilian armed security should be hired.

Additional discussion took place regarding the number of survey responses received, adding this topic to a 'Community Conversation', giving the survey data to the school board, school security, joining forces with the school district to combine this concept with the recently explored school district police force, and getting input from students.

PUBLIC HEARINGS *Mayor Clark opened the Public Hearing.*

a. Keizer Development Code Text Amendment (Keizer Station Master Plan Review)

Community Development Director Nate Brown summarized his staff report noting that this would apply to all master plans, not just Keizer Station.

Hearing no testimony, Mayor Clark closed the Public Hearing.

Councilor Freeman moved that the Keizer City Council direct staff to prepare an ordinance with findings to adopt the proposed revisions. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

ADMINISTRATIVE ACTION

a. Keizer United Disbursement Request

City Manager, Chris Eppley summarized his staff report.

Meredith Mooney fielded questions from Council regarding how the proposed funding would be spent.

Mayor Clark moved that the Keizer City Council approve allocation of \$1000 for Keizer United with a requirement for reporting back on how the expenditures were utilized. Councilor Herrera seconded.

Discussion followed regarding the appropriateness of spending City funds on lunches for committee members and allocating funds towards programs.

Mayor Clark amended her motion to clarify that the funds will be used for programmatic purposes and not lunches. Amendment was accepted by Councilor Herrera.

Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

**b. Waiver of
Community
Center Fees –
Keizer
Chamber of
Commerce**

City Manager Chris Eppley summarized his staff report reviewing each of the possible options. Danielle Bethel added that last year the Chamber didn't pay for staffing costs or receive any bills, but Chamber is willing to pay for the cost of staffing the events.

For Keizer Chamber of Commerce First Citizen Banquet: Councilor Freeman moved that the Keizer City Council waive the room rental fee and security/cleaning deposit but charge \$625 for the staffing and security costs which are the out of pocket expenses for the City. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

Discussion took place regarding the feasibility of fitting 6 Community Conversations into the fiscal year.

For Keizer Chamber of Commerce Community Conversations: Councilor Freeman moved that the Keizer City Council waive all fees for the community conversation events but limit the number to 4 for the current fiscal year. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

Additional dialog followed regarding including a greater number of the community in the Community Conversations, reaching out to everyone, communicating through social networking and schools and sharing ideas with the Chamber Council Liaison, Councilor Anderson.

**c. RESOLUTION –
Authorizing the
City Manager to
Sign First**

City Attorney Shannon Johnson summarized his staff report noting that the amendment has been signed by Keizer Little League.

Councilor Freeman moved that the Keizer City Council adopt a Resolution Authorizing the City Manager to Sign First Amendment to Park

- Amendment to Park Management Agreement with Keizer Little League, Inc.** Management Agreement with Keizer Little League, Inc. Councilor Herrera seconded. Motion passed as follows:
 AYES: Clark, Reid, Freeman and Herrera (4)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Anderson (absent at time of vote), Parsons and Ryan (3)
- d. ORDINANCE – Adopting the Keizer Marijuana Retailer Permit Process; Repeal of related Ordinances** Mr. Johnson summarized his staff report noting that a public hearing is not required but since this involves an adoption of fees, there needs to be an opportunity for public comment.
Councilor Freeman moved that the Keizer City Council adopt Bill for an Ordinance Adopting the Keizer Marijuana Retailer Permit Process; Repeal of Ordinance Nos. 2014-702, 2014-704, 2015-725, 2015-731, 2015-733, 2016-743, 2016-746, 2016-747, 2016-764, 2016-765, 2017-777, 2017-778, 2017-787, and 2017-788. Councilor Anderson seconded. Motion passed as follows:
 AYES: Clark, Reid, Freeman, Herrera and Anderson (5)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Parsons and Ryan (2)
- RESOLUTION – Relating to Marijuana Retailer Permit Application Fee; Repeal of R2014-2497 and R2016-2647** Councilor Freeman moved that the Keizer adopt a Resolution Relating to Marijuana Retailer Permit Application Fee; Repeal of R2014-2497 and R2016-2647. Councilor Anderson seconded. Motion passed as follows:
 AYES: Clark, Reid, Freeman, Herrera and Anderson (5)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Parsons and Ryan (2)
- e. ORDINANCE – Amending Keizer Development Code Regarding Section 2.308 (Signs) and Section 3.103 (Conditional Use Permits); Amending Ordinance No.** Mr. Johnson reviewed his staff report. Addressing the issue the Chamber brought up, he explained that the main driver behind these changes was to get as ‘content neutral’ as possible, i.e. regulating solely on size, location, vision clearance, etc. The primary issue with the real estate signs is the large sized commercial signs, but regulating them, would be regulating a sign by its content and not allowed. He provided clarification to sections relating to permitting larger signs noting that the Planning Commission had approved that language. He recommended that if Council wanted to make large substantive changes, they re-open the public hearing. Lengthy discussion followed.
Councilor Freeman moved that the Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 2.308 (Signs) and Section 3.103 (Conditional Use Permits); Amending Ordinance No. 98-389, and increase the 120 days to 180 days in Section

98-389

2.308.08E2b. Councilor Anderson seconded.

Councilor Anderson voiced concern regarding the sign permitting fee and suggested that a provision be made to allow for the standard 16 square foot real estate sign without having to pay a fee. Following discussion regarding limiting the number of large signs; enforcement, tracking and monitoring signage, and allowing portable signs generally, Council directed staff to explore allowing large portable signs if placed by a property owner or by a real estate agent working for a property owner, or options that other jurisdictions may be using.

Councilor Freeman withdrew her motion; Councilor Anderson agreed.

Mr. Johnson noted that the changes would be substantive changes so the public hearing should be reopened. Staff will schedule this. Council supported this.

**f. ORDINANCE –
Amending
Keizer
Development
Code
Regarding
Sections 1.200,
2.123, 2.127,
2.408, 2.431,
2.432, 3.101,
3.112, 3.202;
Amending
Ordinance Nos.
98-389 and 87-
077**

Mr. Johnson explained that this ordinance was being offered for approval as a result of Council direction to staff.

Councilor Freeman moved that Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 1.200 (Definitions), Section 2.123 (Greenway Management Overlay Zone (GMO)), Section 2.127 (Historic Resources), Section 2.408 (Bed and Breakfast Establishment), Section 2.431 (Nursing and Personal Care Facilities), Section 2.432 (Cottage Cluster Development), Section 3.101 (Summary of Application Types), Section 3.112 (Annexations), Section 3.202 (General Procedures – Types I, II, and III Actions); Amending Ordinance No. 98-389, and Amending Ordinance No. 87-077 (The Keizer Comprehensive Plan); Amending Ordinance No. 87-077. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

g. RESOLUTION – Adopting Land Use and Sign Permit Fees Unrelated to Partitions and Subdivisions; Repealing R2016-2679 and R2016-2712

Postponed pending adoption of Ordinance related to 2.308 and 3.103.

**CONSENT
CALENDAR**

- a. RESOLUTION – Authorizing City Manager and Public Works Director to Sign 2018-2021 Collective Bargaining Agreement with Laborers International Union of North America, Oregon Southern Idaho District Council Local 737
- b. RESOLUTION – Approving City Engineer's Report; Declaring the City's Intent to Form Summerview Estates Street Lighting Local Improvement District; Providing Notice and Setting Hearing
- c. RESOLUTION – Authorizing Public Works Director to Sign Marc Nelson Oil Products, Inc. Purchasing Documents for Cardlock Fuel

Cards

d. Approval of July 2, 2018 City Council Regular Session Minutes

Councilor Freeman moved for approval of the Consent Calendar.

Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Freeman, Anderson, Herrera and Reid (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

COUNCIL LIAISON REPORTS

Councilor Reid reported on the Willamette Locks forum, the community dinner, Salem Leadership Foundation, Southeast Keizer Neighborhood Association meeting and the Bair Park cleanup event. She also extended an invitation to the Bridge Builder event on September 16.

Mayor Clark noted that Keizer Homegrown Theater just finished their production and 3 of Councilor Reid's family members were involved.

Councilor Freeman announced volunteer openings, National Night Out, and Stormwater, Personnel Policy, Traffic Safety, Volunteer Coordinating Committee and Planning Commission meetings.

Councilor Herrera announced that he had attended the Wally Mull Celebration of Life and the Mano a Mano Board meeting; he will be working with the Little League World Series and hoped to participate in National Night Out.

Councilor Anderson voiced appreciation city staff and announced McNary Blue Day and the Keizer Chamber lunch recognizing educators in Keizer.

Mayor Clark thanked Councilor Parsons for covering for her while she was out of town, congratulated Clint Holland and Keizer Rotary amphitheater for the successful concert series, and thanked the City of Florence for hosting the Oregon Mayor's Association conference. She reported on the Oregon Municipal Planning Organization Consortium meeting, announced the Commissioners Breakfast, Coffee with Cathy, Heritage Foundation Board meeting, National Health Center Week activities fair and 'All About Kids' health fair at the KROC center.

OTHER BUSINESS

Chief Teague announced National Night Out.

Community Development Director Nate Brown announced that the gap analysis on revitalization had been received. It will be the subject of the work session on August 27.

Mayor Clark noted the importance of the Keizer Little League facility adding that it is well maintained at the present time due to efforts of dedicated volunteers. She urged that long range planning take place to preserve the park and suggested that a Long Range Planning Task Force be initiated. She appointed herself, Councilor Parsons, (Council) Matt Lawyer (Parks Board), Keizer Little League and McNary Youth Baseball

presidents plus one member each to be appointed by their boards, Dan Kohler (community), and James Hutches (Chamber). The intent would be to have panels with:

- Participants that would share the history of the park
- Sponsors, in-kind donors, and baseball professionals
- Representative of the youth who play or have played
- Interested and/or involved community members

Its purpose would be to develop a long term plan for the facility. This will be considered at the next Council meeting.

WRITTEN COMMUNICATIONS

Mayor Clark read a letter from Mayor Bennet of Salem thanking Keizer for their assistance during the recent water crisis.

AGENDA INPUT

August 13, 2018: 5:45 p.m. – City Council Work Session - Cancelled

August 20, 2018: 7:00 p.m. City Council Regular Session

August 27, 2018: 7:00 p.m. City Council/Planning Commission Joint Work Session

September 4, 2018 (Tuesday): 7:00 p.m. City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 10:30 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Laura Reid

Councilor #4 – Roland Herrera

Councilor #2 – Kim Freeman

~ Absent ~
Councilor #5 – Amy Ryan

~ Absent ~
Councilor #3 – Marlene Parsons

Councilor #6 – Bruce Anderson

Minutes approved: _____



MINUTES
KEIZER CITY COUNCIL
Monday, August 20, 2018
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Clark called the meeting to order at 7:00 pm. Roll call was taken as follows:

Present:

Cathy Clark, Mayor
Marlene Parsons, Councilor
Kim Freeman, Councilor
Laura Reid, Councilor
Bruce Anderson, Councilor
Amy Ryan, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Bill Lawyer, Public Works
John Teague, Police Chief
Tim Wood, Finance Director
Tracy Davis, City Recorder

Absent:

Roland Herrera, Councilor

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

**SPECIAL ORDERS
OF BUSINESS**

None

**COMMITTEE
REPORTS**

David Dempster and Michael DeBlasi, Keizer, representing the Traffic Safety/Bikeways/Pedestrian Committee, requested permission to apply for a Safe Routes to School Grant for improvements at Kennedy and Cummings Elementary Schools. *Becky Gilliam*, from the Safe Routes to School National Partnership, commended the enthusiasm of the community and explained that the committee will be working with the Public Works Department. City Attorney Shannon Johnson clarified that this is not an application; it is simply a letter of intent and normally this would come to Council with a formal staff report because there is a match involved.

Councilor Parsons moved to suspend the rules to take up the matter of the letter of intent. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Ryan and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Herrera (1)

Councilor Parsons moved that the Keizer City Council direct staff to draft a letter of intent to apply for the Safe Routes to School grant for Cummings and Kennedy Elementary. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Ryan and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Herrera (1)

Matt Lawyer, Keizer, reported that at the recent Parks Board meeting a citizen approached the Board about putting in exercise equipment in area parks. Peggy and Jerry Moore brought tomatoes to the Board from the Rickman Community Garden and provided an update on the garden improvements; the Board discussed the concept of recognizing long-time park volunteers, planned the September Parks Tour, decided to send thank you letters to Bair Park cleanup participants and celebrated the one-year anniversary of the Parks Fee. Mayor Clark commended parks staffing for their excellent work in keeping the parks beautiful and safe.

Martin Doerfler, Keizer, urged that fire danger signage and notices that are currently in English, be posted in Spanish as well. He also asked that Keizer City Council consider banning plastic bags. City Manager Chris Eppley responded that the signage would be taken care of.

Jonathan Thompson, Keizer, announced that the September 26 Chamber of Commerce Community Conversation would discuss recycling.

David Blair, Keizer, shared several stories about encounters with panhandlers, noted that he was able to survive without begging and that panhandling should not be allowed. Mayor Clark explained that the Mid-Willamette Homeless Initiative is working to address this issue.

Carol Doerfler, Keizer, invited everyone to the September 13 West Keizer Neighborhood Association Master Recycler presentation.

Carolyn, Keizer, explained that she is the last remaining member of a family that is one of the first families that came to Keizer and is currently homeless but she does not panhandle or beg. She complained that aggressive panhandlers that know when homeless people get their Social Security checks wait outside banks to beg. She asked if there was anything that could be done about this.

Chief Teague responded that the Supreme Court has upheld the rights of panhandlers but if they are on private property the police can try to move them along if the property owner calls.

Mayor Clark opened the Public Hearing.

City Attorney Shannon Johnson summarized his staff report. He added the following to Page 9, Section 2.308.05 C: Property Signs. For

PUBLIC TESTIMONY

PUBLIC HEARING

a. ORDINANCE – Amending

**Keizer
Development
Code Regarding
Section 2.308
(Signs) and
Section 3.103
(Conditional Use
Permits);
Amending
Ordinance No.
98-389**

commercial properties only, one (1) sign *per parcel or integrated business center* not exceeding...

Community Development Director Nate Brown provided background information about the 16 square foot regulation. He also provided information about awning signs and suggested that Council consider an exemption of up to 10% of an awning area for signage.

Discussion followed regarding printing on awnings and signage allowances.

Jonathan Thompson, Keizer, Chair of the Chamber Government Affairs, thanked Nate and Shannon for their work on the real estate issue and voiced support for the changes.

Kori Seki, Rancho Santa Margarita, California, representing In-N-Out Burgers, provided background about the restaurant, explained the features of the proposed restaurant building, and asked Council to support the proposed amendment which would include allowing for printing on the awnings.

With no further testimony, Mayor Clark closed the Public Hearing.

Discussion followed regarding sign size and printed awning allowances.

Councilor Parsons moved that the Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 2.308 (Signs) and Section 3.103 (Conditional Use Permits); Amending Ordinance No. 98-389, including the verbiage “*per parcel or integrated business center*” in Section 2.308.05C (after the word sign), and allowing 32 square foot signs for commercial properties or integrated business centers, and 16 square foot signs for construction and remodeling signs and for second signs on a second street and that 100% of awnings could be used for signage. Councilor Ryan seconded.

Mr. Johnson provided the following language for the end of Section 2.308.08A1 “, *except that awnings shall be allowed _____ % of awning area be exempt from this limit.*” and that exact language would be repeated in 2.308.08B1 at the end of the first sentence.

Councilor Anderson offered a friendly amendment allowing all signs to be 32 square feet. Councilors Parsons and Ryan accepted the amendment.

Mayor Clark offered a friendly amendment to change the 100% allowance on awnings to 20%. Councilors Parsons and Ryan did not accept the amendment.

Mayor Clark offered a friendly amendment to change the 100% allowance on awnings to 50%. Councilors Parsons and Ryan accepted the amendment.

Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Ryan and Anderson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Herrera (1)

ADMINISTRATIVE ACTION

a. RESOLUTION – Adopting Land Use and Sign Permit Fees Unrelated to Partitions and Subdivisions; Repealing R2016-2679 and R2016-2712

Shannon Johnson summarized his staff report. Because adoption of this resolution involved payment of fees, an opportunity was allowed for comments from the audience. There were none.

Councilor Parsons moved that the Keizer City Council adopt a Resolution Adopting Land Use and Sign Permit Fees Unrelated to Partitions and Subdivisions; Repealing R2016-2679 and R2016-2712. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Ryan and Anderson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Herrera (1)

b. RESOLUTION – Establishing Keizer Little League Park Long Range Planning Task Force

Shannon Johnson summarized his staff report.

Councilor Parsons moved that the Keizer City Council adopt a Resolution Establishing Keizer Little League Park Long Range Planning Task Force. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Ryan and Anderson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Herrera (1)

Councilor Parsons moved to appoint the people named in the staff report to the Task Force. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Ryan and Anderson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Herrera (1)

c. Surplus Property Report for Fiscal Year 2017-2018

Finance Director Tim Wood summarized his staff report noting that item 3 was approved to be surplus in June but is not surplus yet. It will be when the new truck arrives.

CONSENT CALENDAR

- a. RESOLUTION – Authorizing the City Manager to Enter Into Web Development and Maintenance Agreement with Kentucky Underground Storage, Inc.
- b. RESOLUTION – Authorizing City Attorney to Sign Oregon Judicial Case Information Network Terms of Use
- c. RESOLUTION – Authorizing the City Manager to Sign Amendment Number 01 to Oregon Parks and Recreation Department Local

Government Grant Program Agreement for Keizer Rapids Park Big Toy Phase 2 Project

- d. RESOLUTION – Adoption of the VantageCare Retirement Health Savings (RHS) Program – Plan Number 80317

Councilor Parsons moved for approval of the Consent Calendar.

Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Ryan and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Herrera (1)

COUNCIL LIAISON REPORTS

Councilor Ryan reported that the July Arts Commission meeting was cancelled due to a lack of quorum and that she had attended the Commissioner Breakfast and National Night Out. She urged everyone to attend the 9-11 Remembrance Ceremony at the Fire District.

Councilor Freeman reported on National Night Out, Personnel Policy and Volunteer Coordinating Committees and Blue Day at McNary. She thanked the Elks Lodge for their \$5000 donation to the McNary Booster Club and announced upcoming Planning Commission and West Keizer Neighborhood Association meetings and volunteer openings.

Councilor Reid thanked everyone involved in National Night Out, reminded everyone that the Community Dinner is the last Wednesday of the month at St. Edwards, announced the upcoming Southeast Keizer Neighborhood Association meeting and urged citizens to donate money, school supplies, clothing and/or food to area locations including the Keizer Network of Women (KNOW) Celtic Closet.

Councilor Parsons reported that she had attended the Personnel Policy Committee meeting and the Celtic Self Storage ribbon cutting, and that she had met with Robert Johnson to discuss possible improvements near the Big Toy at Keizer Rapids Park.

Councilor Anderson reported on Blue Day at McNary, thanked the Elks Lodge and Skyline Ford for their donations, and announced the approach of football season and the opening of the Oregon State Fair.

Mayor Clark thanked those involved in National Night Out and reported on the Commissioner Breakfast, John Knox Church Community barbeque, area community gardens, Keizer Heritage Foundation Board, and McNary Blue Day and announced Executive Committee for the Mid-Willamette Council of Governments and Salem Keizer Area Transportation Study meetings and the Chamber luncheon.

OTHER BUSINESS

Finance Director Tim Wood announced that the City once again received a Certificate for Excellence in Financial Reporting. This is the 19th year in a row the City has received this award.

Chief Teague announced that it is hoped that all of the newly hired officers will be attending the September 4 Council meeting.

Public Works Director Bill Lawyer provided an update on the Dearborn Bridge and the Keizer Rapids Park restrooms projects. He noted that bids are out for pathway improvements in area parks and Robert is trying to get more bids for sports courts at Claggett Creek and Northview Parks.

Community Development Director Nate Brown brought attention to the draft Gap Analysis Report which will be the subject of the August 27 Work Session. He urged Councilors to digest the document and be prepared for meaningful discussion. He reported that he had responded to the representative at the Department of Land Conservation and Development about the update on the Housing Needs Analysis. Recent legislation gives Keizer an opportunity to get an accurate number rather than one combined with Salem.

**WRITTEN
COMMUNICATIONS**

None

AGENDA INPUT

August 27, 2018, 6:00 pm – City Council/Planning Commission Joint Work Session - Revitalization

September 4, 2018 (Tuesday), 7:00 pm - City Council Regular Session

September 10, 2018, 5:45 pm – City Council Work Session (Parks Tour)

September 17, 2018, 7:00 pm - City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:07 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Laura Reid

~ Absent ~

Councilor #4 – Roland Herrera

Councilor #2 – Kim Freeman

Councilor #5 – Amy Ryan

Councilor #3 – Marlene Parsons

Councilor #6 – Bruce Anderson

Minutes approved:_____