



CITY OF REDMOND

Community Development Department

411 SW 9th Street
Redmond, OR 97756
541-923-7724

www.redmondoregon.gov

REDMOND URBAN AREA PLANNING COMMISSION

411 SW 9th Street-COUNCIL CHAMBERS Redmond, OR 97756

Wednesday, November 1, 2023 5:00 pm

Oral comments can be provided in-person or virtually. For those who plan to provide oral comments virtually during the hearing, pre-register at planredmond@redmondoregon.gov (must pre-register before 3:00 p.m. on November 1st)

Stream the meeting live at: <https://www.redmondoregon.gov/government/city-council/council-meeting-info/meeting-agendas-minutes-and-video>

Agenda

UAPC Members

Norman
Schultz, Chair

Ben
Schimmoller,
Vice-Chair

Heather DeWolf

Joseph
Zampko

Mercedes
Cook-Bostick

Michael Rogers

Wanda Wai
Lyian Toe

Ex-Officio
Vacancy

- I. CALL TO ORDER / INTRODUCTIONS
- II. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA
- III. APPROVAL OF MINUTES
 - a. October 4, 2023
- IV. DEVELOPMENT CODE AMENDMENTS
 - a. Updates to Land Division Standards
 - b. Airport Zoning
 - c. Keeping of Livestock
 - d. House Bill 2984 and 3395-related Changes
 - e. Various Administrative Improvements
- V. Next Meeting – November 15, 2023
- VI. COMMISSION MEMBER COMMENTS
- VII. ADJOURN

Please note that these documents are also available on the City's website www.redmondoregon.gov; click on City Government, hover on Commissions and Committees, click on Urban Area Planning Commission. You may also request a copy from City Records Office 541-923-7751 or email kelly.morse@redmondoregon.gov

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CITY OF REDMOND
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REDMOND URBAN AREA PLANNING COMMISSION

Council Chambers

MINUTES

October 4, 2023

Commissioners Present: Chair Norman Schultz, Vice Chair Ben Schimmoller, Mercedes Cook-Bostick, Michael Rogers, Wanda Wai Lyian Toe, Joseph Zampko, *Absent: Heather DeWolf*

Youth Ex Officio: Vacant

City Staff: Kyle Roberts, *Planning Director*; John Roberts, *Deputy City Manager*; Jessica MacClanahan, *Director of Public Works and City Engineer*; Sarah Vowell, *Associate Planner*; Lindsey Crowsigt, *Assistant City Engineer*; Avery McChristian, *City Arborist*

Visitors: Tobias Colvin, *City Council Liaison*; Joe Bessman, *Transight Consulting*

Media: None

(The 3 digits after a motion title show the number of commissioners voting in favor/opposed/abstaining.)

I. CALL TO ORDER – INTRODUCTIONS

Chair Schultz called the work session of the Redmond Urban Area Planning Commission to order at 5:00 pm, October 4, 2023, with a quorum present (5 of 7 commissioners).

II. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

None.

III. DEVELOPMENT CODE AMENDMENTS

A. Street Trees and Tree Preservation

Assistant City Engineer Lindsey Crowsigt addressed the proposed Tree Code updates regarding tree preservation and replacement standards, landscape plans and tree surveys, protection during construction, tree planting, street trees, location and spacing standards, and the Species List.

Commissioner Wai Lyian Toe arrived at around 5:18 pm.

Questions from the Commission were addressed clarifying the current Code update does not specify any water use in landscaping requirements within the right-of-way around private property although Public Works is looking at water-wise landscaping; fruit trees are not authorized because of the mess they leave, the nuisance of cleaning up the fruit, and as street trees are susceptible to a lot of different fungi, pests, and diseases although a special exception may be allowed if someone were really excited about it; every effort was made to create a Species List focusing on trees that would survive in the area's climate with the minimum amount of effort; the long-term damage a tree's root system might do to infrastructure was considered and the reason the species are laid out in different categories; and with the exception of the downtown corridor and city parks, most trees in the right-of-way are the responsibility of the adjacent property owner.

B. Transportation System Analyses

Ms. Cromsigt presented the proposed Transportation System Analyses amendments, highlighting the process, stakeholder engagement, trip generation reports, and transportation impact analyses.

Questions from the Commission were addressed clarifying the applicant for the new rec center will be submitting a traffic impact analysis which would follow the exact process Ms. Cromsigt described in her presentation, the payment-in-lieu option is somewhat locked in time at the time it is paid and therefore not affected by inflation although the City does invest those dollars in an account that receives interest, and connecting pedestrian paths on closed roads is site-specific and depends on why the road is closed or if it is adjacent to other private property the City is not developing or does not have control over at the time of an application.

C. Supportive Shelters

Deputy City Manager John Roberts presented the proposed regulations to address siting an emergency shelter coming before the City that does not fit into the House Bill 2006 framework. The regulations would serve as a bit of an insurance policy to provide the City more flexibility and more options to review some types of supportive shelter facility that come before it and provide a pathway to exert local control if HB 2006 requirements cannot be met.

He provided two examples of the short-term gaps the regulations address: scenarios where proposals are very rural, abutting the Urban Growth Boundary and a situation specifically with a church managing its homeless shelter in a way that does not meet the HB 2006 criteria.

D. Triplexes & Quadplexes in Commercial Zones

Planning Director Kyle Roberts addressed the amendment fixing an unintentional mistake made as part of the HB 2001-related Code amendment package adopted in June 2022. When amending the Code, the term "multi-family dwelling" was struck and replaced with "triplex" or "quadplex." In the use table for commercial zones, "triplex" and "quadplex" were not added after striking "multi-family dwelling," which the amendment would correct.

He clarified that in the Code a multi-family complex is five units or greater on one piece of property whereas a duplex is technically not multi-family but two dwelling units on one lot.

Commissioner Rogers added that federal banking regulations are starting to reflect that a community of housing is a multi-family housing unit where before one to four family units that were spread apart on a single property were not considered multi-family.

IV. Next Meeting – October 18, 2023

Mr. Kyle Roberts announced Ms. Cromsigt and the Engineering crew will be invited back for the October 18th meeting to talk about grading, stormwater, and subdivision improvement agreements. JET Planning consultant Elizabeth Decker will be invited to talk about comprehensive updates to the City's subdivision regulations. At the November 1st meeting, Staff will provide updates to some definitions, Mr. John Roberts and Century West will bring the Airport Compatibility Zone updates, and Associate Planner Sarah Vowell will return to talk about backyard chickens.

V. COMMISSION MEMBER COMMENTS

Chair Schultz commended Mr. John Roberts and Mr. Kyle Roberts for their fine presentation of the Code amendments at last week's City Council meeting. He thanked Councilor Colvin as the Commission's liaison for his comments at the Council meeting and driving home the point of the Commission's work and how important it is.

Mr. John Roberts added that Staff's goal for the Council meetings scheduled for November 7th and 14th is to take present some of the more substantive issues for a deeper dive such as the Sign Code, Transportation Impact Analyses, and food carts.

Vice Chair Schimmoller expressed his appreciation for the hard work Staff does.

VI. ADJOURN

With no further business, Chair Schultz adjourned the meeting at 6:06 pm.

APPROVED by the Redmond Urban Area Planning Commission and SIGNED by me this _____ day of _____, 2023.

ATTEST:

/s/
Norman Schultz
Chair

/s/
Kyle Roberts
Planning Director



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**PROPOSED TEXT AMENDMENTS
TO THE REDMOND CITY CODE, CHAPTER 8
REDMOND DEVELOPMENT CODE (RDC)**

DATE: Prepared for October 18, 2023, Work Session
HEARINGS BODY: Redmond Urban Area Planning Commission
REVIEWING STAFF: Kyle Roberts, Planning Director
TOPIC: Updates to Land Division Standards

I. Purpose

- Update the land division standards in Article III for clarity, consistency with other development standards, and to implement city priorities for new development, while ensuring residential developments can be reviewed with clear and objective standards and procedures.

II. Proposed Amendment to RDC

Proposed text amendments are shown in ~~strike-through~~ and **in Red or Red Underline**.

ARTICLE III – LAND DIVISION STANDARDS

See attached.

//Analysis: The land division standards include both procedures and standards for new land divisions to ensure that new development meets adopted City goals such as the Great Neighborhood Principles and adopted facilities plans like the Transportation System Plan. This article establishes a two-step process for tentative plan and final plat, along with applicable design and development standards for new lots created through the process. All standards that apply to residential development must be 'clear and objective' to meet ORS 197.307(4). The City previously met this requirement with two parallel sets of standards, but saw the opportunity to establish a single, unified set of standards given that all residential development must now apply clear and objective standards. Development and design standards have generally been relocated from the subdivision approval criteria in RDC 8.2335 and 8.2336 into the design standards in 8.2700s include 8.2715, Fundamental Design Standards, which translate many of the Great Neighborhood Principles into implementable zoning standards. In addition to the substantive reorganization and clarification, changes to the content of several design standards include:

- Removal of all solar orientation standards, which have been removed elsewhere in the code;
- New tree preservation standards to identify existing trees and preserve or mitigate them during development;
- Updated 'tot lot' standards for small park areas within new developments;

- Clearer ties to the recently adopted 2020 Transportation Master Plan requirements for bike and trail facilities;
- Updated urban/rural interface standards to manage the transition at the edge of the Urban Growth Boundary; and
- Removal of discretionary, vague standards that were not able to be enforced during subdivision reviews.

ARTICLE III. LAND DIVISION STANDARDS

INTRODUCTORY PROVISIONS

8.2000 Title. These standards shall be known as the City of Redmond Land Division Standards and may be so cited and plead.

[Section 8.2000 amended by Ord. #2012-11 passed October 23, 2012]

8.2005 Purpose. In accordance with the applicable provisions in the Oregon Revised Statutes (including but not limited to Chapters 92 and 227), these standards set forth the minimum standards governing the approval of land development, including subdivisions and partitions, as necessary to carry out the Redmond Urban Area Comprehensive Plan and to promote the public health, safety, and general welfare. The purposes of these provisions and regulations are to:

1. Encourage well planned subdivision and partition development to the end that good livable neighborhoods with all needed amenities and community facilities may be created.
2. Encourage development in harmony with the natural environment and within resource carrying capacities.
3. Safeguard the interest of the public, the developer, and the future lot owner – the Community.
4. Improve land records and boundary monumentation.
5. Ensure equitable processing of subdivision and partition plats and accomplish to the greatest extent possible the goals and objectives of the Comprehensive Plan for the Redmond Urban Area, including the Great Neighborhood Principles.
6. Provide for orderly and efficient urban development and coordinate development with public facility and service plans and capabilities.
7. ~~Promote and maximize the conservation of energy by preserving the option to utilize solar energy and to implement the Comprehensive Plan policies relating to solar energy by encouraging the design of new developments to protect future options to use solar energy by providing for and protecting solar access in the following ways:~~
 - A. ~~By regulating the orientation of streets, lots, and parcels;~~
 - B. ~~By the placement, height, and bulk of buildings;~~
 - C. ~~By the placement and growth of vegetation; and,~~
 - D. ~~By preserving options for other alternative energy sources, such as wind, that may be available and necessary in the future.~~

[Section 8.2005 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2005 amended by Ord. #2020-15 passed November 10, 2020]

8.2010 Interpretation. No person may subdivide or partition land within the City of Redmond except in accordance with the applicable provisions in Oregon Revised Statutes (including but not limited to Chapters 92 and 227) and the provisions of these standards. The provisions of these standards shall be construed to affect the purposes set forth in Section 8.2005 of these standards. These are declared to be the minimum requirements fulfilling such objectives, and as deemed necessary through the land use review and decision process. The City may impose additional requirements to promote the health, safety, and general welfare, and to carry out the Comprehensive Plan of the City. Where conditions set forth herein are less restrictive than comparative conditions imposed by any other provision of these standards, by provision of other applicable local ordinance, resolution,

or regulation, or by provision of state statute or administrative regulation, the more restrictive shall govern.

[Section 8.2010 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2010 amended by Ord. #2020-15 passed November 10, 2020]

8.2015 Construction and Terminology.

1. **Construction.** Words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular; the word "shall" is mandatory; the words "may" and "should" are permissive; ~~the masculine shall include the feminine and neuter.~~
2. **Terminology.** The word "City" shall mean the City of Redmond, Oregon. The words "City Council" shall mean the City Council of Redmond.

[Section 8.2015 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2015 amended by Ord. #2020-15 passed November 10, 2020]

8.2020 Definitions. As used in these standards, the following words and phrases shall mean:

Abut. Having a common border with or being separated from such a common border by a right-of-way, including those properties which only connect or touch by a common point.

Access. The right to cross between properties, both public and private, allowing pedestrians and/or vehicles to access the public right-of-way.

Access, Vehicular. The area where ingress/egress for automobiles is taken between private property and a public right-of-way.

Access Connection. Any driveway, street, turnout, or other means of providing for the movement of vehicles and/or pedestrians to or from the public roadway system.

Access Management. The process of regulating access to streets, roads and highways from public roads and private driveways.

Access Road. See Street, Local, Private.

Acreage, gross. The total area within a unit of land.

Acreage, net. A measure of land area, exclusive of public road rights-of-way, and public use area dedications.

Adjacent. Not abutting but in near proximity.

Adjoining. (See Abut)

Adverse Impact. A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-tract property or facilities.

Affected Governmental Body. A city, county, state or federal agency or special district which either has a jurisdictional interest or is of such proximity to the land partition that a reasonable likelihood of annexation exists.

Affected Person. Any person, including those owners of record of real property located within a minimum distance of 100 feet, exclusive of public street and other rights-of-ways, from the property, and persons who are beneficiaries of CCR's affecting the proposed land division, subject to a permit required by these zoning standards affected by a decision.

Agent. Any person who represents or acts for any other person in disposing of interests in a land development. Includes a real estate broker as defined in ORS 696.010 (12) but does not include an attorney at law whose representation of another person consist solely of rendering legal services.

Alley. A public or private way reserved and generally used as a means of public access to the back side of a property and not intended for transporting through traffic. Alternate use of an alley is permissible when determined to be in the public interest.

Bicycle Route. A right-of-way for bicycle traffic.

Block. An area of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-way or lines, shore lines or waterways, natural topographical barriers, or city limit.

Boundary Line. The property line bounding a lot, parcel or tract that divides one property from another or from a public or private street or other public space.

Boundary Line Adjustment. The relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel.

Building. A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

Building Envelope. (See Building Line)

Building Line. A line parallel to the street right-of way at any story level of a building on a plat indicating the limit beyond which buildings or structures may not be erected. If no line is shown on the plat, the building line shall be that set forth in the City Zoning Standards. Also known as a building envelope.

City. City Staff, Development Director, Planning Commission, Hearings Officer, or City Council.

Consolidation. The removal of lot lines between contiguous lawfully created lots or parcels.

Construction Plans. The plans, profiles, cross sections and drawings or reproductions thereof, approved by a registered professional engineer, which show the details of the work to be done on improvements.

Contiguous. (See Abut)

Contiguous Land. Units of land under the same ownership which abut, irrespective of roadways, easements, or rights-of-way.

Cross-Section. A profile of the ground surface perpendicular to the centerline of a street, stream, or valley bottom.

Dedication. The transfer of private property to public ownership upon written acceptance.

Development. Any human-caused change to improved or unimproved real estate that requires a permit or approval from any agency of the city, county, or state, including but not limited to buildings or other structures, mining, filling, grading, paving of infrastructure, excavation or drilling operations, landscaping, and storage of materials.

Developer. Any person, corporation, partnership, or other legal entity who creates or proposes to create a land development; includes any agent of a developer.

Drainage.

1. Surface water runoff;
2. the removal of surface water or groundwater from land by drains, grading, or other means, which include runoff controls to minimize erosion and sedimentation during and after construction or development.

Drainage Easement. An easement required for drainage ditches and pipes, are required along a natural stream for the flow of water therein, intended to safeguard the public against flood damage or the accumulation of surface water.

Easement. A right to use a parcel of land by a person or persons who do not own it, for specific purposes, but in which ownership of the land is not transferred.

Egress. Access point for exiting a building, site, or area.

Exaction. Contributions, dedications, and/or payments required to mitigate development impacts as an authorized condition for receiving a development permit.

Feasibility Study. An analysis of a specific project or program to determine whether it can be successfully carried out.

Frontage. That portion of a parcel of property which abuts a dedicated public street or highway right-of-way or an approved private way (except an alley).

Grade. The average level of the finished surface of the ground adjacent to the exterior of a building.

Grade, Established. The elevation of the ground or infrastructure as officially established by city authority.

Grade, Existing. The surface of the ground or infrastructure at a stated location as it exists prior to disturbance in preparation for a project.

Grade, Finished. The final elevation of the ground surface after man-made alterations, such as grading, grubbing, filling, or excavating, have been made on the ground surface.

Grade, Ground Level. The average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, alley or other public way, the above-ground level should be measured at the elevation of the sidewalk, alley, or public way.

Grade, Natural. The elevation of the ground surface that exists or existed prior to man-made alterations, such as grading, grubbing, filling, or excavating.

Grading. Any leveling, stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut, or filled, condition to create new grades.

1. Regular Grading: Any grading that involves 5,000 cubic yards or less of material.
2. Engineered Grading: Any grading that involves more than 5,000 cubic yards of material, or any filling of land that is intended to provide support for structures and or infrastructure.

Hearings Officer. A planning and zoning hearings officer appointed or designated by the City Council pursuant to ORS 227.165 or in the absence of such appointed hearings officer, the Planning Commission.

Impervious Surface. Any hard-surfaced area that does not readily absorb or retain water, including but not limited to building roofs, paved parking and driveway areas, sidewalks, and other paved areas.

Improvements. Include, but are not limited to, streets, alleys, curbs, roadbed, road surface, storm drains and appurtenances, sidewalks, streetlights, street signs, fire hydrants, sanitary sewers, and appurtenances, public or private water supply and water distribution systems and other utilities.

Improvement Agreement. Any contract, security or agreement that may be required and accepted between the developer and the city to assure that necessary improvements will be constructed and function as required. (See also Performance Guarantee)

Infill Development. Development of vacant, parcels of land in otherwise built-up areas.

Ingress. Access or entry point or entrance.

Intensity of Use. The range or scale or concentration or degree of impact of use, often measured by floor area ratios, building coverage or traffic generation.

Land Division. The subdividing or partitioning of land for any purpose into lots or parcels, or the creation of lots or parcels for the purpose of sale or lease.

Land Division Agreement. An agreement between the City and the developer that is approved as part of the land use review process which lists specifics terms applicable to the development which are recorded against the property. Such agreements are appealable as elements of the land use review and decision.

Land Division, Expedited. A division of land as defined in ORS 197.360.

Land Division, Middle Housing. A partition or subdivision of a lot or parcel on which the development of middle housing is allowed.

Lot. A lawfully created unit of land that is created by a subdivision of land.

Lot Area. The total horizontal surface area within the property lines of a lot, exclusive of streets.

Lot, Corner. A lot abutting upon two or more streets other than alleys, at their intersection, or upon two parts of the same street, such streets or parts of same street forming an interior angle of less than 135 degrees within the lot line.

Lot, Double Frontage. An interior lot having frontage on more than one street, or a corner lot having frontage on more than two streets.

Lot, Flag. See Section 8.2705(12).

Lot, Interior. A lot other than a corner lot.

Lot, Irregular. Any lot that is not rectangular in shape.

Lot Line, Front. For an interior lot, the lot line abutting a street other than an alley; for a corner lot, a lot line abutting either street other than an alley. In the case of a corner lot, or double frontage lot, the Community Development Department Director, or designee, shall determine the front lot line. The determination shall be made to provide the necessary public safety and shall be based on street classifications, house and driveway orientation, lot dimensions, and adjacent property use.

Lot Measurements:

1. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width, except in the case of lots on the turning circle of a cul-de-sac, where the 80 percent requirement shall not apply. Flag lot area measurements are exclusive of the area within the flagpole.

Lot Line, Rear. The lot line or lines opposite and most distant from the front lot line.

Lot Line, Side. Any lot line or lines that are not a front or rear lot line. An interior side lot line is a lot line common to more than one lot or to the lot and an alley; and exterior side lot line is a lot line common to the lot and a street other than an alley.

Lot, Nonconforming. A lot that lawfully existed prior to the enactment of the requirements of these standards, but which does not meet the minimum lot size or lot width requirements.

Lot of Record. Any lawfully created unit of land, created as follows:

1. A lot in an existing, duly recorded subdivision;
2. A parcel in an existing, duly recorded land partition; or,
3. An existing unit of land for which a survey has been duly filed which conformed to all applicable regulations at the time of filing; or
4. Any unit of land created by deed description or metes and bounds provided, however, contiguous units of land created by deed description or metes and bounds under the same ownership and not conforming to the minimum parcel size of these standards shall be considered one (1) lot of record.

Lot, Through. An interior lot having a frontage on two streets and/or highways, not including an alley. (See also Lot, Double Frontage).

Lot, Width. The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback.

Monument. A permanent and fixed survey marker conforming to the requirements established by state law and the regulations of Deschutes County.

MUTCD. Manual of Uniform Traffic Control Devices, Federal Highway Administration.

Natural Grade. (See Grade, Natural)

~~**Orderly Development and Land Use Patterns.** Development that is consistent with a zoning district's density requirements; does not overtax supporting public facilities and services and logical extensions thereof; provides for continued maintenance of supporting facilities and~~

~~services; recognizes the topographical limitations; is consistent with existing land use patterns and development; and does not foreclose future development opportunities on adjacent undeveloped or under-developed lands.~~

Owner. The owner of the title to real property or the authorized agent thereof having written notarized authorization recorded with the County Clerk, or the contract purchaser of real property of record as shown on the last available complete tax assessment roll or County Clerk's records. Does not include an interest created for security purposes.

Parcel. A unit of land created by a partitioning of land.

Partition. The act of partitioning land or an area or tract of land partitioned.

Partition Land. To divide an area or tract of land into two or three parcels within a calendar year.

Performance Bond. A document issued by a surety, in return for a fee or premium, guaranteeing the performance of the terms and conditions of a development approval.

Performance Guarantee. Any security or contract that may be accepted by a municipality as a guarantee that improvements required as part of an application for development are satisfactorily completed. (See also Improvement Agreement)

Person. An individual, firm, partnership, corporation, company, association, syndicate, or any legal entity, whether he, she or it is acting for himself, herself, or itself, or as the servant, employee, agent, or representative of another.

Phased Development Plan. An overall plan indicating the physical and functional interrelationships between uses and facilities for those projects, series of projects, phased developments or developments occurring in multiple phases over a period of ~~up to five~~ multiple years ~~unless extended~~.

Plat, Final. The final plan of all or a portion of a subdivision plat, partition plat, Planned Unit Development (PUD) that is presented to the approving authority for final approval in accordance with state law and is in accordance with the Tentative Plat Plan and all conditions as approved through the land use review and approval process.

Plat Plan, Tentative. A plan, diagram, drawing, replat, or other writing containing all descriptions, specifications, locations, dedications, provisions, and information concerning a subdivision or partition.

Primary Use. The intended use to which property is or may be devoted, and to which all other uses on the premises are derived as accessory or secondary uses. As used relative to dwelling units, the primary dwelling would be the first dwelling unit to be located on a specific parcel or lot.

Replat. The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

Reserve Strip. "Reserve Strip" means a strip of land usually one foot in width, reserved across the end of a street or alley terminating at the boundary of a subdivision, or a strip of land between a dedicated street of less than full width and adjacent acreage, in either case reserved or held for future street extension or widening.

Review Authority. The Community Development Director, Planning Commission, Hearings Officer, or City Council of the City of Redmond.

Right-of-Way. A strip of land acquired by dedication, prescription or condemnation and intended to be occupied by a street, trail, waterline, sanitary sewer, and/or other public utilities or facilities.

Road. A public or private way that is created to provide vehicular ingress or egress for persons to one or more lots, parcels, areas, or tracts of land. (See also Street)

Sale or Lease. Every disposition or transfer of land in a subdivision or an interest or estate therein, by a subdivider or developer or their agents. Includes the offering of land as a prize or gift when a monetary charge or consideration for whatever purpose is required by the subdivider, developer, or their agents.

Series Partitioned Land and Series Partition. A series of partitions of land located within this state resulting in the creation of four or more parcels over a period of more than one calendar year.

Series Partitioner. Any person who causes land to be series partitioned into a series of partitions, or who undertakes to develop a series partition, but does not include a public agency or officer authorized by law to make partitions.

Sidewalk. A pedestrian walkway with permanent surfacing, typically located adjacent to a roadway.

Slope. The degree of deviation of a surface from the horizontal, usually expressed as a percentage or by degrees.

~~**Solar Access.** The ability of one property to continue to receive sunlight across property lines without obstruction from buildings and structures constructed on the abutting property to the south~~

~~**Solar Height Restriction.** The allowable height of buildings and structures on a property burdened by the requirement to provide solar access to the abutting property to the north.~~

Street. A public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining, or agricultural purposes. (See also Road)

Street, Collector. A restricted access street supplementary to the arterial street system used or intended to be used principally for the movement of traffic between arterial and local streets.

Street, Cul-de-sac. A street having one end open to traffic and terminated by a vehicle turn-around.

Street, Dead End. A street with only one outlet.

Street, Frontage Road. A street parallel and adjacent to a collector or arterial providing access to abutting properties and protected from and protecting through traffic.

Street, Local. A street intended primarily for access to abutting properties.

Street, Major Arterial. A street with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterial streets.

Street, Minor Arterial. A street with a high volume of traffic that collects and distributes traffic to and from collector streets.

Street, Roadway. That portion of a street developed for vehicular traffic.

Street, Stubbed. A street having only one outlet for vehicular traffic, and which is intended to be extended or continued to serve future subdivisions or developments on adjacent lands.

Subdivide Land. To divide an area or tract of land into four or more lots within a calendar year.

Subdivision. The act of subdividing land or an area or a tract of land subdivided as defined in this section.

Subdivider. Any person who causes land to be subdivided into a subdivision, or who undertakes to develop a subdivision, but does not include a public agency or officer authorized by law to make subdivisions.

Tract. An expanse of land comprised of a single or multiple ownership.

Unit. Any magnitude regarded as an independent whole or single entity.

Use. The word "use" is synonymous with the terms "land use" and "use of land" unless the context clearly indicates otherwise.

Utilities, Private. Include electric, telephone, natural gas and other services providing for energy or communication needs, or privately-owned water systems.

Utilities, Public. Include water and sewer systems owned and operated by the City of Redmond.

Zero Lot Line. The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

Zero Lot Line Subdivision. A type of residential subdivision utilizing zero lot lines between dwelling units and providing for individual ownership of each lot, not including condominiums.

[Section 8.2020 amended by Ord. #2012-11 passed October 23, 2012]
[Section 8.2020 amended by Ord. #2015-01 passed February 24, 2015]
[Section 8.2020 amended by Ord. #2020-15 passed November 10, 2020]
[Section 8.2020 amended by Ord. #2022-04 passed June 28, 2022]

GENERAL REQUIREMENTS

8.2100 Procedure. All subdivisions, partitions, and other land use actions subject to the provisions of this Chapter shall be processed in accordance with Article 2 II, Land Use Procedures, of the City of Redmond Development Code.

1. Tentative subdivision plans, tentative partitions and phased development plans shall be reviewed as Land Use Actions subject to Section 8.1300 through 8.1400.
2. Modifications to approved tentative subdivision plans and tentative partitions prior to recording of final plat shall be reviewed per Section 8.1400.2.
3. Boundary line adjustments shall be reviewed as Development Actions subject to Section 8.1200 through 8.1215.
4. Middle housing and expedited land divisions shall be reviewed per Section 8.2660.

[Section 8.2100 added by Ord. #2012-11 passed October 23, 2012]

8.2105 Scope of Regulation. Before a plat of any subdivision or partition may be recorded, the person proposing the subdivision or the partition, or an authorized agent or representative, shall make an application in writing to the Redmond Community Development Department for approval of the proposed subdivision or partition in accordance with the requirements and procedures established by these standards.

[Section 8.2105 amended by Ord. #2012-11 passed October 23, 2012]

~~**8.2110 Minimum Standards.** No proposed subdivision or partition shall be approved unless it complies with the density and underground utility requirements of the Redmond Comprehensive Plan, applicable Zoning Standards, standards below, and ORS Chapter 92.~~

[Section 8.2110 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2110 amended by Ord. #2022-04 passed June 28, 2022]

8.2115 Sale. No person shall sell or negotiate to sell any lot in any subdivision or parcel in any partition except in accordance with the applicable provisions of ORS Chapter 92, including but not limited to ORS 92.016, 92.015 and 92.027.

[Section 8.2115 amended by Ord. #2012-11 passed October 23, 2012]

8.2120 Delegation. The City Council, pursuant to state statute, hereby delegates to the ~~appropriate hearings or~~ Review Authority the power to make final action on a proposed subdivision or partition subject to appeal as provided for in Article 2 of the City of Redmond's Development Code, Land Use Procedures.

[Section 8.2120 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2120 amended by Ord. #2020-15 passed November 10, 2020]

8.2125 Subdivisions or Partitions in the OSPR Zone. No partitions or subdivisions in the OSPR zone or property that lies both within the OSPR zone and an adjoining zone shall be allowed prior to approval of a master plan for development of the entire parcel pursuant to City of Redmond Development Code Section 8.0270.

[Section 8.2125 amended by Ord. #2012-11 passed October 23, 2012]

8.2130 Enforcement.

1. It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.
2. Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
3. Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.
4. Violation of these standards is hereby declared a nuisance and may be subject to abatement, removal or other remedy provided in the City of Redmond nuisance code under Section 5.345.
5. When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.
6. If any section, subsection, sentence, clause, or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

[Section 8.2130 added by Ord. #2012-11 passed October 23, 2012]

[Section 8.2130 amended and renamed by Ord. #2013-06 passed April 9, 2013]

8.2135 Violation Declared a Nuisance.

[Section 8.2135 added by Ord. #2012-11 passed October 23, 2012]

[Section 8.2135 deleted by Ord. #2013-06 passed April 9, 2013]

8.2140 Civil Relief.

[Section 8.2140 added by Ord. #2012-11 passed October 23, 2012]

[Section 8.2140 deleted by Ord. #2013-06 passed April 9, 2013]

8.2145 Administration of Standards.

[Section 8.2145 added by Ord. #2012-11 passed October 23, 2012]

[Section 8.2145 deleted by Ord. #2013-06 passed April 9, 2013]

8.2150 Severability.

[Section 8.2150 added by Ord. #2012-11 passed October 23, 2012]

[Section 8.2150 deleted by Ord. #2013-06 passed April 9, 2013]

ARTICLE III. LAND DIVISION STANDARDS

TENTATIVE SUBDIVISION APPLICATION PROCEDURE PLAN

8.2200 Pre-Application Meeting. Prior to submitting a tentative subdivision ~~plat~~ plan each applicant or their representative is required to meet with the Community Development Director or a designated staff member(s) to review the proposal.

[Section 8.2200 amended by Ord. #2012-11 passed October 23, 2012]

8.2202 Neighborhood Meeting. The applicant or their representative shall conduct ~~Proof of a~~ neighborhood meeting that meets the requirements of Section 8.0385 ~~was conducted for~~ residential or mixed use development proposals that generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, where a Transportation Impact Analysis (TIA) is required per Section 8.2815. ~~See Section 8.0385 for meeting requirements.~~

[Section 8.2202 added by Ord. #2022-09 passed December 13, 2022]

8.2205 Application Submission. Any person, authorized agent, or representatives, proposing a subdivision, shall include with an application and filing fee for a subdivision, a tentative ~~plat~~ plan together with improvement plans and other supplementary material as may be required.

[Section 8.2205 amended by Ord. #2012-11 passed October 23, 2012]

8.2210 Scale of Tentative Subdivision Plat Plan. The tentative ~~plat~~ plan of a proposed subdivision shall be drawn on a sheet at an engineer's scale not greater than one inch per 100 feet, or as approved by the Community Development ~~staff~~ Director, or designee.

[Section 8.2210 amended by Ord. #2012-11 passed October 23, 2012]

8.2215 Informational Requirements. The following information shall be shown on the tentative ~~plat~~ plan or provided in accompanying materials. A tentative plan must be prepared by a professional land surveyor, a registered professional engineer or a registered landscape architect. No tentative ~~plat~~ plan shall be considered complete unless all such information is provided:

1. General information required:

- A. Proposed name of the subdivision.
- B. Names, address, and phone numbers of the owner of record, authorized agents or representatives, engineer or surveyor, and any assumed business names filed or to be filed with the Oregon Secretary of State Corporation Division by the applicant. If the application is filed by anyone other than the owner of record, a letter or other evidence of the owner's permission to file the application.
- C. Date of ~~plat~~ plan preparation, north and magnetic north and south, scale and gross area of the proposed subdivision.
- D. Appropriate identification of the drawing as a tentative ~~plat~~ plan for a subdivision. Location and tract designation sufficient to define its location and boundaries, and a legal description of the tract boundaries in relation to existing plats and streets.

- E. Certified copy of the recorded instrument under which the applicant claims an ownership interest, or copy of a land sales contract, which binds the applicant in the event of tentative approval.
- F. Title report or subdivision guarantee, issued within the last ninety (90) days, and supporting documentation of all easements identified on the property.

2. Information concerning existing conditions:

- A. Location, names, and widths of existing improved and unimproved public or private streets and roads within and adjacent to the proposed subdivision.
- B. Location of any existing features such as section lines, section corners, City and special district boundary lines, and survey monuments.
- C. Location of existing structures, irrigation canals and ditches, pipelines, waterways, railroads, and any natural features such as rock outcroppings, ~~marshes~~ **designated wetlands**, wooded areas, and natural hazards.
- D. Location and direction of water courses, and the location of areas subject to flooding and high water tables.
- E. Location, width and use or purpose of any existing easement or right-of-way within and adjacent to the proposed subdivision.
- F. Existing sewer lines or septic tanks and drain fields, water mains, wells, fire hydrants, culverts, and other underground and overhead utilities within and adjacent to the proposed subdivision together with pipe sizes, grades, and locations.
- G. Contour lines related to some established benchmark or other engineering acceptable datum and having minimum intervals of two feet for slopes of less than five percent, five feet for slopes of five to fifteen percent, ten feet for slopes of fifteen to twenty percent, and twenty feet for slopes greater than twenty percent.
- H. Zoning classification of land within and adjacent to the proposed subdivision.
- I. Names and addresses of all adjoining property owners.
- ~~J. The structures, trees, rock outcroppings or other shade producing objects, if the object will cast shade from or onto the subdivision.~~
- K. Existing covenants, conditions, and restrictions.
- L. Conditions specified on the approved Transportation System Analysis prepared in accordance with Section 8.2815.

3. Information Concerning Proposed Subdivision:

- A. Location, names, width, typical improvements, cross sections, bridges, culverts, approximate grades, curve radii and centerline lengths and reserve strips of all proposed streets, and the relationship to all existing and projected streets.
- B. Location, width, and purpose of all propose easements or rights-of-way and relationship to all existing easements and rights-of-way.
- C. Location of at least one temporary bench mark within the proposed subdivision boundary.
- D. Location, approximate area and dimensions of each **proposed** lot, and proposed lot and block numbers.
- E. Location, approximate area and dimensions of any lot or area proposed for public use, the use proposed, and plans for improvements or development thereof.
- F. Proposed use, location, approximate area, and dimensions of any lot intended for non-residential use.
- G. An outline of the area proposed for partial recording, if contemplated or proposed.
- H. Source, method, and preliminary plans, prepared by a licensed civil engineer, for domestic and other water supplies, sewage disposal, solid waste disposal, and all utilities.
- I. Description and location of any proposed community facility.

- J. Storm water, drainage facility and grading plans.
- K. Proposed deed restrictions including access restrictions or protective covenants if such are proposed to be utilized for the proposed subdivision.
- L. Statement from each utility company proposed to serve the proposed subdivision stating that each company is able and willing to serve the proposed subdivision as set forth in the tentative plan, and the conditions and estimated costs of such service.
- M. Proposed fire protection or fire hydrant system for the proposed subdivision and written approval thereof by the appropriate serving fire protection agency.
- N. ~~Solar Access. Demonstration of how solar access will be provided.~~
- O. ~~Location and type of street trees.~~

4. Information showing how the applicant has addressing the applicable Great Neighborhood Principles in Section 8.0270(3)(C)(13) and adopted Area Plans. **Narrative. Letter or narrative report documenting compliance with the applicable approval criteria contained in Section 8.2235.**

5. **Tree Survey.** A survey indicating location of all trees having a ten-inch trunk diameter 4.5 feet above grade or greater, their diameter, and whether they are coniferous or deciduous on private property and in the right of way adjacent to the property. The plan shall show which trees are proposed for removal and the location of replacement trees. The plan shall show the Tree Protection Zone (TPZ) for trees to be preserved, conforming with the City of Redmond Public Works Standards and Specifications. The tree survey shall show the proposed improvements or potential improvements, indicated by the buildable area of a lot consistent with the maximum lot coverage area of the zone.

[Section 8.2215 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2215 amended by Ord. #2015-01 passed February 24, 2015]

[Section 8.2215 amended by Ord. #2016-17 passed January 31, 2017]

[Section 8.2215 amended by Ord. #2022-04 passed June 28, 2022]

[Section 8.2215 amended by Ord. #2022-09 passed December 13, 2022]

8.2220 Phased Development Plan. An applicant may propose phased development of a tentative subdivision plan by submitting a phased development plan that ~~An overall phased development plan shall be submitted for all developments for which phased development is contemplated. The phased development plan shall include but not be limited to, the following elements:~~

- 1. Overall development plan, including phase or unit sequence.
 - A. For development that includes a commercial component, a surety may be required when the commercial component is not sequenced in the initial phases.
- 2. Show compliance with all applicable land division standards and policies as described in this Article.
- 3. Schedule of improvements initiation and completion.
- 4. Overall transportation and traffic pattern plan showing compliance with grid street standards, and for land within the North Redmond US 97 Interchange Area Management Plan (IAMP), compliance with the Local Street Connectivity Plan (Comprehensive Plan Addendum Chapter 9 Transportation Element figure 1).
- 5. General program for phasing timetable projection.
- 6. Development plans for any common elements or facilities.
- 7. ~~If the proposed subdivision is believed to have an additional impact upon adjacent lands or lands within the general vicinity, the Hearings Body may require an additional impact analysis for various aspects of the development thought to cause such impacts.~~

8. ~~Street tree plan.~~
9. ~~Program for addressing applicable Great Neighborhood Principles in Section 8.0330(3)(C)(13) and adopted Area Plans.~~

[Section 8.2220 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2220 amended by Ord. #2015-01 passed February 24, 2015]

[Section 8.2220 amended by Ord. #2022-09 passed December 13, 2022]

8.2225 Approval of Phased Development Plan. The Hearings Body Review Authority shall review a phased development plan at the same time a the tentative plat plan for the first phase is reviewed. A phased development plan may be approved before the tentative plat for the first phase is submitted. The Hearings Body Review Authority may approve, modify, or disapprove the phased development plan and shall set forth findings for such decision. The Hearings Body Review Authority may also attach conditions necessary to bring the plan into compliance with all applicable land use standards and policies. Any tentative plat submitted for the plan area shall conform to the phased development plan unless approved otherwise by the City.

[Section 8.2225 amended by Ord. #2012-11 passed October 23, 2012]

8.2230 Development Following Approval.

1. Once a phased development plan is approved by the City, the plan shall be binding, upon both the City and the developer applicant. The applicant shall submit a final plat for each phase per Section 8.2305.
2. The Hearings Body Review Authority may attach conditions to any changes proposed that are deemed necessary to ensure compliance with the Comprehensive Plan and implementing regulations.
3. ~~After five (5) years from the date of approval of the plan, the City may initiate a review of the plan for conformance with applicable City regulations. If necessary, the City may require changes in the plan to bring it into conformance with new applicable city regulations.~~

[Section 8.2230 amended by Ord. #2012-11 passed October 23, 2012]

8.2235 Required Findings Approval Criteria for Tentative Subdivision Approval Plans.

1. The Hearings Body Review Authority shall approve no application for a subdivision unless the following requirements are met: shall approve, approve with conditions, or deny a proposed tentative subdivision plan. Approval, or approval with conditions shall be based on compliance with the following criteria:
 - A. Proposal is in compliance with ORS Chapter 92, the Comprehensive Plan, the Transportation System Plan (TSP), applicable zoning and the applicable Track in Section 8.2236.
 - B. Proposal complies with the standards of this Code, including but not limited to:
 - a. Section 8.2705, Blocks, Lots and Parcels.
 - b. Section 8.2710, Streets.
 - c. Section 8.2715, Fundamental Design Standards.
 - d. Section 8.2720, Grading of Building Sites.
 - e. Section 8.2815, Transportation System Analysis.
 - f. Section 8.2820, Access Management Standards.

- g. Any other applicable standards.
 - C. Proposal complies with the standards of the zoning district in which the project is located.
 - D. The proposal is in substantial conformance with any applicable approved area plan, master plan, and/or framework plan.
 - E. Proposal does not conflict with acquired public access easements within or adjacent to the subdivision.
 - F. ~~Each lot is suited for the use intended or offered.~~
 - G. The proposed subdivision will provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities consistent with City Standards and Specifications.
 - H. The subdivision will not exceed the operational capacity of public facilities and services as identified in the city's Water and Wastewater Master Plan and the Transportation System Plan, which are required to serve the development, or a determination that sufficient capacity can be provided.
 - I. A water rights division plan has been approved by the applicable irrigation district.
 - J. ~~The subdivision contributes to orderly development and land use patterns in the area and provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features.~~
 - K. The proposal does not create risk of fire, flood, geological hazards, or other public health and safety concerns.
 - L. The proposal provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features, and other natural and historic resources to the maximum degree practicable.
2. ~~Access Management proposals comply with the standards set forth in Section 8.2820 and all other applicable standards.~~

[Section 8.2235 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2235 amended by Ord. #2020-15 passed November 10, 2020]

~~8.2236 Subdivisions may be created following two tracks: Track 1 (General) and Track 2 (Clear and Objective Standards).~~

- 1. ~~**Track 1 – General Criteria. Subdivision Tentative Plans (No ‘Needed Housing’).** The City shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions shall be based on compliance with the following criteria:~~
 - A. ~~The proposed subdivision will:~~
 - 1. ~~Not create risk of fire, flood, geological hazards, or other public health and safety concerns;~~
 - 2. ~~Provide adequate transportation systems, water supply sewage disposal, drainage, and other public utilities consistent with City Standards and Specification;~~
 - 3. ~~The proposed subdivision provides direct bicycle and pedestrian access to any adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment areas.~~
 - B. ~~Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the development of the remainder or any adjoining land or access thereto, based on the provisions of this land use code.~~
 - C. ~~Any existing improvements on the proposed lots are consistent with the provisions of this land use code.~~

- ~~D. The proposed subdivision will be consistent with the property's designation in the comprehensive plan map.~~
- ~~E. General conformance with the Great Neighborhood Principles, including a description of the range of housing unit types proposed.~~
- ~~F. The proposed subdivision provides safe, convenient, and direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe, convenient, and direct transit circulation, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within ¼ mile that can reasonably be expected to be used by pedestrians and uses within 2 miles that can reasonably be expected to be used by bicyclists.~~
- ~~G. The proposed subdivision is designed and sited such that roads, infrastructure, utilities, and future development of proposed lots will minimize impacts to the natural environment by addressing the following:~~
 - ~~1. Protection of Natural Features.~~
 - ~~a. For areas not included on the city's acknowledged Goal 5 inventory, the preservation of significant natural features to the greatest degree attainable or feasibly, including:~~
 - ~~i. Significant on-site vegetation, including rare plants (those that are proposed for listing or are listed under state or federal law), and native plant communities.~~
 - ~~ii. Prominent topographic features, such as ridgelines and rock outcrops.~~
 - ~~iii. Natural resource areas designated in the comprehensive plan diagram as "Natural Resource" and areas identified in any city adopted natural resource inventory.~~
 - ~~b. For areas included on the city's acknowledged Goal 5 inventory, the preservation of natural features shall be consistent with the acknowledged level of preservation provided for the area.~~
 - ~~2. Tree Preservation. The proposed project shall be designed and sited to preserve significant trees to the greatest degree attainable or feasible, with trees having the following characteristics given the highest priority for preservation.~~
 - ~~a. Healthy trees that have a reasonable chance of survival considering the base zone or special area zone designation and other applicable approval criteria;~~
 - ~~b. Trees located within vegetated corridors and stands rather than individual isolated trees subject to windthrow;~~
 - ~~c. Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement;~~
 - ~~d. Trees that provide a buffer between potentially incompatible land uses;~~
 - ~~e. Trees located along the perimeter of the lot(s) and within building setback areas;~~
 - ~~f. Trees and stands of trees located along ridgelines and within view corridors;~~
 - ~~g. Trees with significant habitat value;~~
 - ~~h. Trees adjacent to public parks, open space, and streets;~~
 - ~~i. Trees along water features;~~
 - ~~j. Heritage Trees.~~

3. ~~Restoration or Replacement.~~
 - a. ~~For areas not included on the city's acknowledged Goal 5 inventory, the proposal mitigates, to the greatest degree attainable or feasible, the loss of significant natural features described in criteria (1) and (2) above, though the restoration or replacement of natural features such as:~~
 - i. ~~Planting of replacement trees within common areas; or~~
 - ii. ~~Re-vegetation of slopes, ridgelines, and street corridors; or~~
 - iii. ~~Restoration of native plant habitat.~~
 - b. ~~Street Trees. If the proposal includes removal of any street tree(s), removal of those street tree(s) has been approved or approved with conditions imposed by the City.~~
- H. ~~On R-1 zoned property, if the subdivision results in a lot greater than 13,500 square feet in size the application shall indicate the location of lot lines and other details of layout that show future division of the lot may be made without violating the requirements of this land use code and without interfering with the orderly extension of adjacent streets, bicycle paths, and accessways. If the City deems it necessary for the purpose of future land division, any restriction of buildings within future street, bicycle path, and accessway locations shall be made a matter of record in the tentative plan approval.~~
- I. ~~As far as is practicable, lot side lines shall run at right angles to the street upon which the lots face, except that on curved streets they shall be radial to the curve.~~
- J. ~~The proposed subdivision supplies all of the following:~~
 1. ~~Geological and Geotechnical Analysis.~~
 2. ~~Pedestrian Circulation On Site.~~
 3. ~~Public Access Required.~~
 4. ~~Special Setback Standards.~~
 5. ~~Underground Utilities.~~
 6. ~~Vision Clearance Areas.~~
 7. ~~Stormwater flood control, quality, oil and pollution control, source control, easements, and operation and maintenance.~~
 8. ~~The proposed subdivision complies with other applicable development standards for features explicitly included in the application.~~
- K. ~~The proposal complies with the Transportation System Analysis review provisions per Section 8.2815.~~
- L. ~~Urban-rural interface. Urban development shall interface with rural areas (rural areas are those that lie within areas outside of the UBG or UAR) through landscaped open-space buffers at least 100 feet wide and the length of the urban development, excluding public streets, or shall be transitioned from higher density development to lower density development at the urban-rural interface, or utilize other appropriate and equivalent transitional elements.~~
- M. ~~Fully developed "pocket parks" or "tot lots" shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Examples of amenities include: turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and acceptable trash receptacle(s) and lighting.~~
- N. ~~No site grading of the site shall occur until the City has approved the subdivision application.~~
2. **Track 2 – Subdivision, Tentative Plan Approval Criteria ('Needed Housing' & Clear and Objective Standards).** The planning division shall approve, approve with conditions,

~~or deny a proposed subdivision. Approval, or approval with conditions, shall be based on compliance with the following criteria:~~

- ~~A. The applicant has demonstrated that the proposed housing is needed housing as defined by State statutes.~~
- ~~B. The proposed land uses and densities are consistent with the comprehensive plan, in this code, and as refined in any applicable area plan, master plan, or framework plan.~~
- ~~C. The proposed subdivision complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone. The proposed subdivision will:~~
 - ~~1. Not create risk of fire, flood, geological hazards, or other public health and safety concerns;~~
 - ~~2. Provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities consistent with City Standards and Specifications.~~
- ~~D. The proposed subdivision provides direct bicycle and pedestrian access to any adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment areas.~~
- ~~E. The proposed subdivision is designed and sited such so roads, infrastructure, utilities, and future development of proposed lots will minimize impacts to the natural landscape by addressing the following:~~
 - ~~1. Tree Preservation. The proposed project shall be designed and sited to preserve trees having the following characteristics:~~
 - ~~a. Healthy trees that have a reasonable chance of survival considering the base zone or special area zone designation and other applicable approval criteria;~~
 - ~~b. Trees located within vegetated corridors and stands rather than individual isolated trees subject to windthrow;~~
 - ~~c. Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement;~~
 - ~~d. Trees that provide a buffer between potentially incompatible land uses;~~
 - ~~e. Trees located along the perimeter of the lot(s) and within building setback areas;~~
 - ~~f. Trees and stands of trees located along ridgelines and within view corridors;~~
 - ~~g. Trees with significant habitat value;~~
 - ~~h. Trees adjacent to public parks, open space, and streets.~~
 - ~~i. Trees along water features.~~
 - ~~j. Heritage trees.~~
 - ~~2. Restoration or Replacement.~~
 - ~~a. For areas not included on the City's acknowledged Goal 5 inventory, the proposal mitigates, to the greatest degree attainable or feasible, the loss of significant natural features described in criteria (a) above, through the restoration or replacement of natural features such as:~~
 - ~~i. Planting of replacement trees within common areas; or~~
 - ~~ii. Re-vegetation of slopes, ridgelines, and pedestrian corridors; or~~
 - ~~iii. Restoration of native plant habitat.~~

- b. ~~For areas included on the City's acknowledged Goal 5 inventory, any loss of natural features shall be consistent with the acknowledged level of protection provided for the resource.~~

~~Street Trees. If the proposal includes removal of any street tree(s), removal of those street tree(s) has been approved or approved with conditions by the City.~~

- F. ~~On any Residential zoned property, if the subdivision results in a lot greater than twice the minimum lot size in the underlying zone, the application shall indicate the location of lot lines and other details of layout that show future division of the lot may be made without violating the requirements of this code and without interfering with the orderly extension of adjacent streets, bicycle paths, and accessways.~~
- G. ~~Lot side lines shall run at right angles to the street upon which the lots face, except that on curved streets they shall be radial to the curve.~~
- H. ~~There shall be no proposed grading on portions of the development site that meet or exceed 15% slope.~~
- I. ~~The proposed subdivision complies with the Transportation System Analysis review provisions per Section 8.2815.~~
- J. ~~The proposed subdivision street layout shall disperse motor vehicle traffic onto more than one public local street unless approved by the City Engineer.~~
- K. ~~Urban development shall interface with rural areas (rural areas are those that lie within areas outside of the UGB or UAR) through landscaped open space buffers at least 100 feet wide and the length of the urban development, excluding public streets, or shall be transitioned from higher density development to lower density development at the urban rural interface, or utilize other appropriate and equivalent transitional elements.~~
- L. ~~Fully developed "pocket parks" or "tot lots" shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty five lots/units, a minimum of 3,000 square feet and privately maintained. Examples of amenities include: turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and adequate trash receptacle(s) and lighting.~~
- M. ~~No site grading of the site shall occur until the City has approved the subdivision application.~~
- O. ~~The proposed subdivision does not contain any Through/Double Frontage lots or parcels.~~

~~[Section 8.2236 added by Ord. #2020-15 passed November 10, 2020]~~

~~[Section 8.2236 amended by Ord. #2022-04 passed June 28, 2022]~~

~~[Section 8.2236 amended by Ord. #2022-09 passed December 13, 2022]~~

8.2240 Future Subdivision. On any Residential zoned property, if the subdivision results in a lot greater than twice the minimum lot size in the underlying zone, the application shall indicate the location of lot lines and other details of layout that show future division of the lot may be made without violating the requirements of this code and without interfering with the orderly extension of adjacent streets, bicycle paths, and accessways.

8.2240 Improvement Requirements (For Track 1 and Track 2 Subdivisions).

- ~~1. In the approval of a subdivision, the Community Development Director, or Hearings Body, shall consider the need for street and other improvements. All streets in new subdivisions, except for private streets, shall be dedicated to the public without reservation or restriction.~~
- ~~2. Private Alley Access. The Community Development Director, or Hearings Body, may require the applicant to improve a private alley access easement serving two or more lots according to the adopted City of Redmond Public Works Standards and Specifications, as amended.~~
 - ~~A. Such access easements shall include provisions for permanent, long-term maintenance, including: maintenance measures to be employees; responsible parties; funding; design; timing; and enforceability. These provisions shall be included as recorded Covenants, Conditions and Restrictions (CCR's) appurtenant to the affected properties.~~
- ~~3. The subdivider shall record the required (including but not limited to) land division agreement, public improvement agreement, shared access agreement or shared well agreement, as may be applicable, with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.~~
- ~~4. Paved access is guaranteed to each lot.~~
- ~~5. Each lot is to be connected to the City water and sewer system pursuant to Section 4.007 of the Code of the City of Redmond.~~
- ~~6. All required public utilities are available.~~

[Section 8.2240 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2240 amended by Ord. #2020-15 passed November 10, 2020]

8.2245 Resubmission of Denied Tentative Subdivision ~~Plats~~ Plans.

1. A tentative ~~plat~~ plan that was previously denied for an area or tract of land shall be resubmitted in accordance with this Chapter, and shall be reviewed in the same manner as any other tentative ~~plat~~ plan.

[Section 8.2245 amended by Ord. #2012-11 passed October 23, 2012]

ARTICLE III. LAND DIVISION STANDARDS

FINAL SUBDIVISION PLAT

8.2300 Submission of Final Plat.

1. **Filing Time Period Requirements.** Notwithstanding the requirements included herein as amended, all final plats submitted for review and approval shall be subject to the final plat requirements of the City of Redmond Development Code in effect as of the date of the tentative plan approval. Except as provided for in Section 8.2305, the applicant shall prepare and submit to the Community Development Department, a final plat that is in conformance with the tentative ~~plat~~ plan as approved, including all conditions of the land use decision. Within two (2) years of the approval date for the tentative ~~plat~~ plan for a subdivision, the applicant shall submit the final plat, a filing fee and any supplementary information required by these standards and the land use decision. If the applicant fails to proceed with the submission before the expiration of the two (2) year period following the approval of the tentative ~~plat~~ plan, the plan approval shall be void.
2. **Extensions.**
 - A. If it appears the applicant will not be able to comply with the filing time requirements of these standards, applicant may submit a written application to the Community Development Director, or designee, requesting an extension of the filing time requirement. The application shall be filed no later than sixty (60) days prior to the date the two (2) year period expires. The extension request shall also be accompanied by the appropriate fee.
 - B. If there is good cause, the Community Development Director, or designee, may grant the extension of up to six (6) months from the date of expiration. Good cause shall require a showing by the applicant that the delay is unavoidable and was not the result of the applicant's own actions. The applicant must also show he or she has made significant progress on the majority of conditions of the tentative ~~plat~~ plan.
 - C. Any extension granted by the Community Development Director, or designee, may be conditioned by a requirement that the applicant provide appropriate guarantees that the requirements of these standards will be met.
 - D. The applicant may appeal a decision of the Community Development Director, or designee, to the Hearings Body pursuant to Sections 8.1500 through 8.1560 of Article 2 of the City of Redmond Development Code, Land Use Procedures.
 - E. Notice of the application for an extension shall be provided as prescribed in Section 8.1310 of Article 2 II of the City of Redmond Development Code, Land Use Procedures.

[Section 8.2300 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2300 amended by Ord. #2020-15 passed November 10, 2020]

8.2305 Submission of Final Plats for Phased Development.

1. ~~If a tentative plat is approved for phased development, t~~The final plat for the first phase of a phased development shall be filed within two (2) years of the approval date for the tentative plat plan. However, the Community Development Director, or Hearings Body, may allow extensions as provided in Section 8.2300, above.
2. The final plat for a subsequent phase shall be filed in sequential order within ~~three (3)~~ two (2) years of the date the final plat for the first previous phase is filed, and the final plat for

the final phase shall be filed within eight (8) years of the approval date for the tentative plan. If the phased development is a Planned Unit Development or Cottage Development, the final plat for the final phase shall be filed within eight (8) years of the date the development is approved, as provided in RDC 8.1605.

3. If the applicant fails to file a final plat within the timeframe established herein, the tentative plan for that phase and all subsequent phases shall become null and void.

[Section 8.2305 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2305 amended by Ord. #2020-15 passed November 10, 2020]

8.2310 Form of Final Plat. The final plat shall be submitted in the form prescribed by state statute (ORS Chapter 92).

[Section 8.2310 amended by Ord. #2012-11 passed October 23, 2012]

8.2315 Technical Review of Subdivision Plat.

1. **Standards Check.** Upon receipt by the Community Development Department, the plat and other data shall be reviewed to determine that the subdivision as shown is substantially the same as it appeared on the approved tentative plat, and for compliance with provisions of these standards and other applicable laws.
2. **Field Check.** The City Engineer or their designated representatives may make such checks in the field as are desirable to verify that the plat is sufficiently correct. The City Engineer or representative may enter the property for this purpose.

[Section 8.2315 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2315 amended by Ord. #2020-15 passed November 10, 2020]

8.2320 Conditions of Final Subdivision Plat Approval.

1. The Community Development Director, or designee, shall determine whether the final plat conforms with the approved tentative ~~plat~~ plan and with these regulations. If the Community Development Director, or designee, does not approve the plat, the applicant shall be advised of the changes or additions that must be made and shall afford an opportunity to make corrections. If the Community Development Director, or designee, determines the plat conforms to all requirements, approval shall be made, provided non-discretionary supplemental documents and provisions for required improvements are satisfactory. Approval of the plat does not constitute or effect an acceptance by the public of the dedication of any street or other easement shown on the plat nor does such approval constitute final approval, said authority for final acceptance being vested with the City Council.
2. No plat of a proposed subdivision shall be approved unless:
 - A. Streets and roads for public use are to be dedicated without any reservation or restriction.
 - B. The plat contains provisions for dedication to the public of all common improvements, including but not limited to streets, roads, parks, sewage disposal and water supply systems, if made a condition of the approval of the tentative plat.
 - C. Explanations of all common improvements required as conditions of approval of the tentative ~~plat~~ plan shall be recorded and referenced on the final plat.
3. No plat of a subdivision shall be approved unless the subdivider has either constructed and had accepted by the City the required improvements or the subdivider has executed

an improvement agreement pursuant to the provisions of Section 8.2325. If the subdivider chooses to construct the improvements, he or she shall also file with the City a warranty bond executed by a surety company to cover the one (1) year warranty period following acceptance by the City. Said bond shall be in the amount of ten (10) percent of the value of the improvements as determined by the City Engineer.

[Section 8.2320 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2320 amended by Ord. #2020-15 passed November 10, 2020]

8.2325 Improvement Agreement.

1. The subdivider may, in lieu of completion of the required improvements and repair to existing streets and facilities, request the Community Development Director, or designee, to approve an agreement specifying the schedule by which the required improvements and repairs shall be completed. Provided, however, any schedule of improvements agreed to shall not exceed one (1) year from the date the final plat is recorded. The agreement shall also provide the following information:
 - A. The repairs required and cost of the project.
 - B. That, pursuant to the requirements of Section 8.2330 of this Chapter, the City may call upon the security filed to construct or complete the improvements and repairs if the schedule of improvements is not adhered to.
 - C. That the City shall recover the full cost and expense of any work performed by the City to complete construction of the improvements and repairs including, but not limited to attorneys' and engineering fees.
 - D. That a warranty bond for one (1) year shall be deposited with the City following acceptance of the improvements. Said bond shall be in the amount of ten (10) percent of the value of the improvements.
 - E. Building permits will not be issued for any structure on any lot included within the subdivision plat until such time as all improvements are completed as specified in the agreement.
2. The Community Development Director, or designee, may reject an agreement authorized by this Section for any reason the Community Development Director, or designee, deems sufficient.
3. The subdivider shall record the required land division agreement or public improvement agreement with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.

[Section 8.2325 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2325 amended by Ord. #2020-15 passed November 10, 2020]

8.2330 Bond or Cash Deposit.

1. The subdivider shall file with any agreement specified in Section 8.2325, to assure his or her full and faithful performance thereof, one of the following:
 - A. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney.
 - B. A cash deposit in a City account at an approved lending institution.
2. A bond or cash deposit, or any combination thereof, shall be for 120% of the cost of the improvements and repairs as determined by the City.
3. If the subdivider fails to carry out the provisions of the agreement, the City may call upon the bond or cash deposit to finance any cost or expenses resulting from said failure. In

the alternative, the City may form a Local Improvement District or a Reimbursement District to lien the properties in accordance with the relevant provisions of Oregon State Law and the Redmond City Code. If the amount of the deposit or bond exceeds the cost and expense incurred by completing the improvements, the City shall release the remainder. If the amount of the deposit or bond is less than the cost and expense incurred by the City for the improvements and repairs, the subdivider shall be liable to the City for the difference.

[Section 8.2330 amended by Ord. #2012-11 passed October 23, 2012]

8.2335 Final Plat Approval. After the final plat has been reviewed and approved by the City, and when all signatures as required by the Deschutes County Surveyor other than the Development Services Director, County Clerk, and County Commissioner appear on the mylar, the City Engineer and Planning Director shall sign the final plat mylar and return it to the applicant to file with Deschutes County.

[Section 8.2335 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2335 amended by Ord. #2022-04 passed June 28, 2022]

8.2340 Recording of Plat.

1. Within 60 days of City approval, the applicant shall submit the approved final plat with the Deschutes County Clerk for recordation.
2. The subdivider shall record the required (including but not limited to) land division agreement, public improvement agreement, shared access agreement or shared well agreement, as may be applicable, with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.
 - A. Any private access easements, if made a condition of approval of the tentative plan, shall include provisions for permanent, long-term maintenance, including: maintenance measures to be employed; responsible parties; funding; design; timing; and enforceability. These provisions shall be included as recorded Covenants, Conditions and Restrictions (CCR's) appurtenant to the affected properties.
3. The applicant shall provide exact copies of the recorded plat to the City Engineer and City Development Director.
4. No plat shall have any force or effect and no title to any property shall pass until the final plat has been recorded.

[Section 8.2340 amended by Ord. #2012-11 passed October 23, 2012]

ARTICLE III. LAND DIVISION STANDARDS

LAND PARTITIONING

8.2400 Applicability of Regulations. All proposed land partitions within the City shall be approved by the City. Approval shall only be granted in accordance with the provisions of these standards. Provided, however, the Community Development Director, or designee, may refer any partition to the Hearings Body for a hearing and decision.

[Section 8.2400 amended by Ord. #2012-11 passed October 23, 2012]

8.2405 Filing Procedures and Requirements.

1. Any person or an authorized agent or representative, proposing a land partitioning, shall prepare and submit three (3) copies of the documents hereinafter described, in accordance with the prescribed procedures, and the appropriate filing fee, to the Community Development Department.
2. The tentative ~~plat~~ plan or preliminary drawing shall include the following:
 - A. A vicinity map locating the proposed partitioning in relation to adjacent subdivisions, roadways and adjoining land use and ownership patterns. The map must include names of all existing roadways shown therein.
 - B. A plan of the proposed partitioning showing tract boundaries and dimensions, the area of each tract or parcel, locations of all easements, and the names, rights-of-way widths and improvement standards of existing roads.
 - C. Names and addresses of the landowner, the applicant (if different), a mortgagee if applicable, the engineer or surveyor employed or to be employed to make necessary surveys and prepare the legal descriptions of each parcel to be created, and record owners of land contiguous to the proposed partition. If the application is filed by anyone other than the owner of record, a letter or other evidence of the owner's permission to file the application.
 - D. A statement regarding contemplated water supply, sewage disposal, solid waste disposal, fire protection and access, etc.
 - E. North point, scale and date of tentative plat preparation, and property identification by tax lot, section, township, and range.
 - F. Statement regarding past, present and intended use of the parcels to be created, or the use for which the parcels are to be offered.
 - G. If a tract of land has water rights, the application shall be accompanied by a water rights division plan approved by the irrigation district or other water district holding the water rights, or when there is no such district, by the County Watermaster.
 - H. Location of all existing buildings, canals, ditches, septic tanks and drain fields, wells, and utility lines.
 - I. Location of any topographical features which could impact the partition, such as canyons, bluffs, rock outcroppings, natural springs, and flood plains.
 - J. Location of all existing deciduous or coniferous trees having a ten-inch trunk diameter or greater, 4.5 feet above grade.
 - K. Location, width, name, curve ratio and approximate grade of all proposed rights-of-way.

[Section 8.2405 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2405 amended by Ord. #2020-15 passed November 10, 2020]

8.2410 Requirements Approval Criteria for Tentative Partition Approval.

1. ~~No application for partitioning shall be approved unless the following requirements are met:~~ The Review Authority shall approve, approve with conditions, or deny a proposed tentative subdivision plan. Approval, or approval with conditions shall be based on compliance with the criteria set forth in Section 8.2235.
 - A. ~~Proposal is in compliance with ORS Chapter 92, the Transportation System Plan (TSP) and applicable zoning.~~
 - B. ~~Proposal does not conflict with acquired public access easements within or adjacent to the partition.~~
 - C. ~~Each parcel is suited for the use intended or offered.~~
 - D. ~~The partition will not exceed the operational capacity of public facilities and services as identified in the city's Water and Wastewater Master Plan and the Transportation System Plan, which are required to serve the development, or a determination that sufficient capacity can be provided.~~
 - E. ~~A water rights division plan has been approved by the applicable irrigation district.~~
 - F. ~~The partition contributes to orderly development and land use patterns in the area. Orderly development and land use patterns in general is development that:~~
 1. ~~Is consistent with zoning district's density requirements;~~
 2. ~~Does not overtax supporting public facilities and services and logical extensions thereof;~~
 3. ~~Provides for continued maintenance of supporting facilities and services;~~
 4. ~~Recognizes topographical limitations;~~
 5. ~~Is consistent with existing land use patterns and development;~~
 6. ~~Does not foreclose future development opportunities on adjacent undeveloped or under-developed lands; and,~~
 7. ~~Is consistent with applicable Great Neighborhood Principles described in Section 8.0270 (3)(C)(13) and adopted Area Plans.~~
 - G. ~~Provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features.~~
2. ~~Access Management proposals comply with the standards set forth in Section 8.2820.~~
3. ~~The Hearings Body may approve an application for partitioning having the effect of creating more than three (3) parcels without subdividing provided that the partition complies with all applicable subdivision standards and criteria.~~

[Section 8.2410 "Blocks" repealed in its entirety and replaced with Section 8.2410 "Requirements for Tentative Partition Approval" by Ord. #2012-11 on October 23, 2012]

[Section 8.2410 amended by Ord. #2015-01 passed February 24, 2015]

[Section 8.2410 amended by Ord. #2022-04 passed June 28, 2022]

8.2415 Improvement Requirements.

1. In the approval of a land partition, the ~~Community Development Director, or Hearings Body,~~ Review Authority shall consider the need for street and other improvements, and may require as a condition of approval any improvements that may be required for a subdivision under the provisions of these standards. All streets in partitions shall be dedicated to the public without reservation or restriction.
2. **Private Alley Access.** ~~The Community Development Director, or Hearings Body,~~ Review Authority may require the applicant to improve a private alley access easement serving two or more parcels according to the adopted City of Redmond Public Works Standards and Specifications, as amended.

- A. Such access easements shall include provisions for permanent, long-term maintenance, including maintenance measures to be employed; responsible parties; funding; design; timing; and enforceability. These provisions shall be included as recorded Covenants, Conditions and Restrictions (CCR's) appurtenant to the affected properties.
3. The partitioner shall record the required (including but not limited to) land division agreement, public improvement agreement, shared access agreement or shared well agreement with the Deschutes County Clerk's office at the time of recording of the final partition plat.
4. Paved access is guaranteed to each parcel.
5. Each parcel within the City limits is to be connected to the City sewage system when reasonably available.
6. All required public utilities are available.

[Section 8.2415 "Lots and Parcels - Size & Shape" repealed in its entirety and replaced with Section 8.2415 "Improvement Requests" by Ord. #2012-11 passed October 23, 2012]

[Section 8.2415 amended by Ord. #2020-15 passed November 10, 2020]

~~**8.2420 Application Review.** Following submission of an application for a land partitioning the Hearings Body shall review the plans and application submitted and shall either approve or deny the application.~~

[Section 8.2420 "Lots and Parcels - General Requirements" repealed in its entirety and replaced with Section 8.2420 "Application Review" by Ord. #2012-11 passed October 23, 2012]

[Section 8.2420 amended by Ord. #2020-15 passed November 10, 2020]

~~**8.2425 Appeal.** An appeal of a decision or requirement of the Hearings Body relative to a land partition shall be made in accordance with the provisions of Section 8.1500 through 8.1560 of Article 2 of the City of Redmond Development Code, Land Use Procedures.~~

[Section 8.2425 amended by Ord. #2012-11 passed October 23, 2012]

FINAL PARTITION PLAT

8.2500 Final Partition Plat Filing. Following approval of tentative plat ~~plat~~ plan for a proposed partitioning, the applicant shall prepare and submit to the Community Development Department the final plat for the subject partitioning. Such filing shall be completed within two (2) years from the date of the approval, or the approval shall be void. The final plat shall be prepared in accordance with the following requirements and the original and two (2) copies thereof submitted by the applicant to the Community Development Department for approval. The original shall be recorded by the applicant in the office of the County Clerk following approval by the Community Development Director, or designee.

[Section 8.2500 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2500 amended by Ord. #2020-15 passed November 10, 2020]

8.2505 Extensions. Requests for extensions shall be reviewed in the manner provided for in Section 8.2300(2)(A-E).

[Section 8.2505 amended by Ord. #2012-11 passed October 23, 2012]

8.2510 Requirements.

1. **Final plat requirements:**

- A. Plats shall be drawn to a scale of one inch per 100 feet. Provided, however, for partitions of large lots the scale may differ so long as the scale is reasonable.
- B. Name of the owner, developer and engineer or surveyor shall be shown on the plat.
- C. Date, scale, north point, legal description of boundaries, and a tie by actual survey to a section or donation land claim corner.
- D. Parcel boundary lines, with dimensions and bearings; bearings shall be to the nearest 30 seconds, and distances to the nearest 0.01 feet.
- E. An affidavit by the engineer or surveyor having surveyed the land involving a partitioning.
- F. A certification of acceptance of any public dedication.
- G. A guarantee of approved or required improvements, including identification of maintenance responsibilities for proposed or existing roads and streets.
- H. A certification of approval for execution by the Community Development Director.
- I. Water rights to be assigned to each parcel shall be indicated on the plat and certification of approval thereof.

2. **Approval Requirements:** No final plat for a land partitioning shall be approved by the Community Development Director unless all of the following requirements are met:

- A. The final plat is in strict conformance with the approved tentative ~~plat~~ plan.
- B. The final plat is in conformance with the requirements set forth in subsection (1) of this section.
- C. Paved access is guaranteed to each parcel.
- D. Each parcel is to be connected to the City sewer and water systems.
- E. All required public utilities are available.
- F. All conditions of the tentative plat approval have been met or guaranteed.
- G. All proposed or required improvements have been completed and accepted by the City.

[Section 8.2510 amended by Ord. #2012-11 passed October 23, 2012]

8.2515 Special Partitioning Regulations. The partitioning of a tract of land in which not more than one (1) parcel is created and transferred to a public or semi-public agency for the purpose of a road, railroad, electric substation, or canal right-of-way, and thereby not meeting the lot size and configuration requirements of the underlying zone and/or this Chapter, may be approved by the Community Development Director, or designee.

[Section 8.2515 amended by Ord. #2012-11 passed October 23, 2012]

[Section 8.2515 amended by Ord. #2020-15 passed November 10, 2020]

8.2520 Final Plat Approval. After the final plat has been reviewed and approved by the City, and when all signatures as required by the Deschutes County Surveyor other than the Development Services Director, County Clerk, and County Commissioner appear on the mylar, the City Engineer and Planning Director shall sign the final plat mylar and return it to the applicant to file with Deschutes County.

[Section 8.2520 added by Ord. #2022-04 passed June 28, 2022]

ARTICLE III. LAND DIVISION STANDARDS

DESIGN STANDARDS AND IMPROVEMENTS

8.2700 Compliance Required.

1. Any land division or development shall be in compliance with the design and improvement standards and requirements of this section, and all other applicable provisions, as set forth in this Chapter.

[Section 8.2700 "Penalties" repealed in its entirety and replaced with Section 8.2700 "compliance Required" by Ord. #2012-11 on October 23, 2012]

[Section 8.2700 amended by Ord. #2012-11 passed October 23, 2012]

8.2705 Blocks, Lots and Parcels.

1. **Blocks.** The resulting or proposed length, width and shape of blocks shall take into account the requirements for adequate building lot sizes, street widths, access needs and topographical limitations.
 - A. No block shall be more than 660 feet in length between street center lines unless it is adjacent to an arterial street, or unless topography or the location of adjoining streets justifies an exception and is so approved by the reviewing authority. In MUN, MUE and MULW zones, block lengths shall be an average of 330 feet, except where required to meet grid street or access management requirements.
 - B. The recommended minimum length of a block along an arterial street is 1,320 feet, except that along such blocks, a public right-of-way for pedestrian and bicycle access shall be dedicated at or nearest the mid-point of the block length as is practical. The right-of-way shall be a minimum of 10 feet wide, with an all weather surface a minimum of 5 feet wide, constructed and centered within the right-of-way.
 - C. A block shall have sufficient width to provide for 2 tiers of lots unless topography, the location of adjoining streets, or adjacency to an arterial street justifies an exception.
 - D. Where appropriate at approved cul-de-sacs, dead-end streets, or along blocks approved at more than the maximum block length standard, pedestrian and bicycle access corridors shall be required to be constructed between lots to minimize travel distance between subdivisions, parks, school, and collector or arterial streets. Access corridors shall be located to provide a reasonably direct connection between likely pedestrian destinations and shall be consistent with the City of Redmond Bicycle Refinement Plan where applicable. A reasonably direct connection is a route which minimizes out of direction travel for people likely to use the connection considering terrain, safety, and likely destination. The ~~Community Development Director, or Hearings Body~~ Review Authority, may determine based on evidence in the record that construction of a separate access corridor is inappropriate or impractical. Such evidence may include but is not limited to:
 1. When the nature of abutting existing development makes construction of an access corridor impractical.
 2. When the access corridor would cross a natural area with significant natural habitat and construction would be incompatible with protection of natural values.

3. When the access corridor would cross topography where slopes exceed 30% or where path grade would exceed 12% slope; or
 4. When a cul-de-sac or dead-end street abuts rural resource land at the urban growth boundary. In industrial zones, this standard may be waived at the discretion of the ~~Community Development Director, or Hearings Body~~ Review Authority, when it is determined that the City's grid street standards should not be applied to the industrial development.
2. **Lots and Parcels.** The size, width, and orientation of newly created lots and parcels shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots and parcels shall be generally rectangular in shape and shall be consistent with the lot size provisions of the zoning standards and the density requirements as established in the City of Redmond Comprehensive Plan. Notwithstanding these requirements, the following exceptions may apply:
- A. In areas beyond the City Limits where public sewer is not currently available, minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality and shall be sufficient to permit adequate sewage disposal. Any problems posed by soil structure and water table as related to sewage disposal by septic tank shall be addressed and resolved in the applicant's initial plan.
 - B. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted by the ~~Community Development Director, or Hearings Body~~ Review Authority. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
 - C. In steep terrain, increased lot or parcel sizes may be required to avoid excessive cuts, fills, and steep driveways.
3. **Frontage.** Each newly created lot and parcel shall abut upon a public street other than an alley for at least 50 feet (at least 25 feet in Mixed Use zones). Lots fronting on the bulb of a cul-de-sac the minimum frontage shall be 30 feet. Flag lots shall have no less than 20 feet of street frontage measured at the property line. Townhouse frontage shall be at least 20 feet. Vehicular access shall be provided as specified in Section 8.2820, Access Management Standards, of this Chapter, or as specified in Section 8.2705(6) below, for residential lots and parcels abutting collector and arterial streets. All lot and parcels shall be addressed from the primary public street frontage, not including alleys.
4. **Side Lot or Parcel Lines.** All side lot lines shall be at right angles to street lines or radial to curved streets wherever practical except as provided for in subsection (10) of this section.
5. **Through/Double Frontage Lots and Parcels.** Through lots or parcels, and lots or parcels with double frontage shall be avoided whenever possible, including lots or parcels created adjacent to Collector and Arterial Streets, but not including alley frontage as described in Section 8.2705(6) below, except when they are necessary due to an irregular parent lot or parcel configuration, or are necessitated by topography or other unique circumstance.
6. **Residential Lots and Parcels Abutting Collector and Arterial Streets.** Lots and parcels created adjacent to Collector and Arterial streets shall be oriented so that the front elevation of the residential development faces the Collector or Arterial Street. Vehicular access shall be provided pursuant to Section 8.2820, Access Management Standards, of this Chapter. In instances where direct vehicular driveway access to lot or parcel from the Collector or Arterial Street is not permissible, alley access shall be provided to the rear of

the lot or parcel in accordance with the design standards included in Section 8.2710(3) of this Chapter.

7. **Corner Lots and Parcels.** Corner lots and parcels shall be 5 feet more in width than other lots and parcels and also shall have sufficient extra width to meet the additional side yard requirements of the zoning district in which they are located.
8. **Special Building Setback Lines.** If special building setback lines, in addition to those required by the applicable zoning, are to be established in a development, they shall be shown on the final plat of the development and included in the deed restrictions.
9. **Large Building Lots; Re-division.** In the case where lots or parcels are of a size and shape that future redivision is possible, ~~the Community Development Director, or Hearings Body~~ Review Authority, may require that the blocks be of a size and shape so that they may be redivided into building sites, and the development approval and site restrictions may require provision for the extension and opening of streets at intervals which will permit a subsequent redivision of any tract of land into lots or parcels of smaller sizes than originally platted, and in conformance with the density provisions established in the City of Redmond Comprehensive Plan for the existing or intended Zone. A plan indicating the ability for re-division according to these standards may be required as part of the initial land division process.
- ~~10. **Solar Access.** As much solar access as feasible shall be provided each lot and parcel in every new subdivision or partition considering topography, development pattern, and existing vegetation. The boundary lines of lots and parcels, as far as feasible, shall be oriented to provide solar access at ground level at the southern building line of the adjoining lot to the north two hours before and after the solar zenith from September 22 to March 21. If it is not feasible to provide solar access to the southern building line the solar access, if feasible, shall be provided at 10 feet above ground level at the southern boundary line two hours before and after the solar zenith from September 22 to March 21, and three hours before and after the solar zenith from March 22 to September 21. This solar access shall be protected by solar height restrictions on burdened properties for the benefit of lots receiving the solar access pursuant to Section 8.0370, of the City of Redmond Development Code, Solar Access Standards. If the solar access for any lot, either at the southern building line or at 10 feet above the southern building line, is not feasible, supporting information may be required with the application.~~
11. **Curvilinear Street and Block Design.** Although a basic grid street design with minimum and maximum block lengths are requirements of this section, a curvilinear street/block design is encouraged for the purpose of adding interest to new subdivision development.
12. **Flag Lots.** A flag lot shall be considered as a "flag lot" if the pole of the flag lot is less than half the width of the average lot width. For flag lots, the following shall be required:
 - A. Flag poles shall be no less than 20' feet wide. Flag lot frontage can be reduced by approval from Redmond Fire & Rescue and City Engineer.
 - B. All zone regulations apply, including the minimum required lot size and setbacks unless setback reductions are allowed as described in (E).
 - C. Each flag lot shall contain a minimum 46' 10-foot wide paved driveway.
 - D. A flag lot is exempt from the 50-foot street frontage requirement; however, a minimum of 20 feet of street frontage is required.
 - E. Front and/or rear yard setbacks may be reduced to no less than 10' feet subject to review and approval by the Community Development Director. The orientation of any structure (determination of front) may be suggested by the property owner and is subject to the review and approval of the Community Development Director, or designee. The location(s) of all structures immediately adjacent to any flag lot shall be shown on a site plan (1) during planning review and during the act of creating

- any new flag lot, and (2) during a building permit review for any structure built on a flag lot.
- F. No flag lot shall be partitioned or further divided, except as provided for by middle housing.
- G. The “pole” of the flag lot shall be no longer than 150’ **feet** measured from the street intersection to the beginning of the base of the flag.
- H. The “pole” of the flag shall not be included in the minimum lot size calculation.
- I. Flag lots shall be exempt from street tree requirements unless the street frontage portion of the flag lot is 30’ **feet** or greater.
- J. Flag lots are prohibited along or abutting the Dry Canyon Rim.
- K. Two off-street parking spaces shall be provided for single family detached dwellings; and one space per unit for middle housing on a flag lot.

[Section 8.2705 “Violation Declared a Nuisance” repealed in its entirety and replaced with Section 8.2705 “Blocks, Lots and Parcels” by Ord. #2012-11 on October 23, 2012]

[Section 8.2705 amended by Ord. #2020-15 passed November 10, 2020]

[Section 8.2705 amended by Ord. #2022-04 passed June 28, 2022]

[Section 8.2705 amended by Ord. #2022-09 passed December 13, 2022]

8.2710 Streets.

1. **General.** Streets shall be in conformance with the City of Redmond Transportation System Plan as specified herein.
 - A. Except along Arterial Street, public streets shall be spaced a maximum of 660 feet between centerlines. The purpose is to provide a street grid pattern of through streets to facilitate traffic movement. Street designs shall conform to topography and other existing natural and man-made conditions. Illustrative examples of other conditions include the dry canyon, main COI canal, Highway 97, and the Burlington Northern Railroad tracks.
 - B. All proposed streets, sidewalks, bike lanes and pedestrian pathways shall connect to other streets, sidewalks bike lanes and pedestrian pathways within a development and to existing and planned streets, sidewalks, bike lanes and pedestrian pathways outside the development. Such facilities shall serve existing and planned parks, schools, or other public lands within a neighborhood.
 - C. To the maximum extent possible, new local streets shall align and connect with existing local streets and collectors, and in certain special cases arterial streets. Cul-de-sac streets shall be permitted only where no feasible connection with an adjacent street exists, or if the local street connection would be to an arterial street and the function of the arterial street may be diminished as determined through the land use review process, or the block length would be less than that which is permitted by Section 8.2705(1)(B).
 - D. Consideration should be given to alternative street designs other than required herein in the City’s non-residential land use zones to allow for more effective developments. Such designs may be considered and approved during the subdivision or partition process without need for variance.
 - E. All proposed or required streets and alleys shall comply with Section 8.2820 Access Management Standards, the Transportation System Plan, and with Local Street Connectivity Plans adopted as part of the transportation element of the Comprehensive Plan.
2. **Existing Streets.** Whenever existing streets, adjacent to or within a tract, are of inadequate width per City of Redmond Standards and Specifications and the City’s

approved Transportation System Plan additional right-of-way shall be provided at the time of the land division by the applicant. During consideration of the tentative plat for the subdivision or partition, the ~~Hearings Body~~ Review Authority shall determine whether the improvements to existing streets, adjacent to or within the tract, are required. If so determined, such improvements shall be required as a condition of approval of the tentative plat. Improvements to adjacent streets shall be required where traffic on said streets shall be directly affected by the proposed subdivision. Notwithstanding these provisions, off-site improvements to streets not within or adjacent to the development may be required when impacts resulting from the development necessitate such improvements as demonstrated through a transportation impact analysis.

3. **Existing Access Easements.** Whenever existing unpaved access easements, adjacent to or within a tract, the Review Authority may require paving to city standards at the time of the land division by the applicant.
4. **Minimum Right-of-Way and Roadway Width.** The street right-of-way and roadway surfacing widths shall be in conformance with the standards as specified in Table 1 below:

Table 1 - City of Redmond Right of Way and Roadway Design and Cross-Section Standards

Functional Class	Width (ft)			Travel Lanes	Sidewalks	Bike Lanes**	Parking**
	Pavement Standard	Pavement (minimum)	Right-of-Way				
Residential Alley	16 ft		20 ft	n/a	none	shared	none
Commercial Alley	20 ft		20 ft	n/a	none	shared	none
Local Residential*****	36 ft		60 ft	2***	5 ft	shared	both sides (unstriped)
Parking One Side	28 ft*		60 ft	2***	5 ft	shared	one side (unstriped)
No Parking	24 ft*		60 ft	2***	5 ft	shared	none
Local Industrial	40 ft	38 ft	60 ft	2***	5 ft	shared	optional (unstriped)
Industrial Collector	40 ft	38 ft	80 ft	2	5 ft	6 ft	none
Minor Collector	40 ft	36 ft****	60 ft	2	5 ft	shared	both sides (8 ft)
Major Collector	36-50 ft	36 ft****	80 ft	2	5 ft	6 ft	none
Minor Arterial (3-lane)	50 ft	48 ft	100 ft	3	7 ft	6 ft	none
Minor Arterial (5-lane)	74 ft	72 ft	100 ft	5	7 ft	6 ft	none
Notes:							
*May be constructed only in conjunction with the creation of covenants, conditions, and restrictions (CCR's) and the establishment of a homeowners association (HOA) for the development. The CCR's shall provide that the primary responsibility for parking enforcement shall be the HOA, with the City of Redmond also being acknowledged in the CCR's as a beneficiary for such parking enforcement as a violation of the land use decision and/or city code.							
**In certain cases, bike lanes may be reduced to 5 ft, parking may be reduced to 7 ft, and travel lanes to 11 ft at the discretion of the City Engineer.							
***Unstriped travel lanes							
****36 ft in existing built-out areas							
*****All streets less than 28 feet wide shall be no longer than 300 feet in length, unless such streets include at least one (1) parking bay per lot, located along each lot frontage for the entire length of such street, up to the maximum block length. Streets 300 feet or less in length shall not have any direct driveway access. In no case shall any street less than 28 feet wide intersect with any other street less than 28 feet wide.							

5. **Future Extension of Streets.** When necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivision or partition and the resulting dead-end streets may be approved without a permanent turn around if they are 150 feet or less in length, although, an adequate temporary turn around to ensure emergency vehicle access must be provided if such streets are greater than 150 feet in length.
6. **Collector and Arterial Street Access.** Notwithstanding the provisions of Section 8.2705 of this Chapter, if a land division abuts or contains an existing or proposed collector or arterial street, the ~~Community Development Director, or Hearings Body~~ Review Authority, may require other treatments, including but not limited to frontage roads, necessary for adequate protection of residential properties and to afford separation of through and local traffic. Provision may be made for emergency access. All frontage roads shall comply with the City of Redmond Transportation System Plan.
7. **Streets Adjacent to Railroads, Freeways and Parkways.** When the area to be subdivided or partitioned is residentially zoned and abuts a railroad, freeway, or parkway, a provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for use of the land between the street and railroad, freeway or parkway. In the case of a railroad, there shall be a land strip of not less than 25 feet in width adjacent and along the railroad right-of-way for screen planting between the railroad right-of-way and residential property. If the intervening property between such parallel streets and a freeway or a parkway is less than 80 feet in width, such intervening property shall be dedicated to park or thoroughfare use. The intersections of such parallel streets, where they intersect with streets that cross a railroad, shall be determined with due consideration as cross streets of a minimum distance required for approach grades to a future grade separation and right-of-way widths of the cross street.
8. **Continuation of Streets.** Subdivision or partition streets which constitute the continuation of streets in contiguous territory shall be aligned so that their center lines coincide. Where straight line continuations are not possible, such center lines shall be continued as curves. These streets or the continuation of streets in contiguous territory may be required by the ~~Community Development Director, or Hearings Body~~ Review Authority, where such continuation is necessary to maintain the function of the street or desirable in the surrounding area. ~~Where solar orientation would not be possible if the street area continued, a new pattern may be started that is solar oriented.~~
9. ~~**Lot Layout.** Local residential streets should be oriented on an east/west axis to the greatest possible extent to insure solar access for lots within the subdivision or partition.~~
10. **Street Names.** Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street in a nearby city or in the county. Street names and numbers shall conform to the established pattern in the City, including the continuation of street names across intersecting streets, and shall be subject to the approval of the Fire Department or the responsible agency.
11. **Sidewalks.** Sidewalks are required to be installed on both sides of a public street and in any special pedestrian way within the subdivision or partition that comply with the City of Redmond Transportation System Plan. ~~except that~~ In the case of collectors, arterials, special industrial districts or in steep terrain, the ~~Hearings Body~~ Review Authority may approve a subdivision or partition without sidewalk if alternative pedestrian routes are available or provided by the developer. Sidewalks shall be required along routes to existing or future school and park sites.
12. **Bicycle Routes Facilities and Multi-use Pathways.** ~~If appropriate to the extension of a system of bicycle routes, existing or planned pursuant to the City of Redmond Bicycle Refinement Plan, the Community Development Director or the Hearings Body may require the installation of separate bicycle lanes within streets and/or separate bicycle paths.~~

Bicycle facilities and multi-use pathways are required to be installed within the subdivision or partition that comply with the City of Redmond Transportation System Plan.

13. **Intersection Angles.** Street intersections shall be as near right angles as possible except where topography or existing conditions requires a lesser angle, but in no case shall the acute angle be less than as permitted by the adopted City of Redmond Public Works Standards and Specifications.
14. **Alignment.** Staggered street alignment shall whenever possible, leave a minimum of 200 feet distance between the center line of the streets, but in no case be less than as permitted by Standards and Specifications.
15. **Narrow Streets.** Local residential grid streets designed at widths less than 36 feet as described in Section 8.2710(3)(Table 1), shall be permitted when the subdivision design is found to be in compliance with the following:
 - A. Narrow streets may only be permitted for continuous full-length blocks internal to a Subdivision or Planned Unit Development with street connections at both ends.
 - B. Lots adjoining the narrow streets shall be a minimum of 5000 square feet and have a street minimum 50 feet of frontage.
 - C. Sidewalks shall be separated from the curb by a landscape strip with street trees conforming with Public Works Standards and Specifications.
 - D. Curb cuts along the narrow street shall not be less than the minimum width required within the adopted City of Redmond Public Works Standards and Specifications.

[Section 8.2710 "Civil Relief" repealed in its entirety and replaced with Section 8.2710 "Streets" by Ord. #2012-11 on October 23, 2012]

[Section 8.2710 amended by Ord. #2022-09 passed December 13, 2022]

8.2715 Fundamental Design Elements Standards.

1. **Lighting.** The subdivider or partitioner shall provide underground wiring to the City standards and a base for any proposed ornamental streetlights at locations approved by the affected utility company.
2. **Multiple Access Points.** Whenever possible, a minimum of two points of access to the subdivision or partition shall be provided to provide assured access for emergency vehicles and ease resident evacuation.
3. **Water/Sewer.** All subdivisions and partitions shall provide water and sewer lines constructed to City standards and specifications approved by the City Engineer. All lots or parcels shall be served from the City of Redmond water and sewer systems or by water and sewer systems acceptable to the City. Water and sewer mains and service lines shall be installed prior to the curbing and paving of new streets in all new subdivisions or partitions.
4. **Underground Utilities.** All permanent utility service, cell service, and minor power transmission lines that are within or immediately adjacent to lots in a subdivision or parcels in a partition shall be provided from underground facilities unless otherwise approved by the ~~Community Development Director, or designee, or Hearings Body~~ Review Authority. The subdivider, partitioner, or developer shall be responsible for complying with requirements of this section and shall:
 - A. Obtain a permit from Public Works for placement for all underground utilities within the public right-of-way.
 - B. Make all necessary arrangements with the utility companies and other persons or corporations affected by the installation of such underground utilities and facilities

in accordance with rules and regulations of the Public Utility Commission of the State of Oregon.

- C. All underground utilities, water lines, sanitary sewer lines and storm drains installed in streets shall be constructed prior to the surfacing of such streets to the extent practicable, and water and sanitary sewer service lines shall be placed to such lengths as will negate the necessity for disturbing the street improvements when service connections are made.
5. **Preservation of Natural Features.** Existing ~~trees, vegetation, and~~ natural features (i.e., rock outcrops) add character to the development and shall be preserved to the greatest extent practicable. ~~All trees over 8 inches d.b.h. shall be noted and shown on the tentative plat.~~
6. **Preservation and Replacement of Trees.** All deciduous or coniferous existing trees having a ten-inch trunk diameter 4.5 feet above grade or greater are considered significant and shall be preserved or replaced at a 'one-to-one' ratio. Replacement trees shall have a minimum 1-1/2-inch trunk diameter measured at 4.5 feet above grade. This criterion shall be met in the submitted landscape plan. Street trees are counted as replacement trees. Trees removed for installation of public infrastructure are not required to be replaced, however they should be preserved where possible. The Community Development Director, or designee, may prohibit removal of significant trees located within the setback along the perimeter of the parcel to be developed, located adjacent to water features, or that provide screening or buffering to existing development where not located within the proposed or potential building footprint. An alternate restoration plan may be approved by the Community Development Director, or designee.
7. ~~**Scenic Views.** Significant views shall be taken into consideration during subdivision design. The establishment of view corridors, building envelopes, building height restrictions or similar methods shall be employed for the retention and protection of views from individual lots and from public spaces to the greatest degree practicable as determined through the land use review process. Such measures shall be shown on the final plat and included in the deed restrictions.~~
8. ~~**Land for Public Purposes.**~~
 - A. ~~If the City has an interest in acquiring a portion of a proposed development for a public purpose, it shall notify the property owner as soon as the City Council authorizes the transaction to proceed.~~
 - B. ~~Within a development, or adjacent to a development in contiguous property owned by the developer, a parcel of land of not more than 5% of the gross area of the development may be required to be set aside and dedicated to the public for parks and recreation purposes by the developer. The parcel of land, if required, shall be determined to be suitable for the park and/or recreation purpose(s) intended, and the city may require the development of the land for the park or recreation use intended or identified as a need within the community.~~
 - C. ~~In the event no such area is available that is found to be suitable for parks and/or recreation uses, the developer may be required, in lieu of setting aside land to pay to the appropriate parks and recreation agency a sum of money equal to the market value of the area required for dedication, plus the additional funds necessary for the development thereof if so required; if such is required, the money may only be utilized for capital improvements by the appropriate parks and recreation agency.~~
 - D. ~~The foregoing land and development or money dedication (if require) may be provided for in lieu of an equal value of systems development charge assessment for parks if so, approved by the collecting agency in accordance with the applicable provisions of the system development charge ordinance. If the collecting agency will not permit the land or money dedication in lieu of an applicable systems~~

~~development charge, then the land and development or money dedication shall not be required.~~

- ~~E. If the nature and design, or approval, of a development is such that over 30% of the tract of land to be developed is dedicated to public uses such as streets, water or sewer system facilities and the like, then the requirements of this subsection shall be reduced so that the total obligation of the developer to the public does not exceed 30%.~~

8. **Easements.**

A. **Utility Easements.** Easements shall be provided along property lines when necessary for the placement of underground utilities and to provide the subdivision or partition with electric power, communication facilities, street lighting, sewer lines, water lines, gas lines, or drainage. Such easements shall be labeled "Public Utility Easement" on the tentative and final plat; they shall be at least 12 feet in width and centered on lot lines where possible, unless determined otherwise by the City Engineer or designate. Excepting utility pole guyline easements along the rear of lots adjacent to unsubdivided land may be reduced to 10 feet in width, unless determined otherwise by the City Engineer or designate.

B. **Drainage.** If a tract is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of the water course or in such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses and drainage ways may be required.

9. ~~Fully developed "pocket parks" or "tot lots" shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty five lots/units, a minimum of 3,000 square feet and privately maintained. Park amenities shall, at a minimum, include: one half of the park dedicated to turf areas, benches, trees, shrubs, ground cover, irrigation, other landscape or decorative features, and acceptable trash receptable(s) and lighting.~~ **Pocket Parks.** Residential subdivisions shall incorporate "pocket parks" or "tot lots" at a ratio of 150 square feet of park area per lot/unit. These pocket parks or tot lots shall be privately maintained and must be developed as either 'active-style' or 'passive-style'. Active-style parks shall be a minimum of 15,000 square feet in size, be consolidated in shape, and be configured/furnished for recreational activities such as sports, public/family gatherings, or pet areas. Passive-style parks may be any configuration or shape, and shall be landscaped for aesthetic value and to encourage passive enjoyment (i.e. walking, sitting, trails) without the use of any irrigated turf. No land located within public rights-of-way or a neighborhood or community park identified within the Parks Master Plan may count towards this requirement.

10. **Urban-rural Interface.** Residential subdivisions adjacent to areas outside of the UGB or UAR shall provide buffering to manage the transition from urban to rural intensities meeting at least one of the following standards:

A. Landscaped open space buffers at least 100 feet wide and the length of the urban development, excluding public streets, landscaped with native vegetation characteristic of the local ecosystem; or

B. Locating lower density development at the urban-rural interface; or

C. Other appropriate and equivalent transitional elements as approved by the Review Authority.

[Section 8.2715 "Administration of Standards" repealed in its entirety and replaced with Section 8.2715 "Fundamental Design Elements" by Ord. #2012-11 on October 23, 2012]

[Section 8.2715 amended by Ord. #2020-15 passed November 10, 2020]

[Section 8.2715 amended by Ord. #2022-04 passed June 28, 2022]

8.2720 Grading of Building Sites. Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

1. Slopes shall be less than or equal to 3 to 1 (horizontal to vertical) unless slope reinforcement and low maintenance surfaces are provided. Cut slopes as steep as 1 to 1 are permitted in native rock material if that material is suitable to stand at the slope without raveling. Toe of full slopes steeper than 3 to 1 and top of cut slope shall be no closer than 2 feet from the property line.
2. Structural engineering must be provided for retaining walls higher than four feet from the base of the footing to the top of the retaining portion of the wall and for retaining walls of any height that support a surcharge such as a structure, roadway, or slope greater than 4 to 1.
3. Stormwater must be controlled in accordance with the City of Redmond Public Works Standards and Specifications to avoid erosion and impacts to adjacent property.
4. Cuts and fills greater than 5 feet from original ground to final grade should be avoided.
5. Foundations should be stepped or other measures used to minimize cuts and fills. Slopes steeper than 3:1 shall be landscaped, terraced, or receive other treatment to reduce the visual impact and minimize the need for maintenance.
6. Areas that require engineered fill to support structures, roadways or for other reasons shall be noted in the grading plan. Design and placement of engineered fill shall be under the direction of a licensed professional engineer. Fill material shall be tested and approved by the engineer prior to placement and tested with suitable methods after compaction. Fill in areas that do not support a structure shall be suitable with a minimum of voids and organic material.
7. The composition of soil for fill and the characteristics of lots and parcels made useable by fill shall be suitable for the purpose intended.
8. When filling or grading is contemplated by the subdivider or partitioner, they shall submit plans showing existing and finished grades for the approval of the City Engineer. In reviewing these plans, the City Engineer shall consider the need for drainage and effect of filling an adjacent property. No site grading of the site shall occur until the City has approved the subdivision application.
9. Grading shall be finished in such a manner as not to create steep banks or unsightly areas to adjacent property.
10. Any land that requires engineered fill shall be so noted on the plat. Design and placement of engineered fill shall be under the direction of a licensed professional engineer.

[Section 8.2720 "Severability" repealed in its entirety and replaced with Section 8.2720 "Grading and Building sites" by Ord. #2012-11 on October 23, 2012]

[Section 8.2720 amended by Ord. #2016-17 passed January 31, 2017]

8.2435 Special Setbacks.

[Section 8.2435 deleted by Ord. #2012-11 on October 23, 2012]



CITY OF REDMOND
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**PROPOSED TEXT AMENDMENTS
TO THE REDMOND CITY CODE, CHAPTER 8
REDMOND DEVELOPMENT CODE (RDC)**

-- Working Draft --

DATE: Prepared for November 1, 2023, Work Session
HEARINGS BODY: Redmond Urban Area Planning Commission
REVIEWING STAFF: John Roberts, Deputy City Manager
TOPIC: Airport Zoning

I. Purpose

- Implement recommendations from an audit conducted by Century West Engineering to analyze airport-related land use and zoning code issues.
- Better align aircraft rules and operations to successfully interact with the RDC.
- Comply with Oregon Land Conservation and Development Department rules that requires a city or county with planning authority for one or more airports, or areas within safety zones or compatibility overlay zones, adopt comprehensive plan and land use regulations for airports consistent with the requirements of OAR 660-013 and ORS 836.600
- Consolidate the existing "Airport Compatibility Zone" and "Airport Zone" on the official City of Redmond zoning map and identify one zone depicted as the "Airport Zone."
- Adopt an appropriate "base zone" code to implement the development of facilities depicted in the Airport Layout Plan (ALP).
- Rewrite (and rename consistent with zoning map designations) the existing "Airport Compatibility Zone" code to address existing deficiencies and more clearly identify intent, purpose, and permitted uses on the Airport.
- Adopt an appropriate "overlay zone" code to promote aviation safety of person and property on the ground and in the air by prohibiting structures, trees, and other objects of natural growth from penetrating airport imaginary surfaces customarily identified as FAR Part 77 Surfaces.

II. Proposed Amendments to RDC

Proposed text amendments are shown in ~~strike-through~~ and **in Red or Red Underline**.

ARTICLE I - ZONING STANDARDS

OTHER ZONES

(***)

Table E, Permitted Uses	8.0220
Table F, Minimum Standards	8.0225
<u>Airport Control (AC) Overlay Zone</u>	<u>8.0230</u>
Airport <u>Zone / Airport</u> Compatibility Zone.....	8.0235

(***)

8.0065 Establishment of Zones and Districts. (Identifies allowable zones and definitions for them):

(***)

Airport Control (AC) Overlay Zone. Create appropriate description.

Airport Zone / Airport Compatibility Zone. In order to provide for the safety and use of land coincident with the airport and prevent man-made or natural objects from encroaching into necessary aviation airspace, certain airport control zones are created which include all of the land lying within transitional surfaces, conical surface, instrument approach surface, non-instrument approach surfaces and horizontal surface. These zones are established as indicated on the official zoning map for existing runways and future modifications thereto, Roberts Field, or any other airport that may be constructed necessitating aviation controls which will affect land within the corporate limits of Redmond.

(***)

OTHER ZONES

8.0200 Fairgrounds FG Zone.

8.0205 Park Reserve Open Space (OSPR) Zone.

8.0210 Public Facility PF Zone.

8.0215 Park Zone.

8.0220 Table E, Permitted Uses. The following land uses are permitted outright or conditionally in each respective zone:

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" mean Not Allowed

LAND USE:	ZONE					Comment:
<i>Residential</i>	FG	OSPR	PF	Park	<u>Airport Zone / Airport</u> <u>Compatibility Zone</u>	
Homeless Shelter	O	O*	C	N	N	
Single Family Dwelling	O	C	N	N	N	In conjunction with a use permitted by this section, a caretaker residence or in OSPR with approved density transfer.
<i>Farm Uses:</i>						
Grazing of livestock and horses	N	O	N	N	N	
Production of crops	N	O	O	N	N	

Livestock stabling	O	N	N	N	N	
Other Farm Uses	N	C	N	N	N	
Non-Residential Uses:						
Public or Private Schools	C	N	C	N	N	
Parks, trails, reserve areas	O	O	O	O	N	
Public Facilities including cemetery	N	O/C	O/C	O/C	N	Outright only when approved in the Comp Plan or Other Public Facilities Plan for OSPR and Park Zones. Conditional use if adjacent to "R" zone (applies to the PF zone only)
Public Safety, Emergency Services, Training Coordination Facilities	O	C	O	C	C	
Expo Center Arenas	O	N	N	N	N	
Plaza, Amphitheater for Outdoor Events	O	C	O	O	N	
Campground for use during Events	O	N	N	N	N	
Recreational and Sports Facilities	O	C	O	O	N-C*	<i>In the Public Facility Zone, recreation facilities shall be in public ownership. *Applies to Airport Compatibility Zone.</i>
Museum, Theater, Community Center	O	C	O/C	C	O	In the Public Facility Zone, outright uses for public and non-profit agencies. Conditional use permits are required for commercial uses exceeding six (6) consecutive months or six (6) months within the same calendar year.
Commercial Use: Accessory to Permitted Use	O	O	O	O	O	In the Public Facility Zone, commercial uses are limited to no more than 50% of the total floor area, building footprint or lot area, whichever is most restrictive. Commercial use subject to a Temporary Use Permit.
RV Park	O	N	N	N	N-C*	<i>*Applies to Airport Compatibility Zone.</i>
Airport						
Airfields					O	
General Aviation					O	
Passenger Terminal Complexes					O	
Air Cargo & Maintenance Facilities					O	
Support Facilities (Air life, Fire, etc.)						
Any use complimentary to aviation					O	
<u>Other Uses</u>					O	<i>Light industrial, manufacturing, or commercial uses consistent with applicable provisions of either the Airport Master Plan, Redmond Comprehensive Plan or if the uses do not create a safety hazard or otherwise limit approved airport uses as determined by the Airport Director.</i>

• Eastside OSPR location only (former Juniper Golf Course)

8.0225 Table F, Minimum Standards. The following minimum standards are required in each respective zone (all distances are measured in feet):

Minimum Setbacks/Yards Feet:	FG	OSPR	PF	Park	Airport <u>Zone</u> / <u>Airport Compatibility</u>
Front	10	10	10	10	10
Local Street	35	40	25	25	25
Collector	50	40	50	50	50
Arterial					
Interior Side					
Standard	10	20	^F 10-15	^F 10-15	^F 10-15
Adjacent to R-Zone	25	25	25		
Street Size					
Local Street	10	25	10	10	10
Collector	25	25	25	25	25
Arterial	50	50	50	50	50
Rear					
Interior	10	20	10	10	10
Local Street	10	25	10	10	10
Collector	25	25	25	25	25
Arterial	50	50	50	50	50
Adjacent to R-Zone	25	25	25	25	25
Maximum Building Height - Feet	^A 60	25	60	40	^A 60/45
Minimum Street Frontage - Feet					
Standard Street	50	50	50	50	50
Cul-de-sac	30	30	30	30	30
Minimum Landscaping	15%	15%	15%	15%	15%
Lot Coverage Maximum					
Non-Commercial Use					
Use Adjacent to Residential			^E 75%		
Minimum Lot Size/Other	B*	N/A*	N/A*	N/A*	N/A*
*The minimum lot size shall be determined based on demonstration of the ability to develop the site in accordance with the zone standards, off-street parking standards, Site & Design Review Standards, landscaping requirements and other applicable Development Code provisions without adverse impact to water and land resource quality and adjoining properties.					
^A Unless applicant provides written documentation from the Fire Department that the structure will not exceed the capability of available fire-fighting equipment. The maximum building height for all structures in the Airport Zone <u>or Airport Compatibility Zone</u> is 60 feet. If the structure is within 200 feet of the airfield security/perimeter fence, the maximum building height for all structures is 45 feet. No building permit will be issued in the Airport Zone <u>or Airport Compatibility Zone</u> until the FAA Form 7460-1 is received by the City of Redmond from the FAA. See the Airport Control Zone (RDC 8.0230) for additional building height restrictions.					
^B Except for annual fair, any activity of use anticipated to generate 500 or more pm peak traffic trips shall not be permitted unless approved by the City in conjunction with traffic impacts mitigation including but not limited to alternate transportation routes to serve the use, and/or provision of ODOT and City approved temporary traffic control.					
^E No use adjacent to or across the street from a residential zone shall exceed 75% of the lot area including buildings, storage, or facilities.					
^F The minimum side yard shall be 10 feet for 1 and 2 story buildings and 15 feet for 3 story buildings.					

8.0230 Special Use Zone - Airport Control ~~(AC)~~ Overlay Zone.

Recommendation to either:

1. *Adapt the model zoning ordinance provided in the Oregon Airport Land Use Compatibility Guidebook: Appendix D: Model Public Use Airport Safety and Compatibility Overlay Zone for Public Use Airports with Instrument Approaches.*
2. *Analyze and rewrite the previously removed "Section 8.0230 - Special Use Zone - Airport Control AC Zone."*

[Section 8.0230 deleted by Ord. #2020-15 passed November 10, 2020]

8.0235 Airport Zone / Airport Compatibility Zone. In an Airport Zone or Airport Compatibility Zone, the following regulations shall apply:

1. **Purpose.** The purpose of the Airport Zone or Airport Compatibility Zone is:
 - ~~A. To protect the airport from encroachment of incompatible, non-airport and non-aviation uses.~~
 - A. B. Implement the Airport Master Plan, including limitations on air intrusion as noted on the Airport Layout Plan Drawing Set, as amended. Control Map.
2. **Uses Permitted Outright.** In an Airport Zone or Airport Compatibility Zone, the following uses and accessory uses are permitted subject to the provisions of subsection (4) of this section:
 - ~~A. Airfields~~
 - ~~B. General Aviation Facilities~~
 - ~~C. Passenger Terminal Complexes~~
 - ~~D. Air Cargo/Airline Maintenance Facilities~~
 - ~~E. Support Facilities including Aircraft Rescue and Firefighting (ARFF) facilities.~~
 - ~~F. Any compatible use which complements aviation uses.~~
 - A. Customary and usual aviation-related activities, including but not limited to takeoffs and landings; aircraft hangars and tie-downs; construction and maintenance of airport facilities; fixed based operator facilities; a residence for an airport caretaker or security officer; and other activities incidental to the normal operation of an airport. Except as provided in this ordinance, "customary and usual aviation-related activities" do not include residential, commercial, industrial, manufacturing and other uses.
 - B. Air passenger and air freight services and facilities, at levels consistent with the classification and needs identified in the Oregon Department of Aviation Airport System Plan.
 - C. Emergency medical flight services, including activities, aircraft, accessory structures, and other facilities necessary to support emergency transportation for medical purposes. Emergency medical flight services do not include hospitals, medical offices, medical labs, medical equipment sales, and other similar uses.
 - D. Law enforcement and firefighting activities, including aircraft and ground-based activities, facilities and accessory structures necessary to support federal, state or local law enforcement or land management agencies engaged in law enforcement or firefighting activities. Law enforcement and firefighting activities include transport of personnel, aerial observation, and transport of equipment, water, fire retardant and supplies.
 - E. Search and rescue operations, including aircraft and ground based activities that

- promote the orderly and efficient conduct of search or rescue related activities.
- F. Flight instruction, including activities, facilities, and accessory structures located at airport sites that provide education and training directly related to aeronautical activities. Flight instruction includes ground training and aeronautic skills training, but does not include schools for flight attendants, ticket agents or similar personnel.
 - G. Aircraft service, maintenance and training, including activities, facilities and accessory structures provided to teach aircraft service and maintenance skills and to maintain, service, refuel or repair aircraft or aircraft components. "Aircraft service, maintenance and training" includes the construction and assembly of aircraft and aircraft components for personal use, but does not include activities, structures or facilities for the manufacturing of aircraft or aircraft- related products for sale to the public.
 - H. Aircraft rental, including activities, facilities and accessory structures that support the provision of aircraft for rent or lease to the public.
 - I. Aircraft sales and the sale of aeronautic equipment and supplies, including activities, facilities and accessory structures for the storage, display, demonstration and sales of aircraft and aeronautic equipment and supplies to the public but not including activities, facilities or structures for the manufacturing of aircraft or aircraft- related products for sale to the public.
 - J. Crop dusting activities, including activities, facilities and structures accessory to crop dusting operations. Crop dusting activities include, but are not limited to, aerial application of chemicals, seed, fertilizer, defoliant and other chemicals or products used in a commercial agricultural, forestry or rangeland management setting.
 - K. Agricultural and Forestry Activities, including activities, facilities and accessory structures that qualify as a "farm use" as defined in ORS 215.203 or "farming practice" as defined in ORS 30.930.
 - L. Light industrial, manufacturing, or commercial uses consistent with applicable provisions of either the Airport Master Plan, Redmond Comprehensive Plan or if the uses do not create a safety hazard or otherwise limit approved airport uses as determined by the Airport Director.

3. **Limitations on Use.**

- A. All uses must meet local, state, and federal environmental standards relating to noise, smoke, odor, water, sewage, air emissions, dust, and hazardous waste.
- B. Materials shall be stored, and grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or otherwise create a health hazard.
- C. All parking and loading demand created by any use permitted by this section shall be accommodated on the subject premises entirely off-street.
- D. No use permitted by this section shall require the backing of traffic onto a public street or road right-of-way for access to any use on the premises thereof.

4. **Dimensional Standards.** In an Airport Zone or Airport Compatibility Zone, the following dimensional standards shall apply:

- A. The minimum lot size shall be determined in accordance with the provisions of this section relative to setback requirements, off-street parking and loading, consistency and conformance with the Airport Layout Plan Drawing Set, as amended, and as deemed necessary by the Hearings Body to maintain air, water, and land resource quality and to protect adjoining and area land uses.
- B. The minimum building setback between a structure and an arterial street shall be 50 feet unless a greater setback is required for compliance with the Comprehensive Plan policies or criteria, and 25 feet from a collector.
- C. The right-of-way between the property line and the edge of the improved street

shall be landscaped and maintained by the contiguous property owner in accordance with the provisions of the Site and Design Review Standards.

5. **Yards.** Except as provided by Sections 8.0550-8.0575, in an Airport Zone or Airport Compatibility Zone, the minimum side yard shall be 10 feet from the foundation for one and two story buildings and 15 feet from the foundation for three story buildings; and front and rear yards shall be a minimum of 10 feet or as approved by the Hearings Body.
6. **Height of Buildings.** In an Airport Zone or Airport Compatibility Zone, all building shall meet the requirements set forth in the Airport Layout Plan Drawing Set, as amended. ~~Control (AC) zone map.~~
7. **Off-Street Parking and Loading.** In an Airport Zone or Airport Compatibility Zone, off-street parking and loading shall be provided subject to the parking provision of 8.0500.

(***)

8.0405 Purpose and Applicability.

1. **Purpose.** The purpose of these standards is to provide reasonable and necessary regulations for the erection of wireless and broadcast communication facilities in order to:

(***)

- H. Protect the functions and safety of the Redmond Municipal Airport by adherence to Federal Aviation Regulations (FAR) Part 77, Oregon Aeronautics Division's Administrative Rule 738-70-010 through 738-70-260, "Physical Hazards to Air Navigation", and the Redmond Airport Master Plan.

(***)

8.0430 General Development Standards. All new wireless and broadcast communication facilities shall be found to comply with the following standards.

(***)

11. The project protects the functions and safety of the Redmond Municipal Airport by adherence to Federal Aviation Regulations (FAR) Part 77, Oregon Aeronautics Division's Administrative Rule 738-70-010 through 738-70-260, "Physical Hazards to Air Navigation," and the Redmond Airport Master Plan.

(***)

8.0615 Standards Governing Conditional Uses. A conditional use shall comply with the standards and criteria of the zone in which it is located and with the standards and criteria set forth in this section and in sections 8.0600 and 8.0605.

1. **Airports, aircraft landing fields, aircraft charter, rental, service, and maintenance facilities not located in an Airport Control Zone:** The Hearings Body shall find that the locations and site design of the proposed facility will not be hazardous to the safety and general welfare of surrounding properties, nor that the location will unnecessarily restrict existing and future development of surrounding lands as designated by the Comprehensive Plan.

(***)

8.3035 Design Review Criteria. Prior to issuance of a building permit, the following applicable criteria shall be met.

(***)

5. Landscaping

- A. Trees and shrubs within a minimum 3-foot-wide landscape strip.
- B. **A parking or loading area.** A parking or loading area shall be separated from any lot line adjacent to a roadway by a landscaped strip at least 10 feet in width, and any lot line by a landscaped strip at least 5 feet in width. Within the C-2, C-4, MUN, MUE, or Airport zone, street trees or other landscaping located within the public right-of-way may be provided and considered as landscaping on site. The City may make an exception of the five (5) foot landscaping strip requirements if the following criteria apply:
 1. The properties are adjacent to one another; and,
 2. The parking and back up areas are adjacent to a common lot line. If an exception is granted, an easement shall be recorded on the deed. If at any time the parking area is no longer shared, the parking area shall conform to the five (5) foot landscape strip requirements.

III. Analysis

The analysis is provided in the attached Memo from Century West Engineering to Zach Bass (Airport Director) dated May 15, 2023. On page 2 of the Memo the 'Analysis of the Redmond Development Code' starts and is supplemented by visuals.

IV. Additional Attachments

- 2040 Greater Redmond Area Comprehensive Plan Zone Map (Airport Zones identified)
- Map (Figure 3): Roberts Field, Redmond Municipal Airport Part 77 Surfaces

Memo

To: Zach Bass, Airport Manager
From: Century West Engineering
Date: 5/15/2023
Project: Redmond Municipal Airport
Re: Zoning Code, Off-Airport Parking, and Real Estate Disclosure Analysis

Century West Engineering was tasked with analyzing the following issues identified by Airport management:

1. Evaluate opportunities within existing City code to clarify, edit, add, or expand language to address off-airport parking and parking lots, residential and temporary housing and camping within areas surrounding the Airport protected for safety purposes.
2. Provide sample real estate disclosure and sale notification for property ownership changes that ensure owners are aware of noise implications within the Airport overlay zones.
3. Complete an audit of the City of Redmond's existing airport-related land use and zoning code and provide a summary of any identified issues and opportunities.

Off-Airport Parking Issues

Airport management requested planners to explore opportunities within the existing City code to prevent off-airport parking on adjacent privately-owned property to reduce any potential lost airport parking revenue. Upon review of the existing development code and research for any other precedents, it appears that no clear options exist to prevent private landowners from using their property for off-airport parking within the restrictions described in the City of Redmond development code. It is recommended that airport management seek further advice from City legal counsel on this issue.

Opportunities for Real Estate Disclosure

Airport management requested planners provide sample real estate disclosure agreements and any opportunities to inform new property owners of their proximity to the Airport and Airport overlay zones. Examples of Real Estate Disclosure Agreements in other states exist and are available upon request or through a quick Google search. No specific examples in Oregon have

been obtained and a cursory review of “ORS 105.464 - Form of seller’s property disclosure statement” provides no clear requirement in the State of Oregon for property owners to notify potential buyers of any airports in the proximity of the property.

The Airport Cooperative Research Program (ACRP) completed the following study to support the implementation of any real estate disclosures or notifications in the following study:

National Academies of Sciences, Engineering, and Medicine. 2012. Fair Disclosure and Airport Impact Statements in Real Estate Transfers. Washington, DC: The National Academies Press. <https://doi.org/10.17226/14604>.

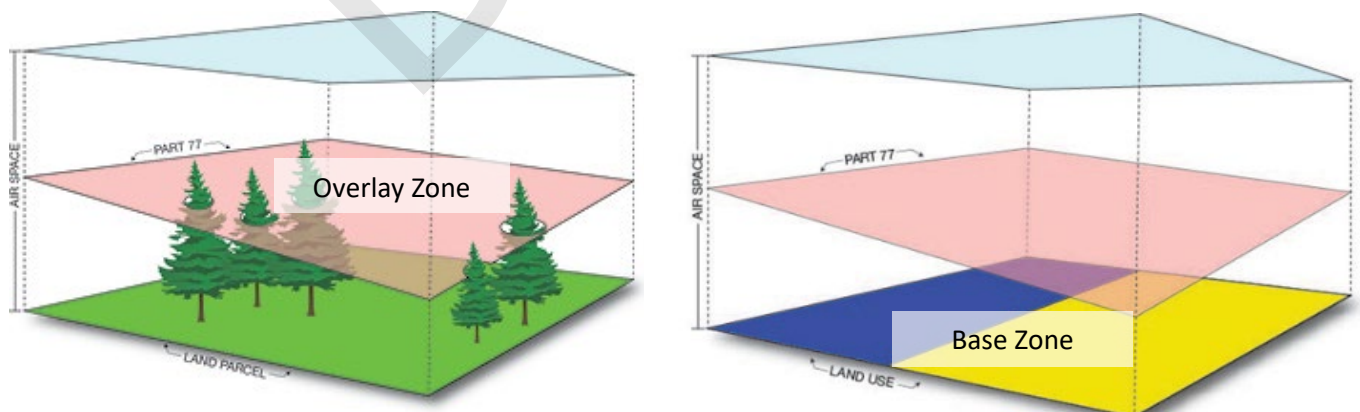
Analysis of the Redmond Development Code

Oregon Land Conservation and Development Department Rule 660-013 requires that a city or county with planning authority for one or more airports, or areas within safety zones or compatibility overlay zones, shall adopt comprehensive plan and land use regulations for airports consistent with the requirements of Rule 660-013 and ORS 836.600

This is accomplished by adopting an Airport Master Plan/ALP and two separate zoning codes:

Base Zone - The first code to be adopted is the “base zone” which implements the development of facilities depicted on the ALP such as runways, taxiways, terminal buildings, hangars, and compatible non-aeronautical development such as parking facilities or related commercial development.

Overlay Zone - The second code to be adopted is an “overlay zone” which is designed to promote aviation safety of person and property on the ground and in the air by prohibiting structures, trees, and other objects of natural growth from penetrating airport imaginary surfaces customarily identified as FAR Part 77 Surfaces in the Airport Layout Plan (ALP) drawing set.



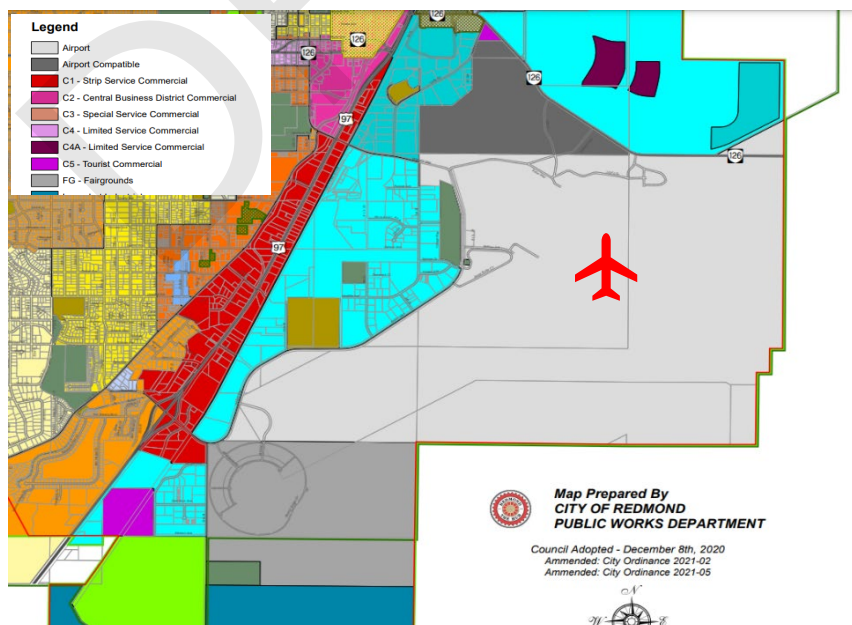
A summary of the Redmond Development Code specific to Redmond Airport identified several issues that will need to be addressed. The “base zone” and “overlay zone” were both deleted and replaced with the Airport Compatibility Zone. The removal/replacement of both the “overlay zone” and “base zone” from the code have resulted in the City of Redmond to be out of compliance with Oregon State land use laws. A summary of the issues related to the “base zone” and “overlay zone” and potential recommendations to address any deficiencies are provided below.

Base Zone

Currently, no “base zone” for Redmond Municipal Airport exists. The removal of the “base zone” section of the Redmond code occurred in or around 2004. The section of the code removed was identified as “Section 8.0245 – Airport Zone.”

The removal of the “Airport Zone” section of the code was not replaced with an updated “base zone” code language necessary to implement the development identified in the Airport Master Plan/Airport Layout Plan drawing set. On the official City of Redmond zoning map, an “Airport Zone” is depicted but no code language to support development of the airfield facilities currently exists.

The current official zoning map depicts two airport base zones on Airport property. The “Airport Zone” in light grey and the “Airport Compatibility Zone” in dark grey. It appears that the “Airport Compatibility Zone” is codified like the previously removed “Airport Zone” or “base zone” intended to regulate development of facilities such as runway, taxiway, hangars, etc. on airport property.



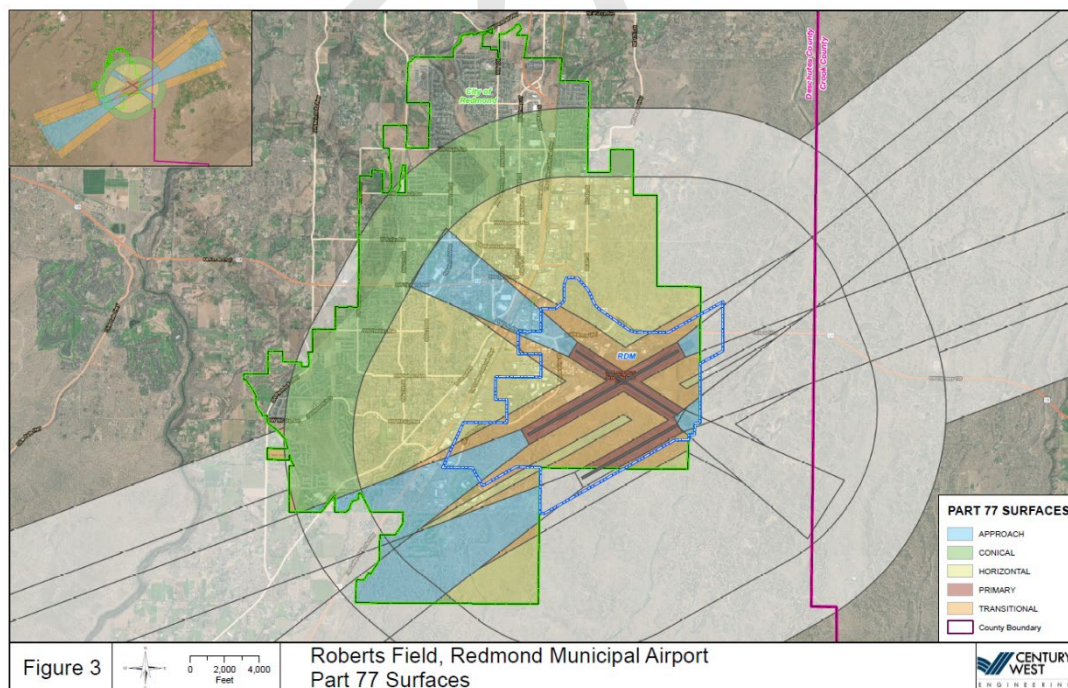
Base Zone Recommendations

1. It is recommended that City officials consolidate the existing “Airport Compatibility Zone” and “Airport Zone” on the official City of Redmond zoning map and identify one zone depicted as the “Airport Zone.”
2. It is recommended that City officials adopt an appropriate “base zone” code to implement the development of facilities depicted in the ALP. Two potential options include:
 - a. Adapt the model zoning ordinance provided in the Oregon Airport Land Use Compatibility Guidebook: Appendix G: Model Public Use Airport Zone.
 - b. Rewrite (and rename consistent with zoning map designations) the existing “Airport Compatibility Zone” code to address existing deficiencies and more clearly identify intent, purpose, and permitted uses on the Airport.

Overlay Zone

The necessary “overlay zone” previously identified as “8.0230 Special Use Zone - Airport Control AC Zone” was deleted by Ord. #2020-15 passed November 10, 2020. There are several remaining references to the non-existent “Airport Control Zone” in the existing development code that are believed to be unenforceable without the inclusion of the applicable language previously included in Section 8.0230.

The graphic below depicts the applicable FAR Part 77 Surfaces within the City of Redmond that should be codified into the Redmond Development Code.



Overlay Zone Recommendations

1. It is recommended that City officials adopt an appropriate “overlay zone” code to promote aviation safety of person and property on the ground and in the air by prohibiting structures, trees, and other objects of natural growth from penetrating airport imaginary surfaces customarily identified as FAR Part 77 Surfaces. Potential options include:
 - a. Adapt the model zoning ordinance provided in the Oregon Airport Land Use Compatibility Guidebook: Appendix D: Model Public Use Airport Safety and Compatibility Overlay Zone for Public Use Airports with Instrument Approaches.
 - b. Analyze and rewrite the previously removed “Section 8.0230 - Special Use Zone - Airport Control AC Zone.”
 - c. Adapt “Chapter 18.80 Airport Safety and Combining Zone; A-S” of the Deschutes County code to reflect local needs specific to City of Redmond.

DRAFT

EXHIBIT A

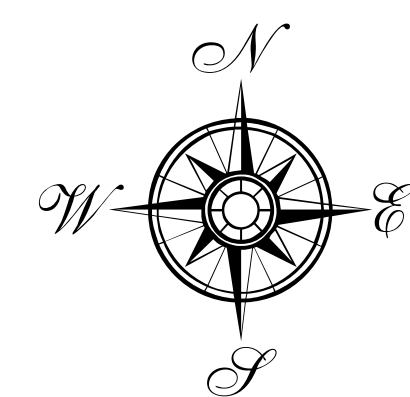
2040 Greater Redmond Area Comprehensive Plan and Zone Map

Legend

- Airport
- Airport Compatible
- C1 - Strip Service Commercial
- C2 - Central Business District Commercial
- C3 - Special Service Commercial
- C4 - Limited Service Commercial
- C4A - Limited Service Commercial
- C5 - Tourist Commercial
- FG - Fairgrounds
- Large Lot Industrial
- M1 - Light Industrial
- M2 - Heavy Industrial
- MUE - Mixed Use Employment
- MUE-WRAP - Mixed Use Employment West Redmond Area Plan
- MULW - Mixed Use Live Work
- MUN - Mixed Use Neighborhood
- OSPR - Open Space Park Reserve
- PARK - Park
- PF - Public Facility
- R1 - Limited Residential
- R2 - Limited Residential
- R3 - Limited Residential
- R3A - Limited Residential
- R4 - General Residential
- R5 - High Density Residential
- Downtown Overlay District
- MULW Overlay District
- High Density Overlay Zone
- City Limits
- Urban Growth Boundary
- Urban Area Reserve

**Airport
Compatible**

Airport Zone



Map Prepared By
CITY OF REDMOND
PUBLIC WORKS DEPARTMENT

0 0.5 1
Miles

Adopted December 8th, 2020

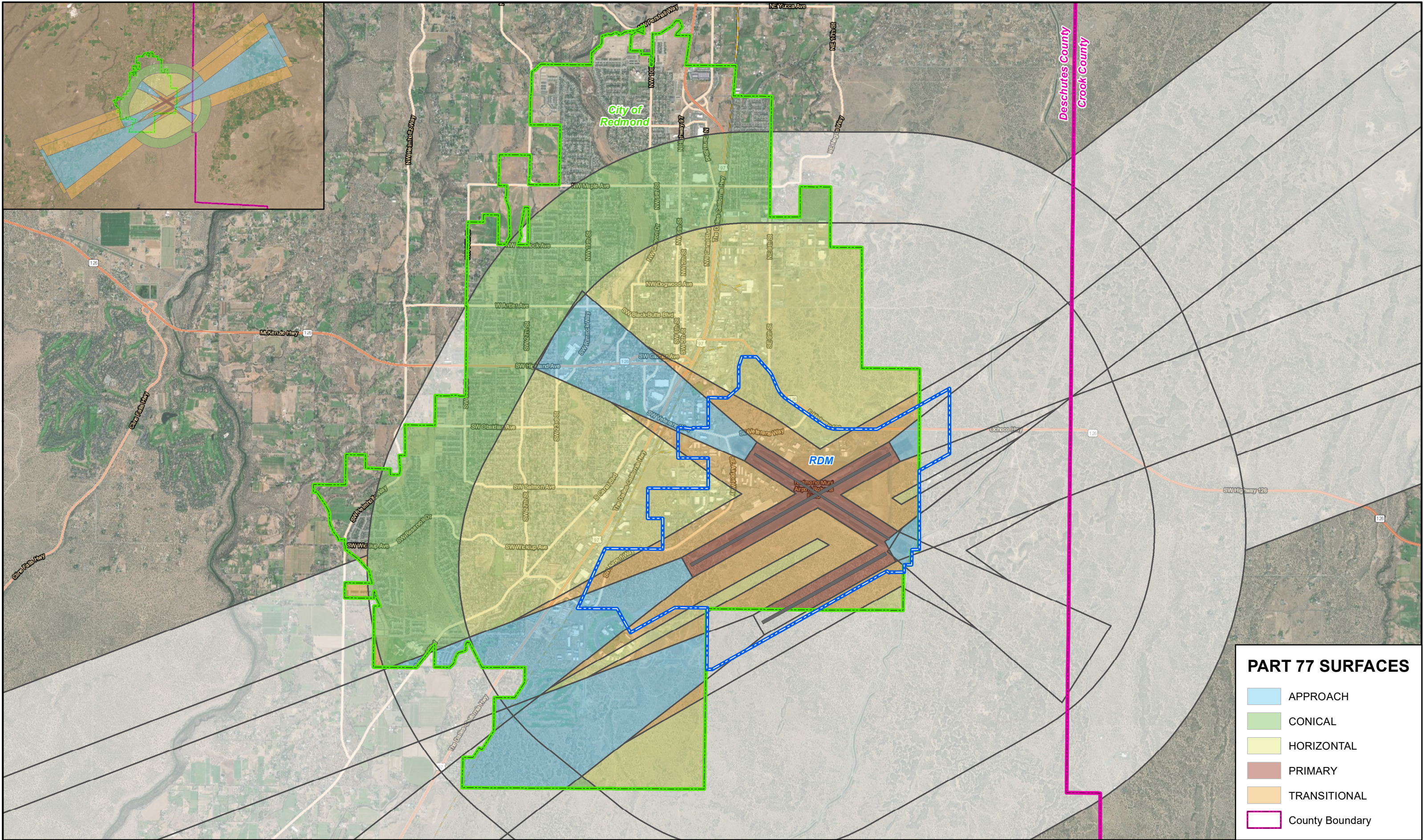


Figure 3



0 2,000 4,000
Feet

Roberts Field, Redmond Municipal Airport Part 77 Surfaces



CITY OF REDMOND
Community Development Department

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**PROPOSED TEXT AMENDMENTS
TO THE REDMOND CITY CODE, CHAPTER 8
REDMOND DEVELOPMENT CODE (RDC)**

DATE: Prepared for November 1, 2023, Work Session
HEARINGS BODY: Redmond Urban Area Planning Commission
REVIEWING STAFF: Sarah Vowell, Associate Planner
Kyle Roberts, Planning Director
TOPIC: Keeping of Livestock

I. Purpose

- Update standards to create provisions for middle housing and current lot sizes.
- Add language to capture swine standards.
- Improve administration and usability of the Keeping of Livestock criteria.

II. Proposed Amendment to RDC

Proposed text amendments are shown in ~~strike-through~~ and **in Red or Red Underline**.

ARTICLE I – Zoning Standards

Repeal and replace the definition of Livestock and 8.0365, Keeping of Livestock, in entirety.

8.0020 Definitions.

Fowl. Fowl means any female fowl from the order *galli formes*, including: chickens, ducks, turkeys, peacocks or pea fowl.

Livestock. Horses, mules, donkeys, cattle, llamas, alpacas, sheep, goats, swine, domesticated fowl and any animal bred and maintained commercially or otherwise, within any type of enclosure.

8.0365 Keeping of Livestock. The keeping of livestock shall be subject to the following limitations:

1. General provisions:

- A. Livestock may only be kept on residentially zoned properties per RDC 8.0135.
 - B. Proper sanitation shall be maintained at all times per City Code 5.335.1.
 - C. All animal food shall be stored in metal or other rodent-proof containers.
2. Capacity:
- A. The required area for horses, mules, donkeys, and similar shall be a usable area of 10,000 square feet for the first animal, 20,000 square feet for two animals, and 5,000 square feet for each additional animal thereafter.
 - B. Cows, goats, sheep, llamas, alpacas, and swine shall have a fenced corral or pasture with a usable area of at least 10,000 square feet per animal.
 - C. The number of fowl and rabbits shall not exceed one for each 1,000 square feet of property.
3. Setbacks:
- A. Fowl pens and coops shall be located on the rear half of the property not closer than 25 feet from any dwelling abutting the subject property.
 - B. Animal runs, barns, fowl pens, and coops shall be setback 10 feet from rear property lines and 15 feet from side property lines.
 - C. Animal runs, barns, fowl pens, and coops shall not be located closer than three feet to the exterior walls of the residential unit on the subject property.
 - D. Animal runs or barns for the enclosure of horses, cows, goats, sheep, swine, or other livestock shall not be located closer than 50 feet to a dwelling abutting the subject property.
4. Enclosures:
- A. Animal barns, coops, and other related structures are subject to the provisions of RDC 8.0323, Minimum Standards for the Construction or Alteration of Detached Accessory Structure (non-dwelling).
 - B. Fences used for enclosing livestock shall be kept in good repair and be at least four feet in height. They must meet the minimum standards of RDC 8.0340, Fences.
 - C. Fowl must be contained in a fenced pen or coop at all times.
5. Multiple Dwellings: In addition to the above criteria, livestock kept on properties containing multiple dwelling units must meet the following:
- A. The property owner or designated property manager must provide written notification to all residents of each dwelling unit verifying the keeping of livestock on the property will comply with the requirements of this section prior to the keeping of said livestock.
 - B. Animal runs, barns, fowl pens, and coops shall be located at least 20 feet away from the exterior walls of any dwelling unit on the subject property.

III. Analysis:

The Keeping of Livestock standards housed in the RDC are designed to create thoughtful separation between dwellings and animals along with their enclosures. It also encourages good neighbor practices and helps ensure safe animal husbandry.

Through use of the Livestock criteria, staff has found missing and sometimes challenging to administer standards. The most challenging of these relies upon knowing the distances between neighboring dwellings and said livestock without any boundaries such as property lines to go by.

Staff researched over twenty other jurisdictions across Oregon to gather a cross-section of code criteria that helped inform and develop the above standards. In particular, setbacks to property lines from enclosures were added, and animals such as swine and llamas, which were previously missing altogether, were added, and assigned capacity and housing requirements. Moreover, provisions were added to encapsulate middle housing and other properties that have multiple dwellings on one lot. The updated definition of Livestock was modeled after the State's definition and includes previously unaddressed animals. Lastly, the definition of fowl was added to make it clearer which types of domesticated birds such as chickens and ducks are allowed.

Updating these sections will provide the opportunity for greater usability that will in turn result in more user-friendly standards and an easier to administer code for all. Given the considerable amount of change and reorganization to the definitions and Keeping of Livestock standards, it is recommended repealing the current versions in their entirety and replacing them with the new sections.

****Single Room Occupancy Changes****

(***)

ARTICLE I - ZONING STANDARDS

(***)

8.0020 Definitions. As used herein, the following words and phrases shall mean:

(***)

Single Room Occupancy Development. A residential development with no less than four but no more than six attached single room occupancy units and sanitary or food preparation facilities for shared use of the occupant(s). Unless otherwise stated, a single room occupancy development shall be counted as one dwelling unit per shared food preparation facility. See also Single Room Occupancy Unit.

(***)

Single Room Occupancy Unit. Dwelling areas within a single room occupancy development which are independently rented and lockable and which provide living and sleeping space for the exclusive use of the unit occupant(s). See also Single Room Occupancy Development.

(***)

8.0135 Table A, Residential Zones, Uses Permitted. The following uses are allowed outright or conditionally in each of the Residential zones as follows:

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" means Not Allowed

Residential Uses:	R-1	R-2	R-3	R-4	R-5	RESTRICTIONS AND REQUIREMENTS
Accessory Building:						
Detached sheds, shops, and garages	O	O	O	O	O	Must be located within the property and not in the yard setback areas. Moveable shipping containers, or similar, are not allowed.
Guest House	O	O	O	O	O	No kitchen; uses main houses' sewer & water
Accessory Dwelling Unit / Accessory Suite	O	O	O	O	O	Uses main houses' sewer & water or individual City Services; may have kitchen
Accessory Use	O	O	O	O	O	Includes Home Occupations
Apartments						See Multi-Family Complex / Dwelling
Bed and Breakfast	C	C	C	C	C	
Boarding or Rooming House	N	N	C	O	O	
Cottage Development	O	O	O	O	O	
Manufactured Home	O	O	O	O	O	See Single Family Detached Dwelling
Manufactured Home Park	N	N	N	O	O	See Section 8.0375
Manufactured Home Subdivision	N	N	O	O	O	Subject to compliance w/ applicable ORS

Multi Family Complex (5 + units)	C	C	C	O	O	
Single Family Detached Dwelling , Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster	O	O	O	O	O	
<u>Single Family Detached Dwelling</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	
<u>Single Room Occupancy Development</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	
Nursing, Convalescent, and Assisted Living Facility	N	N	C	C	C	More than 15 people
Planned Unit Development	C	C	C	C	C	
Residential Care Facility	N	N	C	C	O	Defined in and regulated by ORS
Residential Care Home	O	O	O	O	O	Defined in and regulated by ORS

(***)

8.0137 Table for R-3A Zones, Uses Permitted. The following uses are allowed outright or conditionally in the Residential Zone R-3A as follows:

Residential Uses:	R-3A	RESTRICTIONS AND REQUIREMENTS
Accessory Building: Detached sheds, shops, garages.	O	Must be located within the property and not in the yard setback areas. Moveable shipping containers, or similar, are not allowed. Potting sheds, or similar, must be located within the property and not in the yard setback areas.
Guest Houses or Accessory Dwelling Unit	O	Connected to primary residential unit utilities; includes kitchen.
Accessory Use	O	Includes Home Occupation.
Multi-Family Complex	O	
Bed and Breakfast	C	
Single Family Detached Dwelling, Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, <u>Single Room Occupancy Development</u>	O	
Residential Care Home	O	Defined and regulated by ORS.

(***)

8.0140 Table B, Minimum Standards. The following minimum standards apply in each of the Residential zones:

Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Minimum Lot size - Square Feet					
Single Family, Duplex, Triplex, <u>Single Room Occupancy Development</u>	9,000	9,000	7,500	5,500	5,500
Quadplex, Cottage Clusters	9,000	9,000	7,500	7,000	7,000
Townhouse	1,500	1,500	1,500	1,500	1,500

Multi-family Complex: 5+ units	No Minimum Lot Size Must Meet Density Standards				
Density - Units/Net Acres					
Minimum Density: All	4	4	5	5	8
Maximum Density: Single Family, <u>Single Room Occupancy Development</u>	5	5	5.8	8	8
Maximum Density: Duplex, Triplex, Quadplex, Cottage Cluster	No Maximum Density Must Meet Minimum Lot Size				
Maximum Density: Townhouses	20	20	23.2	25	25
Maximum Density: Multi-family Complex 5+ units	N/A	N/A	N/A	14.5	17.4

(***)

OFF-STREET PARKING & LOADING REQUIREMENTS

8.0500 Off-Street Parking. Parking space requirements are based on the following standards according to the use (note: all required handicapped parking is included in the calculation derived parking standards). Manufacturing, warehousing, and other industrial uses may base the number of required parking spaces on the number of employees. When the number of employees is specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season.

Land use	Standard
Residential	
All residential uses within the Downtown Overlay District	1 space per Dwelling Unit (DU).
Bed and Breakfast	1 space / bedroom
Boarding House	1 space / bedroom
Caretake living on-site	2 spaces / DU
Cottage Clusters / Cottage Developments	1 space / cottage
Duplex	1 space / DU
Guest Houses	1 space / Guest House
Homeless Shelter	.5 space / room, 1 space / employee or service provider (fullest shift)
Multi Family Complex (Apartments)	1 spaces / 10 DU; 1 space / Mgr. Plus
Studio < 600 sf	1 space / DU
Studio > 600 sf / 1 bedroom	1.5 space / DU (1space per Affordable Housing DU)
2 bedrooms	1.75 spaces / DU (1.5 spaces per Affordable Housing DU)
3 or more bedrooms	2 spaces / DU
Senior Housing Developments (55+ communities)	1 space / DU (0.75 space per Affordable Housing DU)
Residential Care Facility (6 or more residents)	.5 space / room, 1 space / employee (fullest shift)
Residential Care Home (5 or less residents)	2 spaces

Single Family Detached Dwelling	2 spaces / DU
Townhouse	1 space / DU
Triplex and Quadplex	1 space / DU
<u>Single Room Occupancy Development</u>	<u>Maximum: 1 space per 50% of the single room occupancy units provided in each development. May round up to the nearest space. Minimum: 1 space per Single Room Occupancy Development. Securable bike storage shall be provided containing no less than 1 bike parking space for each single room occupancy unit which is not served by an automobile parking space.</u>

(***)

8.0515 Parking Table and Diagram.

1. The following table and diagram provides the minimum dimensions of public or private parking areas based on the diagram on the same page where "A" equals the parking angle, "B" equal the stall width, "C" equals the minimum stall depth, "D" equals the minimum clear aisle width, "E" equals the stall distance at bay side, "F" equals the minimum clear bay width and "G" is the maximum permitted decrease in clear aisle width for private parking areas.

PARKING TABLE:

(***)

2. Required bike parking spaces shall be 6 feet in length, 2.5 feet in width, and 4 feet in height at minimum.

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ARTICLE IV - SITE AND DESIGN REVIEW STANDARDS

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8.3010 Exemptions. The following are exempt from Site Design and Review:

1. Normal maintenance and repair.
2. Hangar development entirely on and interior to airport property.
3. Single family detached dwellings and middle housing, unless located on a lot within 100 feet of the canyon.
4. Manufactured home in an approved manufactured home park.
5. Additions to an existing building of less than 25% of the total building square footage, not to exceed 1,000 square feet.
6. Any development that does not include the construction or alteration of a building which will have a negligible impact on the land as determined by the Community Development Director, or designee.
7. Overhead electrical power transmission lines and poles greater than 12.5 kv.
8. Child care facility in residential neighborhoods that utilize existing structures.
9. Any single room occupancy development which complies with Sections 8.0141, 8.0142, or 8.0143.

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*****Condominium Form of Ownership Changes*****

(***)

ARTICLE I - ZONING STANDARDS

(***)

8.0020 Definitions. As used herein, the following words and phrases shall mean:

(***)

Dwelling. As follows:

(***)

Live/work Dwelling. A building type that consists of commercial space on the ground floor and residential space on the ground and/or upper floors. The ground floor commercial or office space has visibility, signage, and access from the primary street. To preserve the pedestrian orientation of the commercial or office space, alley or rear access is required to provide services and residential parking. A separate home occupation may be allowed in addition to the commercial space. The permitted live/work dwelling types are defined below:

- A. **Live/work Townhouse:** A townhouse in which a business shall be limited to the ground floor and may not exceed 50% of the floor area of the entire townhouse unit, excluding the garage.
- B. **Live/Work Apartment:** A residential multi-story, multi-unit building with a minimum of 50% of the building ground floor used as retail, office, or commercial space. ~~Residential units may be rented or for sale (condominium or cooperative) units.~~

(***)

Interest. Includes a lot or parcel, share, undivided interest, or membership which includes the right to occupy the land overnight, and a lessee's interest in land for more than three years or less than three years if the interest may be renewed under the terms of the lease for a total period more than three years. Interest does not include any interest in a condominium as defined by state law or any security interest under a land sales contract, trust deed or mortgage. Interest does not include divisions of land created by lien foreclosures or foreclosures of recorded contracts for the sale of real property.

(***)

8.0175 Downtown Overlay District. In the Downtown Overlay District, the following regulations shall apply:

(***)

1. **Off-Street Parking.** In addition to the standards of 8.0505 – 8.0515, the following standards shall apply for off-street parking in the Downtown Overlay District:

A. Off-Street Parking Requirements (Number of Spaces):

1. Residential: Per State Condominium Code
2. Non-Residential: 1 parking space per 500 net square feet
3. For buildings over 75 feet in height: 1 parking space per 1000 net square feet.

(***)

8.0190 Table C, Uses Permitted. The following uses identified below are allowed outright or conditionally in each of the Commercial and Industrial zones. Outright or conditional uses in the M-1.5 zone may be permitted Conditionally in the M-1 or M-2 zones; this allowance does not apply for uses Not Allowed (“N”).

“O” means Permitted Outright
 “C” means Permitted Conditionally
 “N” means Not Allowed

Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Apartments	N	N	N	N	N	N	N	N	N	N	See Multi-Family complexes.
Assisted Living Facility	O	O	O	O	O	O	N	N	N	C	
Bed and Breakfast	C	C	C	C	N	N	N	N	N	C	
Boarding House	O	O	O	O	C	C	N	N	N	O	
Caretaker	C	N	N	C	N	C	C	C	O	N	Must live on site.
Condominium	N	N	N	O	N	N	N	N	N	O	State-regulated.

(***)

ARTICLE III. LAND DIVISION STANDARDS

(***)

8.2020 Definitions. As used in these standards, the following words and phrases shall mean:

(***)

Zero Lot Line Subdivision. A type of residential subdivision **which does not provide side yard setback areas** utilizing zero lot lines between dwelling units **and providing for individual ownership of each lot, not including condominiums**, commonly utilized as part of townhome projects.

(***)

****Emergency Shelter Use******(***)****ARTICLE I - ZONING STANDARDS****(***)**

8.0135 Table A, Residential Zones, Uses Permitted. The following uses are allowed outright or conditionally in each of the Residential zones as follows:

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" means Not Allowed

Non Residential Uses:	R-1	R-2	R-3	R-4	R-5	RESTRICTIONS AND REQUIREMENTS
Child Care Facility:						
Child Care Center	C	C	C	C	C	
Child Care Home	O	O	O	O	O	
Church, Religious Institution	C	C	C	C	C	
Community Center (private)	C	C	C	C	C	
Community Pool (private)	C	C	C	C	C	
Farm Use, Farming	O	O	O	O	O	
Mini Storage	N	N	N	N	N	
Multi-Use Trail	O	O	O	O	O	
Park	O	O	O	O	O	
Livestock	O	O	O	O	O	Subject to livestock provisions, section 8.0365
Office	N	N	C	C	C	Conditional in conjunction with a master plan or PUD
Retail	N	N	C	C	C	Conditional in conjunction with a master plan or PUD
School (private)	C	C	C	C	C	
Tennis Court (private)	O	O	O	O	O	Non-commercial use only
Public Facility or Emergency Management Services	C	C	C	C	C	
City Owned Utility Facility	O	O	O	O	O	
Private Utility Facilities	C	C	C	C	C	
<u>Emergency Shelter</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>Reviewed under ORS 197.782. Emergency shelters for natural disaster response are not subject to review.</u>

(*)**

8.0137 Table for R-3A Zones, Uses Permitted. The following uses are allowed outright or conditionally in the Residential Zone R-3A as follows:

Non-Residential Uses:		
Child Care Facility		
Child Care Center	C	
Child Care Home	O	

C = conditional uses.

8.0190 Table C, Uses Permitted. The following uses identified below are allowed outright or conditionally in each of the Commercial and Industrial zones. Outright or conditional uses in the M-1.5 zone may be permitted Conditionally in the M-1 or M-2 zones; this allowance does not apply for uses Not Allowed (“N”).

“O” means Permitted Outright
“C” means Permitted Conditionally
“N” means Not Allowed

[illegible]

City Owned Utility or Public Facility	O	O	O	O	O	O	O	O	O	O	
<u>Emergency Shelter</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>Reviewed under ORS 197.782. Emergency shelters for natural disaster response are not subject to review.</u>

(***)

8.0220 Table E, Permitted Uses. The following land uses are permitted outright or conditionally in each respective zone:

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" mean Not Allowed

LAND USE:	ZONE					Comment:
Non-Residential Uses:						
Public or Private Schools	C	N	C	N	N	
Parks, trails, reserve areas	O	O	O	O	N	
Public Facilities including cemetery	N	O/C	O/C	O/C	N	Outright only when approved in the Comp Plan or Other Public Facilities Plan for OSPR and Park Zones. Conditional use if adjacent to "R" zone (applies to the PF zone only)
Public Safety, Emergency Services, Training Coordination Facilities	O	C	O	C	C	
Expo Center Arenas	O	N	N	N	N	
Plaza, Amphitheater for Outdoor Events	O	C	O	O	N	
Campground for use during Events	O	N	N	N	N	
Recreational and Sports Facilities	O	C	O	O	N	In the Public Facility Zone, recreation facilities shall be in public ownership.
Museum, Theater, Community Center	O	C	O/C	C	O	In the Public Facility Zone, outright uses for public and non-profit agencies. Conditional use permits are required for commercial uses exceeding six (6) consecutive months or six (6) months within the same calendar year.
Commercial Use: Accessory to Permitted Use	O	O	O	O	O	In the Public Facility Zone, commercial uses are limited to no more than 50% of the total floor area, building footprint or lot area, whichever is most restrictive. Commercial use subject to a Temporary Use Permit.
RV Park	O	N	N	N	N	
<u>Emergency Shelter</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>Reviewed under ORS 197.782. Emergency shelters for natural disaster response are not subject to review.</u>

(***)

8.0260 Table G, Uses Permitted. The following land uses are permitted outright or conditionally in each respective Zone as follows:

“O” means Permitted Outright
 “C” means Permitted Conditionally
 “N” means Not Allowed

Standard	MUN	MUE	Reference/Standards:
Public and Semi Public Uses:			
Churches, religious institutions	C	C	
Lodge, club, non-profit/ fraternal organization	C	C	
Park (public or private)	O	O	
Public transportation station or public utility facility	O	O	See definitions.
Schools (public or private)	C	C	
Recreation Facility (public or private)	O	O	
Private utility facility	C	C	
<u>Emergency Shelter</u>	<u>O</u>	<u>O</u>	<u>Reviewed under ORS 197.782. Emergency shelters for natural disaster response are not subject to review.</u>

(***)

Standard	MULW	Reference/Standards:
Public and Semi Public Uses:		
Churches, religious institutions	C	
Lodge, club, non-profit/ fraternal organization	C	
Park (public or private)	O	
Public transportation station or public utility facility	O	See definitions.
Schools (public or private)	O	
Recreation Facility (public or private)	O	
Private utility facility	C	
<u>Emergency Shelter</u>	<u>O</u>	<u>Reviewed under ORS 197.782. Emergency shelters for natural disaster response are not subject to review.</u>

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*****Contracting for Affordable Housing*******(***)****ARTICLE III. LAND DIVISION STANDARDS****(***)****SUBDIVISION APPLICATION PROCEDURE****(***)****FINAL SUBDIVISION PLAT****(***)****8.2325 Improvement Agreement.**

1. The subdivider may, in lieu of completion of the required improvements and repair to existing streets and facilities, request the Community Development Director, or designee, to approve an agreement specifying the schedule by which the required improvements and repairs shall be completed. Provided, however, any schedule of improvements agreed to shall not exceed one (1) year from the date the final plat is recorded. The agreement shall also provide the following information:
 - A. The repairs required and cost of the project.
 - B. That, pursuant to the requirements of Section 8.2330 of this Chapter, the City may call upon the security filed to construct or complete the improvements and repairs if the schedule of improvements is not adhered to.
 - C. That the City shall recover the full cost and expense of any work performed by the City to complete construction of the improvements and repairs including, but not limited to attorneys' and engineering fees.
 - D. That a warranty bond for one (1) year shall be deposited with the City following acceptance of the improvements. Said bond shall be in the amount of ten (10) percent of the value of the improvements.
 - E. Building permits will not be issued for any structure on any lot included within the subdivision plat until such time as all improvements are completed as specified in the agreement.
2. The Community Development Director, or designee, may reject an agreement authorized by this Section for any reason the Community Development Director, or designee, deems sufficient.
3. The ~~subdivider shall record the~~ required land division agreement or public improvement agreement shall be recorded with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.

8.2330 Bond or Cash Deposit.

1. The subdivider shall file with any agreement specified in Section 8.2325, to assure his or her full and faithful performance thereof, one of the following:
 - A. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney.

- B. A cash deposit in a City account at an approved lending institution.
2. A bond or cash deposit, or any combination thereof, shall be for 120% of the cost of the improvements and repairs as determined by the City.
 3. For any affordable housing development which will be subject to an affordability restriction as defined in ORS 456.250 or an affordable housing covenant as defined in ORS 456.270, the City shall accept one or more award letters from public funding sources made to the subdivider to cover costs of the domestic water supply system and/or sewage disposal system installation so long as the awards total an amount greater than the project cost.
 4. If the subdivider fails to carry out the provisions of the agreement, the City may call upon the bond or cash deposit to finance any cost or expenses resulting from said failure. In the alternative, the City may form a Local Improvement District or a Reimbursement District to lien the properties in accordance with the relevant provisions of Oregon State Law and the Redmond City Code. If the amount of the deposit or bond exceeds the cost and expense incurred by completing the improvements, the City shall release the remainder. If the amount of the deposit or bond is less than the cost and expense incurred by the City for the improvements and repairs, the subdivider shall be liable to the City for the difference.

(***)

****Residential Use of Commercial Lands******(***)**

8.0190 Table C, Uses Permitted. The following uses identified below are allowed outright or conditionally in each of the Commercial and Industrial zones. Outright or conditional uses in the M-1.5 zone may be permitted Conditionally in the M-1 or M-2 zones; this allowance does not apply for uses Not Allowed (“N”).

“O” means Permitted Outright
 “C” means Permitted Conditionally
 “N” means Not Allowed

Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Apartments	N	N	N	N	N	N	N	N	N	N	See Multi-Family complexes.
Assisted Living Facility	O	O	O	O	O	O	N	N	N	C	
Bed and Breakfast	C	C	C	C	N	N	N	N	N	C	
Boarding House	O	O	O	O	C	C	N	N	N	O	
Caretaker	C	N	N	C	N	C	C	C	O	N	Must live on site.
Condominium	N	N	N	O	N	N	N	N	N	O	State regulated.
Dairy	N	N	N	N	N	N	N	N	N	O	
Homeless Shelter	O	C	C	C	N	N	O	C	N	N	
Manufactured Home Park	C	N	N	C	N	N	N	N	N	N	
Multi-Family Complex	O	O	O	O	O	O	N	N	N	O*	*Residential Use on ground floor restricted to <25% and shall not be in front of building.
Planned Unit Development	C	C	C	C	C	C	C	C	C	C	
Residential Use above ground floor	O	O	O	O	N	N	N	N	N	O	
Residential Use on ground floor <25%	N	O	O	O	N	N	N	N	N	O	Not in front of building.
Residential Use on ground floor >25%	N	N	N	N	N	N	N	N	N	N	
Residential care facility	O	C	O	C	N	N	N	N	N	C	
Residential care home	O	O	O	O	N	N	N	N	N	O	
Single Family Detached Dwelling (including ADUs) and Duplexes on ground floor	C	O*	C	N	N	N	N	N	N	O*	*Only permitted for those uses pre-dating the adoption of the C-2 Zone Amendments and Downtown Overlay District on August 12, 2008.
Attached Single Family and triplex and quadplex above ground floor	O	O	O	O	O	O	N	N	N	O	
Resumption of a residential use	O	O	O	O	O	O	N	N	N	C	Only as previously established.
<u>Affordable Housing, where 100% of units would qualify as affordable.</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>O*</u>	<u>Shall be reviewed as if proposed within R-5 zone. The minimum development standards of the underlying zone shall also apply and supersede where conflicting.</u> <u>*Only if also allowed by the underlying zoning district.</u>

<u>Mixed Workforce Housing, where ground floor commercial is provided and 100% of units would qualify as workforce or affordable.</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>O*</u>	<u>Residential component shall be reviewed as if proposed within R-5 zone. The minimum development standards of the underlying zone shall also apply and supersede where conflicting. *Only if also allowed by the underlying zoning district.</u>
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(***)

8.0260 Table G, Uses Permitted. The following land uses are permitted outright or conditionally in each respective Zone as follows:

“O” means Permitted Outright
 “C” means Permitted Conditionally
 “N” means Not Allowed

Standard	MUN	MUE	Reference/Standards:
<u>Residential Uses:**</u>			All stand-alone residential uses listed in Table G may not occupy more than 20% of the net land area on the subject property zoned MUN.
Assisted Living Facility	O	O	
Bed and Breakfast	C	N	
Multi-Family Complex (5+ units)	O	O	See RDC Section 8.3035, Design Review Criteria
Residential use above ground flood (mixed-use unit)	O	O	
Live/Work Dwelling	O	O	See definitions of live/work houses, townhouses and apartments, and standards in RDC Section 8.3035, Design Review Criteria.
Residential Care Facility	C	C	
Townhouse	O	O	See Section 8.0142, Townhouse Development and Design Standards
<u>Affordable Housing, where 100% of units would qualify as affordable.</u>	<u>O</u>	<u>O</u>	<u>Shall be reviewed as if proposed within R-5 zone but with the minimum development standards of the underlying zone.</u>
<u>Mixed Workforce Housing, where ground floor commercial is provided and 100% of units would qualify as workforce or affordable.</u>	<u>O</u>	<u>O</u>	<u>Residential component shall be reviewed as if proposed within R-5 zone. The minimum development standards of the underlying zone shall also apply and supersede where conflicting.</u>

(***)

Standard	MULW	Reference/Standards:
Existing Single-Family Residential Use prior to May 2011	O	An ADU is permitted to accompany existing single-family detached dwelling.
<u>Affordable Housing, where 100% of units would qualify as affordable.</u>	<u>O</u>	<u>Shall be reviewed as if proposed within R-5 zone but with the minimum development standards of the underlying zone.</u>
<u>Mixed Workforce Housing, where ground floor commercial is provided and 100% of units would qualify as workforce or affordable.</u>	<u>O</u>	<u>Residential component shall be reviewed as if proposed within R-5 zone. The minimum development standards of the underlying zone shall also apply and supersede where conflicting.</u>
Live/Work Dwelling		

Live/Work Dwelling	O	See definitions of live/work houses, townhouses and apartments, and standards in RDC Section 8.3035, Design Review Criteria.
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****Conversion of Existing Commercial Structures for Residential Use****

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ARTICLE I - ZONING STANDARDS

(***)

RESIDENTIAL USE ZONES

(***)

Conversion of Existing Commercial Structures for Residential Use.....8.0144

(***)

8.0135 Table A, Residential Zones, Uses Permitted. The following uses are allowed outright or conditionally in each of the Residential zones as follows:

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" means Not Allowed

Non Residential Uses:	R-1	R-2	R-3	R-4	R-5	RESTRICTIONS AND REQUIREMENTS
Child Care Facility:						
Child Care Center	C	C	C	C	C	
Child Care Home	O	O	O	O	O	
Church, Religious Institution	C	C	C	C	C	
Community Center (private)	C	C	C	C	C	
Community Pool (private)	C	C	C	C	C	
Farm Use, Farming	O	O	O	O	O	
Mini Storage	N	N	N	N	N	
Multi-Use Trail	O	O	O	O	O	
Park	O	O	O	O	O	
Livestock	O	O	O	O	O	Subject to livestock provisions, section 8.0365
Office	N	N	C	C	C	Conditional in conjunction with a master plan or PUD
Retail	N	N	C	C	C	Conditional in conjunction with a master plan or PUD
School (private)	C	C	C	C	C	
Tennis Court (private)	O	O	O	O	O	Non-commercial use only
Public Facility or Emergency Management Services	C	C	C	C	C	
City Owned Utility Facility	O	O	O	O	O	
Private Utility Facilities	C	C	C	C	C	
<u>Residential Conversion of Existing Commercial Structure</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>See Section 8.0144.</u>

(***)

8.0137 Table for R-3A Zones, Uses Permitted. The following uses are allowed outright or

conditionally in the Residential Zone R-3A as follows:

Non-Residential Uses:		
Child Care Facility		
Child Care Center	C	
Child Care Home	O	
Church, Religious Institution	C	
Community Center (private)	C	
Community Pool (private)	C	
Commercial Office	C	Only within buildings existing as of Oct. 20, 2007, or as modified (expanded) up to a maximum of 25%. Any modification shall require site plan review. A building destroyed or damaged may be rebuilt up to the former size and general configuration.
Retail	C	
Professional Offices	C	
Restaurant	C	
Theater	C	
Art Gallery or Center	C	
Public or Semi Public Uses	C	
School (private)	C	
Tennis Court (private)	O	
City Owned Utility Facility	O	
Private Utility Facilities	C	
<u>Residential Conversion of Existing Commercial Structure</u>	<u>O</u>	<u>See Section 8.0144.</u>

C = conditional uses.

(***)

8.0144 Conversion of Existing Commercial Structures for Residential Use.

1. **Design and Review.** A proposal for conversion of an existing commercial structure to a residential use is not required to comply with this section if the proposed conversion could be permitted through another use and review procedure. However, if an applicant is seeking approval of such proposal through this section, the proposal must comply with the entirety of this section. Proposals which comply with the standards of this section shall be approved.

A. For any proposal to convert an existing commercial structure or portion thereof for residential use, regardless of the zoning of the subject property, system development charges will be applied to the proposed development as the City deems appropriate, but the charges shall be reduced by the full nominal amount of the water and wastewater system development charges paid at the time the commercial structure was originally constructed, if any. The parking requirements for conversion of an existing commercial structure or portion thereof to a residential use are described in Section 8.0500(2).

B. If the subject property is located within a non-residential zoning district, conversion of an existing commercial structure or portion thereof to a residential use shall not require a zone change or conditional use review to allow the proposed residential use. However, the proposed residential use shall be reviewed for compliance with those criteria that would be applicable if that residential use were proposed to be

established in the R-5 zone, although the minimum development standards of the underlying zone shall apply and supersede the minimum development standards of the R-5 zone when in conflict.

2. **Burden of Proof.** In addition to the standard review requirements and procedures, it shall be the applicant's burden to prove that the commercial structure or portion thereof which is proposed to be converted to residential use was lawfully established as a commercial structure when originally constructed or was lawfully established as a commercial structure at some later date. Additionally, the applicant shall identify the existing commercial use of the structure or portion thereof that is proposed to be converted and the date of lawful establishment of said existing use if different than the original established commercial use. The City reserves the right to require compensation for staff time if the City agrees to an applicant's request to assist with this research beyond providing access to public records or satisfying a formal public records request. In the event that there is a disagreement between the applicant and the City regarding the lawful establishment of the commercial structure or the nature and/or lawful establishment of the existing commercial use, the City shall provide the applicant with an appropriate planning application that the applicant may utilize to require the Planning Division to apply discretionary review and issue a formal determination of the facts.

(***)

8.0190 Table C, Uses Permitted. The following uses identified below are allowed outright or conditionally in each of the Commercial and Industrial zones. Outright or conditional uses in the M-1.5 zone may be permitted Conditionally in the M-1 or M-2 zones; this allowance does not apply for uses Not Allowed ("N").

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" means Not Allowed

Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Apartments	N	N	N	N	N	N	N	N	N	N	See Multi-Family complexes.
Assisted Living Facility	O	O	O	O	O	O	N	N	N	C	
Bed and Breakfast	C	C	C	C	N	N	N	N	N	C	
Boarding House	O	O	O	O	C	C	N	N	N	O	
Caretaker	C	N	N	C	N	C	C	C	O	N	Must live on site.
Condominium	N	N	N	O	N	N	N	N	N	O	State regulated.
Dairy	N	N	N	N	N	N	N	N	N	O	
Homeless Shelter	O	C	C	C	N	N	O	C	N	N	
Manufactured Home Park	C	N	N	C	N	N	N	N	N	N	
Multi-Family Complex	O	O	O	O	O	O	N	N	N	O*	*Residential Use on ground floor restricted to <25% and shall not be in front of building.
Planned Unit Development	C	C	C	C	C	C	C	C	C	C	
Residential Use above ground floor	O	O	O	O	N	N	N	N	N	O	
Residential Use on ground floor <25%	N	O	O	O	N	N	N	N	N	O	Not in front of building.
Residential Use on ground floor >25%	N	N	N	N	N	N	N	N	N	N	
Residential care facility	O	C	O	C	N	N	N	N	N	C	

Residential care home	O	O	O	O	N	N	N	N	N	O	
Single Family Detached Dwelling (including ADUs) and Duplexes on ground floor	C	O*	C	N	N	N	N	N	N	O*	*Only permitted for those uses pre-dating the adoption of the C-2 Zone Amendments and Downtown Overlay District on August 12, 2008.
Attached Single Family and triplex and quadplex above ground floor	O	O	O	O	O	O	N	N	N	O	
Resumption of a residential use	O	O	O	O	O	O	N	N	N	C	Only as previously established.
<u>Residential Conversion of Existing Commercial Structure</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>N</u>	<u>N</u>	<u>O*</u>	<u>See Section 8.0144.</u> <u>*Only if also allowed by the underlying zoning district.</u>

(***)

8.0260 Table G, Uses Permitted. The following land uses are permitted outright or conditionally in each respective Zone as follows:

“O” means Permitted Outright
 “C” means Permitted Conditionally
 “N” means Not Allowed

Standard	MUN	MUE	Reference/Standards:
<u>Residential Uses:**</u>			All stand-alone residential uses listed in Table G may not occupy more than 20% of the net land area on the subject property zoned MUN.
Assisted Living Facility	O	O	
Bed and Breakfast	C	N	
Multi-Family Complex (5+ units)	O	O	See RDC Section 8.3035, Design Review Criteria
Residential use above ground flood (mixed-use unit)	O	O	
Live/Work Dwelling	O	O	See definitions of live/work houses, townhouses and apartments, and standards in RDC Section 8.3035, Design Review Criteria.
Residential Care Facility	C	C	
Townhouse	O	O	See Section 8.0142, Townhouse Development and Design Standards
<u>Residential Conversion of Existing Commercial Structure</u>	<u>O</u>	<u>O</u>	<u>See Section 8.0144.</u>

(***)

Standard	MULW	Reference/Standards:
Existing Single-Family Residential Use prior to May 2011	O	An ADU is permitted to accompany existing single-family detached dwelling.
<u>Residential Conversion of Existing Commercial Structure</u>	<u>O</u>	<u>See Section 8.0144.</u>
<u>Live/Work Dwelling</u>		
Live/Work Dwelling	O	See definitions of live/work houses, townhouses and apartments, and standards in RDC Section 8.3035, Design Review Criteria.

(***)

OFF-STREET PARKING & LOADING REQUIREMENTS

8.0500 Off-Street Parking.

1. Parking space requirements are based on the following standards according to the use (note: all required handicapped parking is included in the calculation derived parking standards). Manufacturing, warehousing, and other industrial uses may base the number of required parking spaces on the number of employees. When the number of employees is specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season.

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2. For any proposal to convert an existing commercial structure or portion thereof to a residential use, pursuant to Section 8.0144, the lesser amount of the following parking requirements shall apply:
 - A. The parking spaces required by the portion of the existing commercial use that is proposed to be converted.
 - B. The parking spaces that would be required were the proposed residential use to be established in the R-5 zone.

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“O” means Permitted Outright
“C” means Permitted Conditionally
“N” means Not Allowed

Residential Uses:	R-1	R-2	R-3	R-4	R-5	RESTRICTIONS AND REQUIREMENTS
Accessory Building:						
Detached sheds, shops, and garages	O	O	O	O	O	Must be located within the property and not in the yard setback areas. Moveable shipping containers, or similar, are not allowed.
Guest House	O	O	O	O	O	No kitchen; uses main houses' sewer & water
Accessory Dwelling Unit / Accessory Suite	O	O	O	O	O	Uses main houses' sewer & water or individual City Services; may have kitchen
Accessory Use	O	O	O	O	O	Includes Home Occupations
Apartments						See Multi-Family Complex / Dwelling
Bed and Breakfast	C	C	C	C	C	
Boarding or Rooming House	N	N	C	O	O	
Cottage Development	O	O	O	O	O	
Manufactured Home	O	O	O	O	O	See Single Family Detached Dwelling
Manufactured Home Park	N	N	N	O	O	See Section 8.0375
Manufactured Home Subdivision	N	N	O	O	O	Subject to compliance w/ applicable ORS
Multi Family Complex (5 + units)	C	C	C	O	O	
Single Family Detached Dwelling, Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster	O	O	O	O	O	
Nursing, Convalescent, and Assisted Living Facility	N	N	C	C	C	More than 15 people
Planned Unit Development	C	C	C	C	C	
Residential Care Facility	N	N	C	C	O	Defined in and regulated by ORS
Residential Care Home	O	O	O	O	O	Defined in and regulated by ORS
Public-Owned Affordable Housing Developments	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>See Section 8.0580.</u>

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8.0137 Table for R-3A Zones, Uses Permitted. The following uses are allowed outright or conditionally in the Residential Zone R-3A as follows:

Residential Uses:	R-3A	RESTRICTIONS AND REQUIREMENTS
Accessory Building: Detached sheds, shops, garages.	O	Must be located within the property and not in the yard setback areas. Moveable shipping containers, or similar, are not allowed. Potting sheds, or similar, must be located within the property and not in the yard setback areas.
Guest Houses or Accessory Dwelling Unit	O	Connected to primary residential unit utilities; includes kitchen.
Accessory Use	O	Includes Home Occupation.
Multi-Family Complex	O	
Bed and Breakfast	C	
Single Family Detached Dwelling, Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster	O	
Residential Care Home	O	Defined and regulated by ORS.
<u>Public-Owned Affordable Housing Development</u>	<u>O</u>	<u>See Section 8.0580.</u>

(***)

8.0190 Table C, Uses Permitted. The following uses identified below are allowed outright or conditionally in each of the Commercial and Industrial zones. Outright or conditional uses in the M-1.5 zone may be permitted Conditionally in the M-1 or M-2 zones; this allowance does not apply for uses Not Allowed ("N").

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" means Not Allowed

Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Apartments	N	N	N	N	N	N	N	N	N	N	See Multi-Family complexes.
Assisted Living Facility	O	O	O	O	O	O	N	N	N	C	
Bed and Breakfast	C	C	C	C	N	N	N	N	N	C	
Boarding House	O	O	O	O	C	C	N	N	N	O	
Caretaker	C	N	N	C	N	C	C	C	O	N	Must live on site.
Condominium	N	N	N	O	N	N	N	N	N	O	State regulated.
Dairy	N	N	N	N	N	N	N	N	N	O	
Homeless Shelter	O	C	C	C	N	N	O	C	N	N	
Manufactured Home Park	C	N	N	C	N	N	N	N	N	N	
Multi-Family Complex	O	O	O	O	O	O	N	N	N	O*	*Residential Use on ground floor restricted to <25% and shall not be in front of building.
Planned Unit Development	C	C	C	C	C	C	C	C	C	C	
Residential Use above ground floor	O	O	O	O	N	N	N	N	N	O	

Residential Use on ground floor <25%	N	O	O	O	N	N	N	N	N	O	Not in front of building.
Residential Use on ground floor >25%	N	N	N	N	N	N	N	N	N	N	
Residential care facility	O	C	O	C	N	N	N	N	N	C	
Residential care home	O	O	O	O	N	N	N	N	N	O	
Single Family Detached Dwelling (including ADUs) and Duplexes on ground floor	C	O*	C	N	N	N	N	N	N	O*	*Only permitted for those uses pre-dating the adoption of the C-2 Zone Amendments and Downtown Overlay District on August 12, 2008.
Attached Single Family and triplex and quadplex above ground floor	O	O	O	O	O	O	N	N	N	O	
Resumption of a residential use	O	O	O	O	O	O	N	N	N	C	Only as previously established.
<u>Public-Owned Affordable Housing Development</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>N</u>	<u>N</u>	<u>O</u>	<u>See Section 8.0580.</u>

(***)

8.0220 Table E, Permitted Uses. The following land uses are permitted outright or conditionally in each respective zone:

"O" means Permitted Outright

"C" means Permitted Conditionally

"N" mean Not Allowed

LAND USE:	ZONE					Comment:
<i>Residential</i>	FG	OSPR	PF	Park	Airport	
Homeless Shelter	O	O*	C	N	N	
Single Family Dwelling	O	C	N	N	N	In conjunction with a use permitted by this section, a caretaker residence or in OSPR with approved density transfer.
<u>Public-Owned Affordable Housing Development</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>N</u>	<u>See Section 8.0580.</u>

(***)

8.0260 Table G, Uses Permitted. The following land uses are permitted outright or conditionally in each respective Zone as follows:

"O" means Permitted Outright

"C" means Permitted Conditionally

"N" means Not Allowed

Standard	MUN	MUE	Reference/Standards:
<u>Residential Uses:**</u>			All stand-alone residential uses listed in Table G may not occupy more than 20% of the net land area on the subject property zoned MUN.
Assisted Living Facility	O	O	
Bed and Breakfast	C	N	

Multi-Family Complex (5+ units)	O	O	See RDC Section 8.3035, Design Review Criteria
Residential use above ground flood (mixed-use unit)	O	O	
Live/Work Dwelling	O	O	See definitions of live/work houses, townhouses and apartments, and standards in RDC Section 8.3035, Design Review Criteria.
Residential Care Facility	C	C	
Townhouse	O	O	See Section 8.0142, Townhouse Development and Design Standards
<u>Public-Owned Affordable Housing Development</u>	<u>O</u>	<u>O</u>	<u>See Section 8.0580.</u>

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Standard	MULW	Reference/Standards:
Existing Single-Family Residential Use prior to May 2011	O	An ADU is permitted to accompany existing single-family detached dwelling.
<u>Public-Owned Affordable Housing Development</u>	<u>O</u>	<u>See Section 8.0580.</u>
Live/Work Dwelling		
Live/Work Dwelling	O	See definitions of live/work houses, townhouses and apartments, and standards in RDC Section 8.3035, Design Review Criteria.

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8.0580 Public-Owned Affordable Housing Developments. Proposals which comply with the standards of this section shall be approved.

1. **Ownership.** The subject property for the Public-Owned Affordable Housing Development proposal must meet one of the following conditions:
 - A. The subject property is located outside of the Airport and Industrial zones and is owned by a public body or a nonprofit corporation organized as a religious corporation; or
 - B. The subject property is located within the M-1 zone and is owned by a public body.
2. **Affordability Standard.** In order to qualify as a Public-Owned Affordable Housing Development, the entirety of the units proposed on the subject property must, at a minimum, be:
 - A. Available to rent or own at 80% of AMI based on the most recent HUD Income Limits for the Bend-Redmond Metropolitan Statistical Area and controlled by an affordable housing covenant as defined in ORS 456.270 for a period of no less than thirty years; or
 - B. Available to rent or own at a collective average of 60% of AMI based on the most recent HUD Income Limits for the Bend-Redmond Metropolitan Statistical Area and controlled by an affordable housing covenant as defined in ORS 456.270 for a period of no less than thirty years.
3. **Design and Review.** Development of Public-Owned Affordable Housing shall not require a zone change or conditional use review to allow the proposed residential use. However, review of the development will be dependent on the zoning of the subject property.
 - A. If the Public-Owned Affordable Housing Development is proposed on a subject property that is located in a non-residential zone, it shall be subject to the design

and review standards applicable to that residential use were it to be established in the R-5 zone, although the minimum development standards of the underlying zone shall apply and supersede the minimum development standards of the R-5 zone when in conflict.

- B. If the Public-Owned Affordable Housing Development is proposed on a subject property that is located within a residential zone, it shall be subject to the design and review standards applicable to that residential use within that residential zone. Additionally, the applicant may utilize the following density and height bonuses:

[insert tables]

The City reserves the right to reduce the height or density of the development as necessary to address health, safety, or habitability issues, including fire safety concerns, or to comply with a protective measure adopted pursuant to a statewide land use planning goal. If the City has found a reduction of the density and/or height bonus to be necessary on this basis, the City shall provide findings supported by substantial evidence as part of the planning review of the Public-Owned Affordable Housing Development.

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CITY OF REDMOND
Community Development Department

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**PROPOSED TEXT AMENDMENTS
TO THE REDMOND CITY CODE, CHAPTER 8
REDMOND DEVELOPMENT CODE (RDC)**

DATE: Prepared for November 1, 2023, Work Session
HEARINGS BODY: Redmond Urban Area Planning Commission
REVIEWING STAFF: Kyle Roberts, Planning Director
TOPIC: Various Administrative Improvements

I. Purpose

- To provide better clarity and corrections to various sections of the RDC.

II. Proposed Amendment to RDC

Proposed text amendments are shown in ~~strike-through~~ and in Red or Red Underline.

**ARTICLE I – ZONING STANDARDS
INTRODUCTORY PROVISIONS**

8.0065 Establishment of Zones and Districts. (Identifies allowable zones and definitions for them):

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Downtown Design Overlay District Zone. To create and preserve areas within the C-2 Central Business District Commercial Zone that is vibrant and pedestrian-friendly where people can shop, work, and play in a traditional downtown setting. In general, this district will encourage a vibrant mix of pedestrian-oriented uses, including residential, shopping and entertainment uses and increase in the density and intensity of development.

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**ARTICLE I – ZONING STANDARDS
RESIDENTIAL USE ZONES**

8.0140 Table B, Minimum Standards. The following minimum standards apply in each of the Residential zones:

Maximum Building Height - Feet	32	32	32	45	45
<u>Single Family, Plexes, ADU</u>	<u>32</u>	<u>32</u>	<u>32</u>	<u>45</u>	<u>45</u>
<u>Cottage Cluster</u>	<u>25 feet</u>				

Townhouse	35	35	35	45	45

8.0141 Single Family Detached Dwellings and Plexes Development and Design Standards.

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3. **Procedure.** New single-family detached dwellings and plexes, shall be reviewed for conformance with the requirements listed in this Section, subject to the procedures outlined below:

A. If applicable, pursuant to Section 8.2135, for proposed development on a lot created by a subdivision that received tentative subdivision approval no more than 10 years ago, the applicant shall elect in writing that: a) development and design standards in effect at time of tentative subdivision approval be applied; or b) development and design standards herein be applied. The standards chosen shall apply to all subsequent development in the subdivision.

AB. **Track 1. Clear and Objective Process.** Conformance with Section 8.0141(5), below. An application demonstrating conformance with this Section shall be shown on the architectural plans submitted with the building permit application and administered as part of the plan review process. These applications are reviewed administratively.

BC. **Track 2. Discretionary Process.** As an alternative to the Track 1 procedure, an application may be submitted which demonstrates conformance with the Purpose and Intent of this Section as listed above. These applications are reviewed administratively unless it is determined that a public hearing is necessary, in which case the application will be reviewed by the appropriate Hearings Body. The City may also approve other architectural designs or design elements not listed in this section, approve exceptions or uniquely identifiable house styles provided they comply with the intent of this section.

GD. Design Review for Manufactured and Mobile Homes not within approved mobile home parks: Some manufactured homes and mobile homes may not be able to fully comply with the requirements below. In those cases, the following features are required as part of a Track 2 process.

1. At least one covered porch;
2. One exterior types of wall siding material on 4four sides;
3. Band courses; and

(***)

6. Driveways and Garages.

- a. A garage is required for each newly constructed residential structure and shall be of adequate size to accommodate a minimum of one vehicle, and shall at a minimum, meet the design requirements in Sections 8.0505 through 8.0515 (Off Street Parking and Loading Requirements) and Section 8.2820 (Access Management Standards) of the RDC.

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- d. Notwithstanding the applicable provisions of Sections 8.0505 through 8.0515 (Off Street Parking and Loading Requirements) and Section 8.2820 (Access Management Standards) of the RDC, all required off street parking areas and driveways constructed in conjunction with single family detached dwellings or plexes may have alternative surfaces to concrete or asphalt and may include permeable surfaces to the extent they provide an all-weather surface sufficient for vehicular travel. Loose gravel, aggregate and similar surface treatments are not permitted for required parking spaces.

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8.0142 Townhouse Development and Design Standards.

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2. Table A: Minimum Standards.

Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Maximum Density (Units/Net Acre)	20	20	23.2	25	25
Minimum Lot Size (Square Feet)	1,500	1,500	1,500	1,500	1,500
Maximum Building Height (Feet)	35	35	35	45	45
Minimum Street Frontage (Feet)	20	20	20	20	20
Minimum Setback Distance (Feet)					
Front with alley or other rear access	10	10	10	10	5
Front without alley or other rear access	10	10	10	10	10
Front garage setback from street	20	20	20	20	20
Non-street side: Common wall lot line where units are attached	0	0	0	0	0
Exterior wall at end of a townhouse structure	5	5	5	5	5
Street Side	10	10	10	10	10
Rear with garage and alley access	0 5	0 5	0 5	0 5	0 5
Rear without garage	10	10	10	10	10

- B. **Driveway Access and Parking.** Townhouses with frontage on a public street shall meet the following standards:

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4. All driveway accesses for townhouses must comply with Section 8.2820 (Access Management Standards) of the RDC.

8.0143 Cottage Cluster Development and Design Standards.

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2. Table A: Minimum Standards.

Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Maximum Density (Units/Net Acre	N/A	N/A	N/A	N/A	N/A
Minimum Lot Size (Square Feet)	9,000	9,000	7,500	7,000	7,000
Maximum Building Height	25 feet				
Minimum Setback Distance (Feet)					
Front <u>Façade, excluding garage</u>	10	10	10	10	10
Side	5	5	5	5	5
Rear	10	10	10	10	10
<u>Garage</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>Rear with garage and alley access</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>

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6. **Off-Street Parking and Access.** Cottages shall meet the off-street parking and access requirements of Sections 8.0500 and 8.2820.

ARTICLE I – ZONING STANDARDS MASTER DEVELOPMENT PLANS & PLANNED UNIT DEVELOPMENTS

8.0285 Cottage Developments.

- The purpose of a Cottage Development (COD) is as follows:
 - To provide a greater flexibility in development of land on sites that may be too small or not desirable for a Planned Unit Development;
 - To provide housing types that respond to changing household sizes and ages (e.g., retirees, single person households, small families);
 - To provide opportunities for ownership of dwelling units;
 - To encourage a creative approach in land development and for a consistent and interesting architectural theme within each development;
 - To encourage creation of more usable open space for residents of the development through flexibility in density and lot standards; and,
 - To provide guidelines to ensure compatibility with surrounding land uses.
- Throughout section 8.0285, the term “Development” shall mean a Cottage Development (COD).
- The uses shown in 8.0285 (Table 8c) are permitted in a residential Cottage Development.

Table 8c. Uses Permitted. The following uses are permitted in Cottage Developments:

Land Use	Comments & References
Accessory Structure	Includes ADU's, sheds, storage buildings, residential garages.
Dwelling, Single Family	-
Park (public or private)	e.g., playgrounds, recreation centers, pools, etc..
Parking Garage (public or private)	Private only; common area maintained by HOA

4. ~~The following exceptions to City standards may be allowed through the COD approval process without a variance:~~
- A. ~~Minimum lot sizes.~~
 - B. ~~Yard setbacks, except perimeter yard requirements.~~
 - C. ~~Permitted land uses.~~
 - D. ~~Grid street spacing standards.~~
 - E. ~~Street frontage requirements on public roads.~~
 - F. ~~Connection to public utilities, subject to review and acceptance by City Engineering.~~
 - G. ~~Landscaping requirements, as stated herein.~~
 - H. ~~Solar setback standards (only on lots that are not along the northern border of the development).~~
 - I. ~~Street and right of way widths on non-grid streets.~~
 - J. ~~Sidewalk placement and size standards.~~
 - K. ~~Changes to an approved Plan, when the requested change is so minor that the CDD Director or designate determines that it would be appropriate for an administrative decision. Examples of minor changes include, but are not limited to: (1) a reduction in the overall number of lots, (2) minor architectural changes to approved buildings, (3) changes to phases that do not impact public facilities or change the number of approved phases, (4) changes that result in a reduction of impacts (i.e., reduced traffic flows), or (5) changes that are required to protect or increase public safety.~~
5. ~~Development Standards. CODs shall meet the following Standards unless otherwise specified. In the case that these standards conflict with other standards within Article I, III, or IV of the Redmond Development Code, these standards shall take precedence:~~
- A. ~~Cottage Developments (CODs) have no minimum site size but must include a minimum of 4 cottage units per development.~~
 - B. ~~Densities.~~

Zone	Densities (per new acre)
R-1	4 to 9 units / acre
R-2	4 to 9 units / acre
R-3	4 to 10 units / acre
R-4	5 to 12 units / acre
R-5	8 or more units / acre

- C. ~~Design Requirements~~

Feature	Standard
Building Height	25-feet
Lot Area	No minimum
Lot Width	No minimum
Lot Depth	No minimum
Floor Area	Average of 1000 square feet not to exceed 1250 square feet per unit excluding garage. 400 square feet car garages only, no RV garages.
Open Space	800 square feet per each dwelling unit.
Setbacks ⁶	-
Perimeter	20' when abutting an arterial or collector street (along perimeter); underlying zone in all other cases; Setbacks to common areas determined at the discretion of the Hearings Body.
Front	No minimum
Side (corner lot)	No minimum, but 10' required between buildings.
Side (non-corner lot)	No minimum, but 10' required between buildings.
Rear	No minimum, but 10' required between buildings.
Solar	Northern perimeter only
Non-permeable surface area	60% of parent property (maximum)
Building coverage	50% of parent property (maximum)
Parking	-
Residential	1.75 spaces / cottage d.u.
⁶ Setbacks listed are the minimum required. Setbacks are measured from foundation of any building requiring a building permit to the nearest property line. Foundation includes anchors for posts/supports where structurally related.	

D. ~~Open Space, Park, and Common Area.~~

- ~~1. "Open space" means land area which can be physically accessed and used by occupants and users of the COD for scenic, landscaping, or open recreational purposes within the development.~~
- ~~2. **Open Space Land Area Requirements:**
For all CODs, the required land area⁷ used as open space or common area shall:~~
 - ~~a. Be a minimum of 800 square feet per cottage.~~
 - ~~b. Have at least one centrally located open space or common area at least 60 feet wide, within the development.~~
 - ~~c. At least 60% of the cottages must abut on at least two sides of open space or common area.~~
 - ~~d. In addition to the centrally located open space, a series of interconnected open spaces are also allowed, but the connections between open spaces shall not contribute toward meeting the open space area and be a minimum of 20 feet wide.~~
- ~~3. **Cottage Orientation Requirements:**~~
 - ~~a. Cottages abutting the common open space shall be oriented around and have the main entry taken from the common open space.~~

⁷ Required land area means the total acreage of the project, excluding roads that will be dedicated through the development approval process.

- b. ~~Cottages not abutting the common open space shall be within 60 feet walking distance from the common open space and served with paths.~~
 - c. ~~The open space shall be distinguished from the private outdoor areas with a walkway, fencing (not to exceed four feet in height), landscaping, berm, or similar method to provide a visual boundary around the perimeter of the common area.~~
4. ~~**Open Space – General Requirements.**~~
- a. ~~Public and private roads shall not be considered as open space.~~
 - b. ~~Development plans shall assure that natural features of the land are preserved, and landscaping is provided, or a finding shall be made by the Hearings Body that preservation of significant natural feature(s) is not feasible.~~
 - c. ~~Parking areas shall not exceed four spaces and shall be separated from other parking areas by a distance of 20 feet.~~
 - d. ~~Up to 10% of the required open space / common area / landscaped areas may be left in a natural and non-irrigated state at the discretion of the Hearings Body; however, this shall not apply to any required landscaped screening or landscaped strips abutting public or private roads. If the development has a significant natural feature in excess of the 10% allowance, the Hearings Body may allow additional natural feature open space credit.~~
 - e. ~~Open space, common areas, and common structures shall be financially assured of continued maintenance. A legal mechanism shall be provided which guarantees the continued maintenance of such areas and structures.~~
5. ~~**General Development Design Requirements.**~~
- a. ~~All Development parking lots shall be screened from view from public or private streets (excluding driveways of 20' width or less), and from all residences by a screen of no less than 3' in height. Screening shall not exceed a height of 4'.~~
 - b. ~~Parking lot screening shall be achieved by either landscaping or fencing, or a combination of each.~~
 - c. ~~All parking spaces shall be paved and shall meet the parking space standards within sections 8.0500-.0515 of the RDC, and all applicable code standards.~~
 - d. ~~If detached parking structures are proposed, the following shall apply:~~
 - i. ~~Pitched roofs are required on all parking structures and shall be no less than a 4:12 pitch.~~
 - ii. ~~Paint color and building materials shall be consistent with the design of the dwelling closest to the structure.~~
 - e. ~~Usable Open Space. All required open space within any planned development shall be 'usable' as passive or active recreational land without sharing the space as a combined use with non-recreational uses, including (but not limited to) drainage retention.~~
 - f. ~~Yards. Private open space shall be a minimum of 300 square feet of private, contiguous, usable open space adjacent to each dwelling unit, for the exclusive use of the cottage resident.~~
 - g. ~~Porches/Patios: Cottages shall have a minimum of 10% of floor area S.F. as a roofed porch or patio combination. Porches are not included within floor area calculations.~~

- h. ~~Required Parking Distance from Cottages. All required parking for Cottage Developments shall be located within 100 feet of the cottage that it serves.~~
- i. ~~Accessory structures in cottage developments are limited to storage buildings that may be up to 80% of the smallest cottage, and to parking structures or garages that may contain up to 6 parking spaces on the interior. All accessory structures in cottage developments shall have an architectural theme that matches the theme of the cottages.~~
- 6. ~~**Trash Enclosures.** Centralized Trash Enclosures may be required at the discretion of city staff. If required, Trash Enclosures shall be architecturally compatible in terms of color and materials with the cottage units. Trash collection bins or carts shall be as approved by the collection company.~~
- 7. ~~**Procedure for Cottage Developments.** The following procedure shall be followed in requesting a PUD approval. A mandatory Pre-Application Meeting is required for any Cottage proposal.~~
 - A. ~~An applicant shall submit to the city an electronic version of the complete application. The plan shall show, at an engineer's scale of no less than 1" = 10', the following information.~~
 - 1. ~~The relationship of the property to the surrounding area.~~
 - 2. ~~The preliminary plan of subdivision or re-subdivision, if any, which shall include the information required by the Subdivision Ordinance.~~
 - 3. ~~Lan uses, building locations, density proposed, architectural style, efficiency measures, housing market served, and number of dwelling units.~~
 - 4. ~~The arrangement of streets and pedestrian ways.~~
 - 5. ~~Proposals that include reduced yards and lot size shall be designed to be served by private alleys or drives.~~
 - 6. ~~The location of off-street parking spaces, and a parking management plan if the total number of spaces required exceeds 75. Parking Management plan requires are found at Section.~~
 - 7. ~~The location of public or common open space/recreation area.~~
 - 8. ~~Plans for site grading and drainage.~~
 - 9. ~~Plans for water supply and sewage disposal.~~
 - 10. ~~Plans for transfer of ownership of the property, if any, and arrangements for maintenance of common areas and facilities.~~
 - 11. ~~Landscape plan including the list species proposed and size/coverage at time of planting and at five years.~~
 - 12. ~~Proposed project timing schedule and surety, if required by City.~~

ARTICLE I – ZONING STANDARDS SUPPLEMENTARY PROVISIONS

8.0325 Accessory Dwelling Units and Guest Houses. Accessory Dwelling Units (ADU's) and Guest Houses, when allowed in the underlying zone, are permitted subject to the following. The terms "accessory dwelling unit" and "guest house" are used synonymously herein except for the size limitations and are listed as separate and distinct uses in [Section 8.0135](#), Table A; guest houses shall not contain kitchens.

1. **Development Standards.**

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B. ADU Setbacks and Height:

Standard	R-1	R-2	R-3 - R-3A	R-4	R-5
Front*	10	10	10	10	10
Interior Side	5/10	5/10	5	5	5
Street Side	10	10	10	10	10
Rear**					
One-Story	10	10	10	10	5
One-Story, Abutting Alley	20	20	20	5	5
Two-Story	20	20	20	15	5
Two-Story, Abutting Alley	20	20	20	15	5
<u>Maximum Building Height</u>	<u>32</u>	<u>32</u>	<u>32</u>	<u>45</u>	<u>45</u>
*The accessory dwelling unit cannot be located in front of the forward-most façade of the primary dwelling.					
**Deviation from rear setback may be granted administratively if acceptable off-street parking is provided for one vehicle and notice is provided to Affected Persons per Section 8.1310 and 8.1335.B.					

ARTICLE IV – SITE AND DESIGN REVIEW STANDARDS
SITE AND DESIGN REVIEW FOR LIVE/WORK UNITS

(***)

8.3140 Procedure. A Site and Design Review application for a Live/ Work Unit shall be submitted to and reviewed by the Community Development Director, or designee, as a Land Use action as described in ~~RDC 8.1200~~ Section 8.1300. A pre-development meeting is required prior to submitting a Site and Design Review application. ~~This application shall be processed administratively. The review of the application may be elevated to the Planning Commission for a public hearing at the discretion of the Community Development Director.~~