

CITY of BOARDMAN

Community Development

STAFF REPORT

DATE: May 20, 2015

TO: Boardman Planning Commission and Interested Parties

FROM: Barry C. Beyeler, Community Development Director

SUBJECT: Post Acknowledgement Plan Amendment 2-2015

BACKGROUND:

In the early 70's Desert Springs Estates was established a mobile home park outside of the city limits of the City of Boardman. Desert Springs was constructed and operated as a mobile home park with a single owner of a single tax lot with spaces for mobile homes meeting the Oregon Manufactured Dwelling and Park Specialty Code in place at the time. This code allows for setback requirements less than would be allowed in a typical residential neighborhood design.

In 1985, as a result of Desert Springs Estates desiring to access city utility services, Desert Springs Estates was annexed into the city. As a part of the annexation the western half of the park was split into individual lots to be sold to the home owners. The other half was also intended to be subdivided in a second phase. The second phase was never accomplished. The 5 lots which had been sold were bought out with change of ownership and Desert Springs Estates was again operated as a mobile home park.

In October of 2002, the city adopted the Boardman Development Code changing to a codified language rather than a series of Ordinances for land use decisions. Within Chapter 2.1-Residential District, setback criteria were set up for 15 foot front yard and back yard setbacks and 7 foot side yard setbacks. The Oregon Manufactured Dwelling and Park Specialty Code allows a 3 foot side yard setback which does not meet the existing setback requirements of the Residential District.

In January of 2014, The Bella Vista Estate Cooperative was formed and began management and operation as a manufacture home park with the cooperative owning the lots. Construction within the subdivided portion of the park became problematic, as the residential setbacks could not be met because the original design did not meet and the Cooperative's Board of Directors became responsible for land use decisions within the park by the bylaws of the Cooperative. However, although the Cooperative was operating as a park, the subdivided portion is still subject to residential zoning requirements, including the setbacks.

After meeting with the Cooperative's Board and consultant, the City Manager, Community Development Director and the Building Official it was determined the Cooperative would apply for a zone change or a language remedy to allow for building permits to be issues by reverting the subdivided portion of the park to follow the criteria it was designed to, with the Oregon Manufactured Dwelling and Park Specialty Code.

LANGUAGE CHANGE SPECIFICS:

Changes were made to language in §2.1.500(A)(5) to address the subdivided portion of Bella Vista Estates Cooperatives properties. These changes allow for the Desert Springs Estates Phase I Subdivision to be operated as a manufactured dwelling Park and follow the same rules as the rest of the park by adhering to the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.

Chapter 2.1 – Residential District

2.1.500 – Manufactured Home Park Sub District (MH) *(continued)*

5) Desert Springs Estates Phase I Subdivision

Purpose: The purpose of establishment of this section is to resolve siting and construction conflicts with the Boardman Development Code due to the original design criteria of a Manufactured Home Park not being aligned with a portion of the park. These conflicts are due to manufactured home park lot sizes, and allowed setbacks, being markedly different than language called for in this chapter of the Development Code. The original design, consistent with today’s rules, are primarily contained in the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition, and are conflicting with existing code language for lot size and setbacks.

Permitted Uses:

- A) Siting of manufactured homes within the subdivided portion, still recorded as Desert Springs Estates Phase 1, owned by the Bella Vista Estates Cooperative Manufactured Home Park. Siting must be in accordance with the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.
- B) Accessory Structures which do not encroach into dedicated easements or rights-of-way within the Desert Springs Estates Phase 1 subdivision.
- C) Open Spaces and Playgrounds in accordance with the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.

Setbacks:

Setbacks within the Desert Springs Estates Phase 1 subdivision shall be consistent with §Chapter 9 Fire and Life Safety Table 9-A, of the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.

FINDINGS:

- 1) On February 24, 2015, Bella Vista Estates Cooperative submitted and application for a language change to remedy the moratorium of building permits in the subdivided portion of Bella Vista Estates Cooperative.

- 2) On April 15, 2015, DLCD Notice of Proposed Change to Comprehensive Plan or Land Use Regulation was submitted to DLCD.
- 3) On May 7, 2015, Public Notice of the Boardman Planning Commission Hearing on this matter was posted in the park and on public post boards, mailed to the owners of the park and published in East Oregonian newspaper.
- 4) The Boardman Planning Commission will hold a public hearing on this matter on May 27, 2015.

SUMMARY AND CONCLUSIONS:

This language change to §2.1.500(A)(5) of the Boardman Development Code, will correct inconsistencies with the subdivided portion of properties owned by the Bella Vista Estates Cooperative. These language changes provide for decisions on land use within the park to be consistent with the Cooperatives by laws, and the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.

Chapter 2.1 - Residential (R) District

Sections:

- 2.1.100 - Purpose**
- 2.1.110 - Permitted Land Uses**
- 2.1.120 - Building Setbacks**
- 2.1.130 - Lot Area and Dimensions**
- 2.1.140 - Flag Lots and Lots Accessed by Mid-Block Lanes**
- 2.1.150 - Maximum Lot Coverage**
- 2.1.160 - Building Height**
- 2.1.170 - Building Orientation**
- 2.1.180 - Design Standards**
- 2.1.190 - Special Standards for Certain Uses**
- 2.1.200 - Residential Sub Districts**
 - 2.1.300 - Future Urban (FU)**
 - 2.1.400 - Multi-Family (MF)**
 - 2.1.500 - Manufactured Home Park (MH)**
 - 2.1.600 - Sunridge Terrace Sub-District**

2.1.100 Purpose

The Residential District is intended to promote the livability, stability and improvement of the City of Boardman's neighborhoods. This chapter provides standards for the orderly expansion and improvement of neighborhoods based on the following principles:

- Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum lot areas.
- Accommodate a range of housing needs, including owner-occupied and rental housing.
- Provide for compatible building and site design at an appropriate neighborhood scale.
- Reduce reliance on the automobile for neighborhood travel and provide options for walking and bicycling. Provide direct and convenient access to schools, parks and neighborhood services.

2.1.110 Permitted Land Uses

- A. Permitted Uses.** The land uses listed in Table 2.1.110.A are permitted in the Residential District, subject to the provisions of this Chapter. Only land uses which are specifically listed in Table 2.1.110.A, and land uses which are approved as "similar" to those in Table 2.1.110, may be permitted. Land uses identified as "Sub District Only" are permitted only within the applicable Sub District. The land uses identified with a "CU" in Table 2.1.110.A require Conditional Use Permit approval prior to development or a change in use, in accordance with Chapter 4.4.
- B. Determination of Similar Land Use.** Similar use determinations shall be made in conformance with the procedures in Chapter 4.8 - Interpretations.

2.1.110 Permitted Land Uses (continued)

Table 2.1.110.A

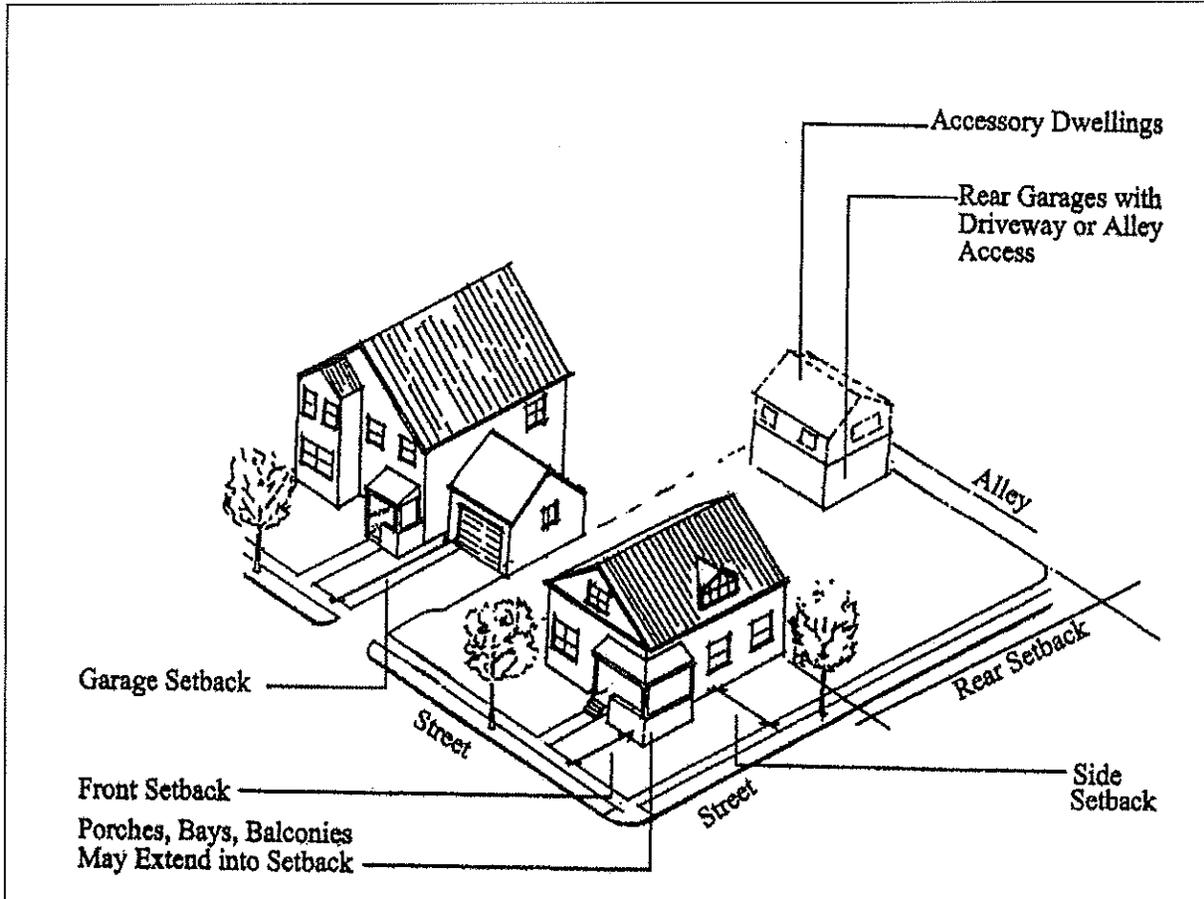
Land Uses and Building Types Permitted in the Residential District

<p>1. Residential:</p> <p><i>Single-family</i></p> <p>a. Single-family detached housing</p> <p>b. Single-family detached zero-lot line*</p> <p>c. Manufactured homes – individual lots* (Sunridge Terrace Sub-District subject to provisions of 2.1.600)</p> <p>d. Manufactured Home Park (MH Sub District only)*</p> <p>e. Single-family attached townhomes *</p> <p><i>Two- and Three-Family</i></p> <p>f. Two- and three-family housing (duplex and triplex)*</p> <p><i>Multi-family</i></p> <p>g. Multi-family housing (MF Sub District only)*</p> <p><i>Residential care</i></p> <p>h. Residential care homes and facilities*</p> <p>i. Family daycare</p>	<p>6. Public and Institutional *:</p> <p>a. Churches and places of worship (CU)</p> <p>b. Clubs, lodges, similar uses (CU)</p> <p>c. Government offices and facilities (administration, public safety, utilities, and similar uses) (CU)</p> <p>d. Libraries, museums, community centers, and similar uses (CU)</p> <p>e. Private utilities (CU)</p> <p>f. Public parks and recreational facilities (CU)</p> <p>g. Schools (public and private) (CU)</p> <p>h. Transportation Facilities and Improvements:</p> <ol style="list-style-type: none"> 1. Normal operation, maintenance; 2. Installation of improvements within the existing right-of-way; 3. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval; 4. Landscaping as part of a transportation facility; 5. Emergency Measures; 6. Street or road construction as part of an approved subdivision or partition; 7. Transportation projects that are not designated improvements in the Transportation System Plan ** (CU); and 8. Transportation projects that are not designed and constructed as part of an approved subdivision or partition** (CU) 	<p>i. Transitional housing</p> <p>j. Uses similar to those listed above</p> <p>7. Neighborhood Commercial (MF Sub District only)*:</p> <p>Each of the following uses is “size limited” and subject to provisions in Section 2.1.200 Special Standards for Certain Uses:</p> <p>a. Child Care Center (care for more than 12 children)</p> <p>b. Food services, excluding automobile-oriented uses</p> <p>c. Laundromats and dry cleaners</p> <p>d. Retail goods and services</p> <p>e. Medical and dental offices, clinics and laboratories</p> <p>f. Personal services (e.g., barber shops, salons, similar uses)</p> <p>g. Professional and administrative offices</p> <p>h. Mixed use building (residential with other permitted use)</p> <p>i. Recreational Vehicle Parks (CU)* East Columbia Ave. MF Overlay District only</p> <p>j. Other similar uses</p> <p>8. Bed & breakfast inns and vacation rentals (CU)*</p>
<p>2. Home occupations*</p> <p>3. Accessory Uses and Structures *</p> <p>4. Master Planned Neighborhoods (CU)*</p> <p>5. Agricultural/Farm Uses (FU Sub District only)</p>		

Uses marked with an asterisk (*) are subject to the standards in Section 2.1.190, “Special Standards for Certain Uses.” Temporary uses are subject to the standards in Section 4.9. ** Uses marked with two asterisks are subject to the standards in Section 4.4.400 D. CU= Conditional Use Permit Required

Only uses specifically listed in Table 2.1.110.A, and uses similar to those in Table 2.1.110.A, are permitted in the Residential District.

2.1.120 – Building Setbacks



Building Setbacks

Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sun light and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of markets and other non-residential uses. The standards encourage placement of residences close to the street for public safety and neighborhood security.

Building setbacks are measured from the face of the building, excluding porches, to the respective property line. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards, as listed on the following page and illustrated above, apply to primary structures as well as accessory structures. A variance is required in accordance with Chapter 5.1 to modify any setback standard.

2.1.120 – Building Setbacks (continued)**A. Front Yard Setbacks.**

1. Residential Uses (single family, duplex and triplex, multi-family housing types)
 - a. A minimum setback of 15 feet is required, except that an unenclosed porch may be within 8 feet of the front lot line, as long as it does not encroach into a public utility easement. See also, Section F, which provides standards for Setbacks for Established Residential Areas.
 - b. Garages and carports shall be accessed from alleys or the entrances must be set back from the front lot line a minimum of 20 feet.
 - c. Multi-family housing shall also comply with the building orientation standards in Section 2.1.180.
2. Neighborhood Commercial Buildings and Public/Institutional Buildings. A minimum front setback is not required, except as necessary to comply with the vision clearance standards in Chapter 3.1.200.

B. Rear Yard Setbacks.

The minimum rear yard setback shall be 15 feet for street-access lots and 6 feet for alley-access lots for all structures.

C. Side Yard Setbacks.

The minimum side yard setback shall be 7 feet on interior side yards, and 15 feet on street corner yards; or when zero-lot line development is permitted, the minimum side yard setbacks shall be 14 feet minimum on one side of the dwelling unit, and no setback required on the opposite side. (See standards for zero-lot line housing in Section 2.1.190.)

D. Setback Exceptions.

The following architectural features are allowed to encroach into the setback yards:

- 1) Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 3 feet.
- 2) Porches, decks and similar structures not exceeding 36 inches in height may encroach into setbacks by no more than 6 feet, subject to the front yard setback provisions in “A”.
- 3) Accessory structures of 200 square feet or less shall meet the provisions contained in 2.1.190 (F).
- 4) Walls and fences may be placed on property lines, subject to the standards in Chapter 3.2 - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 3.1.200.

2.1.120 - Building Setbacks (continued)

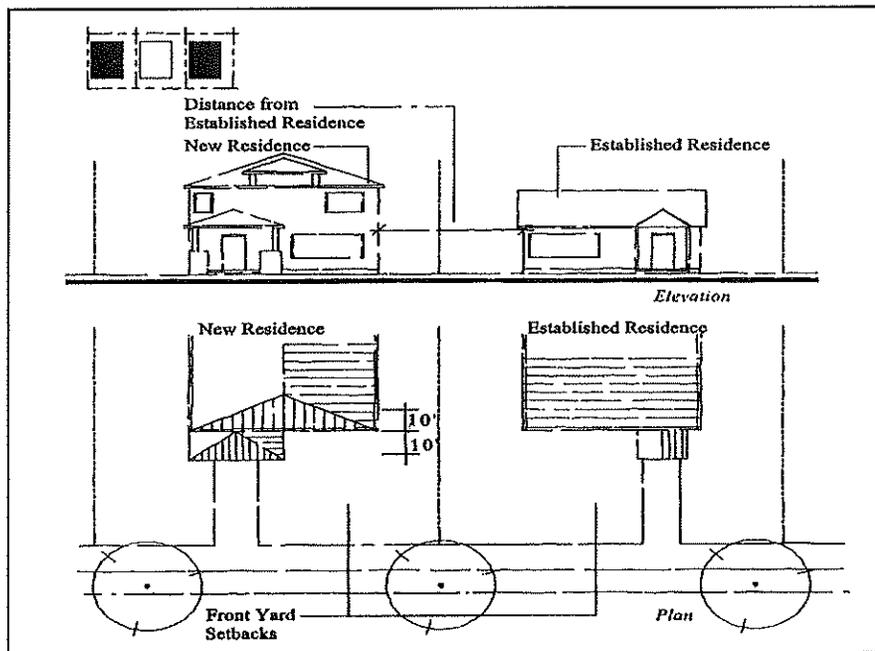
E. Special Yards - Distance Between Buildings on the Same Lot.

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least one-half (1/2) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 10 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscape yard, or other open space.

F. Setbacks for Infill Housing in Established Residential Areas.

“Established residential area” means an area within the Residential District that was platted prior to the effective date of this ordinance. In such areas, the following setback standards shall apply:

Figure 2.1.120F - Infill/Established Residential Area Setbacks

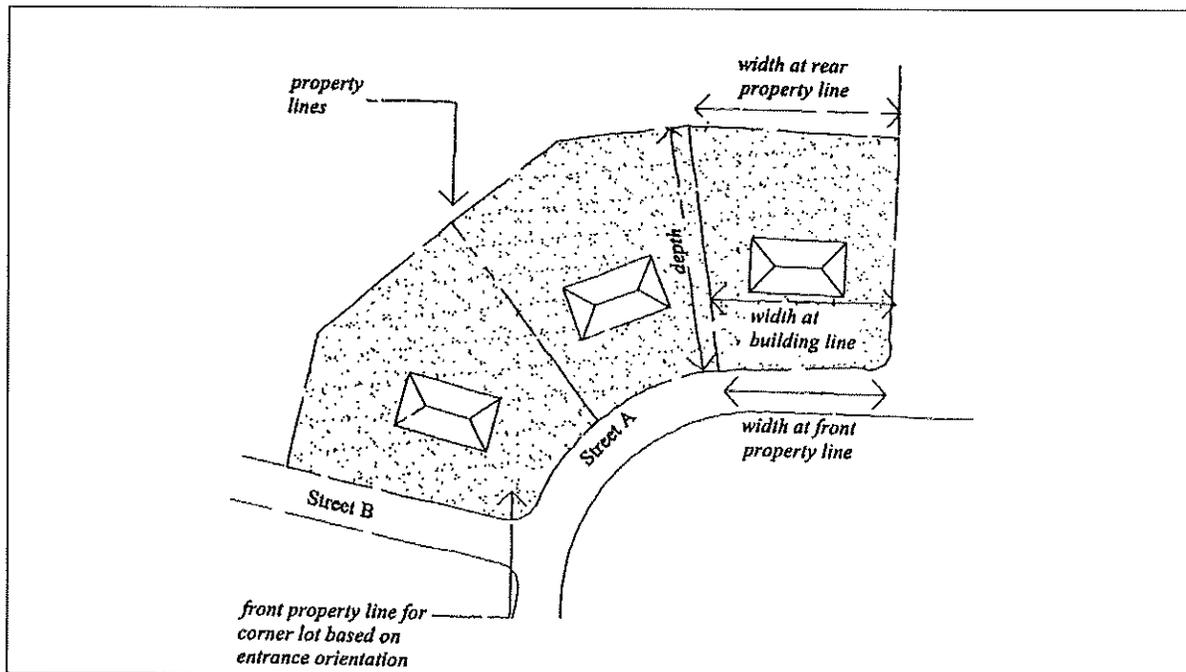


2.1.120 – Building Setbacks (continued)

1. When an existing single family residence on the same street is located within 40 feet of the subject site, a front yard setback similar to that of the nearest single family residence shall be used. “Similar” means the setback is within 5 feet of the setback provided by the nearest single family residence on the same street. For example, if the existing single family residence has a front yard setback 20 feet, then the new building shall have a front yard setback between 15 feet and 25 feet. If the new building is to be located between two existing residences, then the setback for the new building shall be based on the average setback of both adjacent residences, plus or minus 10 feet.
2. In no case shall a front yard setback be less than 10 feet. Zero-lot line houses shall comply with the standards for zero-lot line housing in Section 2.1.190.
3. The standards in 1-2 shall not be changed, except through a Class B Variance (i.e., to avoid significant trees, topographic constraints or other sensitive lands).

2.1.130 - Lot Area and Dimensions

Figure 2.1.130 - Lot Dimensions



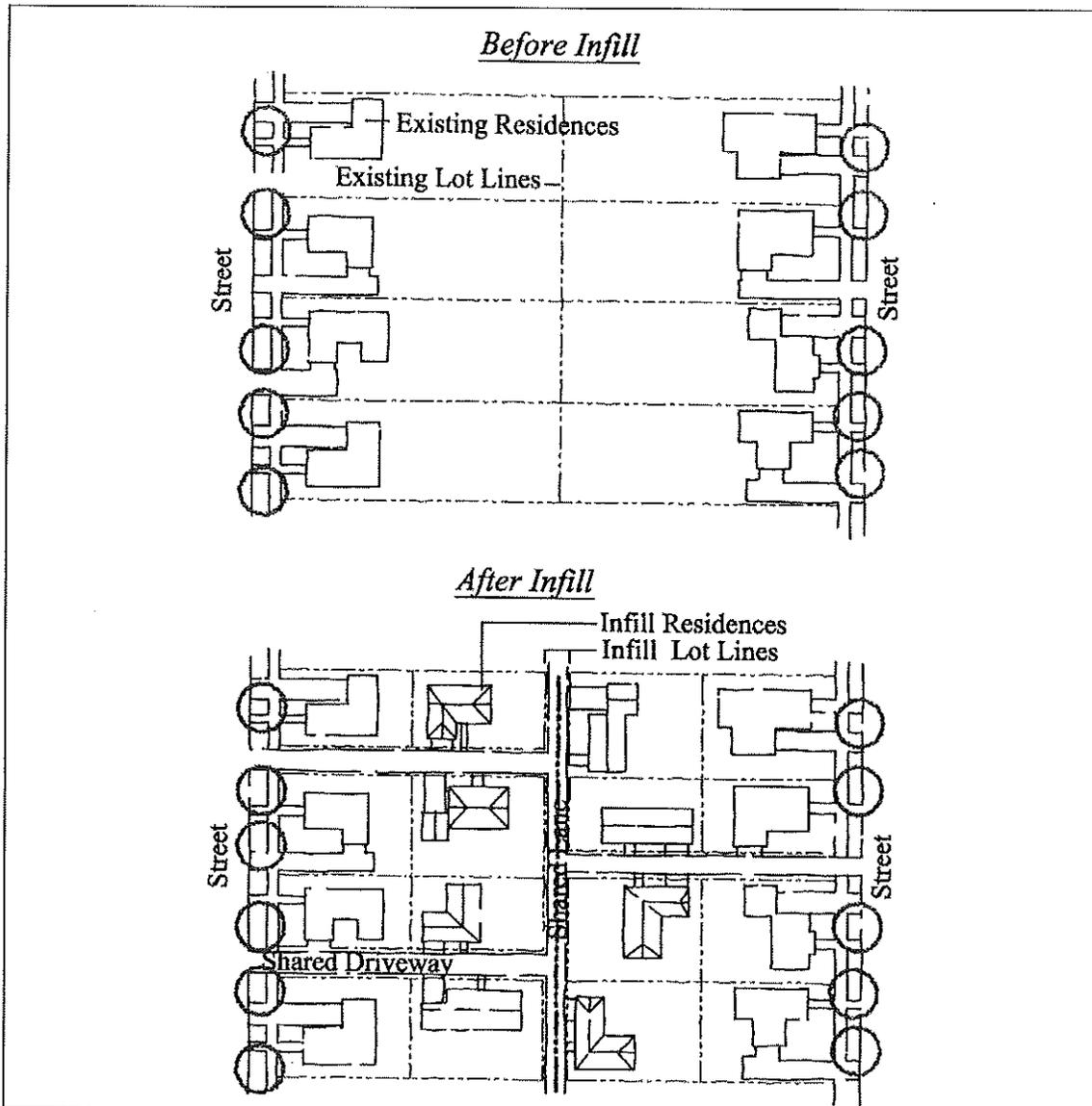
<i>Land Use</i>	<i>Lot Area*</i>	<i>Lot Width/Depth</i>	<i>Related Standards</i>
Detached Single Family Housing; Manufactured Homes on Lots	Minimum: 8,000 square feet, 6,300 square feet for lots with frontages over 80 feet.	Minimum Width: 70 feet, 30 feet for lots with a radius frontage, except for flag lots and lots served by private lanes (See Section 2.1.140) Maximum Depth: Three (3) times the lot width; except as may be required by this code (e.g., to protect sensitive lands, etc.) Minimum Depth: 70 feet as long as minimum lot area criteria is met	The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 - Building Size.
Two-and Three-Family Housing (duplex and triplex)	Minimum area for two-family: 8,000 square feet. Minimum area for Three-family: 9,000 square feet.	Minimum Width: 80 feet at front property line, except for flag lots and lots served by private lanes (See Section 2.1.140) Maximum Depth: Three (3) times the lot width; except as required to protect sensitive lands, etc.	The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 - Building Size.
Attached (Townhome) Single Family Housing	Minimum area: 3,000 square feet.	Minimum Width: 30 feet at front property line, except for flag lots and lots served by private lanes (See Section 2.1.140) Maximum Depth: Three (3) times the lot width except as may be required by this code (e.g., to protect sensitive lands, etc.)	The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 Building Size.
Multi-family Housing (more than 3 units)	Minimum area: 10,000 square feet.	Minimum Width: 80 feet at front property line. Maximum Depth: None.	The maximum lot/parcel area is controlled by the Block Area standards in Chapter 3.1 - Access and Circulation.
Manufactured Home Parks	See Section 2.1.190 for Manufactured Home Park standards.		
Public and Institutional Uses	Minimum area: None.	Minimum Width: 60 feet at front property line. Maximum Depth: None.	The maximum lot/parcel area is controlled by the Block Area standards in Chapter 3.1 - Access and Circulation.
Residential Commercial Uses	Minimum area: None.	Minimum Width: 60 feet at front property line. Maximum Depth: None.	The maximum lot/parcel area is indirectly controlled by the floor area standards for Residential Commercial development, as provided in Section 2.1.200.

*Lot sizes in proposed subdivisions may be averaged so that average lot size is in this range.

2.1.140 - Flag Lots and Lots Accessed by Mid-Block Lanes

As shown below, some lots in existing neighborhoods may have standard widths but may be unusually deep compared to other lots in the area. Essentially unused space at the back of a lot may provide room for one or more lots for infill housing. Infill lots may be developed as “flag lots” or “mid-block developments”, as defined below:

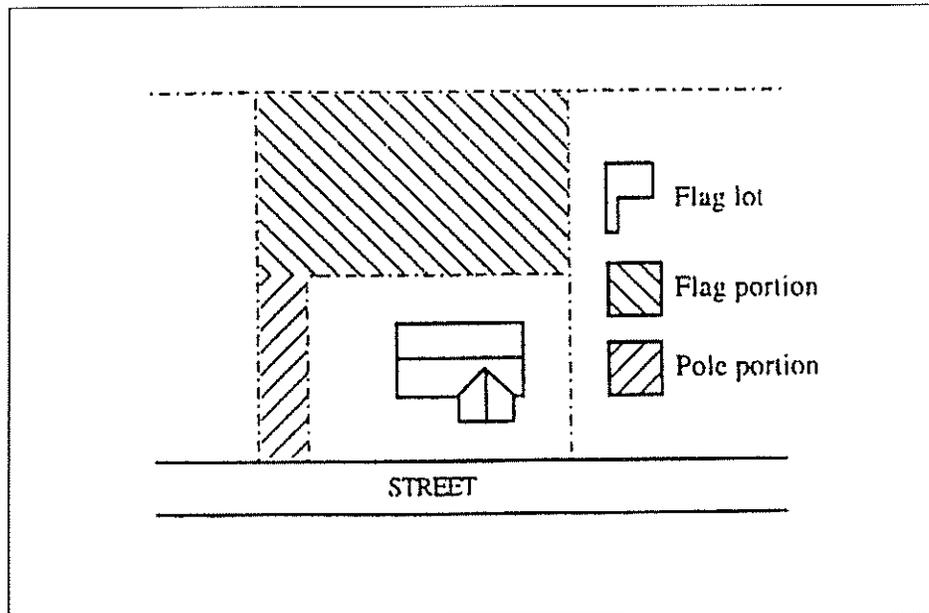
Figure 2.1.140A – Mid-block Infill



2.1.140 - Flag Lots and Lots Accessed by Mid-Block Lanes (continued)

- A. Mid-block lanes.** Lots may be developed without frontage onto a public street when lot access is provided by a series of mid-block lanes, as shown above. Mid-block lanes shall be required whenever practicable as an alternative to approving flag lots. The lanes shall meet the standards for alleys, per Chapter 3.4.100, and subsections C-F, below.

Figure 2.1.140B - Flag Lot (Typical)



- B. Flag lots.** Flag lots may be created only when mid-block lanes cannot be extended to serve future development. A flag lot driveway may serve no more than two (2) dwelling units, including accessory dwellings and dwellings on individual lots, unless Uniform Fire Code (UFC) standards are met for more units. When UFC standards are met, the maximum number of dwellings shall be six (6). A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area.
- C. Driveway and lane width.** The minimum width of all shared drives and lanes shall be 12 feet; the maximum width is 20 feet, except as required by the Uniform Fire Code.
- D. Dedication of drive lane.** The owner shall dedicate 12 feet of right-of-way or record a 12 foot wide easement (i.e., 6 feet from each property sharing a drive) for vehicle access similar to an alley. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat.
- E. Maximum drive lane length.** The maximum drive lane length is subject to requirements of the Uniform Fire Code, but shall not exceed 150 feet for a shared side drive, and 400 feet for a shared rear lane.

2.1.140 - Flag Lots and Lots Accessed by Mid-Block Lanes (continued)

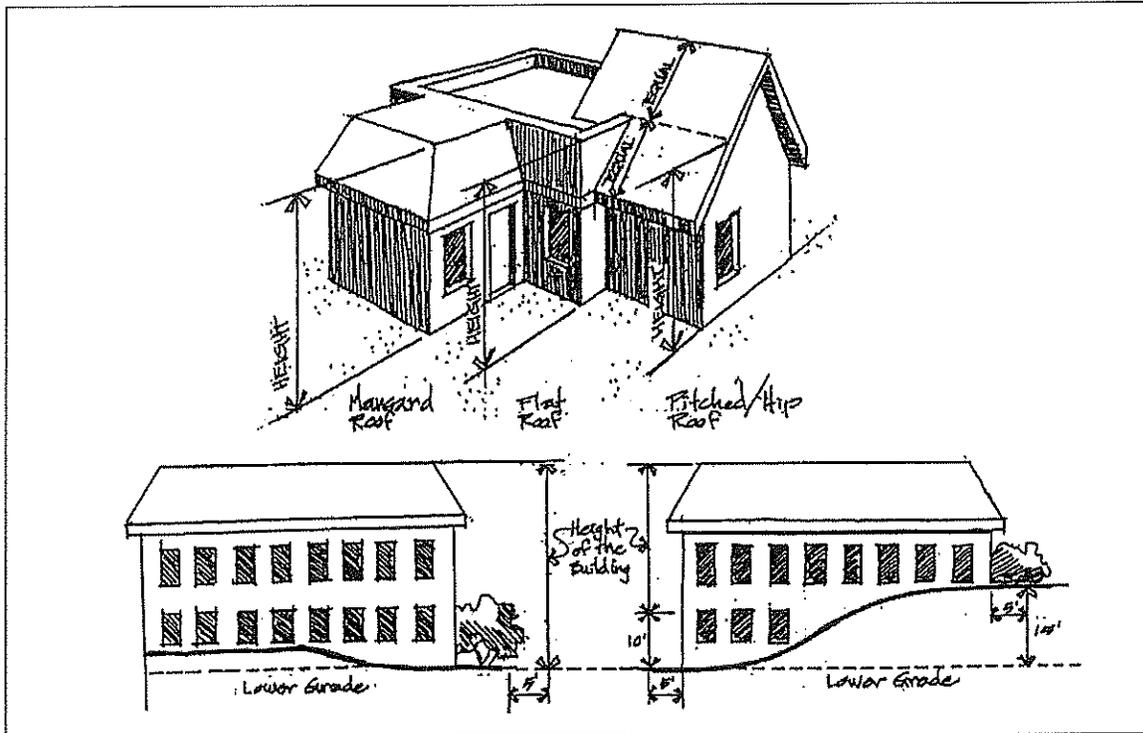
- F. Future street plans.** Building placement and alignment of shared drives shall be designed so that future street connections can be made as surrounding properties develop (i.e., as shown in Figure 2.1.140A).
- G. Flag lot access.** Flag lots shall not be permitted when the result would be to increase the number of properties requiring direct and individual access connections to the State Highway system or other arterials.
- H. Waiver of Remonstrance.** A waiver is required for all utility improvements. Utility upgrade may be required for approval.

2.1.150 - Maximum Lot Coverage

- A. Maximum Lot Coverage.** The following maximum lot coverage standards shall apply to all development in this district:
1. Single Family Detached Houses - 40 percent
 2. Duplexes and Triplexes - 60 percent
 3. Single Family Attached Townhomes - 60 percent
 4. Multiple Family Housing - 60 percent
 5. Neighborhood Commercial and Public/Institutional Uses - 80 percent
- B. Lot Coverage Defined.** "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 36 inches above the finished grade.
- C. Compliance.** Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

2.1.160 - Building Height

Figure 2.1.160 - Building Height Measurement (Composite of Several Roof Forms)

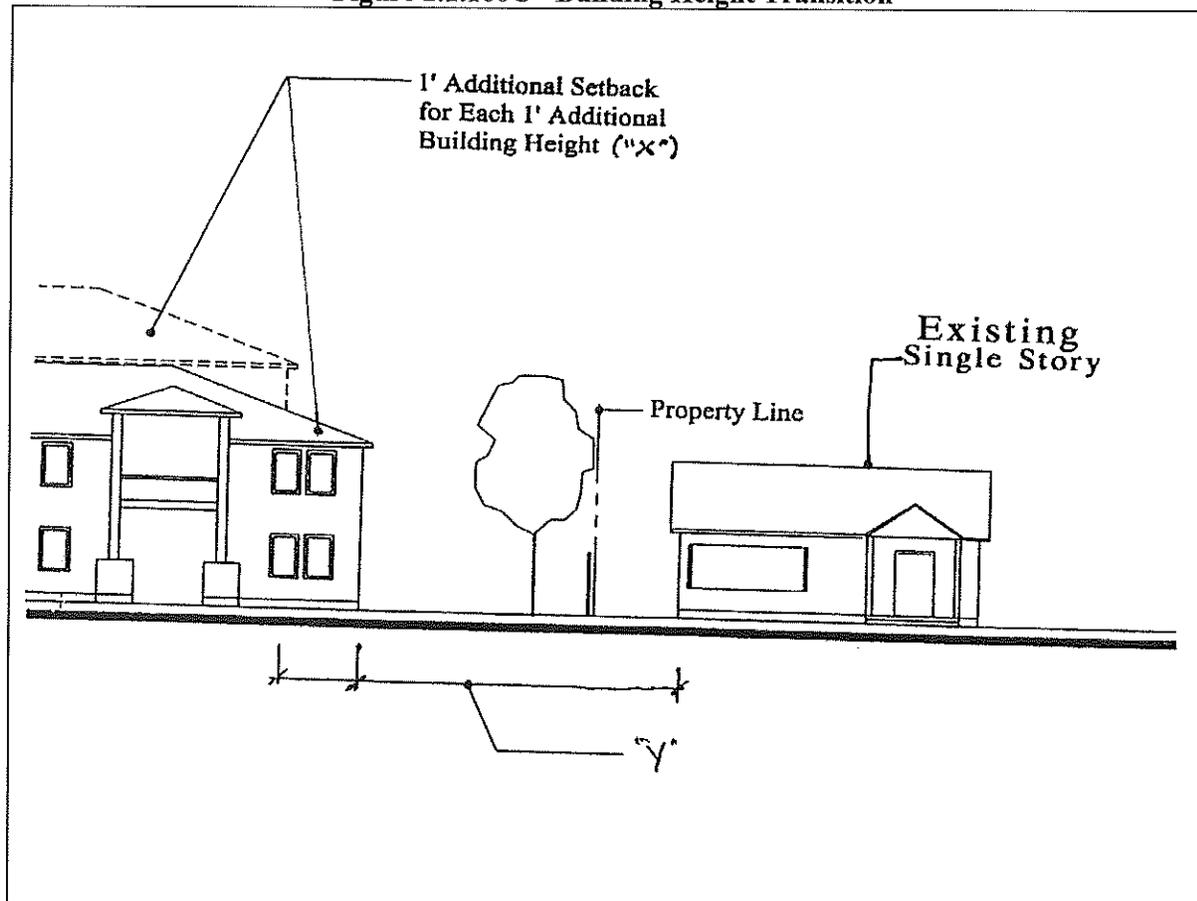


The following building height standards are intended to promote land use compatibility and support the principle of neighborhood-scale design:

- A. Building Height Standard.** Buildings within the Residential District shall be no more than 35 feet for gabled roofs; 30 foot for flat roofs or 2 ½ stories high, whichever is greater, and buildings within the Multi-family Sub District may be up to 30 feet or 3 stories. Building height may be restricted to less than these maximums when necessary to comply with the Building Height Transition standard in “C” below. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flagpoles, and similar features which are not for human occupancy.
- B. Method of Measurement.** “Building height” is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof (See above examples). The reference datum shall be selected by either of the following, whichever yields a greater height of building:
- The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;

2.1.160 - Building Height (continued)

- b. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection 'a' is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

Figure 2.1.160C - Building Height Transition


C. Building Height Transition. To provide compatible building scale and privacy between developments, taller buildings shall “step-down” to create a building height transition to adjacent single-story building(s).

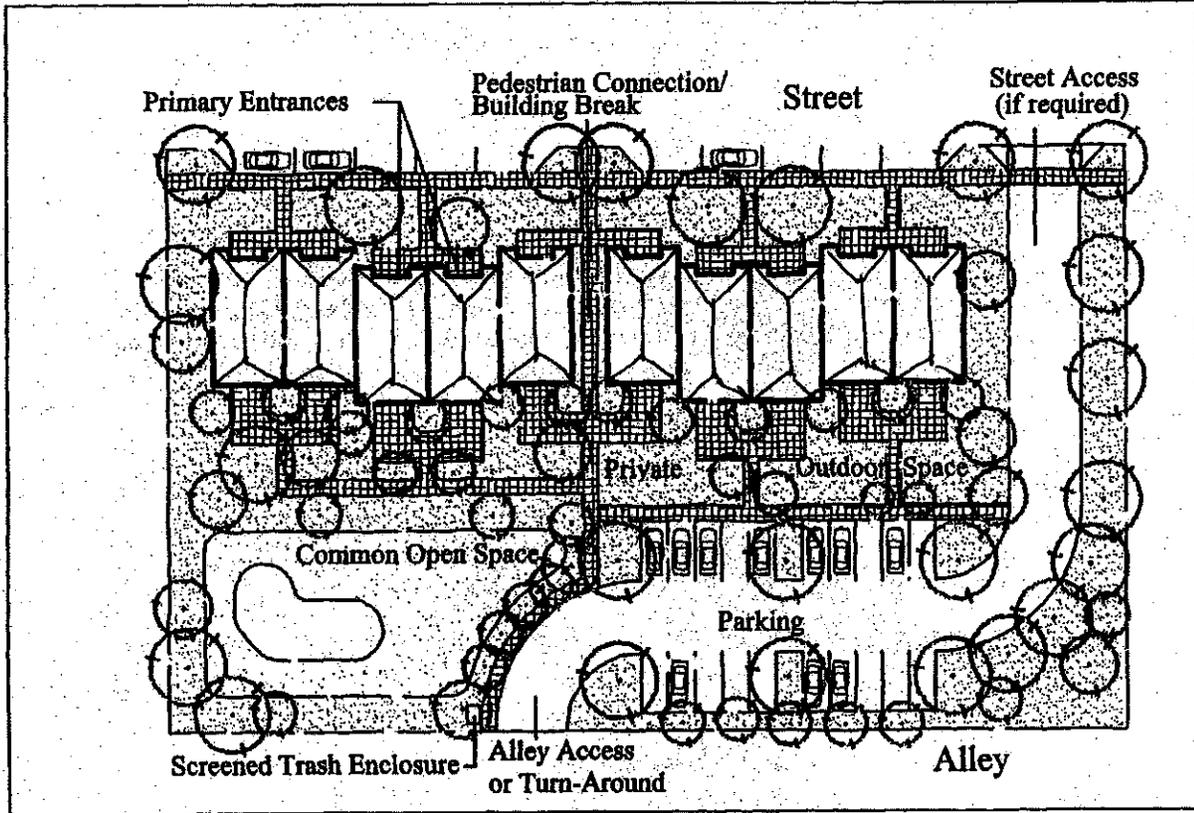
1. This standard applies to new and vertically expanded buildings within 20 feet (as measured horizontally) of an existing single-story building with a height of 20 feet or less, as shown above.
2. The building height transition standard is met when the height of the taller building (“x”) does not exceed one (1) foot of height for every one (1) foot separating the two buildings (“y”), as shown above.

2.1.170 - Building Orientation**Typical Building Orientation
(Illustrations on following pages)**

- A. Purpose.** The following standards are intended to orient buildings close to the street to promote human-scale development, slow traffic down, and encourage walking in neighborhoods. Placing residences and other buildings close to the street also encourages security and safety by having more “eyes-on-the-street”.
- B. Applicability.** This section applies to: single-family dwellings, including manufactured houses, duplexes, and attached townhomes that are subject to Site Design Review (3 or more attached units); multi-family housing; neighborhood commercial buildings; and public and institutional buildings.
- C. Building orientation standards.** All developments listed in “B” shall be oriented to a street. The building orientation standard is met when all of the following criteria are met:
1. Compliance with the setback standards in Section 2.1.120.
 2. All buildings shall have their primary entrance(s) oriented to the street. Multi-family and Neighborhood Commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a multi-family building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Chapter 3.1 – Access and Circulation. In this case, at least one entrance shall be provided not more than 20 feet from the closest sidewalk or street.
 3. Off-street parking, driveways, and other vehicle areas shall not be placed between streets and buildings. Single-family dwellings, including manufactured houses, duplexes, and attached townhouses, are excepted from this standard.
- D. Public Buildings.** The standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses.)

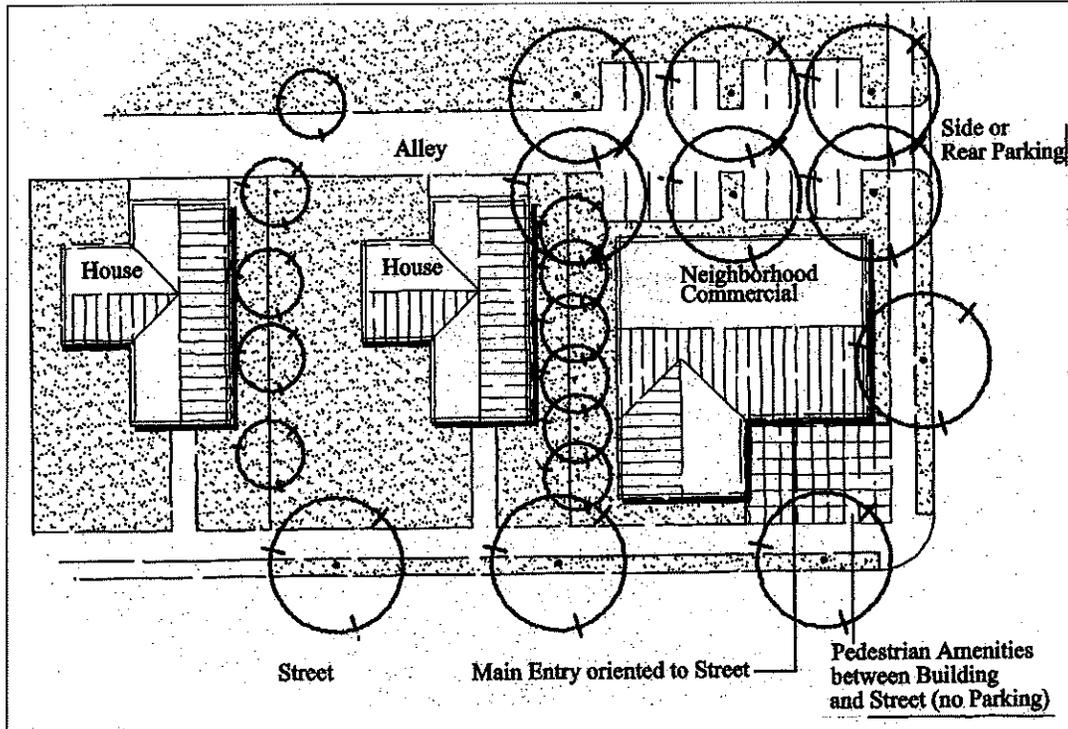
2.1.170 - Building Orientation (continued)

**Figure 2.1.170A
Multifamily/Attached Housing – Building Orientation**



2.1.170 - Building Orientation (continued)

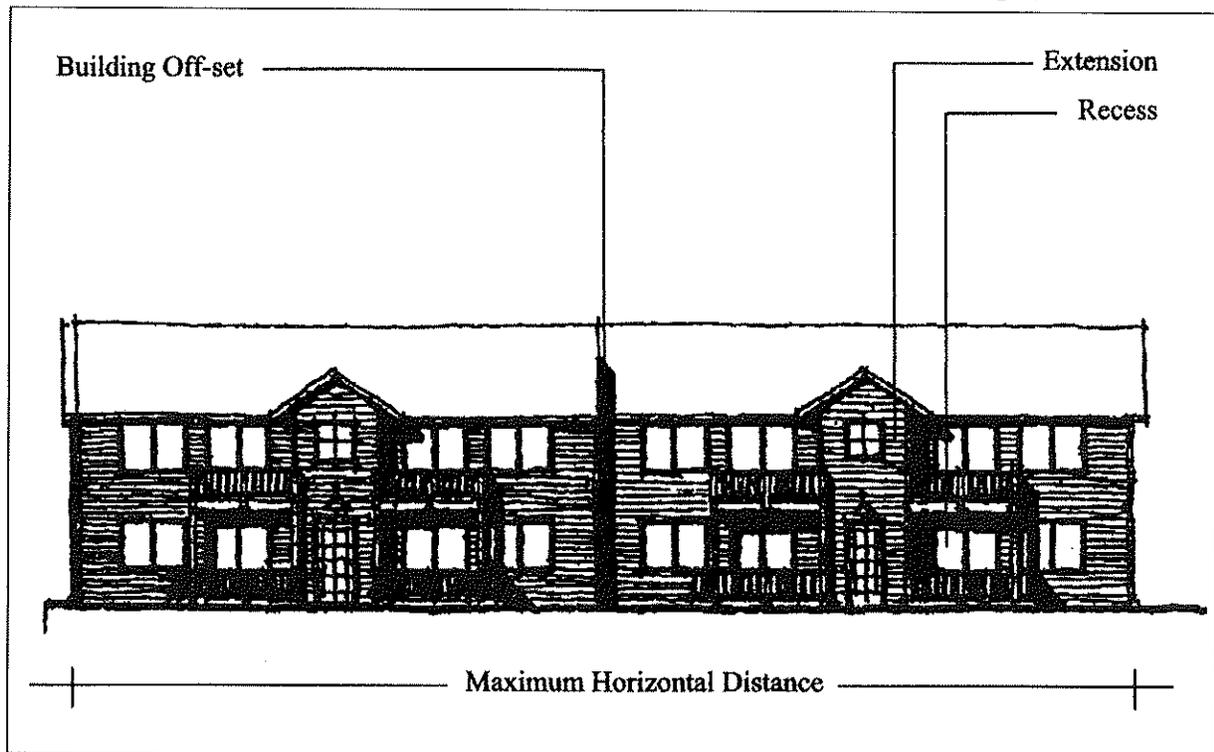
**Figure 2.1.170B
Neighborhood Commercial Building – Building Orientation**



2.1.180 – Design Standards

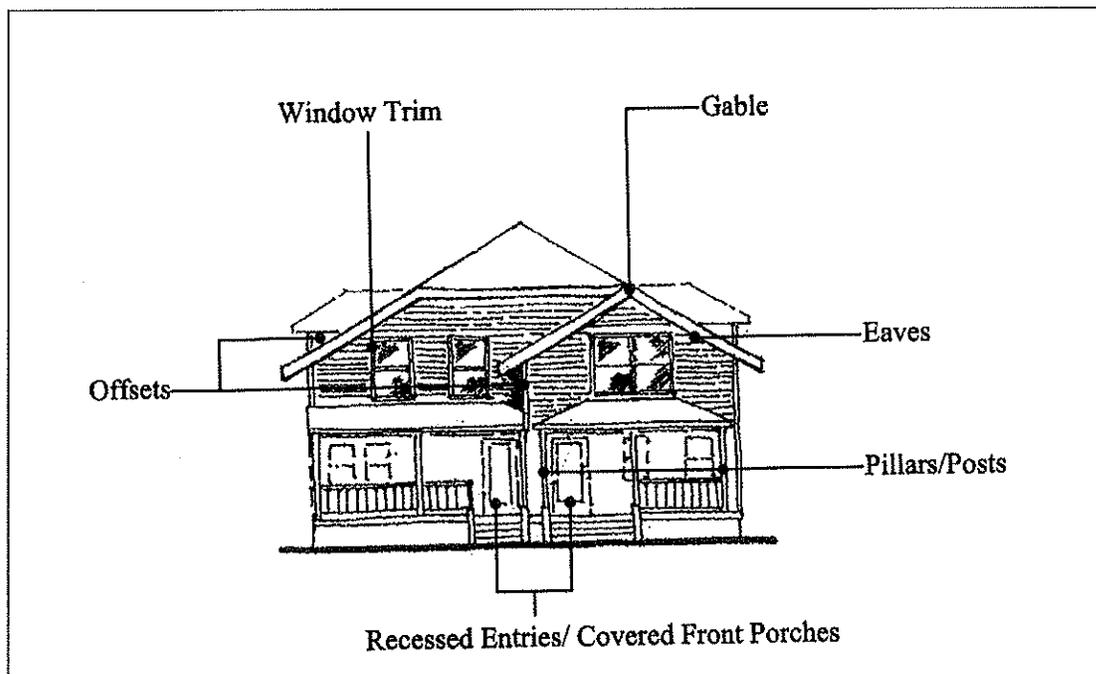
- A. **Purpose.** The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.
- B. **Applicability.** This section applies to all of the following types of buildings, and shall be applied during Site Design Review:
 - a. Duplexes and Triplexes
 - b. Single family attached townhomes which are subject to Site Design Review (3 or more attached units)];
 - c. Multi-family housing;
 - d. Public and institutional buildings;
 - e. Neighborhood Commercial and mixed use buildings; and
 - f. Single Family Residential, Section 2.1.180 (C) (4)
- C. **Standards.** As noted in 2.1.180 (B) all buildings which are subject to this Section shall comply with all of the following standards. The graphics provided with each standard are intended to show examples of how to comply. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.

Figure 2.1.180C(1) - Building Form (Multi-family Housing Example)



2.1.180 – Design Standards (continued)

1. **Building Form.** The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 80 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in Figure 2.1.190C(1). Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:
 - a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 6 feet;
 - b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
 - c. Offsets or breaks in roof elevation of 2 feet or greater in height.
2. **Eyes on the Street.** All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 60 percent of front (i.e., street-facing) elevations, and a minimum of 30 percent of side and rear building elevations shall meet this standard. “Percent of elevation” is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. The standard applies to each full and partial building story.

Figure 2.1.180C(2) - Examples of Architectural Details

2.1.180 – Design Standards *(continued)*

3. Detailed Design. All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 5 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

- a. Dormers
- b. Gables
- c. Recessed entries
- d. Covered porch entries
- e. Cupolas or towers
- f. Pillars or posts
- g. Eaves (minimum 6-inch projection)
- h. Off-sets in building face or roof (minimum 16 inches)
- i. Window trim (minimum 4-inches wide)
- j. Bay windows
- k. Balconies
- l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
- m. Decorative cornices and roof lines (e.g., for flat roofs)
- n. An alternative feature providing visual relief, similar to options a-m.

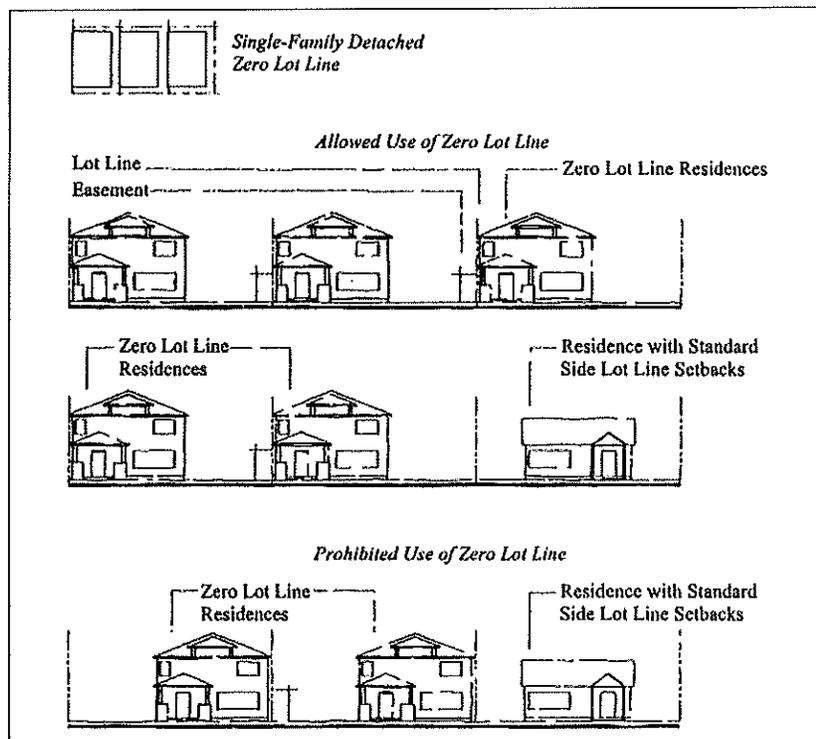
4. Garages & Carports. The home shall have a carport or garage constructed of like exterior materials, concrete or asphalt floor, and concrete or asphalt driveway from the street to the structure. The City may require an attached or detached garage where that would be consistent with the predominant construction of immediately surrounding residences.

2.1.190 - Special Standards for Certain Uses

This section supplements the standards contained Sections 2.1.100 through 2.1.190. It provides standards for the following land uses in order to control the scale and compatibility of those uses within the Residential District:

- A. **Zero-lot line (single family home)**. “Zero-lot line” houses are subject to the same standards as single family housing, except that a side yard setback is not required on one side of a typical lot (as shown below). This type of housing is permitted to allow development on smaller (i.e., narrower) lots and still provide usable outdoor living area in side-oriented yards. The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance:

Figure 2.1.200A – Zero-Lot Line Housing



1. **Setbacks Adjacent to Non-Zero Lot Line Development.** When a zero-lot line house shares a side property line with a non-zero lot line development, the zero-lot line building shall be setback from the common property line by a minimum of 10 feet;
2. **Construction and Maintenance Easement.** Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lot; and

2.1.190 - Special Standards for Certain Uses (continued)

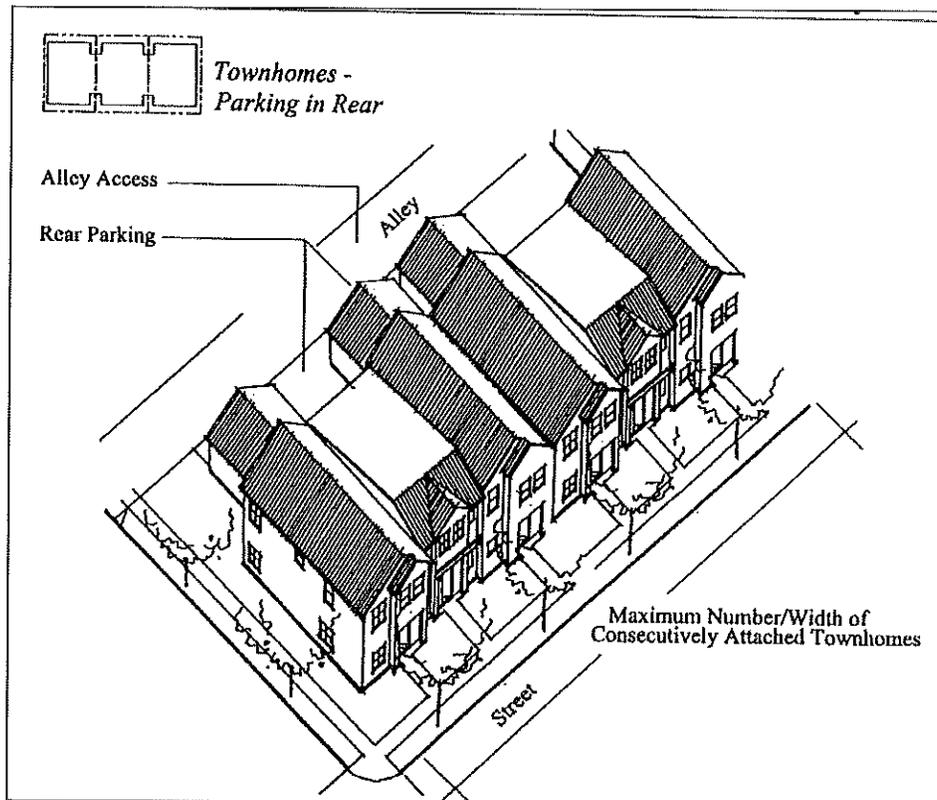
3. **Buffering.** The building placement, landscaping, and/or design of windows shall provide a buffer for the occupants of abutting lots. For example, this standard is met by placing ground-floor windows (along the zero setback) above sight lines with direct views into adjacent yards, or by directing views away from yards (e.g., bay window), or by using frosted/non-see-through windows, as necessary.

B. Manufactured homes on individual lots. Manufactured homes are permitted on individual lots, subject to all of the following design standards, consistent with ORS 197.307(5). Exception: The following standards do not apply to units which were placed on lots within the City prior to the effective date of this ordinance.

1. **Floor Plan.** The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 sq. ft;
2. **Roof.** The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees);
3. **Residential Building Materials.** The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered "superior" to metal siding and roofing and vertical siding);
4. **Garages and Carports.** The manufactured home shall have a carport or a garage constructed of like exterior materials, concrete or asphalt floor, and concrete or asphalt driveway from the street to the structure. The City may require an attached or detached garage where that would be consistent with the predominant construction of immediately surrounding residences;
5. **Thermal Envelope.** The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the State Building Code. Evidence demonstrating that the manufactured home meets "Super Good Cents" energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturer's certification shall not be required;
6. **Placement.** The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 16 inches above grade, and complying with the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, Chapter 918. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home;
7. **Foundation Skirt.** The foundation area of the manufactured home shall be fully skirted with only 12 inches showing; and
8. **Prohibited.** The manufactured home shall not be located in a designated historic district.

2.1.190 - Special Standards for Certain Uses (continued)

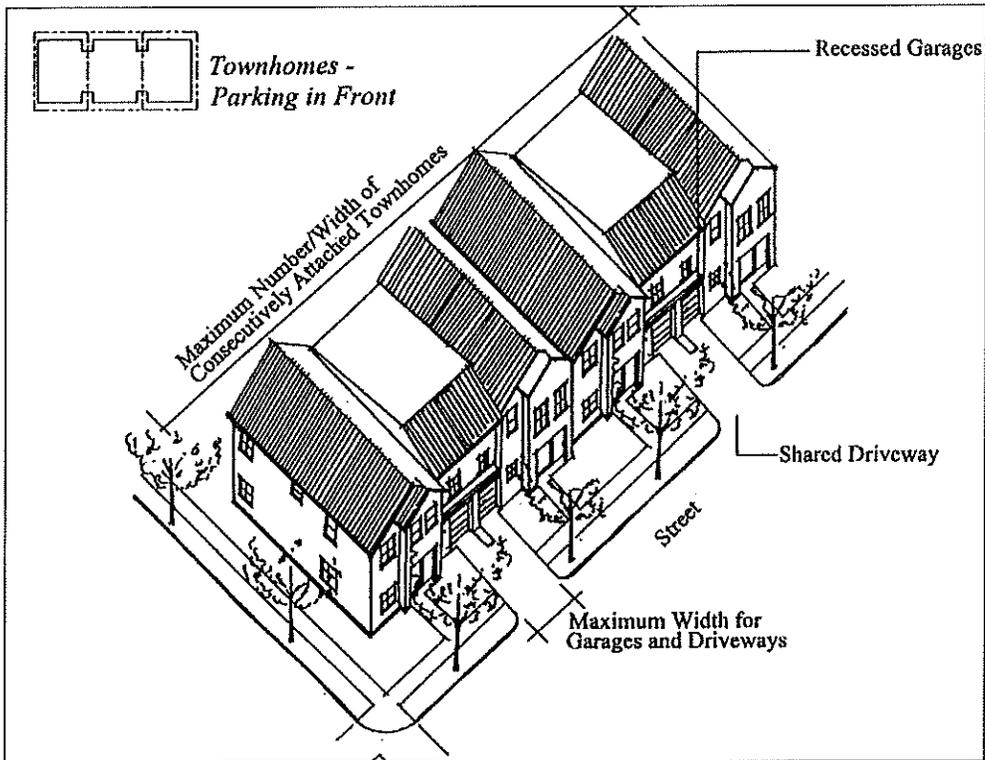
- C. Residential care homes and facilities.** Residential care homes and facilities are residential treatment or training homes or facilities or adult foster homes licensed by the State of Oregon. They may provide residential care alone, or in conjunction with treatment and/or training, for 5 or fewer individuals (“homes”) or 6 to 15 individuals (“facilities”) who need not be related. Staff persons required to meet State licensing requirements shall not be counted in the number of facility residents and need not be related to each other or the residents. Residential care homes and facilities shall comply with the following standards, consistent with ORS 197.660-670:
1. Licensing. All residential care homes shall be duly licensed by the State of Oregon.
 2. Development Review. Development review shall be required for new structures to be used as residential care homes or facilities, and for conversion of an existing residence to be used as a residential care home, to ensure compliance with the licensing, parking, and other requirements of this Code.
- D. Single-family attached (townhomes), Duplexes and Triplexes.** Single-family attached housing (townhome units on individual lots), duplex and triplex developments shall comply with the standards in 1-4, below. The standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas.
1. Duplex and triplex units may exceed building height requirements upon Planning Commission approval of a Conditional Use permit in a Type III Procedure consistent with Boardman Development Code 4.1.500.

2.1.190 - Special Standards for Certain Uses (continued)
Figure 2.1.200E(2) – Townhomes and Multiplex Housing With Alley Access


1. Building Mass Supplemental Standard. Within the Residential District, the number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed 4 units; within the Multi-family Sub District, the number and width of consecutively attached townhome units shall not exceed 6 units.
2. Alley Access. Townhome, duplex and triplex subdivisions (4 or more lots) shall receive vehicle access only from a rear alley. Alley(s) shall be created at the time of subdivision approval, in accordance with Chapter 3.4.100 - Transportation Standards, and Chapter 4.3 - Land Divisions. Alleys are not required when existing development patterns or topography make construction of an alley impracticable (See #3 for standards). As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Chapter 3.1- Access and Circulation.

2.1.190 - Special Standards for Certain Uses (continued)

Figure 2.1.200E(3) - Townhomes and Multiplex Housing With Street Access



3. Street Access Developments. Townhomes, duplexes and triplexes receiving access directly from a public or private street shall comply with all of the following standards, in order to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, provide more curb space for on-street parking, and minimize paved surfaces for better storm water management.

2.1.190 - Special Standards for Certain Uses (continued)

- a. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.
 - b. The maximum allowable driveway width facing the street is 12 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garaged facing the street.
 - c. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.
4. Common Areas. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) may be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the City prior to building permit approval.

E. Public and Institutional Land Uses. Public and institutional uses (as listed in Table 2.1.110.A) are allowed in the Residential District subject to the following land use standards, which are intended to control the scale of these developments and their compatibility with nearby residences:

1. Development Site Area. The maximum development site area shall be 4 acres, except that this standard shall not apply to parks and open space uses. Larger developments may be approved as a Conditional Use, in accordance with Chapter 4.4 - Conditional Use Permits, or as part of a Master Planned Development, in accordance with Chapter 4.5.
2. Building Mass. The maximum width or length of a multiple family building shall not exceed 100 feet (from end-wall to end-wall), except that this standard may be increased through the approval of a Conditional Use Permit, or as part of a Master Planned Development.
3. Telecommunications Equipment. Telecommunications equipment (e.g., cell towers and antennae) shall comply with the standards of Chapter 3.6.200.
4. Vehicle Areas and Trash Receptacles. All vehicle areas (i.e., parking, drives, storage, etc.) and trash receptacles shall be oriented away from adjacent residences to the greatest extent practicable, and shall be screened with an evergreen hedge or solid fence or wall of not less than 6 feet in height.

2.1.190 - Special Standards for Certain Uses (continued)

F. Accessory Uses and Structures. Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the Residential District include detached garages, sheds, workshops, green houses and similar structures. All accessory structures shall comply with all of the following standards: (For standards applicable to Accessory Dwellings, please refer to Section 2.1.200.B.)

1. Primary use required. An accessory structure shall not be allowed before or without another permitted use (e.g., as listed in Table 2.1.110.A).
2. Setbacks.
 - a) Accessory structures shall meet setbacks identified in 2.1.120 unless identified otherwise in 2.1.190(F)(2)(b-d) below.
 - b) Accessory structures of 40 square feet or fewer are allowed to be located in a rear yard or side yard abutting a primary structure. Abutting an accessory structure to a primary structure is allowed provided 6 feet are allowed for emergency access, as measured from the wall nearest the property line of the accessory structure to the property line and no through wall openings (doors, windows, vents, etc.) in the primary structure are obscured or covered by the accessory structure.
 - c) Accessory structures of 41-200 square feet or less in size are allowed 1 foot rear yard setback and 1 foot side yard setback when placed in the rear yard of a lot, as long as structural features, such as eaves, do not encroach on adjacent properties.
 - d) Accessory building shall not be placed within ten (10) feet of any primary structure on the lot or adjacent lots with the exceptions noted in 2.1.190 (F)(2)(a-c) above.
3. The accessory structure shall be of a compatible and complimentary nature to the primary structure and be consistent with of the detail design criteria identified in Section 2.1.180 (C)(3) – Detailed Design. Accessory structures under 200 square feet shall meet at least one (1) of the design criteria identified in 2.1.180 (C)(3).
4. Restrictions. A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way.
5. Placement in easement. Only a portable accessory structure of 200 square feet or less in size may be placed in an easement with the approval of the utilities affected within the easement. Letters of approval from the utility must be submitted to the City for approval of this type of placement.
6. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.
7. Floor Area. The floor area of the accessory structure shall not exceed 1200 square feet;
8. Building Height. The building height of detached accessory structure shall not exceed 25 feet, as measured in accordance with Section 2.1.160; and

2.1.190 – Special Standards for Certain Uses (continued)

9. Buffering. A minimum 4-foot hedge or fence may be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is provided or the distance to adjacent dwelling(s) is greater than 50 feet.

G. Bed and Breakfast Inns and Vacation Rentals.

1. Purpose. The purpose of this section is to provide standards for the establishment of a bed and breakfast inn.
2. Accessory Use. A bed and breakfast inn must be accessory to a household already occupying the structure as a residence.
3. Maximum size. The bed and breakfast structure is limited to a maximum of 4 bedrooms for guests and a maximum of 6 guests per night.
4. Employees. The bed and breakfast facility may have up to 2 non-resident employees for the facility.
5. Food Service. Food services may only be provided to overnight guests of the bed and breakfast inn.
6. Owner-occupied. The bed and breakfast inn shall be owner-occupied and shall maintain the exterior physical characteristics of a single-family dwelling. No separate structures shall be allowed (except for usual residential accessory buildings such as sheds, or detached garages).
7. Signs. Signs must meet the standards in Chapter 3.6.500, Signs.
8. Monitoring. All bed and breakfast inns must maintain a guest log book. It must include the names and home addresses of guests, guests' license plate numbers if travelling by car, dates of stay and the room number of each guest. The log must be available for inspection by City staff upon request.

H. Master Planned Neighborhood Development

1. Purpose and intent. The purpose of this Section is to ensure the development of fully integrated, mixed-use pedestrian-oriented neighborhoods. The intent is to minimize traffic congestion, urban and suburban sprawl, infrastructure costs, and environmental degradation, particularly as new development takes place on large parcels of land.
2. Applicability. This Section applies to:
 - a. Parcels, and development sites with more than one parcel, in the Residential District which are 20 acres or larger; and
 - b. Development sites in the Residential District which are planned in accordance with the procedures in Chapter 4.5.
3. Master plan required. Prior to land division approval, a master plan shall be prepared for all sites meeting the criteria in subsection 2. Master plans shall follow the procedures in Chapter 4.5 - Master Planned Developments.
4. Land use and design standards. Master Planned Neighborhood Developments shall be evaluated based on the criteria in Chapter 4.5, and shall be consistent with the following design principles:
 - a. All neighborhoods have identifiable centers and outer boundaries;
 - b. Edge lots are readily accessible to Residential Commercial and recreational uses by walking and bicycling (a distance not greater than one-quarter mile);
 - c. Uses and housing types are mixed and in close proximity to one another;
 - d. Streets are connected and blocks are small (e.g., between 200-600 feet in length; with a maximum perimeter of 1,600 feet);

2.1.190 – Special Standards for Certain Uses (continued)

- e. Civic buildings, monuments and open spaces (e.g., parks, squares, greenbelts, natural areas, etc.) are given prominent sites throughout the neighborhood.
 - f. Overall, the neighborhood plan achieves a housing density of 6 units per acre, in accordance with the Comprehensive Plan and Residential District standards.
 - g. Land needed for public use (e.g., schools, parks, fire stations, and other facilities) shall be designated on the master plan, in accordance with the Comprehensive Plan.
 - h. Common open space is provided for the residents as 30% of the net square footage of the site.
5. Implementation. Upon approval of a Neighborhood Development Master Plan, the development shall follow the Land Division procedures in Chapter 4.3, and the Site Design Review procedures in Chapter 4.2. Any modifications to the approved master plan shall be subject to the standards and procedures in Chapter 4.6 - Modifications.

I. Home Occupations.

1. Purpose and Intent. The purpose of this Section is to encourage those who are engaged in small commercial ventures which could not necessarily be sustained if it were necessary to lease commercial quarters, or which, by the nature of the venture, are appropriate in scale and impact to be operated within a residence. Home occupations are encouraged for their contribution in reducing the number of vehicle trips often generated by conventional businesses. They are permitted by right in all residential units (dwellings), subject to the following standards:
2. Appearance of Residence:
 - a. The home occupation shall be restricted to lawfully built enclosed structures and be conducted in such a manner as not to give an outward appearance of a business.
 - b. The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.
 - c. The home occupation shall not violate any conditions of development approval (i.e., prior development permit approval).
 - d. No products and or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.
3. Storage:
 - a. Outside storage, visible from the public right-of-way or adjacent properties, is prohibited.
 - b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to residential use is prohibited.
 - c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be allowed in any structure.

2.1.190 - Special Standards for Certain Uses (continued)

4. Employees:
 - a. Other than family members residing within the dwelling located on the home occupation site, there shall be no more than one full time equivalent employee at the home occupation site at any given time. As used in this chapter, the term "home occupation site" means the lot on which the home occupation is conducted.
 - b. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home.
 - c. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch to other locations.
5. Advertising and Signs: Signs shall comply with Chapter 3.6.5.
6. Vehicles, Parking and Traffic:
 - a. One commercially-licensed vehicle associated with the home occupation is allowed at the home occupation site. It shall be of a size that will not encroach onto the public right-of-way, including the sidewalk and planter strip, when parked in the driveway or other location on the home occupation site.
 - b. There shall be no more than three commercial vehicle deliveries to or from the home occupation site daily. There shall be no commercial vehicle deliveries during the hours of 7 p.m. to 7 a.m.
 - c. There shall be no more than two client or customer vehicles at any one time and no more than eight per day at the home occupation site or in the right-of-way abutting the lot.
7. Business Hours. There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 8 a.m. to 6 p.m. Monday through Friday subject to all provisions above.
8. Prohibited Home Occupation Uses:
 - a. Any activity that produces radio or TV interference, noise, glare, vibration, smoke or odor beyond allowable levels as determined by local, state or federal standards, or that can be detected beyond the property line, is prohibited.
 - b. Any activity involving on-site retail sales is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music by music teachers, art or craft supplies by arts or crafts instructors, computer software by computer consultants, and similar incidental items for sale by home business are allowed subject to all provisions above.

2.1.190 - Special Standards for Certain Uses *(continued)*

- c. Any uses described in this section or uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke or vibration, such as:
- (1) Ambulance service;
 - (2) Animal hospital, veterinary services, kennels or animal boarding;
 - (3) Auto and other vehicle repair, including auto painting;
 - (4) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site.
9. **Enforcement:** The City Manager or his/her designee may visit and inspect the site of home occupations in accordance with this chapter periodically to insure compliance with all applicable regulations, during normal business hours, and with reasonable notice. Code violations shall be processed in accordance with Chapter 1.4 - Enforcement.

2.1.200 Residential Sub Districts

- A. Sub Districts Authorized.** Sub Districts provide needed land for land uses that may not otherwise be accommodated in the Residential District. The Comprehensive Plan identifies a need for residential farm uses, commercial services within residential neighborhoods, higher density housing, and multi-family housing. Therefore, the City has adopted the Future Urban, Multi-Family, and Manufactured Home Park Sub Districts to address these needs.
- B. Applicability.** Sub Districts are identified on the City's official zoning map. Properties designated with a Sub District shall comply with the provisions of the underlying Residential District, except as may be modified by this Section.
- C. Conflicts.** Where there are conflicts, the Sub District standards supercede the standards of section 2.1.100 to 2.1.190. Where there is no conflict, the standards of 2.1.190 shall also apply.

2.1.300 Future Urban Sub District (FU)

- A. Purpose/Intent Statement.** The purpose of this section is to preserve for future development at urban densities the Future Urban areas of the City as defined in the Comprehensive Plan.
- B. Future Urban Sub District Standards.**
1. **Parcel size:** The minimum parcel size for the FU Sub District is 10 acres, except for a school use, which may be a minimum of 5 acres.
 2. **Setbacks:** The maximum/minimum front, side and rear setback for the Sub District is 20 feet.
 3. **Building height:** The maximum height shall be two stories but shall not exceed 35 feet.
 4. **Lot Coverage.** The maximum lot coverage in the FU Sub District shall be 50 percent.

2.1.300 Future Urban Sub District (FU) (continued)

5. Shadow Platting. The property owner presents a legally binding “shadow plat” dividing the remaining portion or entire parcel into future urban lots as permitted by underlying City zoning designations, and illustrating location of future internal roadways and easements. Properties zoned Residential District shall be able to be divided into lots a minimum of 8,000 square feet.
6. The shadow plat shall follow the land division standards in Chapter 4.3.120.

C. Allowed Uses.

1. Detached single family dwellings.
2. Residential homes.
3. A mobile or manufactured home as a residence on an individual lot, subject to the provisions of Section 2.1.190.B.
4. Continuation of existing general farm uses, including:
 - a. Raising, harvesting, and selling of crops.
 - b. Feeding, breeding, selling and management of livestock, poultry, fur-bearing animals, or honeybees.
 - c. Selling of products of livestock, poultry, fur-bearing animals, or honeybees.
 - d. Dairying and selling of dairy products.
 - e. Preparation and storage of the products raised on such lands for human use and animal use.
 - f. Distribution by marketing or otherwise of products raised on such lands.
 - g. Any other agricultural use, horticultural use, animal husbandry, or any combination thereof.
 - h. Propagation or harvesting of a forest product.
 - i. Public and private conservation areas and structures for the conservation of water, soil, forest or wildlife habitat resources.
 - j. Fish and wildlife management program facilities.

D. Accessory Uses.

1. Home occupations, subject to the provisions of Section 4.9.200.
2. Accessory buildings and uses customarily incidental to any of the permitted primary uses.

2.1.300 Future Urban Sub District (FU) (continued)

3. Roadside stands, when located on the same property as the principal use, permitted when selling only those agricultural products that are produced in the surrounding community in which the stand is located.
4. Signs, as provided under Section 3.7.
5. Bed and Breakfast Inns and Vacation Rentals as defined in Section 2.1.100, subject to the major home occupation provisions under Section 2.1.100.

E. Conditional Uses.

1. The following conditional uses may be allowed in a Future Urban Sub District, subject to review by the Planning Commission, pursuant to Section 4.2.400. Approval shall not be granted unless the proposal satisfies all of the criteria under Section 4.2.400 and all other applicable requirements of this Ordinance.
 - a. Expansion of existing churches and other places of worship.
 - b. Cemeteries.
 - c. Golf courses.
 - d. Public and private parks, campgrounds, playgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, stables, and other similar uses.
 - e. Service recreational uses, excluding recreational vehicle camping facilities.
 - f. Expansion of existing daycare centers.

F. Prohibited Uses.

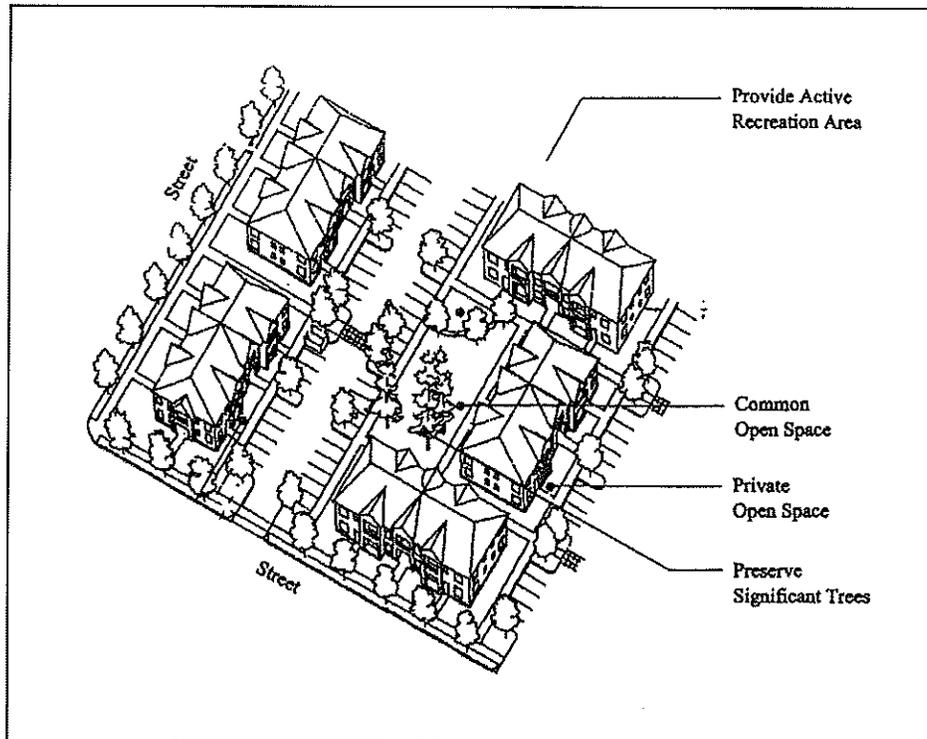
1. Structures and uses of land not specifically mentioned in this section.
2. Outdoor advertising displays, advertising signs, or advertising structures, except as provided in Signs, Section 3.6.500.

2.1.400 - Multi-Family Sub District (MF)

- A. Purpose/Intent Statement.** The Multi Family Sub District is designed to provide land for larger multiple family housing developments. Multi-Family Housing is housing that provides 4 or more dwellings on an individual lot (e.g., multi-plexes, apartments, condominiums, etc.). New multi-family developments shall comply with all of the following standards.

2.1.400 - Multi-Family Sub District (MF) (continued)

Figure 2.1.200F - Multifamily Housing (typical site layout)



B. Multi-family housing development standards.

1. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in all multiple family developments. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.
2. Private open space. Private open space areas shall be required for ground-floor and upper-floor-housing units based on all of the following standards:
 - a. Ground floor housing units shall have front or rear patios or decks measuring at least 48 square feet and at least 4 feet deep. Ground floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
 - b. A minimum of 50 percent of all upper-floor-housing units shall have balconies or porches measuring at least 48 square feet and at least 4 feet deep. Upper-floor housing means housing units which are more than 5 feet above the finished grade;

2.1.400 – Multi-Family Sub District (MF) (continued)

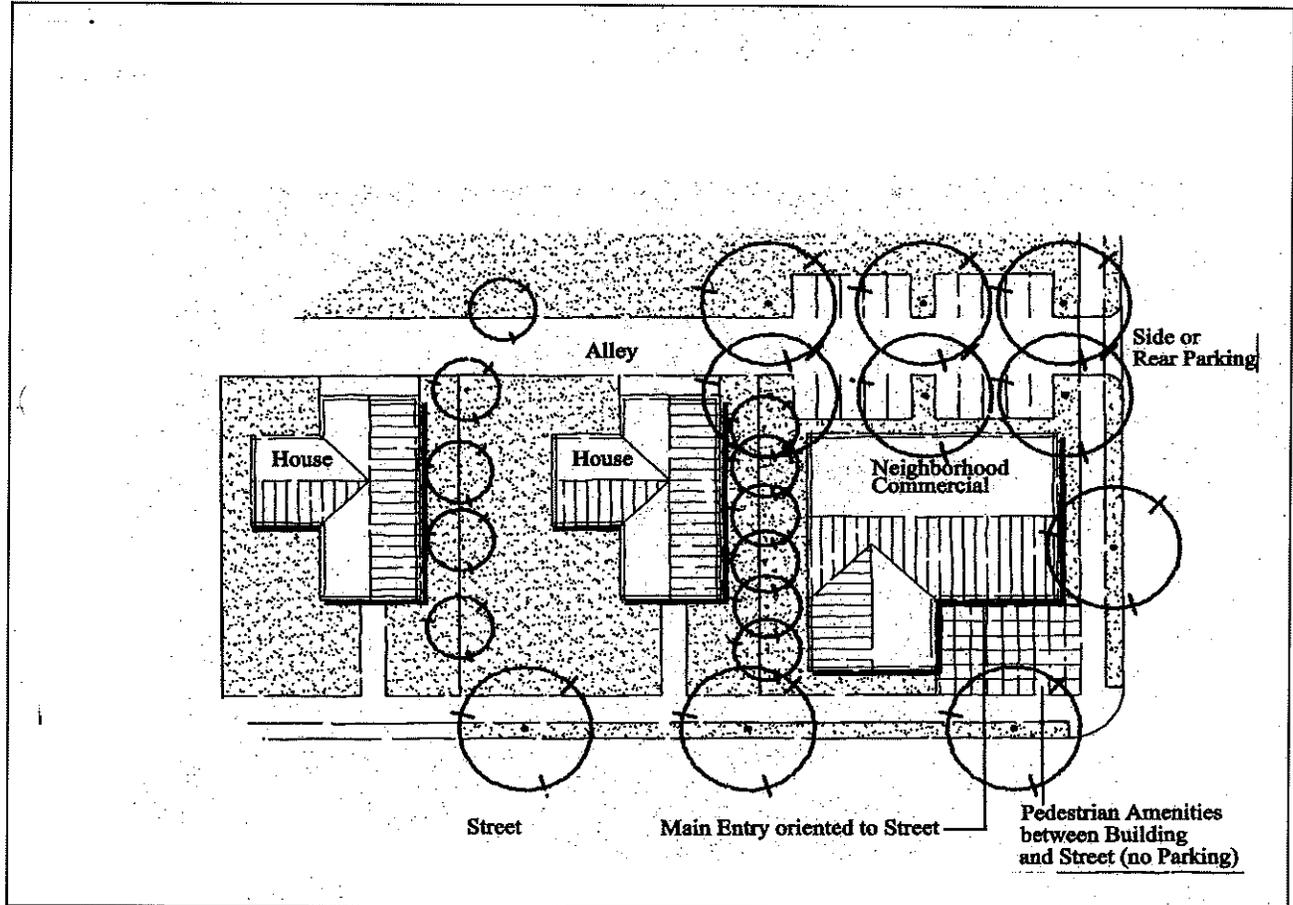
- c. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking and drives to the greatest extent practicable; and
3. Exemptions. Exemptions may be granted for the first 50 units of a larger project when these developments are within one-quarter mile (measured walking distance) of a public park; and there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), lighted, and maintained pedestrian trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby park provides active recreation areas such as play fields, children's play area, sports courts, walking/fitness course, or similar facilities.
4. Trash receptacles. Trash receptacles shall be oriented away from adjacent residences and shall be screened with an evergreen hedge or solid fence or wall of not less than 6 feet in height. Receptacles must be accessible to trash pick-up trucks.

C. Special Standards for Neighborhood Commercial Uses

- a. Purpose/Intent Statement. All Neighborhood Commercial uses shall comply with the following standards, which are intended to promote land use compatibility and transition between Neighborhood Commercial and residential uses:

2.1.400 - Multi-Family Sub District (MF) (continued)

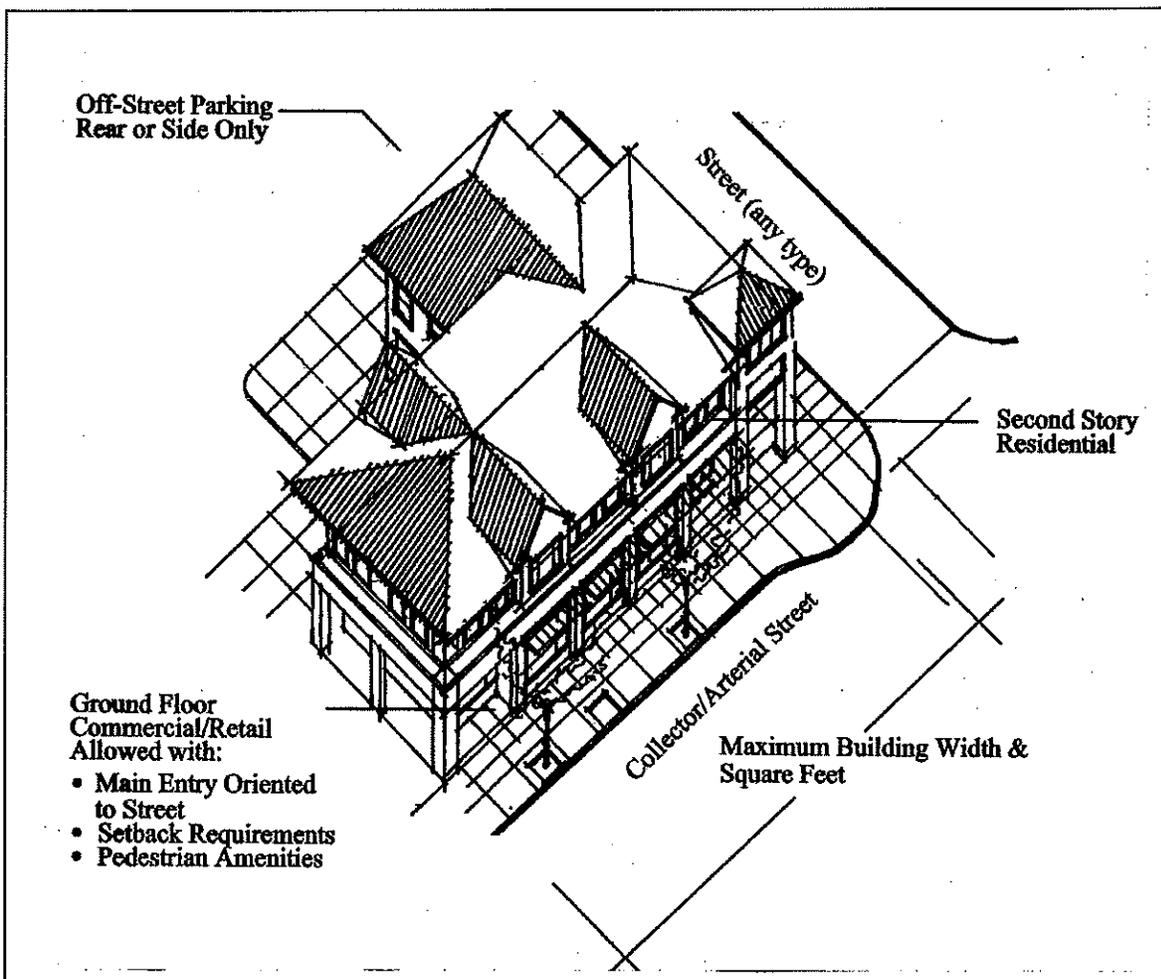
Figure 2.1.400A - Neighborhood Commercial (Example of Site Layout)



2.1.400 - Multi-Family Sub District (MF) (continued)

- a. Permitted Uses. Only those Neighborhood Commercial uses specifically listed in section 5 of Table 2.1.110.A are permitted. Residential and Neighborhood Commercial uses may be mixed “vertically” — meaning that a residential use is developed above the commercial use (i.e., ground floor retail/office with upper-story apartments, townhomes, or condominiums), or may be mixed “horizontally” — meaning commercial and residential uses both occupy ground floor space. Automobile-oriented uses, as defined in Chapter 1.3, are expressly prohibited.

Figure 2.1.400B - Neighborhood Commercial (Example of Mixed Use)



- b. Dispersion of Neighborhood Commercial Development. A neighborhood commercial site shall be located no closer than one-half mile from another neighborhood commercial site within the City. A “neighborhood commercial site” means a lot or parcel (or combination of adjacent lots or parcels), zoned Residential and containing commercial uses.

2.1.400 - Multi-Family Sub District (MF) (continued)

- c. Location and Access. Neighborhood commercial developments shall have frontage onto a collector or arterial street with available on-street parking, and shall conform to the standards in Section 2.1.180.
- d. Building Mass Supplemental Standard. The maximum width or length of a Neighborhood Commercial or mixed use (residential and commercial) building shall not exceed 80 feet (from end-wall to end-wall).
- e. Floor Area Supplemental Standards. The maximum commercial floor area shall not exceed 5,000 square feet total per Neighborhood Commercial. Floor area is measured by totaling the interior floor area of all building stories, except crawl spaces (i.e., with less than 7 ½ feet of vertical clearance).

2.1.500 – Manufactured Home Park Sub District (MH)

A. Permitted Uses.

- 1. Single family dwellings on individual lots in accordance with the provisions of the overlying Residential District.
- 2. Manufactured home parks are permitted on parcels of one (1) acre or larger within the Manufactured Home Park (MHP) Sub District, subject to compliance with subsections a-c, below:
 - a) Space. The minimum size pad or space for each home is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide and 40 feet long, in accordance with ORS 446.100(c).
 - b) Setbacks and Building Separation. The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.
 - c) Perimeter landscaping. When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 10 foot wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape.

3. Manufactured homes, manufactured home park manager's office, home occupations, and accessory structures which are necessary for the operation and maintenance of the manufactured home park (e.g., landscape maintenance). Home occupations shall comply with Chapter 2.1.190.I - Home Occupations
4. Home design (for parks smaller than 3 acres). Manufactured homes in parks smaller than 3 acres shall meet the following design standards, consistent with ORS 197.314(6):
 - a. The manufactured homes shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees);
 - b. The manufactured homes shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered "superior" to metal siding and roofing and vertical siding);
 - c. Electric, water and sewer utility connections shall be made to the manufactured home park or individual unit depending on the ownership of the Park;
 - d. Exception: Subsections a-b, above, do not apply to manufactured homes sited within the City prior to the effective date of this ordinance.

5. Desert Springs Estates Phase I Subdivision

Purpose: The purpose of establishment of this section is to resolve siting and construction conflicts with the Boardman Development Code due to the original design criteria of a Manufactured Home Park not being aligned with a portion of the park. These conflicts are due to manufactured home park lot sizes, and allowed setbacks, being markedly different than language called for in this chapter of the Development Code. The original design, consistent with today's rules, are primarily contained in the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition, and are conflicting with existing code language for lot size and setbacks.

Permitted Uses:

- A) Siting of manufactured homes within the subdivided portion, still recorded as Desert Springs Estates Phase 1, owned by the Bella Vista Estates Cooperative Manufactured Home Park. Siting must be in accordance with the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.
- B) Accessory Structures which do not encroach into dedicated easements or rights-of-way within the Desert Springs Estates Phase 1 subdivision.
- C) Open Spaces and Playgrounds in accordance with the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.

2.1.500 – Manufactured Home Park Sub District (MH) (continued)**Setbacks:**

Setbacks within the Desert Springs Estates Phase 1 subdivision shall be consistent with §Chapter 9 Fire and Life Safety Table 9-A, of the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.

2.1.600 – Sunridge Terrace Sub-District

Purpose: The purpose of the sub-district is to allow construction or placement of single family residences on individual lots consistent with the original design and subdivision of the properties into individual lots.

A. Permitted Uses.

1. Single Family dwellings in accordance with the overlying Residential District.
2. Manufactured homes in accordance with the provisions of 2.1.600.

B. Manufactured homes on individual lots. Manufactured homes are permitted on individual lots, subject to all of the following design standards, consistent with ORS 197.307(5). Exception: The following standards do not apply to units which were placed on lots within the City prior to the effective date of this ordinance.

1. **Floor Plan.** A multi-sectional manufactured home shall have an enclosed floor area of not less than 1,000 square feet, and a single wide manufactured home shall be a minimum of 12 feet in width and have an enclosed floor area of not less than 720 square feet;
2. **Roof.** The manufactured home shall have a pitched roof;
3. **Residential Building Materials.** The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing and vertical siding);
6. **Garages and Carports.** The manufactured home may have a carport or a garage constructed of complimentary exterior materials, concrete or asphalt floor, and concrete or asphalt driveway from the street to the structure. The City may require an attached or detached garage where that would be consistent with the predominant construction of immediately surrounding residences;
5. **Thermal Envelope.** The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the State Building Code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturer’s certification shall not be required;

Placement. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 16 inches above grade, and complying with the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, Chapter 918. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home;

2.1.600 – Sunridge Terrace Sub-District

7. **Foundation Skirt.** The foundation area of the manufactured home shall be fully skirted with only 12 inches showing; and

C. Detailed Design. All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

- a. Dormers
- b. Gables
- c. Recessed entries
- d. Covered porch entries
- e. Cupolas or towers
- f. Pillars or posts
- g. Eaves (minimum 6-inch projection)
- h. Off-sets in building face or roof (minimum 16 inches)
- i. Window trim (minimum 4-inches wide)
- j. Bay windows
- k. Balconies
- l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
- m. Decorative cornices and roof lines (e.g., for flat roofs)
- n. An alternative feature providing visual relief, similar to options a-m.

D. Setbacks and Building Separation. The minimum setback between structures and abutting properties is 5 feet. The minimum setback between structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between

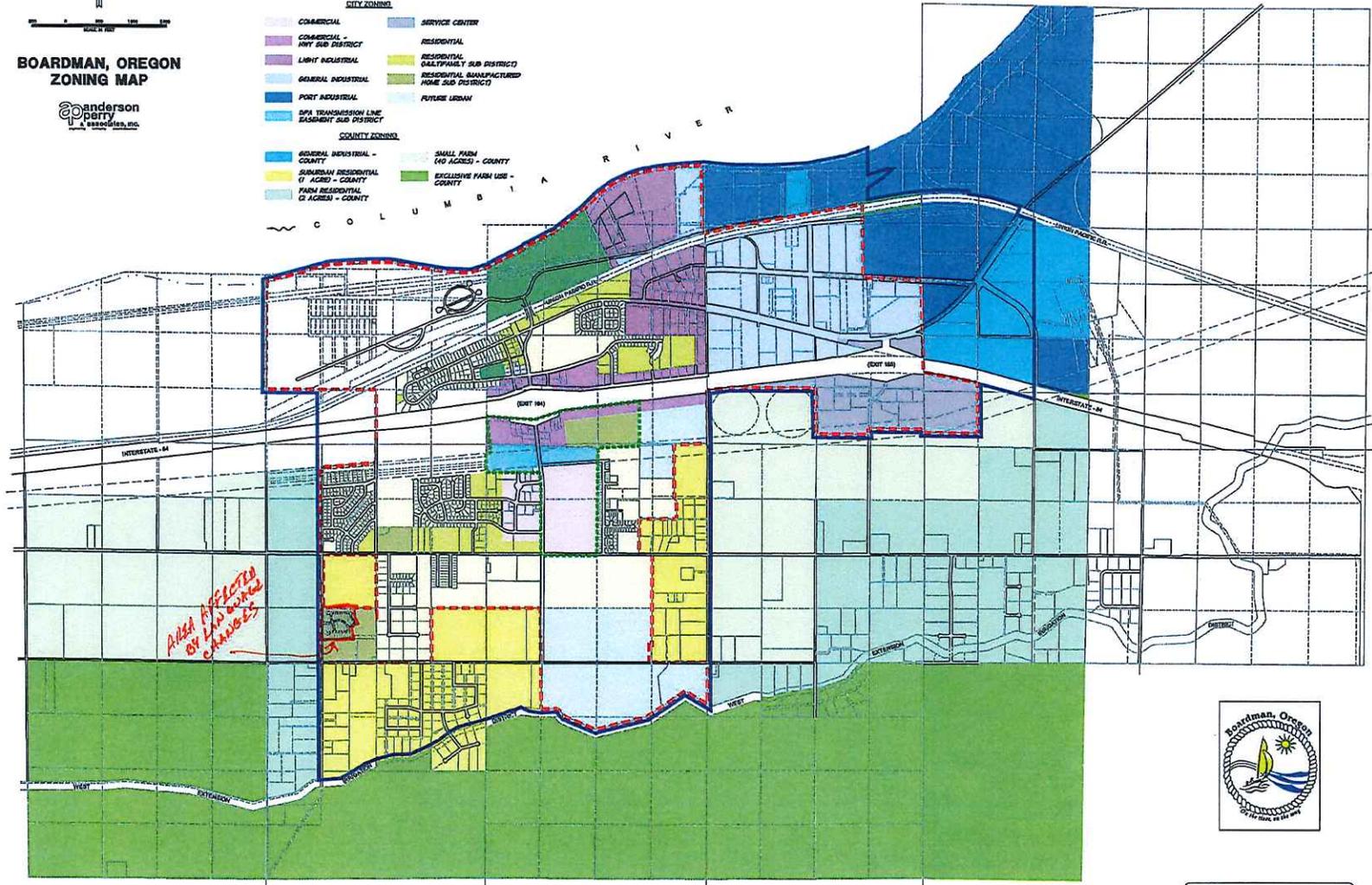
units. Structures shall be placed no closer than 5 feet to a sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any primary structure or dwelling, except a double carport or garage. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.



BOARDMAN, OREGON ZONING MAP

Anderson
Perry
A. ENGINEERS, INC.

- LEGEND**
- CITY LIMITS
 - URBAN GROWTH BOUNDARY
 - PUBLIC/OPEN SPACE
 - URBAN REVENUE DISTRICT
- CITY ZONING**
- COMMERCIAL
 - COMMERCIAL - ART DISTRICT
 - LIGHT INDUSTRIAL
 - GENERAL INDUSTRIAL
 - PORT INDUSTRIAL
 - SPR TRANSMISSION LINE EASEMENT SUB DISTRICT
 - SERVICE CENTER
 - RESIDENTIAL
 - RESIDENTIAL SUB DISTRICT
 - RESIDENTIAL MANUFACTURED HOME SUB DISTRICT
 - FUTURE URBAN
- COUNTY ZONING**
- GENERAL INDUSTRIAL - COUNTY
 - JUNKYARD RESIDENTIAL (7 ACRES) - COUNTY
 - FARM RESIDENTIAL (2 ACRES) - COUNTY
 - SMALL FARM (40 ACRES) - COUNTY
 - EXCLUSIVE FARM USE - COUNTY



Area Affected by Land Use Changes



REVISION/ CORRECTION ORDER _____ DATE _____



City of Boardman

200 City Center Circle
P.O. Box 229
Boardman, OR 97818
Phone (541) 481-9252
Fax (541) 481-3244
TTY Relay (800) 735-2900
www.cityofboardman.com

PUBLIC NOTICE
THE BOARDMAN PLANNING COMMISSION WILL
CONDUCT A
PUBLIC HEARING
Wednesday, May 27, 2015
7:00 PM
BOARDMAN CITY COUNCIL CHAMBERS

THE PURPOSE OF THIS HEARING IS HEAR PUBLIC COMMENT ON POST ACKNOWLEDGEMENT PLAN AMENDMENT 2-2015, A CHANGE TO LANGUAGE IN BOARDMAN DEVELOPMENT CODE CHAPTER 2.1 TO ALIGN REGULATORY LANGUAGE FOR THE DESERT SPRINGS ESTATES PHASE I SUBDIVISION WITH THE OPERATION OF THE BELLA VISTA ESTATES COOPERATIVE MANUFACTURED HOME PARK.

THE CITIZENS OF BOARDMAN, AND OTHER INTERESTED PARTIES, ARE INVITED TO APPEAR AND MAKE COMMENT AT THE HEARING ON THE ABOVE MENTIONED PROPOSED CHANGES. MAPS OF THE AFFECTED AREA AND ASSOCIATED LANGUAGE CHANGES TO THE DEVELOPMENT CODE ARE AVAILABLE AT CITY HALL OR ON-LINE AT THE CITY'S WEBSITE <http://www.cityofboardman.com/plan.html> FOR REVIEW. THE STAFF REPORT WILL BE AVAILABLE FOR REVIEW WEDNESDAY, MAY 13, 2015, AT THE SAME LOCATIONS.

(S) Joanna Dahm
City Clerk

POSTED: May 6, 2015
PUBLISHED: May 6, 2015

PUBLIC NOTICE

The Boardman Planning Commission will
conduct a Public Hearing
Wednesday, May 27, 2015
7:00 pm
Boardman City Council Chambers

The purpose of this hearing is hear public
comment on Post Acknowledgement Plan
Amendment 2-2015, a change to lan-
guage in Boardman Development Code
chapter 2.1 to align regulatory language
for the Desert Springs Estates Phase
Subdivision with the operation of the Bell
Vista Estates Cooperative Manufacture
Home Park.

The citizens of Boardman, and other inter-
ested parties, are invited to appear and
make comment at the hearing on the
above mentioned proposed changes
Maps of the affected area and associated
language changes to the Development
Code are available at City Hall or on-line
at the city's website
www.cityofboardman.com for review. The
staff report will be available for review
Wednesday, May 13, 2015, at the same
locations.

(s) Joanna Dahm
City Clerk
May 7, 2015

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR UMATILLA COUNTY



AFFIDAVIT OF PUBLICATION

STATE OF OREGON
County of Umatilla } SS

I, Amanda Jacobs being duly sworn, depose and
say that I am the principal clerk of the publisher of the East Oregonian,
a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and
published at 211 SE Byers Avenue, Pendleton, OR 97801, in the aforesaid county and state;
that the

EO-7668 Public Notice

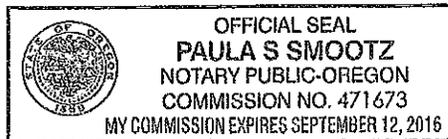
a printed copy of which is hereto annexed; was published in the
entire issue of said newspaper for 1 successive and
consecutive issues in the following issues:

May 7, 2015

Subscribed and sworn to before me on this 12th day of , 2015

Amanda Jacobs

Paula S. Smootz
Notary Public of Oregon





NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Boardman**

Local file no.: **PAPA 2-2015**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Community Development Director Barry Beyeler

Phone: 541-481-9252 E-mail: bbeyeler@cityofboardman.com

Street address: PO Box 229 - 200 City Center Cir. City: Boardman Zip:

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

The purpose of establishment of this section is to resolve siting and construction conflicts with the Boardman Development Code due to the original design criteria of a Manufactured Home Park not being aligned with a portion of the park. These conflicts are due to manufactured home park lot sizes, and allowed setbacks, being markedly different than language called for in this chapter of the Development Code.

Date of first evidentiary hearing: 05/20/2015

Date of final hearing: 06/02/2015

- This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from _____ to _____
Change from _____ to _____
- New or amended land use regulation
- Zoning map amendment(s) – Change from _____ to _____
Change from _____ to _____
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment: 11

Location of property, if applicable (site address and T, R, Sec., TL): 4N 25 17CD #200 - #6500

List affected state or federal agencies, local governments and special districts: N/A

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtm>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

¹ 660-018-0022 provides:

(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

<http://www.oregon.gov/LCD/Pages/forms.aspx>

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal