

AN ORDINANCE AMENDING ORDINANCE NO. 4447, WHICH ADOPTED THE CITY OF ALBANY COMPREHENSIVE PLAN AND MAP, AND AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY DEVELOPMENT CODE, BY AMENDING THE COMPREHENSIVE PLAN TEXT AND MAP AND THE DEVELOPMENT CODE TEXT AND ZONING MAP REGARDING CENTRAL ALBANY; ADOPTING FINDINGS; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission has held the public hearings required by local and state law; and

WHEREAS, the Planning Commission recommended approval of the proposed changes based on evidence presented in the staff report and at the public hearings for Planning Division File Nos. CP-03-95 and DC-01-95; and

WHEREAS, the Albany City Council has caused notice to be given as required by law and has had a public hearing concerning the Comprehensive Plan and Development Code text and map amendments;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Findings of Fact contained in the staff report and attached as Exhibit "A" are hereby adopted in support of this decision.

Section 2: The Albany Comprehensive Plan text is hereby amended to add Site #5, Central Albany, as shown on Exhibit "B," which describes the new site and locates it on Plate 15, Special Interest Sites.

Section 3: The Albany Comprehensive Plan Map is hereby amended from the existing designations shown on Exhibit "C" to the new designations shown on Exhibit "D".

Section 4: The Albany Development Code text is hereby amended by the inclusion of a new Article 14, Central Albany, attached as Exhibit "E," and by the deletion of the existing Central Business (CB) district and any references to it from Article 4, as shown in Exhibit "F."

Section 5: The Zoning Map, which a part of the Albany Development Code, is hereby amended from the existing designations shown on Exhibit "G" to the new designations shown on Exhibit "H".

Section 6: A copy of the map amendments shall be filed in the Office of the City Recorder of the City of Albany and the changes made to the official City of Albany Comprehensive Plan Map and Development Code Map.

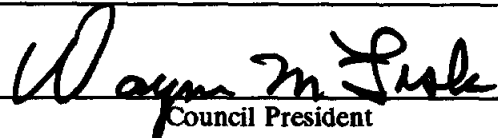
Section 7: A copy of the change in zoning designations shall be filed with the Linn County Assessor's Office within 90 days after the date of this change.

IT IS HEREBY adjudged and declared that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Albany, and an emergency is hereby declared to exist, and this Ordinance shall take effect and be in full force and effect when signed by the Council President.

Passed by the City Council: May 22, 1996

Approved by the Council President: May 22, 1996

Effective Date: May 22, 1996

  
\_\_\_\_\_  
Council President

ATTEST:

  
\_\_\_\_\_  
City Recorder

Return to: City of Albany - Recorder  
P.O. Box 490, Albany, OR 97321

**FINDINGS OF FACT**  
**Case File Nos. CP-03-95 and DC-01-95**  
**May 1996**

**CP-03-95, COMPREHENSIVE PLAN AMENDMENT**

- 1.1 The proposed legislative amendments include changes to the Comprehensive Plan map and text, and the Development Code zoning map and text. The amendments will implement new land use districts identified in the Town Center Plan, which works as a whole to achieve certain objectives. These objectives include: 1) make better use of the existing infrastructure that now exists in Central Albany, so that the need to build new systems, especially on the periphery of the City, is reduced; and 2) increase the number of jobs and housing located in the City center. These objectives are to be accomplished primarily by providing a mix of uses and increasing the density of development within the Town Center Plan area.
- 1.2 Comprehensive Plan goals and policies have been identified as applicable to the proposed Comprehensive Plan Amendments, and the amendments have been evaluated against each to determine consistency.
- 1.3 The Town Center Plan is the product of the Central Albany Transportation/Land Use Study (CALUTS). The CALUTS process included extensive public involvement. The process began with the appointment of a citizen Steering Committee by the Albany City Council. The Steering Committee was made up of study area business and residential property owners and other interested citizens. Six meetings were held to which the public was invited. Meetings were advertised in the Albany Democrat-Herald, notices were mailed to persons who participated in the process, and flyers were distributed in the planning area.
- 1.4 Following the first Planning Commission meeting on December 8, 1995, and the second Planning Commission meeting on March 18, 1996, at which the proposed amendments were discussed, Planning Division staff had two meetings and a series of discussions with owners of property and businesses in the area proposed for designation as Riverfront Mixed Use Residential to discuss new zoning districts and regulations. Modifications to the districts were made as a result of these discussions.
- 1.5 The Town Center Plan includes the Monteith and Hackleman historic districts. The Comprehensive Plan designations of land within these historic districts now include HR, High Density Residential; MR, Medium Density Residential; LR, Low Density Residential; and LC, Light Commercial. The proposed amendments would designate most of the Monteith and Hackleman historic districts as LR, Low Density Residential. Most areas now designated LC would remain so. The LR designation is intended to preserve the large number of historic homes within the existing Hackleman and Monteith historic districts. Conversion of single-family residential buildings to other uses, including multi-family, will be discouraged. The Development Code regulations that apply to all areas within the existing historic districts will be retained. These regulations include review of exterior alterations to historic buildings.
- 1.6 The Town Center Plan also includes the Downtown Commercial historic district. Most of this district is now designated CBD, Central Business District and LC, Light Commercial. The proposed changes also designate this area as CBD and LC, but the area of LC has been increased. There is little actual difference between these districts, they have been used simply to indicate the intention of the plan to create a more entertainment-oriented district in the areas designated LC, and a more office-oriented district in the area designated CBD. The Development Code regulations that apply to all areas within the existing historic district will be retained.
- 1.7 The Town Center Plan includes a mix of uses intended to provide jobs, housing, and shopping all within reasonable proximity. The recommended Comprehensive Plan amendments will allow development of all these uses within the Plan area. The recommended Comprehensive Plan amendments essentially preserve the opportunity for commercial development in the existing CBD, Central Business District, although some of this area will be re-designated as LC, Light Commercial. The proposed amendments apply the GC, General Commercial designation to the existing GC and to the existing LI, Light Industrial, areas along Main

Street from 1st Avenue to 6th Avenue. This uniform designation has been applied to indicate that either commercial uses or light manufacturing uses with minimal off-site impacts may locate in this area. This area is intended to become an industrial park/research and development employment center with associated commercial and retail services.

1.8 It is not clear what the boundaries of the "Downtown Business District" referred to in this policy may be. However, the proposed Comprehensive Plan amendments apply both the CB, Central Business District, and LC, Light Commercial, designations to what has been designated CB. Both these designations allow cultural, entertainment, business, financial, and government uses. By applying more specific zoning designations and development regulations by modifying the Development Code, this policy may be more fully implemented. Amendments to the Development Code are proposed concurrent with these Comprehensive Plan amendments. New zoning designations will encourage an entertainment center within the HD zoning district (designated GC on the Comprehensive Plan), and a government center within the CBD zoning district. These zoning districts combined with the proposed Lyon-Ellsworth zoning district will allow a wide variety of commercial and service activities. The current requirement that new development within the CBD build at a minimum 1:1 floor to land area ratio will be retained.

1.9 The proposed Comprehensive Plan amendments include designation of land within the Town Center Plan area for LR, Low Density Residential, and HR, High Density Residential. The amendments include the elimination of a number of HR, and MR, Medium Residential areas within the existing Monteith and Hackleman historic districts. This change is intended to preserve the single-family residential character of these areas. To compensate for the decrease in potential development density in these areas, a number of new areas have been designated for high-density residential development. In reality, all of these areas designated HR will not be developed at high densities, and they will provide the medium density development needed by those who choose this type of housing. The use of the upper floors of structures in the CBD and HD districts for residences is allowed.

The Town Center Plan, as a whole, has been designed to provide jobs, housing, and shopping within reasonable proximity. The proposed LR and HR designated areas are accessible to the CBD, LC, and GC employment and public service districts.

1.10 The proposed Comprehensive Plan amendments will change an area along the Willamette River between Jackson St. and Hill St. from LI, Light Industrial to HR, High Density Residential. This area is seen as underdeveloped, and more suitable for residential use because of its proximity to the Willamette River. This amenity may allow the development of higher standard, urban-style housing that is attractive to those who can afford it.

1.11 The objectives of the CALUTS study were to: 1) make better use of the existing infrastructure that now exists in Central Albany, so that the need to build new systems, especially on the periphery of the City, is reduced; and 2) increase the percentage of jobs and housing that choose to locate in the City center. These objectives are to be accomplished primarily by increasing the density of development and providing a mix of uses within the Town Center Plan area. The proposed Comprehensive Plan amendments will allow development that is consistent with the Town Center Plan, development that allows residential development on land that already has sewer, water, storm drain, and street systems in place.

1.12 The proposed Comprehensive Plan amendments are the first step in implementing the Town Center Plan. The Town Center Plan is intended to create a district of mixed uses, developed at higher densities, connected by pedestrian/bicycle links that reduce dependence on the automobile as the primary mode of transportation.

1.13 The Town Center Plan, and the proposed Comprehensive Plan amendments, are intended to promote development and transportation systems that allow more people to live, work, and shop in central Albany without expanding the existing transportation system. This can be accomplished by allowing a mix of land uses, and by providing pedestrian/bicycle connections between uses so that people can access them without driving automobiles. Traditional zoning has generally provided separate districts for commercial and residential uses, with no mixing of the two. More recently, however, it has been recognized that mixing uses can minimize the need for automobile travel, reducing traffic congestion, air pollution, and the need to

expand existing transportation systems. The proposed Comprehensive Plan amendments provide the general land use designations by which this older area of central Albany, which already has infrastructure in place, can accommodate additional growth, thereby more efficiently using the systems already in place.

- 1.14 The following Statewide Planning Goals have been identified as applicable to the proposed Comprehensive Plan Amendments, and the amendments will be evaluated against each to determine consistency.
- 1.15 The Town Center Plan includes the Monteith and Hackleman historic districts. The Comprehensive Plan designations of land within these historic districts now include HR, High Density Residential; MR, Medium Density Residential; LR, Low Density Residential; and LC, Light Commercial. The recommended amendments would designate most of the Monteith and Hackleman historic districts as LR, Low Density Residential. Most areas now designated LC would remain so. The LR designation is intended to preserve the large number of historic homes within the existing Hackleman and Monteith historic districts. Conversion of single-family residential buildings to other uses, including multi-family will not be allowed. The Development Code regulations that apply to areas within the existing historic districts will be retained.
- 1.16 The Town Center Plan also includes the Downtown Commercial historic district. Most of this district is now designated CBD, Central Business District and LC, Light Commercial. The recommended changes also designate this area as CBD and LC, but the area of LC has been increased. There is little actual difference between these districts, they have been used simply to indicate the intention of the plan to create a more entertainment-oriented district in the areas designated LC, and a more office-oriented district in the area designated CBD. The Development Code regulations that apply to areas within the existing historic district will be retained.
- 1.17 The proposed Comprehensive Plan changes will decrease the amount of land available for industrial use within the Town Center Plan area by a minimal amount. Approximately two acres of land designated LI, Light Industrial, will be re-designated for high-density residential use. However, all of this area is now developed with single-family homes or other uses which are not industrial, and the land is not available for light industrial development in any case.

The light industrial area along the Willamette River is seen as underdeveloped, and more suitable for residential use because of its proximity to the Willamette River. In Albany's early days the river was a major mode of transportation, so it was important for many industrial uses to locate along the river. However, as modes of transportation have changed, most industrial uses have found it more efficient to locate along other transportation routes. The river is now considered an amenity that will enhance residential and other uses along its course. There are still approximately 214 acres of land within Albany's Urban Growth Boundary designated as LI.

- 1.18 The proposed Comprehensive Plan amendments include designation of land within the Town Center Plan area for LR, Low Density Residential, and HR, High Density Residential. The amendments include the elimination of a number of HR, and MR, Medium Residential areas within the existing Monteith and Hackleman historic districts. This change is intended to preserve the single-family residential character of these areas. To compensate for the decrease in potential development density in these areas, a number of new areas have been designated for high-density residential development. In reality, all of these areas designated HR will not be developed at high densities, and they will provide the medium density development needed by those who choose this type of housing. The use of the upper floors of structures in the CBD and HD districts for residences is allowed.

The Town Center Plan, as a whole, has been designed to provide jobs, housing, and shopping within reasonable proximity. The proposed LR and HR designated areas are accessible to the CBD, HD, and GC employment and public service districts.

- 1.19 The objectives of the CALUTS study were to: 1) make better use of the existing infrastructure that now exists in Central Albany, so that the need to build new systems, especially on the periphery of the City, is reduced; and 2) increase the percentage of jobs and housing that choose to locate in the City center. These objectives are to be accomplished primarily by increasing the density of development and providing a mix

of uses within the Town Center Plan area. The proposed Comprehensive Plan amendments will allow development that is consistent with the Town Center Plan, development that allows residential development on land that already has sewer, water, storm drain, and street systems in place.

- 1.20 The proposed Comprehensive Plan amendments are the first step in implementing the Town Center Plan. The Town Center Plan is intended to create a district of mixed uses, connected by pedestrian/bicycle links that reduce dependence on the automobile as the primary mode of transportation.
- 1.21 No area plans have yet been adopted by the Albany City Council. The proposed Comprehensive Plan amendments are the first step in implementing the Town Center Plan, and the Council will have an opportunity to discuss whether the plan should be "adopted."
- 2.1 Traditional comprehensive plans and zoning ordinances have most often separated uses, with no overlap. It has been accepted that dissimilar uses should be separated because they may have negative impacts on each other. However, more recently it has been recognized that a land use pattern that separates uses so strictly leads to dependence on the automobile as the primary mode of travel, creating traffic congestion and air pollution. Given the scale of today's typical development it is rarely possible to live, shop, and work in the same neighborhood. It has also been recognized that vital and successful neighborhoods contain a mixture of uses and many ways to get around.

As new residential and commercial development has moved farther and farther from traditional town centers, infrastructure investments have become underutilized. The utility systems that residents have already built and paid for are left underutilized as new, expensive systems are constructed on the periphery of the city. This is an inefficient use of a major capital investment.

- 2.2 So that we may more efficiently take advantage of the investment citizens have made in sewer, water, storm drainage, and street systems in the core of Albany, changes to the Comprehensive Plan are proposed to allow more diverse and dense development to occur in some areas. The changes will allow a mix of easily accessible uses that will provide people the opportunity to have access to a full range of services and entertainment by a variety of modes of transportation.

#### ZC-04-95, DEVELOPMENT CODE AMENDMENT

- 1.1 The proposed Development Code amendments (text and zoning map changes) will implement the Town Center Plan, which works as a whole to achieve certain objectives. These objectives include: 1) make better use of the existing infrastructure that now exists in Central Albany, so that the need to build new systems, especially on the periphery of the City, is reduced; and 2) increase the number of jobs and housing located in the City center. These objectives are to be accomplished primarily by providing a mix of uses and increasing the density of development within the Town Center Plan area.
- 1.2 The following Comprehensive Plan goals and policies have been identified as applicable to the proposed amendments, and the amendments will be evaluated against each to determine if they better achieve the goals and policies of the Comprehensive Plan than the existing regulatory language.
- 1.3 The Town Center Plan includes the Monteith and Hackleman historic districts. The zoning map designations of land within these historic districts now include RM-3, Residential Multiple Family; RM-5, Residential Limited Multiple Family; RS-6.5, Residential Single Family; and OP, Office Professional. The recommended map amendments would designate most of the Monteith and Hackleman historic districts that are now zoned for residential use as HM, Hackleman-Monteith Historic District. Areas now zoned OP would become part of the HM district, some would become part of the HD district, and some would become part of the ES, Elm Street Medical District.

The HM designation is intended to preserve the large number of historic homes within the existing Hackleman and Monteith historic districts. Conversion of single-family residential buildings to other uses, including multi-family will not be allowed. The Development Code regulations that apply to all areas within

the existing historic districts will be retained. These regulations include review of exterior alterations to historic buildings.

- 1.4 The Town Center Plan also includes the Downtown Commercial historic district. Most of this district is now designated CB, Central Business District. The recommended changes designate this area as CB, Downtown Central Business District; and HD, Historic Downtown District. There is little actual difference between these districts, they have been used simply to indicate the intention of the plan to create a more entertainment-oriented district in the areas designated HD, and a more office-oriented district in the area designated CB. The Development Code regulations that apply to all areas within the existing historic districts will be retained.
- 1.5 The Town Center Plan includes a mix of uses intended to provide jobs, housing, and shopping all within reasonable proximity. The recommended Zoning Map and Development Code text amendments will allow development of all these uses within the Plan area. The recommended amendments preserve existing opportunities for commercial development in the existing CB, Central Business District, although it is recommended that the zoning designation of part of the area be changed to HD, Historic Downtown. There is little difference between the uses allowed in the CB and HD districts, the different zones have been applied primarily to indicate the intent to create an entertainment-oriented district within the HD district, and that more office-oriented uses should be developed in the CB district.

The recommended amendments to the Zoning Map and Development Code text include a change of the CC, Community Commercial and LI, Light Industrial designation along Main Street from 1st Avenue to 6th Avenue to MS, Main Street District. The Main Street District is intended to become an industrial park/research and development employment center with associated commercial and retail services.

It is recommended that the zoning designation of part of the existing LI, Light Industrial, area along Water Avenue from Jackson Street to Main Street be changed to MUR, Residential Mixed Use. This area is near the Willamette River, and is seen as underdeveloped, and more suitable for residential use because of its proximity to the river. The river is considered an amenity that will enhance residential and other uses along its course.

Approximately two acres of land designated LI, Light Industrial, will be re-designated for high-density residential use. However, all of this area is now developed with single-family homes, and is not available for light industrial development in any case. There will still be approximately 214 acres of land within Albany's Urban Growth Boundary designated for light industrial use.

- 1.6 It is not clear what the boundaries of the "Downtown Business District" referred to in this policy may be. The proposed Zoning Map amendments would change the zoning designation of part of the existing CB, Central Business district to HD, Historic Downtown District. The remainder of the existing CB district would remain CB, although there would be minor changes in the types of uses allowed. Both the CB and HD designations allow cultural, entertainment, business, financial, and government uses.

The new zoning designations are intended to encourage an entertainment center within the HD zoning district, and a government center within the CB zoning district. These zoning districts combined with the proposed Lyon-Ellsworth zoning district will allow a wide variety of commercial and service activities. The current requirement that new development within the CB build at a minimum 1:1 floor to land area ratio will be retained.

- 1.7 The proposed amendments include the designation of land within the Town Center Plan area as HM, Hackleman-Monteith Historic District, MUR, Mixed Use Residential District, and MUI, Light Industrial Mixed Use (residential uses are allowed in all three of these districts). The amendments would eliminate a number of existing RM-3, Residential Multiple Family, and RM-5, Residential Limited Multiple Family, zoning districts within the existing Monteith and Hackleman historic districts. This change is intended to preserve the single-family residential character of these areas. To compensate for the decrease in potential development density in these areas, a number of new areas have been designated for high-density residential development, including the MUR and MUI districts. High-density residential development is also allowed

within the CB and HD districts. All of the areas that allow high-density residential development will not be developed at high densities, and they will provide the medium density development needed by those who choose this type of housing. Residential use of the upper floors of structures in the CB and HD zoning districts is allowed.

The Town Center Plan, as a whole, has been designed to provide jobs, housing, and shopping within reasonable proximity. The proposed LR and HR designated areas are accessible to the CB, HD, and MS employment and public service zoning districts.

- 1.8 The proposed amendments will change the zoning designation of an area near the Willamette River between Jackson St. and Hill St. from LI, Light Industrial to MUR Residential Mixed Use. This area is seen as underdeveloped, and more suitable for residential use because of its proximity to the Willamette River. The river is considered an amenity that will enhance residential and other uses along its course. This amenity may allow the development of higher standard, urban-style housing that is attractive to those who can afford it.
- 1.9 The objectives of the CALUTS study were to: 1) make better use of the existing infrastructure that now exists in Central Albany, so that the need to build new systems, especially on the periphery of the City, is reduced; and 2) increase the percentage of jobs and housing that choose to locate in the City center. These objectives are to be accomplished primarily by increasing the density of development and providing a mix of uses within the Town Center Plan area. The proposed Zoning Map and Development Code amendments will allow development that is consistent with the Town Center Plan, development that allows residential development on land that already has sewer, water, storm drain, and street systems in place.
- 1.10 The proposed Comprehensive Plan amendments are the first step in implementing the Town Center Plan. The Town Center Plan is intended to create an area of mixed uses, developed at higher densities, connected by pedestrian/bicycle links that reduce dependence on the automobile as the primary mode of transportation.
- 1.11 The Town Center Plan, and the proposed Comprehensive Plan amendments, are intended to promote development and transportation systems that allow more people to live, work, and shop in central Albany without expanding the existing transportation system. This can be accomplished by allowing a mix of land uses, and by providing pedestrian/bicycle connections between uses so that people can access them without driving automobiles. Traditional zoning has generally provided separate districts for commercial and residential uses, with no mixing of the two. More recently, however, it has been recognized that mixing uses can minimize the need for automobile travel, reducing traffic congestion, air pollution, and the need to expand existing transportation systems. The proposed Zoning Map and Development Code amendments provide the land use designations by which this older area of central Albany, which already has infrastructure in place, can accommodate additional growth, thereby more efficiently using the systems already in place.
- 2.1 The proposed Zoning Map and Development Code amendments create a set of new zoning districts. New purpose statements have been written to describe these zoning districts, and development regulations have been modified as necessary to be consistent with these purpose statements. Existing special purpose overlay districts are still in place where applicable. The new zoning districts and development regulations will be included in the Albany Development Code in a section titled "Central Albany."

**SITES OF SPECIAL INTEREST**

**SITE 5:**

This site is the area included in the Town Center Plan, and designated in the Albany Development Code as "Central Albany." In June 1995, the City of Albany, with consultants Fletcher Farr Ayotte, completed the Central Albany Land Use/Transportation Study. The study was funded by the State of Oregon's Transportation/Growth Management (TGM) program, and guided by a Steering Committee made up of study area business and residential property owners, Planning Commission and City Council representatives, and other interested citizens. The committee was assisted by Planning Division staff and representatives of the Albany Downtown Association.

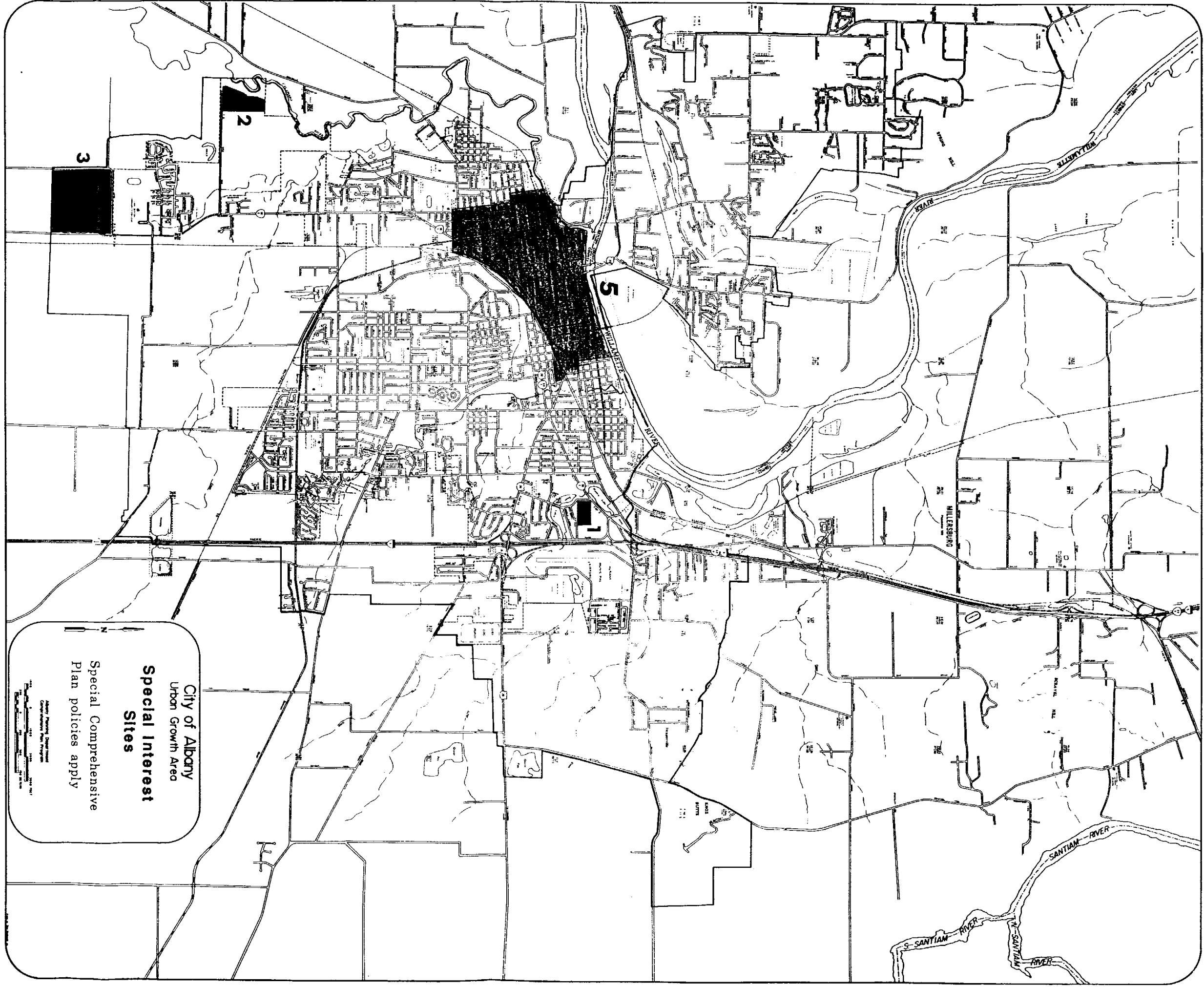
CALUTS produced a "Town Center Plan" for Central Albany. The Town Center Plan is intended to promote development and transportation systems that allow more people to live, work, and shop in Central Albany without expanding the existing transportation system. This can be accomplished by allowing a mix of land uses, and by providing pedestrian/bicycle connections between uses so that people can access them without driving automobiles. Traditional zoning has generally provided separate districts for commercial and residential uses, with no mixing of the two. More recently, however, it has been recognized that mixing uses can minimize the need for automobile travel, reducing traffic congestion, air pollution, and the need to expand existing transportation systems.

The Town Center Plan proposes several new types of land use districts and identifies pedestrian/bicycle connections between them. The Town Center Plan is adopted by reference here as the conceptual guide to land use and transportation within the plan area.

[Refer to Plate 15 Attached]



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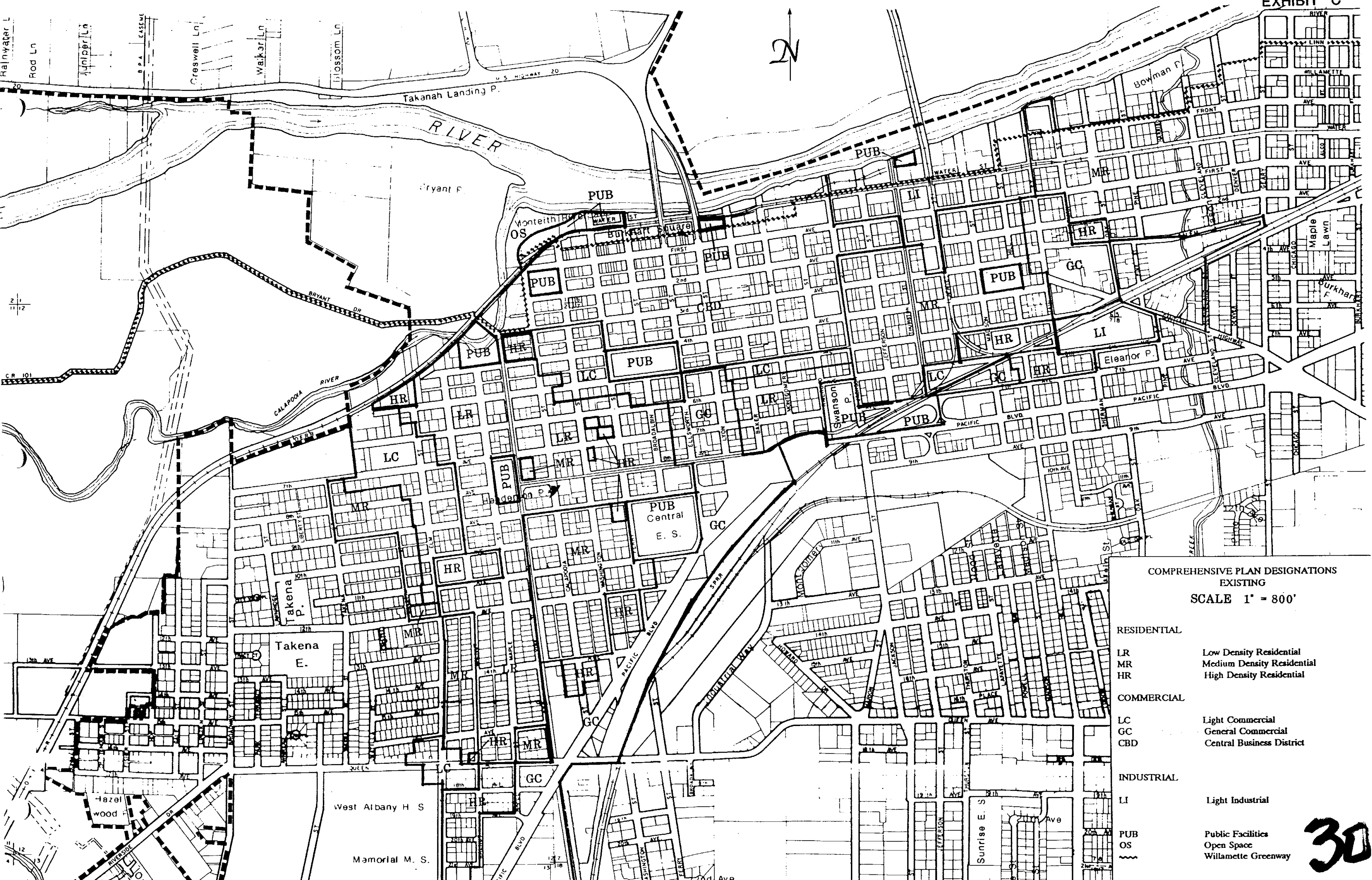
City of Albany  
Urban Growth Area

**Special Interest Sites**

Special Comprehensive Plan policies apply

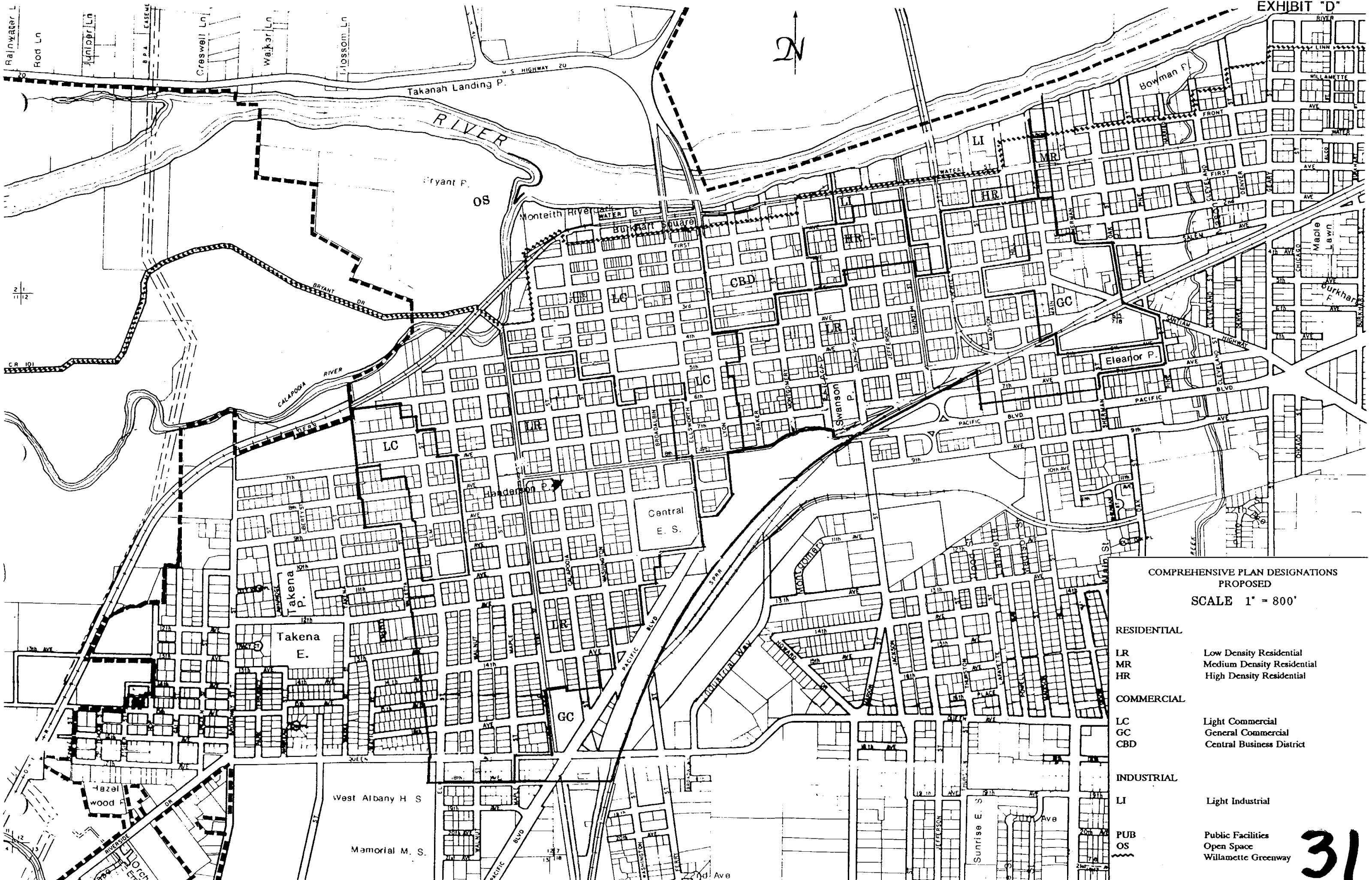


PLATE 15: Special Interest Sites



COMPREHENSIVE PLAN DESIGNATIONS  
EXISTING  
SCALE 1" = 800'

- RESIDENTIAL
  - LR Low Density Residential
  - MR Medium Density Residential
  - HR High Density Residential
- COMMERCIAL
  - LC Light Commercial
  - GC General Commercial
  - CBD Central Business District
- INDUSTRIAL
  - LI Light Industrial
- PUB OS
  - Public Facilities
  - Open Space
  - Willamette Greenway



COMPREHENSIVE PLAN DESIGNATIONS  
PROPOSED  
SCALE 1" = 800'

- RESIDENTIAL
  - LR Low Density Residential
  - MR Medium Density Residential
  - HR High Density Residential
- COMMERCIAL
  - LC Light Commercial
  - GC General Commercial
  - CBD Central Business District
- INDUSTRIAL
  - LI Light Industrial
- PUB
  - OS Public Facilities
  - Open Space
  - Willamette Greenway

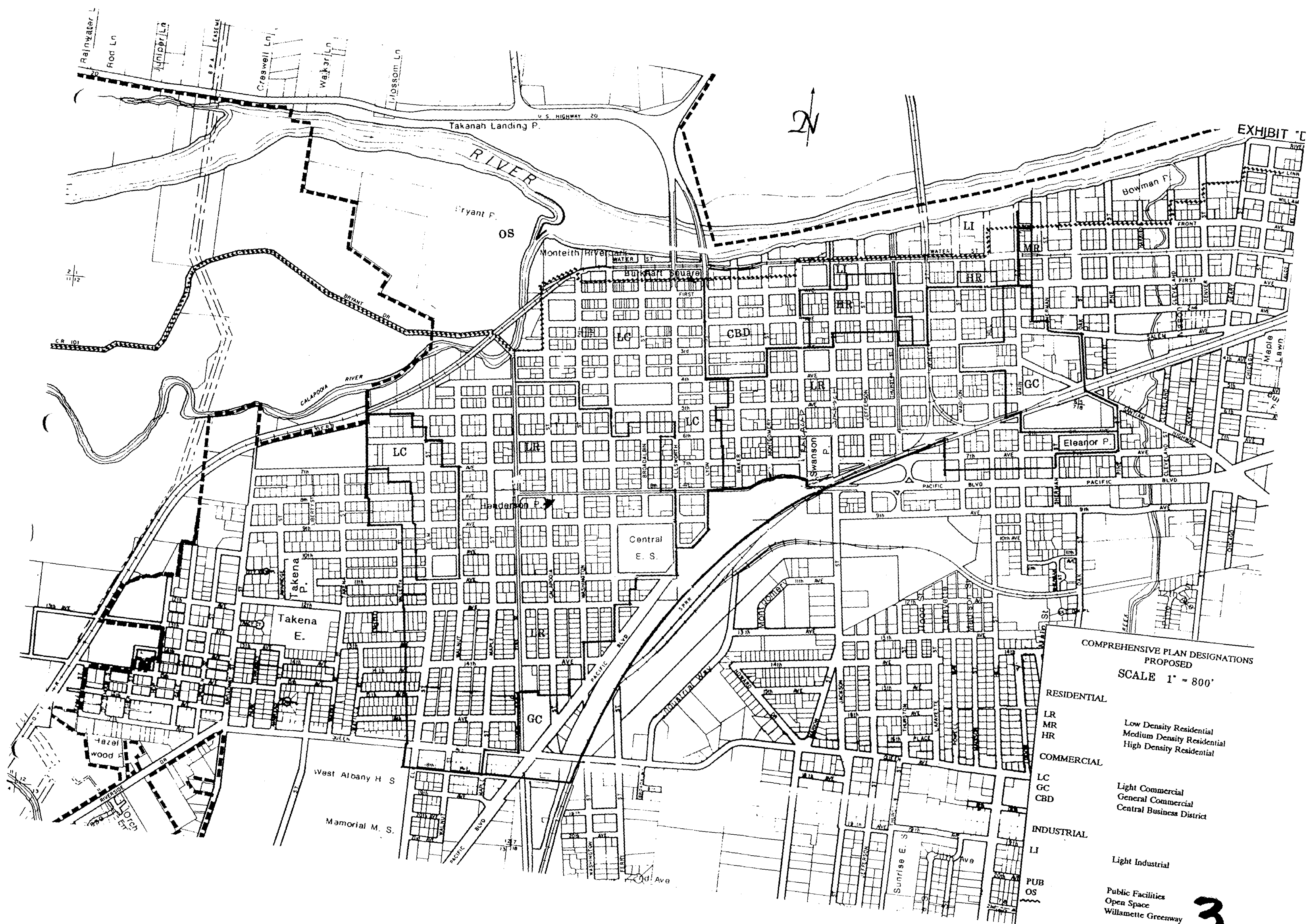


EXHIBIT 'C'

COMPREHENSIVE PLAN DESIGNATIONS  
PROPOSED

SCALE 1" = 800'

- RESIDENTIAL
  - LR Low Density Residential
  - MR Medium Density Residential
  - HR High Density Residential
- COMMERCIAL
  - LC Light Commercial
  - GC General Commercial
  - CBD Central Business District
- INDUSTRIAL
  - LI Light Industrial
- PUB Public Facilities
- OS Open Space
- Willamette Greenway



Public Facilities  
Open Space  
Williamette Greenway

Light Industrial

Central Business District  
General Commercial  
Light Commercial

High Density Residential  
Medium Density Residential  
Low Density Residential

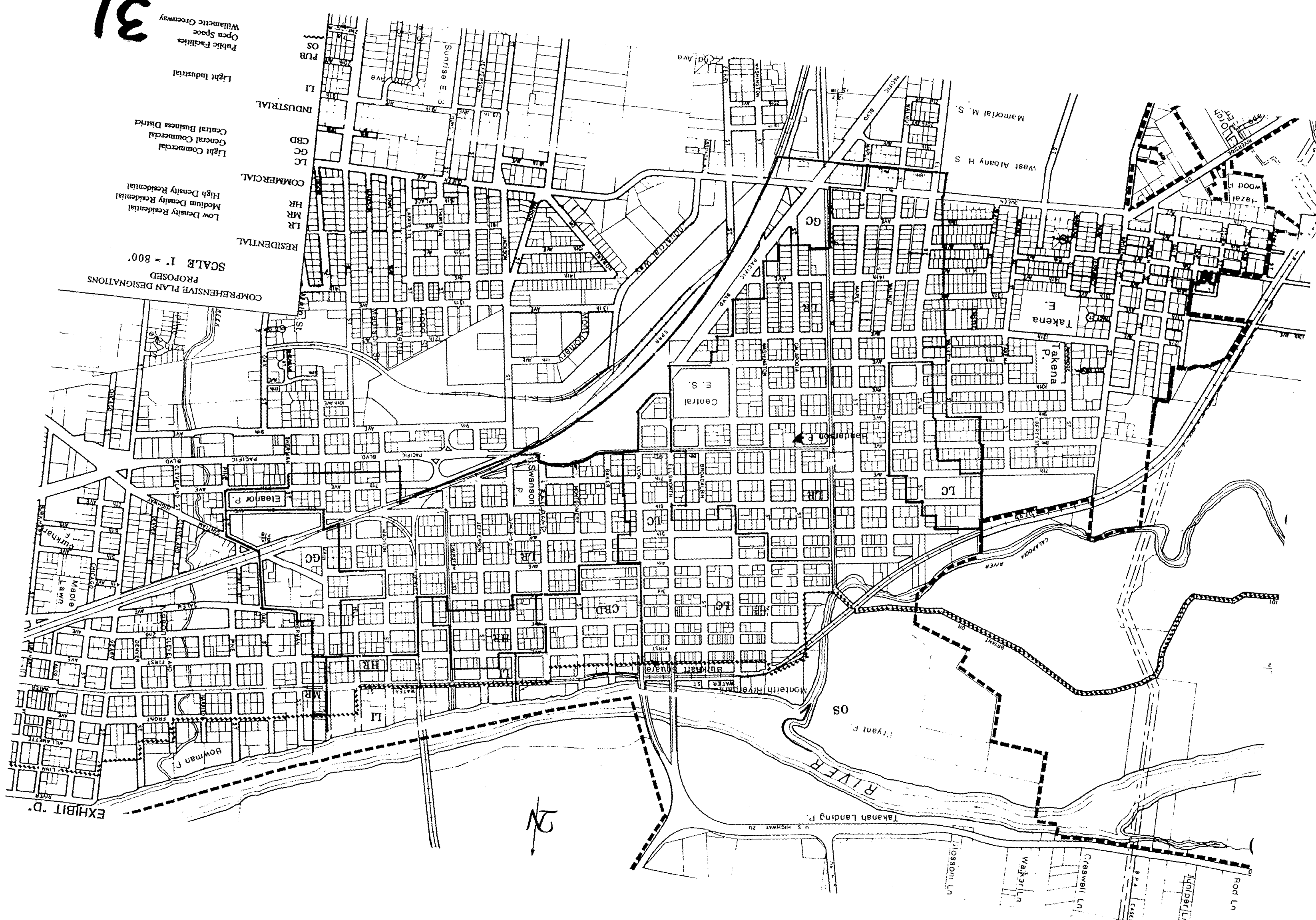
RESIDENTIAL

COMMERCIAL

INDUSTRIAL

SCALE 1" = 800'

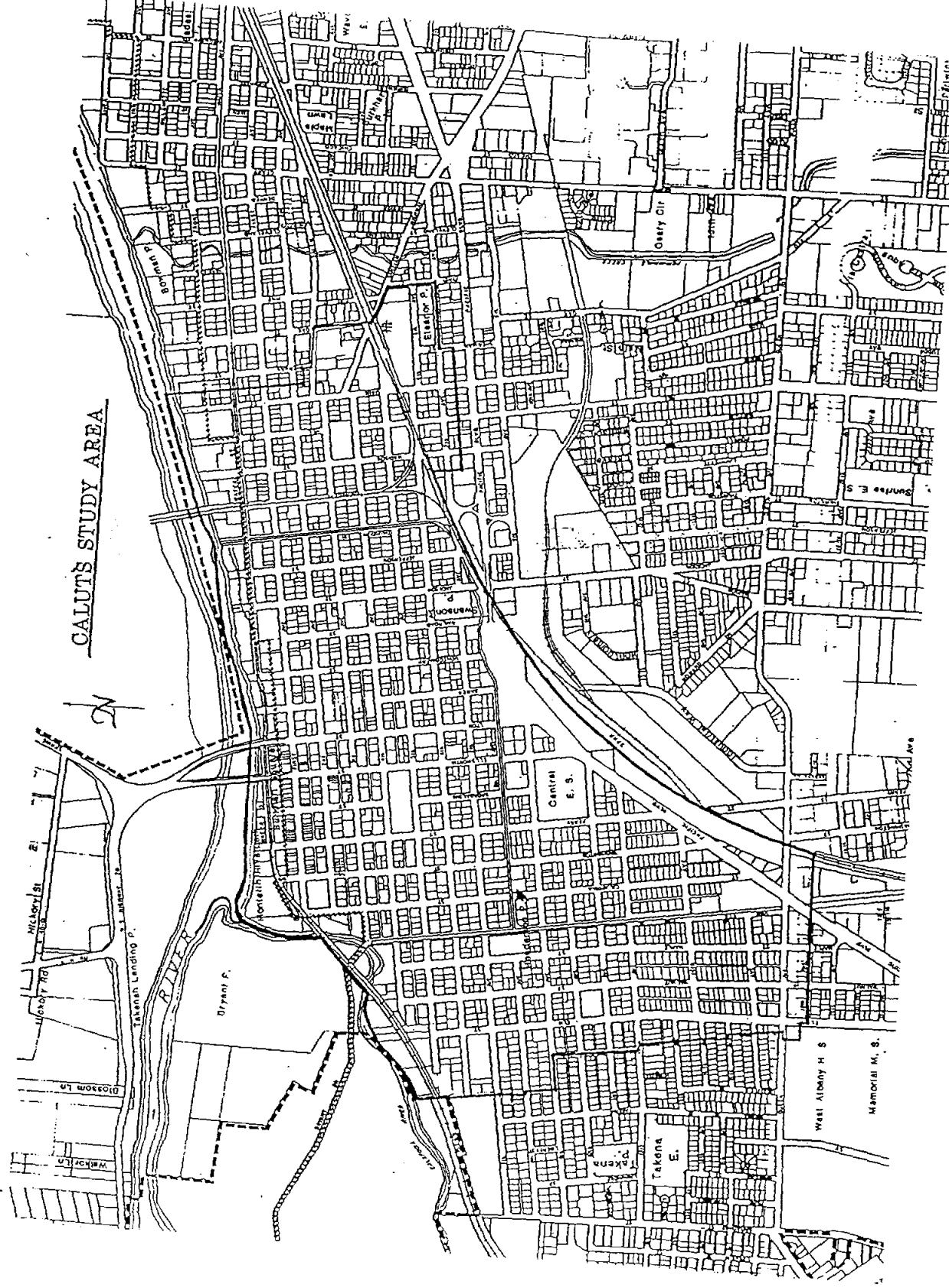
COMPREHENSIVE PLAN DESIGNATIONS  
PROPOSED



**ARTICLE 14  
CENTRAL ALBANY**

- 14.000 **Purpose.** This article is intended to define the character of the land use districts identified in the Town Center Plan prepared by the City of Albany and consultants Fletcher Farr Ayotte.
- 14.010 **Applicability.** The regulations below apply to those areas shown on Figure 14-1.
- 14.020 **Overview.** The ten zoning districts described in this article are intended to implement the land use districts identified in the Town Center Plan. The differences among the zones in permitted uses and development standards relate to the urban design objectives and concepts described in the Town Center Plan. The districts can be divided into two categories, one primarily residential and the other primarily commercial in character. The HM and MUR zones are intended to be primarily residential zones, with some commercial uses allowed in the MUR zone to provide a mixed use environment both horizontally and vertically. The other zones are primarily commercial in character, but, in some cases, allow high-density residential development. The MUI zone is intended to allow existing light industrial uses to continue, but to facilitate a transition to a mixed use residential zone.
- 14.030 **Establishment of Central Albany Zoning Districts.** In order to implement the Town Center Plan, the following Central Albany zoning districts are created:
- (1) **HD -- HISTORIC DOWNTOWN DISTRICT.** The HD district is intended primarily for a dense mixture of uses with an emphasis on entertainment, theaters, restaurants, night life and specialty shops. High density residential infill is encouraged, as is the continued presence of the government center and supporting uses.
  - (2) **CB -- DOWNTOWN CENTRAL BUSINESS DISTRICT.** The CB district is intended primarily for retail and services that support Historic Downtown businesses and residents. Mixed uses are encouraged both horizontally and vertically. High density residential infill and office employment are both encouraged.
  - (3) **MUR -- MIXED USE RESIDENTIAL DISTRICT.** The MUR district is intended primarily to create a residential district with a mixture of neighborhood commercial uses allowed to meet daily needs of area residents. Water and open space oriented high density residential uses are encouraged.
  - (4) **MUI -- MIXED USE LIGHT INDUSTRIAL DISTRICT.** The MUI district is intended to preserve the viability of existing light industrial businesses in this area, but at the same time provide the opportunity for the area to transition to high density residential use along the Willamette River. Both light industrial and residential uses are allowed in this zoning district, and regulations are provided to facilitate compatibility.
  - (5) **MS -- MAIN STREET DISTRICT.** The MS district is intended primarily as an industrial park/research and development employment center with supporting commercial and retail services for residents and employees in the area. Retail, restaurant or night uses that impact surrounding residences are discouraged.
  - (6) **LE -- LYON-ELLSWORTH DISTRICT.** The LE district is intended primarily as a location for development that serves the Historic Downtown district and Downtown Central Business District. This district is the most desirable location in the Central Albany area for parking structures with ground floor commercial uses and screened surface parking lots.

Figure 14.1



- (7) **TD -- TRANSIT DISTRICT.** The TD district is intended primarily for regional transit facilities and related uses. This district is suitable as a major office employment center because of easy access to mass transit. Mixed use development including a multi-modal transportation facility, a park and ride facility, and office space should be developed within this district.
- (8) **PB -- PACIFIC BOULEVARD DISTRICT.** The PB district is intended primarily as an auto-oriented commercial area. Design guidelines should be developed for the district to provide a coordinated look. Sound and visual buffers should be used to mitigate impacts on nearby residential areas.
- (9) **HM -- HACKLEMAN-MONTEITH DISTRICT.** The HM district is intended primarily to preserve the existing single-family residential character of the Hackleman and Monteith historic districts. Conversion of single-family residential structures to other uses, including multi-family residential, is not allowed. Accessory apartments are allowed.

The intent of the HM district is to preserve existing single-family residences for that use, but not make existing multi-family development non-conforming. There are existing multi-family developments within the HM district that were constructed for that purpose and these uses will remain conforming uses, as will other existing duplex and multi-family developments. A list of these specific existing developments is included in Section 14.080. The duplex and multi-family developments on this list are allowed uses, and are not subject to the restrictions that would otherwise would apply if they were non-conforming uses. The requirements of any applicable overlay district do apply.

- (10) **ES -- ELM STREET MEDICAL DISTRICT.** The ES district is intended primarily to provide an adequate amount of land for Albany General Hospital and associated medical uses. The impact of parking facilities should be mitigated by screening. Removal of existing residences and landscapes is discouraged. Only the amount of parking that is necessary should be allowed for uses in this district, in order to minimize the amount of land used for parking.

**14.040 Establishment of Special Purpose Districts.** Special purpose districts are overlay districts which may be combined with a major zoning district. The regulations of a special purpose district are supplementary to the regulations of the underlying major zoning district. The regulations of a special purpose district and the major zoning district shall both apply to any site which has both designations. Where the regulations and permitted uses of a major zoning district conflict with those of a special purpose district, the more restrictive standards shall apply. The special purpose districts and the additional regulations which apply in such districts are summarized below:

<u>Special Purpose District</u>	<u>Additional Sections Applicable</u>
Floodplain	Sections 6.070 - 6.160
Wetlands	Sections 6.270 - 6.300
Willamette Greenway	Sections 6.310 - 6.370
Historic	Sections 7.000 - 7.350

### SCHEDULE OF PERMITTED USES

**14.050 Interpretation.** The following provisions shall be used to interpret the schedule of permitted uses found in this Article:



- (1) The schedule of permitted uses cannot anticipate all uses which may be located within the city. There are also situations where proposed uses may relate to more than one type of use. In both instances, the Director will determine the appropriate use category based on operating characteristics and land use impacts. Where ambiguity exists concerning the appropriate classification of a particular use, the use may be reviewed as a conditional use where the Director determines that the proposed use is consistent with other uses allowable within the subject district due to similar characteristics.
- (2) Where a development proposal involves a combination of uses other than accessory uses, the more restrictive provisions of this Code shall apply. For example, if a portion of a development is subject to Conditional Use approval and the balance is subject only to Site Plan Review, the entire development shall be reviewed utilizing the conditional use criteria if concurrent approval of all uses is sought.
- (3) A change in the use of a property is subject to review as specified by the schedules of permitted uses:
  - (a) When the change involves a change from one use category to another in the schedule of permitted uses and the Director has not waived review under the provisions of Section 1.070, or
  - (b) When a property which has been unoccupied for more than one year and is non-conforming under the provisions of Article 2 is proposed to be occupied.

14.060 Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code. The abbreviations used in the schedule have the following meanings:

- A Use allowed without special conditions or review procedures.
- S Use permitted that requires a site plan approval prior to the development or occupancy of the site or building.
- C Use permitted conditionally under the provisions of Sections 2.230 - 2.260.
- PD Use permitted only through Planned Development approval.
- \* Use not permitted in the major zoning district indicated.

A number appearing opposite a use in the "special conditions" column indicates that special provisions apply to the use. These conditions are found following the schedule, in Section 4.080.

Summary of Major Headings in the Schedule. The following is a list of the major use headings contained in the Schedule of Permitted Uses.

- |                                    |  |
|------------------------------------|--|
| Accessory Buildings and Uses       | Public Uses                              |
| Agriculture and Natural Resources  | Recreation and Entertainment             |
| Antennas and Towers                | Recycling, Salvage, Junk Yards           |
| Assembly and Manufacturing         | Residential                              |
| Eating and Drinking Establishments | Sales and Service of Goods and Equipment |
| Educational and Religious          | Storage and Warehousing                  |
| Offices, Professional              | Transportation                           |
| Parking Lots                       |  |

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**CENTRAL ALBANY ZONING DISTRICTS**

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<b>1.000</b>	<b>ACCESSORY BUILDINGS AND USES</b>												
<b>1.100</b>	<b>Residential Accessory Buildings:</b>												
1.110	Accessory buildings, garages, carports attached to the dwelling & totaling less than 1,000 sq. ft.	1	A	A	A	A	S	C	*	*	A	A	
1.120	Detached accessory buildings, garages, carports totaling less than 750 sq. ft & having walls not greater than 11' in height.		A	A	A	A	S	*	*	*	A	A	
1.130	All other residential district accessory buildings, garages and carports.		C	C	S	S	C	C	*	*	S	C	
<b>1.200</b>	<b>Non-Residential Accessory Buildings and Uses</b>	<b>1</b>	<b>A</b>	<b>A</b>	<b>C</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>*</b>	<b>A</b>	
<b>2.000</b>	<b>AGRICULTURAL &amp; NATURAL RESOURCES</b>												
<b>2.100</b>	<b>Crop Production Generally</b>		*	*	A	A	*	*	*	*	*	*	
200	On-site Retail Sales of Seasonal Goods Exceeding 30 days duration		*	*	C	S	*	*	*	*	*	*	
2.300	Plant Nurseries and Greenhouses		*	*	*	S	C	*	*	C	*	*	
2.310	Bulk sales of landscape construction materials & rock products		*	*	*	S	*	*	*	C	*	*	
2.400	Mining, quarrying, Oil and Gas Extraction & Asphalt-Concrete Batch Plants Including On-site Sales of Products		*	*	*	C	*	*	*	*	*	*	
<b>2.500</b>	<b>Tree Cutting &amp; Firewood Cutting:</b>												
2.510	Removal of 5 or more trees in excess of 10" in diameter	2	S	S	S	S	S	S	S	S	S	S	
2.520	Commercial firewood sales lots		*	*	*	S	*	*	S	S	*	*	
<b>2.600</b>	<b>Development Within a Wetland</b>		<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	
<b>2.700</b>	<b>Services &amp; Enterprises Related to Animals:</b>												
2.710	Raising of Animals, Livestock (subject also to Albany Municipal Code Section 6.10)		*	*	*	A	*	*	*	*	*	*	
2.720	Kennels	3	*	*	*	S	*	*	*	*	*	*	

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2.730	Animal Arenas, Commercial Stables, Equestrian Center		*	*	*	C	*	*	*	*	*	*
2.740	Veterinarians, animal hospitals		S	S	*	S	S	S	S	S	*	C
3.000	ANTENNAS & TOWERS											
3.100	Public & Commercial Communication Towers & Transmitters Over 50 Feet in Height		C	C	*	C	C	C	C	C	*	*
3.200	Antennas, Regardless of Size, Owned & Operated by FCC Licensed Member of Amateur Radio Service		A	A	A	A	A	A	A	A	A	A
3.300	Satellite Dish & All Other Antennas	4	A	A	A	A	A	A	A	A	A	A
4.000	ASSEMBLING, PROCESSING, ANALYZING, MANUFACTURING, PACKAGING, CREATING, TREATING, & RENOVATING GOODS, MERCHANDISE, FOOD, PRODUCTS & EQUIPMENT											
4.100	Operations & Related Storage Conducted Entirely Within Enclosed Buildings (except shipping & loading):											
4.110	Majority of dollar volume of business done with walk-in trade	5	S	S	*	S	S	S	S	S	*	*
4.120	Majority of dollar volume of business not done with walk-in trade	5	C	C	*	S	S	C	C	C	*	*
4.200	Operations Conducted Partially or Wholly Outside of Enclosed Buildings (including storage)	5	*	C	*	S	*	*	C	*	*	*
5.000	EATING & DRINKING ESTABLISHMENTS											
5.100	No Carry-Out or Delivery Service & No Drive-In Service		S	S	S	S	S	S	S	S	*	C
5.200	Delicatessen, Bake Shop, & Sales of Other Prepared Food Products Where Most Consumption is Expected to Occur Off-Premises		S	S	*	S	S	S	S	S	*	*
5.300	Food Establishments With Drive-Up Windows		*	*	*	S	*	*	*	C	*	*
5.400	All Other Restaurants & Eating Establishments		S	S	C	S	C	S	S	C	*	C
5.500	Taverns, Bars, Nightclubs		S	S	C	S	C	S	S	C	*	*

**CENTRAL ALBANY ZONING DISTRICTS**

**USE DESCRIPTIONS**

Spec

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5.600	Brew Pub		S	S	S	S	C	C	C	*	*	*
6.000	<b>EDUCATIONAL AND RELIGIOUS</b>											
6.100	<b>Private or Public Schools:</b>											
6.110	Primary, elementary, & secondary school (includes associated grounds, facilities & administrative offices)	6	C	C	C	*	C	C	*	C	C	C
6.120	Trade or vocational schools		S	S	C	S	S	S	S	S	*	C
6.130	Colleges, universities, community colleges (including associated facilities like dorms, offices, athletic fields, stadiums, research facilities)		C	C	C	C	C	C	S	C	C	C
6.200	Churches, Synagogues, & Temples (includes associated grounds, facilities & administrative offices)	6	S	S	C	C	C	S	S	S	C	C
6.300	Art Studios, Galleries, & Centers, Fine Arts Conservatories, Music Schools, Dance Studios, & Similar Cultural Uses (includes associated educational & instructional activities)		S	S	C	C	S	S	S	C	*	*
6.400	Libraries, Museums		S	S	S	C	S	S	S	C	*	C
6.500	Fraternal Clubs & Lodges, Union Halls		S	S	C	S	S	S	S	S	*	*
7.000	<b>OFFICES, SERVICES, &amp; RESEARCH NOT PRIMARILY RELATED TO ON-SITE RETAIL SALES OR MANUFACTURE OF GOODS OR MERCHANDISE</b>											
7.100	Offices Intended to Attract & Serve Customers or Clients on Premises (e.g. attorneys, physicians, counselors, financial institutions, insurance, travel agents, investment services, advertising agencies, real estate, mortuaries)		S	S	S	C	S	S	S	S	*	S
7.200	Offices with Limited Customer or Client Traffic (e.g. corporate offices, newspaper, radio, & television offices & studios, engineers, answering or dispatch service)		S	S	*	S	S	S	S	S	*	S
8.000	<b>PARKING LOTS</b>											
8.100	Vehicle & Equipment Parking not Incidental or Accessory to Another Use Located on the Same Property:											

**CENTRAL ALBANY ZONING DISTRICTS**

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8.110	Overnight or long-term vehicle or equipment storage lots (e.g. RV storage, contractor equipment storage)		*	*	*	S	*	*	S	*	*	*
8.120	Commercial parking, garages, pay lots		C	C	C	S	C	S	S	S	*	*
8.130	Off-site parking lots for commercial, education, religious, & institutional uses		C	C	C	S	C	S	S	S	*	*
8.200	All Other On-Site Parking Lots for Approved Uses	7	S	S	S	S	S	S	S	S	S	S
9.000	<b>PUBLIC &amp; SEMI-PUBLIC USES</b>											
9.100	Emergency Services (e.g. police & fire stations, ambulance & rescue services)		S	S	C	S	C	S	S	S	C	C
9.200	Government Offices		S	S	*	C	S	S	S	S	*	C
9.300	Alleys, Streets, Highways, Bridges, Sidewalks, Bikepaths, & Related Transportation Facilities Subject Only to Special District Regulations of Article 11		A	A	A	A	A	A	A	A	A	A
9.400	Utility Facilities:											
9.410	Neighborhood utilities including pump stations, electric substations less than 5,000 sq. ft & all local utility lines		A	A	A	A	A	A	A	A	A	A
9.420	Regional/community utilities including treatment plants, major power generation, major storage facilities, regional transmission facilities, major overhead power lines requiring tower support structures.		*	C	C	S	C	C	C	C	C	C
9.430	Temporary staging areas for Public Works construction projects in excess of 6 months duration		C	C	C	S	S	C	S	S	*	C
9.500	Cemeteries, Crematoriums, & Mausoleums		*	*	*	C	*	C	*	C	C	*
10.000	<b>RECREATION, ENTERTAINMENT, PUBLIC ASSEMBLY</b>											
10.100	Activities Conducted Primarily within Structures:											
10.110	Bowling alleys, skating rinks, pool halls		S	S	*	C	S	S	S	S	*	*
10.120	Indoor racquet sports clubs; spas; athletic, exercise, & health clubs; and similar facilities not constructed as part of planned residential development		S	S	C	S	S	S	S	S	*	*
10.130	Youth clubs, senior centers, community centers		S	S	C	C	S	S	S	S	*	C
10.140	Theaters		S	S	*	*	S	S	S	*	*	*

**CENTRAL ALBANY ZONING DISTRICTS**

USE DESCRIPTIONS Spec  
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10.150	Adult entertainment	8	S	S	*	C	S	*	*	*	*	*
10.160	Games, amusements, arcades		S	S	*	*	S	S	S	S	*	*
10.170	Coliseums, stadiums		C	C	*	C	C	C	C	C	*	*
10.180	Indoor gun clubs		*	*	*	C	C	*	C	C	*	*
10.190	Convention Center		S	S	*	C	S	S	S	S	*	*
10.200	Activities Conducted Primarily Outside Enclosed Buildings:											
10.210	Outdoor recreational facilities (e.g. golf & country clubs, driving ranges, swimming or tennis clubs, etc. not constructed as part of planned residential development, equestrian trails)		*	C	S	C	*	*	*	*	*	*
10.220	Miniature golf, skateboard parks, water slides, & similar uses		*	*	S	C	*	*	*	*	*	*
10.230	Motor race tracks		*	*	*	*	*	*	*	*	*	*
10.240	Drive-in movie theaters		*	*	*	*	*	*	*	*	*	*
10.250	Fairgrounds		*	*	*	C	*	*	*	C	*	*
10.260	Public Parks and recreational facilities located therein	9	C	C	C	C	C	C	C	C	C	C
11.000	RECYCLING, SALVAGE, JUNKYARDS											
11.100	Recycling Centers:											
11.110	Processing & sorting operations conducted entirely within enclosed structures & containing a total building area of less than 5,000 sq. ft.		*	*	*	S	*	*	*	C	*	*
11.120	All other material recycling operations excluding metal salvage yards & junkyards		*	*	*	C	*	*	*	*	*	*
11.130	Refuse transfer stations		*	*	*	C	*	*	*	*	*	*
12.000	RESIDENTIAL											
12.100	Single Family Residences:											
12.110	Single family detached, one dwelling per lot		*	*	A	C	*	*	*	*	A	S
12.120	Single family detached, more than one dwelling per lot		*	*	S	C	*	*	*	*	S	C
12.130	Two units attached at common wall property line		C	C	S	C	*	*	*	*	S	C
12.140	Multiple single family attached units		S	S	S	S	*	*	*	*	*	C

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**CENTRAL ALBANY ZONING DISTRICTS**

USE DESCRIPTIONS Spec  
Cond HD CB MUR MUI MS LE TD PB HM ES

12.150	Conversion of multiple family to single family attached (condominiums)		S	S	C	S	S	S	*	S	C	S
12.160	Manufactured homes (See Article 10)		*	*	A	C	*	*	*	*	*	*
12.170	Manufactured home parks and subdivisions (See Article 10)		*	*	S	C	*	*	*	*	*	*
12.180	Single family attached to business use		S	S	S	S	S	S	S	S	*	S
12.190	Home occupations (See Article 3)		A	A	A	A	A	A	A	A	A	A
12.220	<b>Two-Family Residences:</b>											
12.210	Duplexes	10	C	*	A	C	*	*	*	*	C	C
12.220	Primary residence with accessory apartment	11	A	A	A	C	A	A	A	A	A	A
12.230	Two-family residence located above first floor of business use		A	A	S	S	S	A	S	S	*	C
12.300	<b>Multiple Family Residences:</b>											
12.310	Located within Willamette River Greenway Boundary		C	C	C	C	C	C	*	C	*	C
12.320	Located above first floor of business use		S	S	S	S	S	S	S	S	*	S
12.330	Quad or quint apartment dwellings		S	S	S	C	S	S	*	C	*	S
12.340	All other multiple family dwellings		S	S	S	S	S	S	S	C	*	C
12.400	Overnight Recreational Vehicle Parks (See Article 10)		*	*	*	*	*	*	*	*	*	*
12.500	<b>Homes &amp; Institutions Providing Special Services, Treatment, or Supervision:</b>											
12.510	Group care home		A	A	A	C	S	A	A	A	A	A
12.520	Hospital		C	S	C	*	*	S	S	S	*	C
12.530	Child care home	12	A	A	A	A	A	A	A	A	A	A
12.540	Child care institution		S	S	S	C	C	S	C	S	C	C
12.550	Jails & detention facilities		C	C	*	C	*	C	*	C	*	*
12.600	<b>Miscellaneous Rooms for Rent Situations:</b>											
12.610	Rooming houses, boarding houses		S	S	S	C	S	S	S	S	C	C

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12.620	Bed & breakfast home		S	S	S	C	S	S	S	S	C	S
12.630	Hotels & motels		S	S	*	C	S	S	S	S	*	C
12.640	Temporary Residence in Conjunction with New Construction, Emergency Repair, or Night Watchman Use	13	S	S	S	S	S	S	S	S	S	S
<b>13.000</b>	<b>SALES, RENTAL &amp; SERVICING OF GOODS, MERCHANDISE &amp; EQUIPMENT</b>											
<b>13.100</b>	<b>Automotive, Marine, Trucks, RV's, Agricultural Machinery:</b>											
13.110	Sales & rentals, including servicing		S	S	*	C	S	S	*	S	*	*
13.120	Parts & accessories sales which may include installation services		S	S	*	S	S	S	*	S	*	*
13.130	Service, minor repair, & detail shops		S	S	*	S	S	S	*	S	*	*
13.140	Paint & body work & major repair (e.g. frame straightening, engine rebuilding)		*	*	*	S	*	*	*	S	*	*
13.150	Automobile-oriented fuel sales with or without accessory service bays or accessory convenience sales		*	*	*	S	*	*	*	S	*	*
13.160	Car washes		*	*	*	S	*	*	*	S	*	*
13.170	Truck fuel sales, truck servicing, overnight trucking facilities & related services		*	*	*	S	*	*	*	C	*	*
<b>13.200</b>	<b>High Volume Traffic Generation Uses Conducted Within Enclosed Buildings:</b>											
13.210	Retail sales serving frequent neighborhood needs (e.g. grocery, small hardware & garden supply, pharmacies, video rentals, stationery, flowers, etc.)		S	S	S	C	S	S	S	S	*	S
13.220	Other retail sales		S	S	*	C	C	S	S	*	*	*
13.230	Miscellaneous rental merchandise & equipment		S	S	*	S	S	S	S	S	*	*
13.240	Servicing of goods, merchandise, equipment (e.g. laundromats, small appliance repair, shoe repair, tailoring)		S	S	*	S	S	S	S	S	*	S
13.250	Personal services (e.g. barber & beauty shops, therapeutic massage, tanning salons)		S	S	S	S	S	S	S	S	*	S
13.260	Wholesale sales		S	S	*	S	S	S	S	S	*	*

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13.300	<b>Low Volume Traffic Generation Uses Conducted Within Enclosed Buildings:</b>											
13.310	Retail sales (e.g. furniture, appliance, floor covering, building supplies, industrial supplies)		C	S	*	C	S	S	S	S	*	*
13.320	Miscellaneous equipment, appliances, & furniture rental		*	S	*	S	S	S	S	S	*	*
13.330	Servicing of appliances, furniture, lawn & garden, industrial, mechanical, heating & cooling, & other bulky equipment or merchandise		*	S	*	S	S	S	S	S	*	*
13.340	Services offered primarily off-site (e.g. janitorial, contractors, carpet cleaning, catering, landscaping, utility services)		S	S	*	S	S	S	S	S	*	*
13.350	Wholesale sales		C	C	*	S	S	C	S	S	*	*
13.400	<b>High Volume Traffic Generation Uses Involving Storage or Display Outside Fully Enclosed Building:</b>											
13.410	Retail sales (e.g. lawn & garden variety stores with regularly maintained outdoor sales, building supplies)		C	C	*	C	S	C	S	S	*	*
13.420	Servicing merchandise & equipment		C	C	*	S	S	C	S	S	*	*
13.430	Wholesale sales		S	S	*	S	S	C	S	S	*	*
13.500	<b>Low Volume Traffic Generation Uses Involving Storage or Display Outside Fully Enclosed Building:</b>											
13.510	Retail sales & related services		C	C	*	C	*	*	*	S	*	*
13.520	Miscellaneous goods & equipment rental		C	C	*	S	*	*	*	S	*	*
13.530	On-site servicing of appliances, furniture, lawn & garden, heating & cooling, industrial, mechanical & other bulky equipment or merchandise		*	*	*	S	C	*	*	C	*	*
13.540	Services offered primarily off-site. (See 13.340)		*	*	*	S	*	*	*	C	*	*
13.550	Wholesale sales		C	C	*	S	C	*	*	C	*	*
14.000	<b>STORAGE &amp; WAREHOUSING</b>											
14.100	<b>Warehousing or Storage of Goods Not Including Sale or use of Those Goods on the Same Property Where They are Stored Except as Accessory Use Activity:</b>											
14.110	All storage within completely enclosed structures		C	C	*	S	*	*	*	*	*	*

**CENTRAL ALBANY ZONING DISTRICTS**

**USE DESCRIPTIONS** **Spec**  
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14.120	Outside storage or combination of inside & outside storage		*	*	*	S	*	*	*	*	*	*
14.130	Mini-warehouses/self-service storage facilities intended for domestic storage		*	*	*	S	*	*	*	*	*	*
15.000	<b>TRANSPORTATION</b>											
15.100	Bus Stations		S	S	*	S	C	S	S	C	*	*
15.200	Train Stations		S	S	S	S	S	S	S	S	*	*
15.300	Taxi Business		S	S	*	S	S	S	S	S	*	*
15.400	Trucking		*	*	*	S	*	*	S	*	*	*
15.500	Railroad Switching Yard & Major Loading & Unloading Facilities		*	*	*	C	*	*	S	*	*	*
15.600	Heliport		C	C	*	S	C	C	C	C	*	C

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## SPECIAL CONDITIONS

14.070 General. Where numbers appear in the column "special conditions" in the Schedule of Permitted Uses, the corresponding numbered conditions below shall apply to the particular use category as additional clarification or restriction:

- (1) Beyond the standards provided herein for establishment of accessory buildings and uses, the definitions of "Accessory Building" and "Accessory Use" in Article 22 shall apply. The Director shall have authority to initially interpret application of these terms to any proposed building or activity. See also Table 2 for Accessory Structure Standards.
- (2) **Tree Removal Criteria.** The following criteria apply only to parcels or property in contiguous single ownership in excess of 20,000 square feet upon which five or more trees, each in excess of ten inches in diameter, are proposed for removal within one calendar year. The Director shall approve tree cutting in the above instances only when it can be demonstrated that:
  - (a) Wooded areas associated with natural drainageways and water areas will be maintained to preserve riparian habitat and minimize erosion.
  - (b) Wooded areas along ridge lines and hilltops will be retained for their scenic and wildlife value.
  - (c) Wooded areas along property lines will be retained to serve as buffers from adjacent properties except with the concurrence of adjacent owners where removal is desired for sunlight or to protect against windfall.
  - (d) Large-scale clear cuts of developable areas will be avoided to retain the wooded character of future building sites and so preserve housing and design options for future city residents.
  - (e) If concurrent with a development project application, the proposed removal of trees is the minimum necessary to accomplish the objectives of the development while retaining the most trees possible within the intent of the above criteria and Comprehensive Plan policies.
- (3) Kennels are not allowed in the Central Albany area.
- (4) **Antenna Placement Standards.** The placement of antenna structures, including satellite dish antenna shall be permitted outright in all districts subject to the following standards:
  - (a) No antenna or antenna supports shall be located within any front yard setback area or within any required landscape buffer yard.
  - (b) Dish antenna located within ten feet of a residential lot line or located so as to be visible from a public street shall be screened up to a height of six feet with a solid screen fence, wall, hedge, or other landscaping.
  - (c) Antenna used to display sign messages shall conform to all district sign regulations in addition to the above.
  - (d) Antenna not in conformance with the above may be considered by Conditional Use review.
- (5) The environmental performance standards of Section 14.900-14.980 below may further limit the placement of certain uses in some districts by application of additional criteria not specified in this schedule.
- (6) Conditional use approval for schools and churches includes the following secondary uses: educational activities; sports and other recreational activities; religious activities; political

activities; meals programs; before and after school childcare activities; fund raising activities; and cultural programs. Such uses will not be required to go through the land use process if all of the activities which constitute the use (excluding parking and travel to and from the site) take place on the site and there is no external noise audible or light visible between 10:30 p.m. and 8:00 a.m.

Expansion of a school or church includes addition of building area, increase in parking lot coverage, or expansion of athletic facilities. Any expansion must be reviewed through the conditional use process.

- (7) Site Plan Review is not required for parking areas containing less than 1,000 square feet and otherwise meeting the provisions of this Code.
- (8) Adult Entertainment.
  - (a) An adult entertainment use shall not be established or expanded within 300 feet of the district boundary line of any residential zoning district.
  - (b) An adult entertainment use shall not be established or expanded within 300 feet of any other adult entertainment use.
  - (c) An adult entertainment use shall not be established or expanded within 300 feet of the property line of a church, school, or public park.
  - (d) Exceptions to the above may be considered by the Variance procedures.
- (9) Public park development activity subject to conditional use review includes major development; expansions of activities and development within parks which currently generate substantial traffic; or construction of major structures such as swimming pools, lighted ball fields, and community centers. Conditional use review is not required, however, for construction of play equipment, tennis courts, bike paths, picnic shelters, restrooms, landscaping, and similar activities within existing improved parks.
- (10) Duplexes are allowed on corner lots only within the Hackleman Monteith zoning district, as conditional uses.
- (11) Accessory apartments are permitted as additions to or within single family residences when:
  - (a) One residence on the site is owner occupied.
  - (b) The apartment remains incidental to the primary residence in size and appearance.
  - (c) At least two off-street parking spaces are available on the property for use.
  - (d) All required building permits have been obtained.
- (12) "Child Care Home" includes day time care of less than thirteen children including the children of the provider. These homes may require a license by the State of Oregon Children's Services Division.
- (13) Temporary residences are limited to one year in duration except for night watchman.

## SPECIAL STATUS

### 14.080 Existing Uses Granted Special Status (Allowed) in the Hackleman Monteith District

Notwithstanding the restrictions or terms of any other section of the Albany Development Code (ADC), properties listed below shall be deemed to be conforming with the base Hackleman Monteith (HM) zoning district. If any building on these properties is substantially destroyed, as defined in ADC Section 2.340(4), it can be rebuilt to the same density as existed on the property at the time ADC Article 14 was adopted, but will be subject to the regulations of any applicable overlay zone.

If any of the listed buildings are converted to single-family use, the special status granted here is rescinded, and the use of the property shall thereafter conform to the requirements of Article 14.

The special status granted here shall be lost if it is determined that the use which existed at the time of adoption of Article 14 was not then lawfully in existence.

It is the intent that each and every legally established duplex and multi-family development that exists in the proposed HM district at the time of adoption of Article 14 be listed here. Should an existing use not be listed here the property owner may have the property listed upon showing that the use was legally established at the time of adoption of Article 14. Satisfactory evidence must be provided by the property owner or applicant to document that the use existed. Such evidence, for example, may consist of building permits, utility hookups, tax records, or telephone directory listings.

- (1) 837/838/829/827 11th Avenue SW: one-story four-plex
- (2) 1015 5th Avenue SW: two two-story buildings: east building, 12 units; west building, 6 units
- (3) 640 7th Avenue SW/707 Vine Street SW: one-story duplex
- (4) 628 Ferry Street SW: two-story 10-unit apartment complex
- (5) 707/719 Washington SW: one-story duplex
- (6) 908 Ferry Street SW: two-story 12-unit apartment building
- (7) 928 Ferry Street SW: 7 units in house
- (8) 926/978 Ferry Street SW and 405/407 11th Avenue SW: 7 units
- (9) 827/829/837/838 11th Avenue SW: one-story four-plex
- (10) 1030 11th Avenue SW: duplex
- (11) 625/635 Vine Street SW: duplex
- (12) 1241/1245 Vine Street SW: duplex
- (13) 505 3rd Avenue SE: two-story four-plex
- (14) 526 3rd Avenue SE: two-story four-plex
- (15) 627 3rd Avenue SE: two-story 6 units

- (16) 527 4th Avenue SE: two-story duplex
- (17) 538 4th Avenue SE: two-story duplex
- (18) 140 4th Avenue SE: two-story duplex
- (19) 306 Baker Street SE: two-story 8 units
- (20) 434 Baker Street SE: two-story duplex
- (21) 140 5th Avenue SE: two-story duplex
- (22) 208 5th Avenue SE: two-story 8 units
- (23) 238/225/311 5th Avenue SE: two-stories 3 units
- (24) 317 5th Avenue SE, A and B: two-story duplex
- (25) 404 5th Avenue SE: two-story tri-plex
- (26) 505/526/540/423 5th Avenue SE: two-story 4 units
- (27) 423/425 and 614/616 5th Avenue SE: two two-story each 2 units = 4 units
- (28) 637 5th Avenue SE: two-story 3 units
- (29) 540 6th Avenue SE: 2-1/2 story 5 units
- (30) 509/519 and 521/524 6th Avenue SE: two one-story buildings 4 units
- (31) 625 Jefferson Street SE, A and B: two-story 2 units
- (32) 697 Jefferson Street SE: two-story 6 units
- (33) 826/828 and 726/728 3rd Avenue SE: two one-story duplexes
- (34) 807A/807B and 805/805-1/2 3rd Avenue two one-story duplexes
- (35) 728 4th Avenue SE: two-story 2 units
- (36) 420/422 4th Avenue SE: one-story duplex
- (37) 617/619 Lafayette Street SE: one-story duplex
- (38) 589 A/B/C Lafayette Street SE: one-story tri-plex
- (39) 730 5th Avenue SE: two-story tri-plex

## DEVELOPMENT STANDARDS

14.090 Purpose. Development standards are intended to promote site planning and design which consider the natural environment, maintain the required dimensional standards while promoting energy conservation, needed privacy, safe and efficient parking areas for new development, and improve the general living environment and economic life of a development. Table 1, on the following page, summarizes the basic development standards. It should be used in conjunction with the sections immediately succeeding the table, which address special circumstances and exceptions.

TABLE

CENTRAL ALBANY DEVELOPMENT STANDARDS

STANDARD	HD	CB	MUR	MUI	MS	LE	TD	PB	HM	ES
Minimum:										
Lot Size:										
(sq. ft.)										
• single family:	N/A	N/A	None	N/A	N/A	N/A	N/A	N/A	5,000	5,000
• duplex:	None	N/A	3,600	N/A	N/A	N/A	N/A	N/A	7,000	7,000
• 3 or more 1 bedroom units:										
• 3 or more 2 bedroom (or larger) units:	None	None	1,600/u	1,600/u	1,600/u	None	None	1,600/u	2,400/u	2,400/u
• All other uses:	None	None	1,800/u	1,800/u	1,800/u	None	None	1,600/u	3,300/u	3,300/u
	2,000	2,000	5,000	10,000	6,000	2,000	15,000	15,000	5,000	5,000
Lot Width	20'	20'	None	80'	60'	20'	100'	80'	35'	40'
Lot Depth	50'	50'	None	80'	80'	50'	150'	95'	65'	80'
Landscaped Area (2)	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Minimum Setbacks:										
Front	0'	0'	15'	15'	15'	0'	10'	5'	15'	15'
Interior	(4)	(4)	10'(1)	(4)	(4)	(4)	(4)(5)	(4)	10'(1)	5'(3)
Maximum:										
Height	85'	60'	45'	30'	30'	60'	None	50'	30'	30'
Lot Coverage (6)	100%	(7)	70%	70%	70%	100%	None	90%	60%	70%

(1) Except for single family homes or duplexes which must have a 5' interior yard for single-story buildings, and an 8' interior yard for two-story buildings.  
 (2) All yards adjacent to streets.  
 (3) Single story, 2 or more stories = 8'.  
 (4) Yards abutting residential districts and/or uses requires 1 foot of setback for each foot of wall height with a minimum setback of 10 feet. For yards abutting commercial or industrial districts, no interior setback is required.  
 (5) No setbacks are required for buildings abutting railroad rights-of-way.  
 (6) Except for single family homes and duplexes, lot coverage includes building and parking area coverage.  
 (7) See ADC 14.120

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## SETBACKS

- 14.100 Minimum Standards. All setbacks shall meet the minimum standards as set forth in Table 1, Development Standards. In addition to the setbacks in this Article, all development must comply with Section 12.180, Clear Vision Area. The Accessory Structure Standards (Table 2) apply to accessory structures in the MUR and HM districts.
- 14.110 Measurements. Setback distances shall be measured perpendicular to all portions of a lot line.
- 14.120 Minimum Floor Area Ratio Required in CB District. Within the Central Business District, there shall be a minimum of one square foot of building floor area (which may include landscaped area but not parking areas for purposes of this section only) for each square foot of buildable lot area for all new developments except the following:
- (1) Expansions to existing buildings.
  - (2) Public parking and open space uses.
  - (3) Development within the Willamette River Greenway Boundary.
- 14.130 Setback Alternate in Developed Areas. When an addition or new development is proposed to be located in an area containing the same type of uses which have been developed to a previous setback standard, the Director or review body may approve setbacks which are the same as those for the existing buildings on the site for additions, or the same as those for buildings on adjoining parcels for new development. In such instances, the Type I procedure shall be used to process requests and approval shall be based upon the following criteria:
- (1) The amount of area between buildings is sufficient to provide adequate property maintenance and rear yard access.
  - (2) If there are non-accessory structures on both abutting lots with front yards of less than the depth otherwise required, the front yard for a lot need not exceed the average front yard of the abutting structure.
  - (3) If there is a non-accessory structure on one abutting lot with a front yard of less than the depth otherwise required, the front yard for a lot need not exceed a depth one-half way between the depth of the abutting front yard and the required front yard depth.
  - (4) No wall of one dwelling unit is closer than 10 feet from a window of another dwelling unit.
  - (5) All other provisions of this Code must be met.
- 14.140 General Exceptions to Setback Requirements. The following intrusions may project into required yards provided that the conditions and limitations indicated are adhered to:
- (1) Depressed Areas. In any district, open work fences, berms, hedges, guard railings, or other landscaping or architectural devices for safety protection around depressed areas, ramps, stairs, or retaining walls, may be located in required yards, provided that such devices are not more than 3-1/2 feet in height.
  - (2) Projecting Building Features. The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet:
    - (a) Awnings, eaves, buttresses, architectural appendages (examples such as, but not limited to, bay windows, planters, cantilevered stairways.)

- (b) Chimneys and fireplaces, provided they do not exceed eight feet in width.
- (c) Porches, steps, platforms or landings, raised patios or decks (applies only to structures above 30 inches in height: structures under 30 inches are not subject to setback provisions).
- (d) Signs conforming to applicable ordinance requirements.

14.150 Zero Lot Line. Any residential structure or accessory building may be located on the property line where:

- (1) There are no openings or windows in the lot line wall. Additionally a 10-foot setback and maintenance easement must be recorded on the adjoining property deed or plat. This easement is not revocable without City approval.

or

- (2) 2 or more units are attached at the property line and are approved for such in accordance with other provisions of this Code.

14.160 Setbacks for Attached Single Family Dwellings. The interior yard requirements for attached single family dwellings shall be zero where the units adjoin; however, all other setbacks shall conform to the other requirements of this Code.

14.170 Special setback for Development Adjacent to Waterways. Development occurring adjacent to the following listed waterways shall maintain the setbacks from the centerline of the waterway listed in lieu of the applicable required setback for the Zoning District:

<u>Waterway</u>	<u>Setback</u>
Calapooia River	100 feet

14.180 Setback and Fencing for Swimming Pools. Swimming pools shall conform to the setback regulations for main buildings except that outdoor swimming pools shall be set back not less than 10 feet from all interior lot lines. Also, all swimming pools shall be fenced or equipped with electric alarm systems in such a manner as to prevent or alarm upon entry. Required pool fencing must be a minimum of four feet in height and be equipped with a self-locking gate which closes automatically.

14.190 Setbacks for Properties Abutting Future Street Rights-of-Way. Where the adopted Comprehensive Plan and future Street Plans include the widening or connecting of existing streets, or the establishment of new streets, the placement of all buildings and the establishment of all required yards shall be in relation to the proposed street right-of-way boundaries. Also, no building shall be erected on a lot which abuts a proposed street right-of-way unless the lot will contain the width and depth needed to complete the street width plus the width and depth of the yards required on the lot.

14.200 Special Willamette River Setback & Height Restrictions. Except for water-related and water-dependent uses (see definitions Article 14), all construction must be located outside the floodway line as defined for a 100-year storm. Development structure heights and setbacks south of the Willamette River shall not extend above a plane which begins at the floodway line and extends directly south. The angle of this plane shall be as follows:

- (1) For river-oriented uses, the angle shall be 30°.
- (2) For non river-oriented uses, the angle shall be 15°.

14.210 Special Setbacks for Schools, Churches, Public and Semi-Public Buildings. Any new construction of a school, church, or public or semi-public building shall be set back at least 25 feet from any property

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line adjoining or directly across public right-of-way from any residential district. No required front or interior yard of the lot on which such building or use is located shall be used for stockpiling or storage of materials or equipment. All other setbacks of the district within the property is located continue to apply.

14.220 Parking Restrictions in Setback Areas. Required parking and loading spaces shall not be located in a required front or side yard with the following exceptions:

- (1) Driveways providing access to garages and carports for any residential development may be used to fulfill the parking requirements.
- (2) In the CB, MUI, MUR, MS, LE, TD, PB, and ES Districts, required parking may be permitted in required front and interior yards where the minimum landscaping and buffering requirements have been met.

14.230 Dwellings Located Above Commercial Uses. The yard requirements for residential uses do not apply where a dwelling is legally located above a commercial use.

## HEIGHT

14.240 Height Standards. See Table 1 for height restrictions.

14.250 Height Exceptions.

- (1) Roof structures for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, antennas, steeples, and similar structures may be erected above the height limits prescribed in this article provided that no roof structure, feature, or any other device above the prescribed height limit shall be allowed or used for the purpose of providing additional floor space.
- (2) Churches and Public and Semi-Public Buildings. In districts where churches and certain public and semi-public buildings require Conditional Use approval, the height restrictions may be waived as a part of the Conditional Use proceedings provided that a request for such has been noted in the public hearing notice.

## OFF-STREET PARKING AND LOADING REQUIREMENTS

14.260 Parking Standards. Off-street parking and loading shall be provided for all development in the amounts indicated in Tables 3, 4, and 5 below, and shall be developed in accordance with Article 9. When square feet is specified, the area measured shall be the combined floor area of each level of a building exclusive of vent shafts, court yards, stairwells, elevator shafts, restrooms, storage rooms and rooms designed and used for the purpose of storage and operation of maintenance equipment, and covered or enclosed parking areas. The number of employees shall include those working on the premises, plus proprietors, during the largest shift at peak season. Fractional space requirements shall be counted to the nearest whole space; half spaces will be rounded up. In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements for the various uses. Off-street parking for one use shall not be considered as providing parking facilities for any other use except through the provisions of Section 9.080 (7), Joint Use of Parking Facilities.

In the ES, Elm Street Medical District, the amount of parking provided with new development shall be only the minimum required. No additional off-street parking will be allowed for development in this district.

**TABLE 2**

<b><u>ACCESSORY STRUCTURE STANDARDS</u></b>	
<b>STRUCTURE</b>	<b>STANDARD</b>
Detached Structure walls <8 ft. height	Interior setback = 3 feet
Attached structure	Interior setback = 5 feet
Detached structure walls >8 ft. height	Interior setback = 5 feet
Structures, incl. fences, intended for housing animals	Interior setback = 10 feet
Fences >6 ft. high	District setback standard; building permit required.
Outdoor swimming pools	Interior setback = 10 feet
Decks <30 in. off grade no rails, covers	No setback from property line
Decks >30 in. off grade	Interior setback = 5 feet

**TABLE 3**

<b><u>RESIDENTIAL DISTRICT (MUR and HM) PARKING STANDARDS</u></b>	
<b>USE</b>	<b>STANDARD</b>
Single Family Dwelling	2 spaces
Multiple Family Dwellings - Studio and 1-Bedroom Units - 2-Bedroom Units - 3- and 4-Bedroom Units - Quad and Quint Units - Senior Citizen Apartments - Student Housing	1.00 space per unit 1.50 spaces per unit 2.00 spaces per unit .75 space per unit 1.00 space per each 2 bedrooms 1.00 per each 2 students at capacity
Boarding and Rooming Houses	1.00 space per 2 occupants at capacity
Group Care Homes	1.00 space per employee, plus 1.00 space per each 5 beds
Mobile Home Parks	2.00 spaces per mobile home, plus 1.00 space guest parking per each 5.00 mobile homes

\*Developments within the Downtown Assessment District are not required to provide off-street parking.

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**TABLE 4**

**COMMERCIAL DISTRICT (HD, CB, MS, LE, TD, PB, ES) PARKING SPACE REQUIREMENTS**

USE	SPACES REQUIRED
Air, rail, and motor freight terminals	Subject to site plan review
Animal hospitals and clinics	1 per 400 sq ft G.F.A. (gross floor area)
Banks and financial institutions	1 per 200 sq ft on first floor plus 1 per 600 sq ft above first floor
Beauty & barber shops and other personal services	1 per 200 sq ft plus 1 per 3 employees
Bowling alleys	4 per lane
Central Business District retail trade (excluding members of downtown off-street parking assessment district)	1 per 3 employees plus 1 per 400 sq ft sales area
Churches & other places of religious assembly	1 per 6 seats or 12' of bench length (1)
Commercial recreation and assembly	Subject to site plan review
Drive-in restaurants	1 per 50 sq ft G.F.A.
Elementary, junior high, and other children's day schools	1 per classroom plus 1 per 2 employees
Funeral houses	1 per 4 seats or 8' of bench length
Furniture, machine, and office equipment sales	1 per 500 sq ft G.F.A. plus 1 per 3 employees
Golf courses (including clubhouses and accessory uses)	Subject to site plan review
Greenhouses and nurseries	2 per employee
High schools, colleges, and universities	Subject to site plan review
Hospitals	1 per 2 beds plus 1 per staff doctor plus 1 per 2 full-time employees
Industrial uses	See Section 5.120
Laundries and cleaners	1 per 300 sq ft G.F.A.
Libraries, reading rooms, museums, and art galleries	1 per 2 employees plus 1 per 500 sq ft G.F.A.
Manufacturing, storage and wholesale types	See Section 5.120

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TABLE 4 (continued)

COMMERCIAL DISTRICT (HD, CB, MS, LE, TD, PB, ES) PARKING SPACE REQUIREMENTS	
USE	SPACES REQUIRED
Medical and dental clinics	1 per 200 sq ft G.F.A.
Meeting rooms, private clubs and lodges	1 per 100 sq ft G.F.A. plus 1 per 200 sq ft G.F.A. (2)
Motels and hotels	1 per rental unit plus additional as required for accessory uses
Motor vehicle repair and service stations	1 per each 2 employees plus 2 per each service stall
Offices - all business and professional	1 per 300 sq ft G.F.A.
Philanthropic, charitable, and non-profit institutions (excluding churches)	1 per 2 employees plus 1 per 500 sq ft G.F.A.
Radio and television stations and studios	1 per 2 employees plus 1 per 300 sq ft over 2,000 sq ft G.F.A.
Rail and bus passenger terminals	5 plus 1 per 100 sq ft waiting area
Residential uses	Off-street parking not required
Sales and rental of motor vehicles, trailers, mobile homes, boats, modular houses	2 per employee
Shopping centers, food, drugs, hardware, variety and department stores	1 per 200 sq ft sales floor area
Sit-down and carry-out restaurants, taverns, bars, and nightclubs	1 per 100 sq ft G.F.A.
Skating rinks	1 per 200 sq ft G.F.A.
Specialty shops and other retail stores (under 6,000 sq ft)	1 per 300 sq ft G.F.A. plus 1 per 3 employees
Stadiums, grandstands, coliseums, auditoriums, and theaters	1 per 4 seating capacity (3)
Swimming pools, for pool only	10 plus 1 per 150 sq ft pool surface area

- (1) On-street parking within 500 feet of the building, except in residential areas, may be used toward fulfilling this requirement.
- (2) On-street parking in non-residential areas within 800 feet of the main assembly room or building may be used toward fulfilling this requirement.
- (3) On-street parking in non-residential areas within 1,000 feet of the main assembly room or building may be used toward fulfilling this requirement.

TABLE 5

**LIGHT INDUSTRIAL (MUD) DISTRICT PARKING SPACE REQUIREMENTS**

USE	SPACES REQUIRED
Air, rail, and motor freight terminals	Subject to site plan review
Building material sales	1 per 500 sq ft G.F.A.
Commercial uses	See Article 14, Table 4
Production or processing of materials, goods or products	2 per 3 employees on maximum shift plus 1 per company vehicle maintained or stored on site.
Testing, repairing, cleaning, servicing of materials, goods or products	1 per 2 employees plus 1 per company vehicle
Warehousing and wholesale	1 per 2 employees plus 1 per 300 sq ft of patron serving area plus 1 per company vehicle
Wrecking yards and junk yards	1 per employee plus 1 per 10,000 sq ft lot area

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14.270 Loading Standards. All necessary loading spaces for commercial buildings and uses shall be off the street and shall be provided in addition to the required parking spaces and shall meet the following requirements:

- (1) Vehicles in the berth shall not protrude into a public right-of-way or sidewalk. Loading berths shall be located so that vehicles are not required to back or maneuver in a public street.
- (2) A school having a capacity greater than twenty-five students shall have a driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children.
- (3) The minimum area required for commercial loading spaces is as follows:
  - (a) 250 square feet for buildings of 5,000 to 20,000 square feet of gross floor area.
  - (b) 500 square feet for buildings of 20,000 to 50,000 square feet of gross floor area.
  - (c) 750 square feet for buildings in excess of 50,000 square feet of gross floor area.
- (4) The required loading area shall not be less than ten feet in width by twenty-five feet in length and shall have an unobstructed height of fourteen feet.
- (5) Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.
- (6) Loading areas shall be subject to the same provisions as parking areas relative to plan information, setbacks, buffering/screening requirements, and lighting.

## LANDSCAPING

14.280 General. All required yards adjacent to a street (see Table 1) exclusive of accessways and other permitted intrusions are required to be landscaped prior to occupancy or within one year of building occupancy in accordance with Section 9.190. Minimum landscaping acceptable per 1000 square feet of required yard area in all Central Albany zones shall be as follows:

- (1) One (1) tree at least six feet in height.
- (2) Five (5) five-gallon or eight (8) one-gallon shrubs, trees, or accent plants.
- (3) The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.

## BUFFERING AND SCREENING

14.290 General Requirements/Matrix. In order to reduce the impacts on adjacent uses which are of a different type, buffering and screening is required in accordance with the matrix on the next page. The property owner of each proposed development is responsible for the installation and maintenance of such buffers and screens. The Director may waive the buffering/screening requirements of this section where such has been provided on the adjoining property in conformance with this Code. Where a use would be abutting another use except for separation by right-of-way, buffering (but not screening) shall be required as specified in the matrix. Where a proposed use abuts undeveloped property, only one half of the buffer width shall be required.

## BUFFER MATRIX

### PROPOSED USE

Abutting Use or Zoning District	Detached Dwellings	Attached Dwellings One story	Attached Dwellings Two+ stories	Manufactured Home Parks and Subdivisions
Detached Family Dwelling Unit/R-6.5, RS-5, or MUR District	0'	10'	10'	10' S
Attached Dwelling Unit 1-story/RM-5 District	0'	0'	0'	10' S
Attached Dwelling Unit 2+ stories/RM-3 or RM-H District	0'	0'	0'	10' S
Manufactured Home Park or RV Park or Subdivision in any District	10'	10'	10'	0'
Any Arterial Street	10' S	10' S	10' S	10' S
Commercial/Professional Uses or OP, NC, HD, CB, MS, LE, TD, PB, or ES Districts	10'	10'	10'	10' S
Light Industrial Use or MUI District	30' S	30' S	30' S	30' S
Any Parking Lot with more than 4 spaces	10' S	5' S	5' S	5' S

"S" indicates screening required.

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- 14.300            Delineation of Area. A buffer consists of an area within a required interior setback adjacent to a property line. It has a depth equal to the amount specified in the buffer matrix and contains a length equal to the length of the property line of the abutting use or uses.
- 14.310            Occupancy. A buffer area may only be occupied by utilities, screening, sidewalks, bikeways and landscaping. No buildings, accessways or parking areas are allowed in a buffer area except where an accessway has been approved by the City.
- 14.320            Buffering. The minimum improvements within a buffer area consist of the following:
- (1)            At least one row of trees. These trees will be not less than 10 feet high at time of planting for deciduous trees and spaced not more than 30 feet apart and 5 feet high at time of planting for evergreen trees and spaced not more than 15 feet apart. This requirement may be waived by the Director where it can be demonstrated that such trees would conflict with other purposes of this Code (e.g. solar access).
  - (2)            At least five 5-gallon shrubs or ten 1-gallon shrubs for each 1,000 square feet of required buffer area.
  - (3)            The remaining area treated with attractive ground cover ( e.g., lawn, bark, rock, ivy, evergreen shrubs).
- 14.330            Screening. Where screening is required or provided, the following standards apply in addition to conditions (1) and (3) above:
- (1)            One row of evergreen shrubs which will grow to form a continuous hedge at least four feet in height within two years of planting, or
  - (2)            A minimum of a five-foot fence or masonry wall constructed to provide a uniform sight-obscuring screen, or
  - (3)            An earth berm combined with evergreen plantings or a fence which forms a sight and noise buffer at least six feet in height within two years of installation.
- 14.340            Clear Vision. Buffering and screening provisions are superseded by the clear vision requirements of Section 12.180(2) where applicable.
- 14.350            Landscape Plan. In lieu of these standards a detailed landscape plan, which provides the same degree of desired buffering utilizing alternative designs, may be submitted for approval.

## OUTSIDE STORAGE

- 14.360            General.
- (1)            Outside storage or display of materials, junk, parts, or merchandise is not permitted within required front yards or buffer areas.

(2) In the HD, CB, MS, LE, TD, PB, and ES districts, open storage is permitted in yards not listed in (1) above, provided that such storage is enclosed with a sight-obscuring fence, wall, or hedge, or a berm, any or all of which must be constructed of non-combustible material. This enclosure must be located on the property at the required setback line as if the berm, fence, wall, or hedge were a building.

(a) Materials and equipment stored as permitted in this subsection must be no more than 14 feet in height above the elevation of the storage area.

(b) Open storage over six feet in height shall be screened by landscaping.

14.370

Screening of Refuse Containers. The following standards apply to all development, except for one and two family dwellings. Any refuse container or disposal area which would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area, shall be screened from view by placement of a sight obscuring fence, wall, or hedge a minimum of 6 feet in height. All refuse materials must be contained within the screened area. No refuse container shall be placed within 15 feet of a dwelling window.

## FENCES

### HM AND MUR DISTRICTS

14.380

Materials. Fences and walls shall not be constructed of or contain any material which will do bodily harm, such as barbed wire, broken glass, spikes, or any other hazardous or dangerous materials. Electric fences are not permitted.

14.390

Standards. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair including noticeable leaning toward an adjoining property or sidewalk, missing sections or slats, broken supports, non-uniform height, and overgrowth of weeds or vines.

(1) Fences shall not exceed 6 feet in height in interior yards and 4 feet in height in front yards.

(2) Corner lots, which by definition have two front yards, may have a fence of up to six feet in height in the front yard adjacent to the street which does not contain the dwelling's primary entrance when one of the following conditions is met:

(a) If the adjoining street is improved with sidewalks, the fence is located a minimum of three feet from the sidewalk.

(b) If the adjoining street is improved with curbs and gutters but no sidewalks, the fence is located 10 feet from the face of the curb.

(c) If the adjoining street is unimproved, the fence is no closer than 3 feet from the property line.

- (3) Fences more than six feet in height shall meet building setback requirements. A Building Permit is required prior to construction.
- (4) In no instance shall a fence extend beyond the property line.
- (5) All fencing shall comply with the requirements of the clear vision area [Section 12.180(2)] for streets and driveways.
- (6) Link fencing less than 7 feet in height shall be constructed in such a manner that no barbed ends shall be at the top.

**HD, CB, MS, LE, TD, PB, ES, MUI DISTRICTS**

14.400

**Materials.** Fences and walls shall not be constructed of or contain any material which will do bodily harm, such as electric or barbed wire, broken glass, spikes, or any other hazardous or dangerous materials, except as follows:

- (1) Barbed wire is permitted atop a six foot (6') chain link fence. The total height of the fence and barbed wire is limited to eight (8) feet. Barbed wire only fences and concertina wire are prohibited except as allowed in subsection (2).
- (2) Concertina wire may be used atop a six foot (6') chain link fence around correctional institutions and high security areas provided that the fences are posted at least at 15-foot intervals with clearly visible warnings of the hazard.
  - (a) Except as specified in the provisions of subsections (1) and (2) above, concertina wire, barbed wire, or upturned barbed salvage existing at the time of the passage of this ordinance that is between six and seven feet above grade is considered a legal non-conforming use, provided that the barbed wire or upturned barbed salvage does not extend over a street or alley and where it does slant toward the public right-of-way, it is located not less than one foot from said right-of-way.
- (3) Fences are limited to the height and locational standards listed below:
  - (a) Fences may be up to eight (8) feet in height provided that the fence is located behind the required front yard planting area and outside of any vision clearance area. In no instance may a fence exceed eight (8) feet in height.
  - (b) Fences more than six (6) feet in height require Building Permits.
- (4) Wherever a sight-obscuring fence, wall or hedge is required under the provisions of this Code, it must meet the following provisions:
  - (a) **Opacity.** In order to be "sight-obscuring," fences and walls will be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence or wall. Hedges will be of an evergreen species which will meet and maintain year-round the same standard within three (3) years of planting.

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- (b) Height. Fences and walls will be a minimum of six feet in height. Hedges will be of a species capable of attaining a height of at least six (6) feet within three (3) years of planting, given their age, height and health when planted.
- (c) Maintenance. Fences and walls will be maintained in safe condition and opacity is maintained as required in subsection (a) of this section. Wooden materials will be protected from rot, decay, and insect infestation. Plants forming hedges will be replaced within six (6) months after dying or becoming diseased to the point that the opacity required in subsection (a) of this section is not met.

14.410 Standards. Every fence, whether or not approved as a result of Site Plan Review, will be maintained. No fence is allowed to become or remain in a condition of disrepair including, but not limited to noticeable leaning, missing slats, broken supports, and overgrowth of weeds or vines.

### ENVIRONMENTAL

14.500 Relationship to State and Federal Regulations. In addition to the regulations of this Code each use, activity, or operation within the City of Albany shall comply with the applicable state and federal standards pertaining to noise, odor, and discharge of matter into the atmosphere, ground, sewer system, or stream.

14.510 Relationship to Other Local Regulations. Other local regulations of an environmental nature include those in Article 6 on Special Purpose Districts (i.e., floodplain, wetlands, hillsides, Willamette Greenway) and those of the Fire Department and Building Division.

Evidence of Compliance. Prior to approval of a development application, the Director may require submission of evidence demonstrating compliance with State, Federal and local environmental regulations and receipt of necessary permits.

14.520 Responsibility. Compliance with State, Federal and local environmental regulations is the continuing obligation of the property owner and operator.

14.530 Noise. The following restrictions are in addition to the State Department of Environmental Quality (DEQ) standards for purposes of City noise regulation:

- (1) For purposes of measuring permitted sound levels from noise generating sources under the provisions of DEQ rules, any point where a noise sensitive building could be constructed under the provisions of this Code shall apply as if such point contained a noise sensitive building.
- (2) Within the MUI District, each property or building under separate ownership from a noise generating source shall be considered a noise sensitive property under the provision of DEQ rules with the exception that the allowable noise levels shall be increased by 5db.

14.540 Visible Emissions. Within any of the zoning districts in the Central Albany area, there shall be no use, operation, or activity which results in a stack or other point source emission, other than an emission from space heating, or the emission of pure uncombined water (steam) which is visible from a property line.

- 14.550            Vibration. No vibration other than that caused by highway vehicles, trains, and aircraft shall be permitted in any given district which is discernible without instruments at the property line of the use concerned.
- 14.560            Odors. The emission of odorous gases or other matter in such quantities as to be readily detectable at any point beyond the property line of the use creating the odors is prohibited.
- 14.570            Glare and Heat. No direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this Code. There shall be no emission or transmission of heat or heated air so as to be discernible at the lot line of the source.
- 14.580            Insects and Rodents. All materials including wastes shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create a health hazard.

## ARTICLE 4 COMMERCIAL ZONING DISTRICTS

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**COMMERCIAL ZONING DISTRICTS**

USE DESCRIPTIONS Spec  
Cond OP NC CC CH TS

<b>1.000</b>	<b>ACCESSORY BUILDINGS AND USES</b>						
<b>1.100</b>	<b>Within Residential Districts:</b>						
1.110	Accessory buildings, garages, carports attached to the dwelling & totaling less than 1,000 sq. ft.	1	A	*	*	*	*
1.120	Detached accessory buildings, garages, carports totaling less than 750 sq. ft & having walls not greater than 11' in height.		A	*	*	*	*
1.130	All other residential district accessory buildings, garages and carports.		C	*	*	*	*
1.200	Non-Residential Accessory Buildings and Uses	1	A	A	A	A	A
<b>2.000</b>	<b>AGRICULTURAL &amp; NATURAL RESOURCES</b>						
<b>2.100</b>	<b>Crop Production Generally</b>		A	A	A	A	A
2.200	On-site Retail Sales of Site-produced Seasonal Goods Exceeding 30 days duration		C	S	S	S	*
2.300	Plant Nurseries and Greenhouses		C	C	C	S	*
2.310	Bulk bales of landscape construction materials & rock products		*	*	C	C	*
2.400	Mining, quarrying, Oil and Gas Extraction & Asphalt-Concrete Batch Plants Including On-site Sales of Products		*	*	*	C	*
2.410	Temporary staging areas for Public Works construction projects in excess of 6 months duration		C	S	S	S	*
<b>2.500</b>	<b>Tree Cutting &amp; Firewood Cutting:</b>						
2.510	Removal of 5 or more trees in excess of 10" in diameter	2	S	S	S	S	*
2.520	Commercial firewood sales lots		*	*	S	S	*
2.600	Development Within a Wetland as Designated on Plate 6 of the Comprehensive Plan		C	C	C	C	*
<b>2.700</b>	<b>Services &amp; Enterprises Related to Animals:</b>						
2.710	Raising of Animals, Livestock (subject also to Albany Municipal Code Section 6.10)		A	A	A	A	*
2.720	Kennels	3	*	*	*	C	*

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**COMMERCIAL ZONING DISTRICTS**

**USE DESCRIPTIONS**

Spec  
Cond OP NC CC CH TS

2.730	Animal Arenas, Commercial Stables, Equestrian Center		*	*	*	S	*
2.740	Veterinarians, animal hospitals		C	C	S	S	*
<b>3.000</b>	<b>ANTENNAS &amp; TOWERS</b>						
3.100	Public & Commercial Communication Towers & Transmitters Over 50 Feet in Height		*	*	C	C	*
3.200	Antennas, Regardless of Size, Owned & Operated by FCC Licensed Member of Amateur Radio Service		A	A	A	A	*
3.300	Satellite Dish & All Other Antennas	4	A	A	A	A	A
<b>4.000</b>	<b>ASSEMBLING, PROCESSING, ANALYZING, MANUFACTURING, PACKAGING, CREATING, TREATING, &amp; RENOVATING GOODS, MERCHANDISE, FOOD, PRODUCTS &amp; EQUIPMENT</b>						
4.100	Operations & Related Storage Conducted Entirely Within Enclosed Buildings (except shipping & loading):						
4.110	Majority of dollar volume of business done with walk-in trade	5	*	*	S	S	*
4.120	Majority of dollar volume of business not done with walk-in trade	5	*	*	*	C	*
4.200	Operations Conducted Partially or Wholly Outside of Enclosed Buildings (including storage)	5	*	*	*	C	*
<b>5.000</b>	<b>EATING &amp; DRINKING ESTABLISHMENTS</b>						
5.100	No Substantial Carry-Out or Delivery Service & No Drive-In Service		C	S	S	S	*
5.200	Delicatessen, Bake Shop, & Sales of Other Prepared Food Products Where Substantial Consumption is Expected to Occur Off-Premises and not Involving Drive-Up or Delivery Service		C	S	S	S	*
5.300	Food Establishments With Drive-Up Windows		*	*	S	S	S
5.400	All Other Restaurants & Eating Establishments		*	C	S	S	S
5.500	Taverns, Bars, Nightclubs		*	*	S	S	*
<b>6.000</b>	<b>EDUCATIONAL AND RELIGIOUS</b>						
6.100	Private or Public Schools:						

**COMMERCIAL ZONING DISTRICTS**

USE DESCRIPTIONS Spec  
Cond OP NC CC CH TS

6.110	Primary, elementary, & secondary school (includes associated grounds, facilities & administrative offices)	6	C	*	C	*	*
6.120	Trade or vocational schools		C	*	S	S	*
6.130	Colleges, universities, community colleges (including associated facilities like dorms, offices, athletic fields, stadiums, research facilities)		C	C	C	*	*
6.200	Churches, Synagogues, & Temples (includes associated grounds, facilities & administrative offices)	6	C	C	S	S	*
6.300	Art Studios, Galleries, & Centers, Fine Arts Conservatories, Music Schools, Dance Studios, & Similar Cultural Uses (includes associated educational & instructional activities)		S	S	S	S	*
6.400	Libraries, Museums		S	S	S	S	*
6.500	Fraternal Clubs & Lodges, Union Halls		*	*	S	S	*
7.000	<b>OFFICES, SERVICES, &amp; RESEARCH NOT PRIMARILY RELATED TO ON-SITE RETAIL SALES OR MANUFACTURE OF GOODS OR MERCHANDISE</b>						
7.100	Offices Intended to Attract & Serve Customers or Clients on Premises (e.g. attorneys, physicians, counselors, financial institutions, insurance, travel agents, investment services, advertising agencies, real estate, mortuaries)		S	S	S	S	*
7.200	Offices with Limited Customer or Client Traffic (e.g. corporate offices, newspaper, radio, & television offices & studios, engineers, answering or dispatch service)		S	*	S	S	*
8.000	<b>PARKING LOTS</b>						
8.100	<b>Vehicle &amp; Equipment Parking not Incidental or Accessory to Another Use Located on the Same Property:</b>						
8.110	Overnight or long-term vehicle or equipment storage lots (e.g. RV storage, contractor equipment storage)		*	*	*	S	*
8.120	Commercial parking, garages, pay lots		C	C	S	S	*
8.130	Off-site parking lots for commercial, education, religious, & institutional uses		C	C	S	S	*
8.200	<b>All Other On-Site Parking Lots for Approved Uses</b>						
9.000	<b>PUBLIC &amp; SEMI-PUBLIC USES</b>						

**COMMERCIAL ZONING DISTRICTS**

USE DESCRIPTIONS	Spec Cond	OP	NC	CC	CH	TS
9.100 Emergency Services (e.g. police & fire stations, ambulance & rescue services)		C	C	S	S	*
9.200 Government Offices		C	*	S	S	*
9.300 Alleys, Streets, Highways, Bridges, Sidewalks, Bikepaths, & Related Transportation Facilities Subject Only to Special District Regulations of Article 11		A	A	A	A	A
9.400 Utility Facilities:						
9.410 Neighborhood utilities including pump stations, electric substations less than 5,000 sq. ft & all local utility lines		A	A	A	A	*
9.420 Regional/community utilities including treatment plants, major power generation, major storage facilities, regional transmission facilities, major overhead power lines requiring tower support structures.		C	C	C	C	C
9.500 Cemeteries, Crematoriums, & Mausoleums		*	*	*	C	*
10.000 RECREATION, ENTERTAINMENT, PUBLIC ASSEMBLY						
10.100 Activities Conducted Primarily within Structures:						
10.110 Bowling alleys, skating rinks, pool halls		*	*	S	S	*
10.120 Indoor racquet sports clubs; spas; athletic, exercise, & health clubs; and similar facilities not constructed as part of planned residential development		C	C	S	S	*
10.130 Youth clubs, senior centers, community centers		C	C	S	S	*
10.140 Theaters		*	*	S	S	*
10.150 Adult entertainment	7	*	*	S	S	*
10.160 Games, amusements, arcades		*	*	S	S	*
10.170 Coliseums, stadiums		*	*	C	C	*
10.180 Indoor gun clubs		*	*	C	C	*
10.190 Convention Center		*	*	S	S	*
10.200 Activities Conducted Primarily Outside Enclosed Buildings:						
10.210 Outdoor recreational facilities (e.g. golf & country clubs, driving ranges, swimming or tennis clubs, etc. not constructed as part of planned residential development, equestrian trails)		C	C	C	C	*

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**COMMERCIAL ZONING DISTRICTS**

USE DESCRIPTIONS	Spec Cond	OP	NC	CC	CH	TS
10.220 Miniature golf, skateboard parks, water slides, & similar uses		*	C	C	C	*
10.230 Motor race tracks		*	*	*	C	*
10.240 Drive-in movie theaters		*	*	*	C	*
10.250 Fairgrounds		*	*	C	S	S
10.260 Public Parks and recreational facilities located therein	8	C	C	C	C	*
<b>11.000 RECYCLING, SALVAGE, JUNKYARDS</b>						
<b>11.100 Recycling Centers:</b>						
11.110 Processing & sorting operations conducted entirely within enclosed structures & containing a total building area of less than 5,000 sq. ft.		*	*	C	S	*
11.120 All other material recycling operations excluding metal salvage yards & junkyards		*	*	*	C	*
11.130 Refuse transfer stations		*	*	*	C	*
<b>12.000 RESIDENTIAL</b>						
<b>12.100 Single Family Residences:</b>						
12.110 Single family detached, one dwelling per lot		A	S	*	*	*
12.120 Single family detached, more than one dwelling per lot		C	*	*	*	*
12.130 Two units attached at common wall property line	9, 10	C	*	*	*	*
12.140 Multiple single family attached units		PD	*	*	*	*
12.150 Conversion of multiple family to single family attached (condominiums)	11	S	S	S	*	*
12.160 Manufactured homes (See Article 10)		C	*	*	*	*
12.170 Manufactured home parks and subdivisions (See Article 10)		PD*	*	*	*	*
12.180 Single family attached to business use		S	S	S	S	*
12.190 Home occupations (See Article 3)		A	A	A	A	*
<b>12.220 Two-Family Residences:</b>						
12.210 Duplexes	9, 10	C	*	*	*	*

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**COMMERCIAL ZONING DISTRICTS**

USE DESCRIPTIONS	Spec Cond	OP	NC	CC	CH	TS
12.220 Primary residence with accessory apartment	12	C	S	*	*	*
12.230 Two-family residence located above first floor of business use		C	S	S	S	*
<b>12.300 Multiple Family Residences:</b>						
12.310 Located within Willamette River Greenway Boundary		C	*	*	*	*
12.320 Located above first floor of business use		PD	S	S	*	*
12.330 Quad or quint apartment dwellings		PD	*	*	*	*
12.340 All other multiple family dwellings		PD	*	*	*	*
<b>12.400 Overnight Recreational Vehicle Parks (See Article 10)</b>		*	*	C	S	*S
<b>12.500 Homes &amp; Institutions Providing Special Services, Treatment, or Supervision:</b>						
12.510 Group care home		A	S	A	A	*
12.520 Hospital		C	C	S	S	*
12.530 Child care home	13	A	A	A	A	*
12.540 Child care institution		C	C	S	C	*
12.550 Jails & detention facilities		*	*	C	S	*
<b>12.600 Miscellaneous Rooms for Rent Situations:</b>						
12.610 Rooming houses, boarding houses		*	*	S	*	*
12.620 Bed & breakfast home		C	*	S	*	*
12.630 Hotels & motels		*	*	S	S	S
<b>12.700 Temporary Residence in Conjunction with New Construction, Emergency Repair, or Night Watchman Use</b>	14	S	S	S	S	S
<b>13.000 SALES, RENTAL &amp; SERVICING OF GOODS, MERCHANDISE &amp; EQUIPMENT</b>						
<b>13.100 Automotive, Marine, Trucks, RV's, Agricultural Machinery:</b>						
13.110 Sales & rentals, including servicing		*	*	S	S	*
13.120 Parts & accessories sales which may include installation services		*	*	S	S	*
13.130 Service, minor repair, & detail shops		*	*	S	S	*S

**COMMERCIAL ZONING DISTRICTS**

USE DESCRIPTIONS	Spec Cond	OP	NC	CC	CH	TS
13.140 Paint & body work & major repair (e.g. frame straightening, engine rebuilding)		*	*	S	S	*
13.150 Automobile-oriented fuel sales with or without accessory service bays or accessory convenience sales		*	C	S	S	S
13.160 Car washes		*	C	S	S	*
13.170 Truck fuel sales, truck servicing, overnight trucking facilities & related services		*	*	C	S	*
<b>13.200 High Volume Traffic Generation Uses Conducted Within Enclosed Buildings:</b>						
13.210 Retail sales serving frequent neighborhood needs (e.g. grocery, small hardware & garden supply, pharmacies, video rentals, stationery, flowers, etc.)	15	C	S	S	S	*
13.220 Other retail sales		*	C	S	S	*
13.230 Miscellaneous rental merchandise & equipment		*	C	S	S	*
13.240 Servicing of goods, merchandise, equipment (e.g. laundromats, small appliance repair, shoe repair, tailoring)		*	S	S	S	*
13.250 Personal services (e.g. barber & beauty shops, therapeutic massage, tanning salons)		S	S	S	S	*
13.260 Wholesale sales		*	*	S	S	*
<b>13.300 Low Volume Traffic Generation Uses Conducted Within Enclosed Buildings:</b>						
13.310 Retail sales (e.g. furniture, appliance, floor covering, building supplies, industrial supplies)		*	*	S	S	*
13.320 Miscellaneous equipment, appliances, & furniture rental		*	*	S	S	*
13.330 Servicing of appliances, furniture, lawn & garden, industrial, mechanical, heating & cooling, & other bulky equipment or merchandise		*	*	S	S	*
13.340 Services offered primarily off-site (e.g. janitorial, contractors, carpet cleaning, catering, landscaping, utility services)		*	*	S	S	*
13.350 Wholesale sales		*	*	C	S	*
<b>13.400 High Volume Traffic Generation Uses Involving Storage or Display Outside Fully Enclosed Building:</b>						

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**COMMERCIAL ZONING DISTRICTS**

USE DESCRIPTIONS	Spec Cond	OP	NC	CC	CH	TS
13.410 Retail sales (e.g. lawn & garden variety stores with regularly maintained outdoor sales, building supplies)		*	*	S	S	*
13.420 Servicing merchandise & equipment		*	*	S	S	*
13.430 Wholesale sales		*	*	S	S	*
<b>13.500 Low Volume Traffic Generation Uses Involving Storage or Display Outside Fully Enclosed Building:</b>						
13.510 Retail sales & related services		*	*	S	S	*
13.520 Miscellaneous goods & equipment rental		*	*	S	S	*
13.530 On-site servicing of appliances, furniture, lawn & garden, heating & cooling, industrial, mechanical & other bulky equipment or merchandise		*	*	C	S	*
13.540 Services offered primarily off-site. (See 13.340)		*	*	C	S	*
13.550 Wholesale sales		*	*	C	S	*
<b>14.000 STORAGE &amp; WAREHOUSING</b>						
<b>14.100 Warehousing or Storage of Goods Not Including Sale or use of Those Goods on the Same Property Where They are Stored Except as Accessory Use Activity:</b>						
14.110 All storage within completely enclosed structures		*	*	*	S	*
14.120 Outside storage or combination of inside & outside storage		*	*	*	C	*
14.130 Mini-warehouses/self-service storage facilities intended for domestic storage	16	*	*	C	S	*
<b>15.000 TRANSPORTATION</b>						
15.100 Bus Stations		*	*	C	S	*
15.200 Train Stations		*	*	S	S	*
15.300 Taxi Business		*	*	S	S	*
15.400 Trucking		*	*	*	S	*
15.500 Railroad Switching Yard & Major Loading & Unloading Facilities		*	*	*	S	*
15.600 Heliport		C	*	C	C	*



TABLE 1

COMMERCIAL DISTRICT DEVELOPMENT STANDARDS					
STANDARD	OP	NC	CC	CH	
<b>Minimum:</b>					
Lot Size	5,000 sq ft (1)	6,000 sq ft	15,000 sq ft (2)	25,000 sq ft	
Lot Width	40'(1)	60'	100'	125'	
Lot Depth	80'(1)	80'	150'	200'	
Landscaped Area (3)	100%	100%	100%	100%	
<b>Minimum Setbacks:</b>					
Front	15'	15'	5'	10'	
Interior	5' (4)	(5)	(5)	(5)(6)	
<b>Maximum:</b>					
Height	30'	30'	50'	No Limit	
Lot Coverage (7)	70%	70%	90%	No Limit	

- (1) Standards shown are for business and single family attached uses, minimum standards for single family detached are: 6,000 square foot lot size; 50' lot width; and 80' lot depth.
- (2) Except where joint access and parking is shared with an adjoining property, in which case the combined properties must total at least 15,000 square feet.
- (3) All yards adjacent to streets.
- (4) Single story, 2 or more stories = 8'.
- (5) Yards abutting residential districts and/or uses require 1 foot of setback for each foot of wall height with a minimum setback of 10 feet. For yards abutting commercial or industrial districts, no interior setback is required.
- (6) No setbacks are required for buildings abutting railroad rights-of-way.
- (7) Includes building and parking area coverage.
- (8) See Section 4.110, Minimum Floor Area Ratio.
- (9) Unless in Airport Approach Overlay District.

## SETBACKS

- 4.100 Minimum Standards. All setbacks shall meet the minimum standards as set forth in Table 1, Development Standards. In addition to the setbacks in this Article, all development must comply with Section 6.160, Clear Vision Area. See also Table 2, Article 3, Accessory Structure Standards.
- 4.110 Measurements. Setback distances shall be measured perpendicular to all portions of a lot line.
- ~~4.120 Minimum Floor Area Ratio Required in CB District. Within the Central Business District, there shall be a minimum of one square foot of building floor area (which may include landscaped area but not parking areas for purposes of this section only) for each square foot of buildable lot area for all new developments except the following:~~
- ~~(1) Expansions to existing buildings.~~
  - ~~(2) Public parking and open space uses.~~
  - ~~(3) Development within the Willamette River Greenway Boundary.~~
- 4.130 Setback Alternate in Developed Areas. When an addition or new development is proposed to be located in an area containing the same type of uses which have been developed to a previous setback standard, the Director or review body may approve setbacks which are the same as those for the existing buildings on the site for additions, or the same as those for buildings on adjoining parcels for new development. In such instances, the Type I procedure shall be used to process requests and approval shall be based upon the following criteria:
- (1) The amount of area between buildings is sufficient to provide adequate property maintenance and rear yard access.
  - (2) If there are non-accessory structures on both abutting lots with front yards of less than the depth otherwise required, the front yard for a lot need not exceed the average front yard of the abutting structure.
  - (3) If there is a non-accessory structure on one abutting lot with a front yard of less than the depth otherwise required, the front yard for a lot need not exceed a depth one-half way between the depth of the abutting front yard and the required front yard depth.
  - (4) A driveway extending not less than 20 feet from the street right-of-way must precede on-site parking spaces or structures.
  - (5) No wall of one dwelling unit is closer than 10 feet from a window of another dwelling unit.
  - (6) All other provisions of this Code must be met.
- 4.140 General Exceptions to Setback Requirements. The following intrusions may project into required yards provided that the conditions and limitations indicated are adhered to:
- (1) Depressed Areas. In any district, open work fences, berms, hedges, guard railings, or other landscaping or architectural devices for safety protection around depressed areas, ramps, stairs,

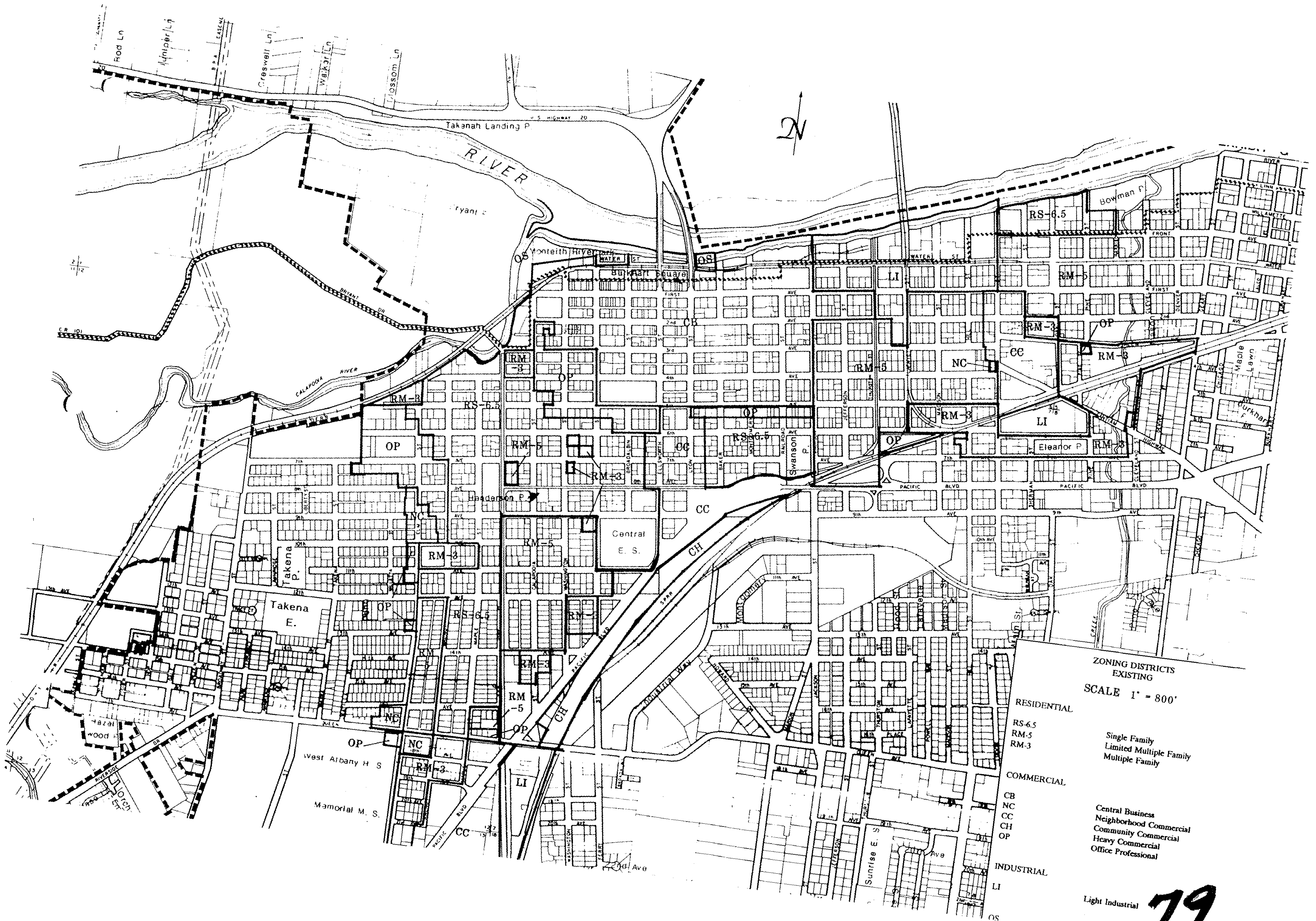
# BUFFER MATRIX

## PROPOSED USE

Abutting Use or Zoning District	Detached Dwellings	Attached Dwellings 1 story	Attached Dwellings 2+ stories	Manufactured Home Subdivisions	Commercial & Professional Uses	Industrial Park Uses	Light Industrial Use	Heavy Industrial Use	Any Parking Lot with more than 4 spaces
Detached Family Dwelling Unit/RS-6.5 or RS-5 District	0'	0'	10'	10' S	10' S	30' S	30' S	40' S	10' S
Dwelling Unit 1-story/RM-5 District	0'	0'	10'	10' S	10' S	30' S	30' S	40' S	10' S
Attached Dwelling Unit 2+ stories or RM-3 or RH District	0'	0'	10'	10' S	10' S	30' S	30' S	40' S	10' S
Manufactured Home Park or Subdivision in any District	10'	10'	10'	0'	10' S	30' S	30' S	40' S	10' S
Any Arterial Street	10' S	10' S	10' S	10' S	10'	0'	10'	10'	10'
Commercial/Professional Uses or RP, NC, CC, CB, or CH Districts	10'	10'	10'	10' S	0'	20'	0'	20' S	0'
Industrial Park District	20'	20'	20'	20' S	0'	0'	0'	5'	0'
Light Industrial District	30' S	30' S	30' S	30' S	0'	20'	0'	0'	0'
Heavy Industrial District	40' S	40' S	40' S	40' S	20'	20'	0'	0'	0'
Any Parking Lot with more than 4 spaces	10' S	5' S	5' S	5' S	0'	0'	0'	0'	0'

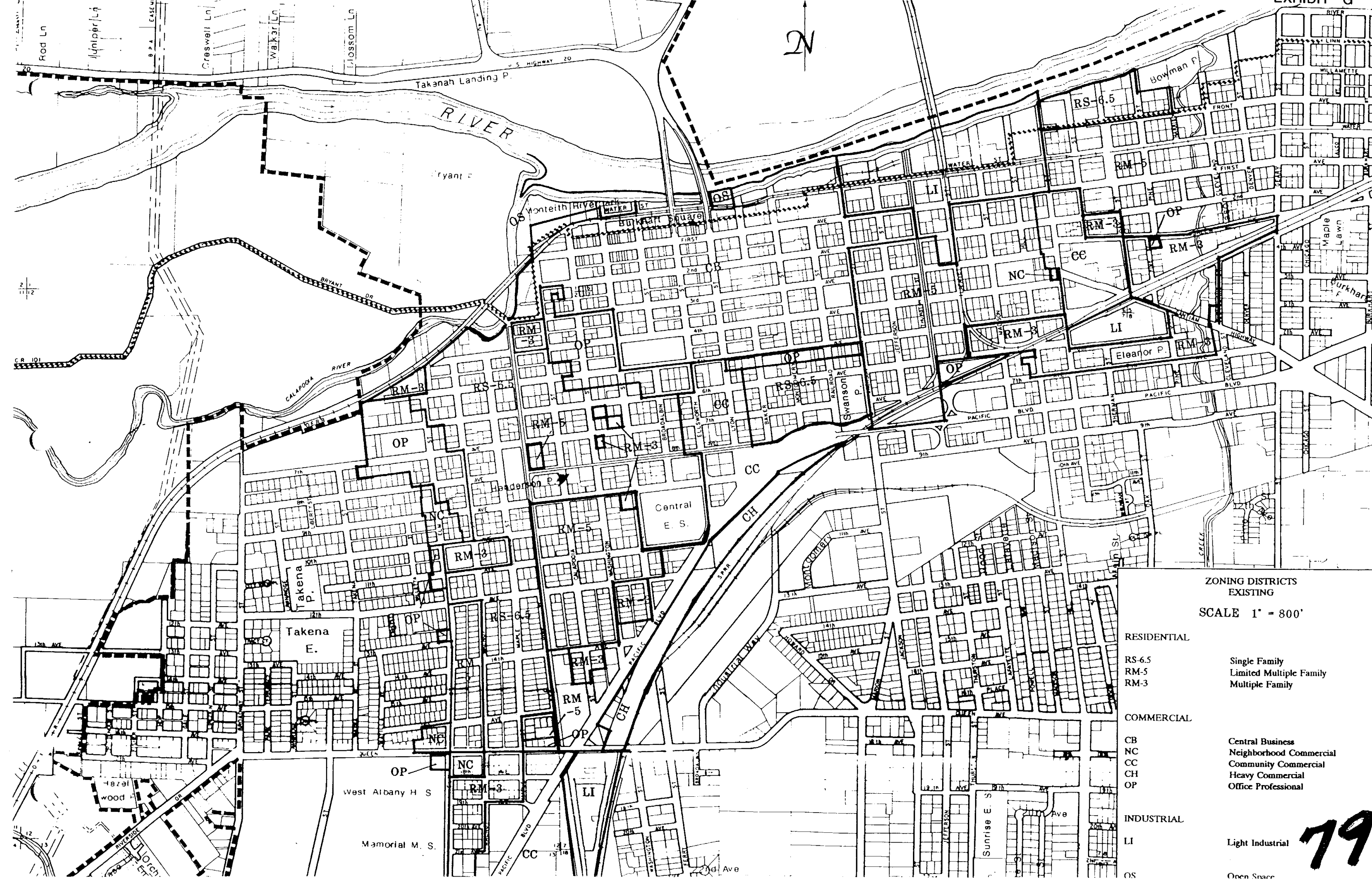
"S" indicates screening required.

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ZONING DISTRICTS  
EXISTING  
SCALE 1" = 800'

- RESIDENTIAL
    - RS-6.5
    - RM-5
    - RM-3
  - COMMERCIAL
    - CB
    - NC
    - CC
    - CH
    - OP
  - INDUSTRIAL
    - LI
    - OS
- Single Family  
Limited Multiple Family  
Multiple Family
- Central Business  
Neighborhood Commercial  
Community Commercial  
Heavy Commercial  
Office Professional
- Light Industrial  
Open Space



ZONING DISTRICTS  
EXISTING  
SCALE 1" = 800'

- RESIDENTIAL
  - RS-6.5 Single Family
  - RM-5 Limited Multiple Family
  - RM-3 Multiple Family
- COMMERCIAL
  - CB Central Business
  - NC Neighborhood Commercial
  - CC Community Commercial
  - CH Heavy Commercial
  - OP Office Professional
- INDUSTRIAL
  - LI Light Industrial
  - OS Open Space

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ZONING DISTRICTS PROPOSED  
 SCALE 1" = 800'

- HD Historic Downtown
- CB Central Business
- MU Riverfront Mixed Use
- MS Main Street
- LE Lyon-Ellsworth
- TD Transit District
- PB Pacific Boulevard
- HM Hackleman-Monclith
- ES Elm Street
- OS Open Space

