



**CITY COUNCIL**  
April 7, 2026  
Council Chambers • 411 SW 9th Street

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**APRIL 7, 2026**

**SPECIAL MEETING AGENDA**

**6:00 PM**

**I. CALL TO ORDER / ESTABLISH A QUORUM**

**II. PRESENTATIONS**

- A. Housing Accountability Production Office / Development Code Amendment Solutions and Next Steps
- B. E-bike Policy Discussion and Public Testimony
- C. Arbor Week/Month Presentation and Proclamation

**III. ADJOURN**

Regular Council meetings are broadcast live on COTV11 – BendBroadband Channel 11 beginning at 6:00 p.m. on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month. Rebroadcasts are scheduled for the non-meeting Tuesdays at 6:00 p.m.

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## CITY OF REDMOND

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# STAFF REPORT

**DATE:** April 7, 2026  
**TO:** City Council  
**THROUGH:** Keith Witcosky, City Manager  
Steve Ashworth, Deputy City Manager  
**FROM:** Kyle Roberts, Planning Director  
**SUBJECT:** Housing Accountability Production Office / Development Code Amendment Solutions and Next Steps

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### Report in Brief:

This is an informational item where staff will provide the resolution to the "Notice of Potential Violation" the City received from the Housing Affordability and Production Office (HAPO) back in January 2026.

### Background:

In Fall 2025, the City Council directed staff to initiate a small and focused package of development code amendments primarily centered on livability issues. Among the major topics included revisions to townhouse rear setbacks and open space requirements.

Staff drafted the amendments and presented them at the first evidentiary public hearing in November 2025. Shortly after, the Central Oregon Builders Association (COBA) filed a complaint to the State's HAPO alleging the City's proposed amendments to the townhouse rear setbacks and open space requirements potentially violated state housing law.

On January 13, 2026, HAPO issued their findings (attached) concluding that the proposed amendments to the rear townhouse setbacks and open space requirements, if adopted, would violate state housing law.

As a result, staff withdrew the proposed amendments to the townhouse rear setback and open space requirements from the package of development code amendments that were ultimately adopted in Ordinance #2025-22 in February 2026.

The City Council then directed staff to work directly with HAPO to come to a solution (i.e., to propose an amendment to the townhouse rear setbacks and open space requirements that would meet Council's goals and comply with state housing law).

### Discussion:

Over the past month, staff has worked closely with HAPO to draft proposed language amending the rear townhouse setbacks and open space requirements that meet state housing law and achieve Council's goals of ensuring that alley-loaded townhouse developments are designed with adequate space that ensure safety, and that developments create open spaces that are beneficial and usable to residents.

At the March 16, 2026, City Council Informal meeting there was discussion of the proposed solution. HAPO and the Department of Land Conservation and Development staff participated with staff in the City Council briefing as well as other items such as the statewide role of HAPO on matters of housing production.

The proposed amendments are attached and are scheduled for a first evidentiary hearing with the Urban Area Planning Commission on April 15, 2026. The proposed amendments will be presented in detail at the April 7, 2026, City Council meeting.

In summary:

Townhouse rear setbacks: Townhouses with front street access or rear alley access will be required to provide a driveway that is at least 20 feet in length. The driveway will provide for the required one off-street parking space. Constructing a townhouse with a garage is optional, but if the developer chooses to construct a garage with rear alley access, a 20-foot setback will be required. Per Oregon Administrative Rule (OAR) 660-046-0220(2)(c), this requirement is not more restrictive than the same requirement for single-family dwellings. The parking space in the garage, like the garage itself, would be considered optional and therefore does not equate to a required second off-street parking space — complying with OAR 660-046-0220(3)(f)(A). Lastly, additional changes are proposed to some of the townhouse design standards to bring the standards into compliance with recent changes to state law.

Open space requirements: Subdivisions that propose at least 5,000 square feet of required open space must provide at least 5,000 square feet of open space that is consolidated and contiguous. The intent is to ensure that residents of sizable subdivisions have access to open space that is usable. Additionally, the formula for open space requirements will change in order to comply with recent changes to state law that essentially require the same open space requirements for single-family dwelling developments be applied to middle housing developments, except that they cannot scale by unit (or a proxy for unit count). As such, the code's current requirement that 3,000 square feet of open space be provided for every 25 units/lots will be amended to require that subdivisions of at least two acres in gross area size must provide open space in the amount of 2.5% of the subdivision's total developable area.

HAPO staff will be in attendance and available to answer questions. Following the City staff presentation, the City Council will invite public comment on the proposed amendments and will ultimately direct staff with next steps.

**Fiscal Impact:**

There are no direct fiscal impacts to the City with this agenda item.

**Alternative Courses of Action:**

1. Direct staff to proceed with the proposed amendments, as presented, at the April 15 Planning Commission hearing.
2. Direct staff to proceed with changes to the proposed amendments at the April 15 Planning Commission hearing.
3. Direct staff not to proceed with the proposed amendments, as presented, at the April 15 Planning Commission hearing.

**Recommendation / Suggested Motion:**

To be determined by City Council on April 7, 2026.

**Sec. 8.142. Townhouse Development and Design Standards.**

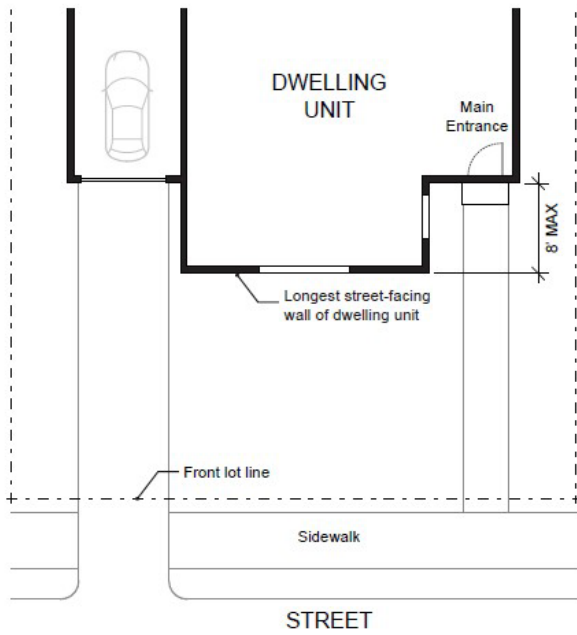
1. *Procedure.* New townhouses shall be reviewed for conformance with the requirements listed in this Section.
2. *Table A: Minimum Standards.*

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
<b>Minimum Setback Distance (Feet)</b>					
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 with street access – driveway length	20	20	20	20	20
Front with garage* setback from and street access	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 alley access – driveway length	20	20	20	20	20
Rear with garage* and alley access	5-20	5-20	5-20	5-20	5-20
Rear without garage alley access	10	10	10	10	10-5

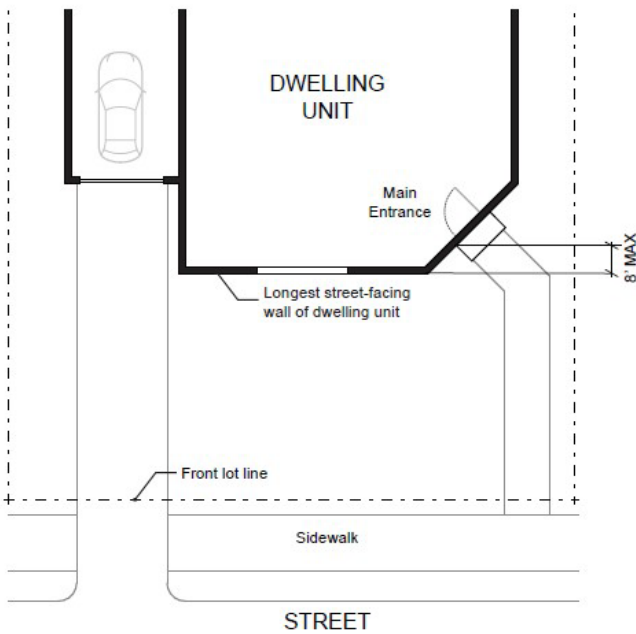
*\*Note: A garage is an optional feature.*

3. *Off-Street Parking.* Townhouses shall meet the off-street parking requirements of Section 8.500.
4. *Areas Owned in Common.* For townhouse projects, common areas must be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the City prior to issuance of a building permit.
5. *Design Standards.* New townhouses shall meet the design standards in Subsections (A.) through (G.) of this Section.
  - A. *Entry Orientation.* The main entrance of each townhouse must:
    1. Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
    2. Either:
      - a. Face the street (see Figure 1);
      - b. Be at an angle of up to 45 degrees from the street (see Figure 2);
      - c. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
      - d. Open onto a porch (see Figure 3). The porch must:
        - i. Be at least 25 square feet in area; and
        - ii. Have at least one entrance facing the street or have a roof.

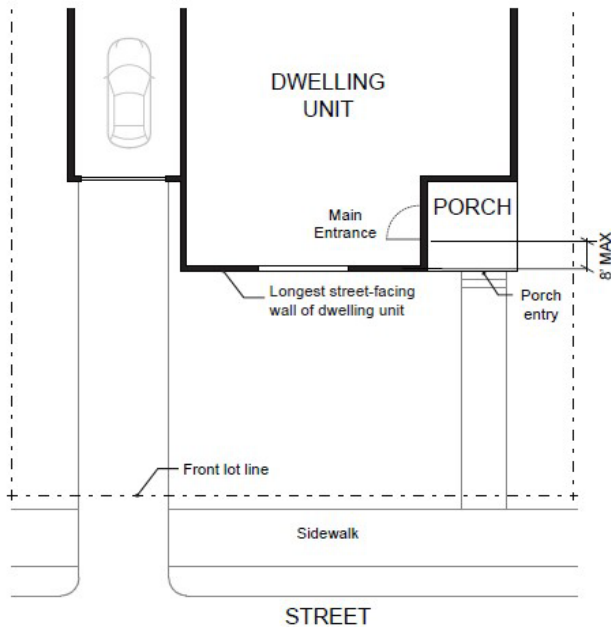
**Figure 1. Main Entrance Facing the Street**



**Figure 2. Main Entrance at 45° Angle from the Street**

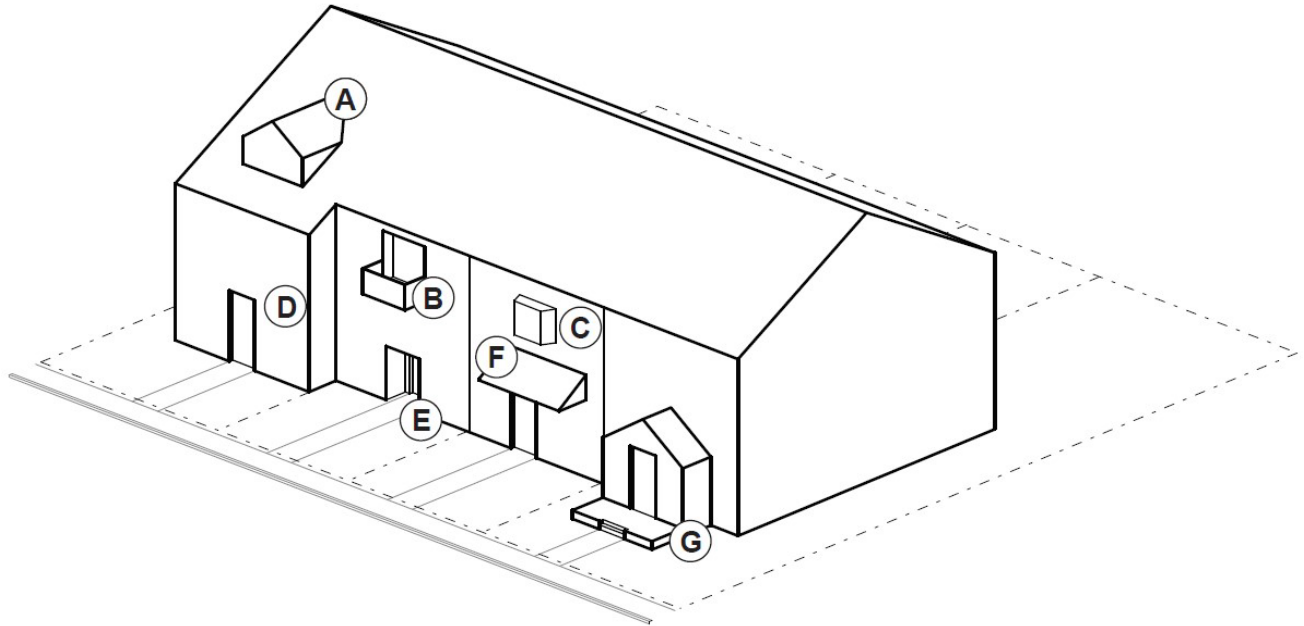


**Figure 3. Main Entrance Opening onto a Porch**



- B. *Unit Definition.* Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 4):
1. A roof dormer a minimum of four feet in width, or
  2. A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room, or
  3. A bay window that extends from the facade a minimum of two feet, or
  4. An offset of the facade of a minimum of two feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
  5. An entryway that is recessed a minimum of three feet, or
  6. A covered entryway with a minimum depth of four feet, or
  7. A porch meeting the standards of Subsection (A.2.d.) of this Section. Balconies and bay windows may encroach into a required setback area.

Figure 4. Townhouse Unit Definition



- A** Roof dormer, minimum of 4 feet wide
- B** Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- C** Bay window extending minimum of 2 feet from facade
- D** Facade offset, minimum of 2 feet deep
- E** Recessed entryway, minimum 3 feet deep
- F** Covered entryway, minimum of 4 feet deep
- G** Porch, meets standards of subsection (A)(2)(d) of this section

C. *Windows.* A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 5.

Figure 5. Window Coverage



STREET-FACING FACADE

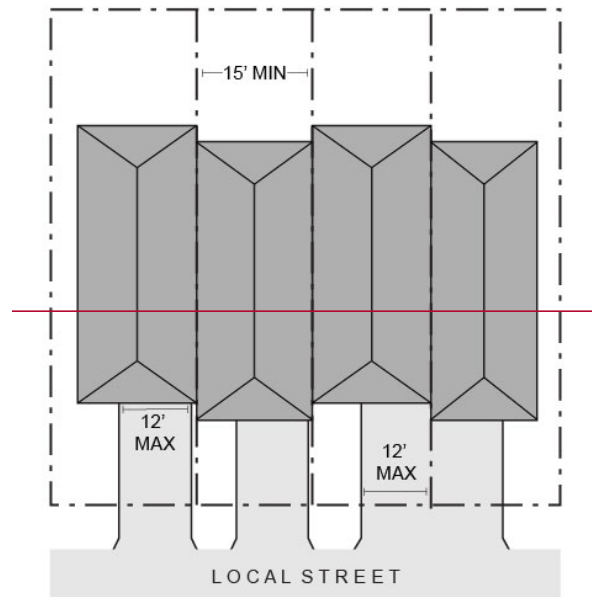
- Area subject to 15% window & entrance door coverage requirement
- ▨ Qualifying window coverage
- ▩ Qualifying entrance door coverage

- D. *Driveway Access and Parking.* Townhouse lots with frontage on a public street shall either meet the standards in subsection 1 or subsection 2. Townhouse lots without frontage on a public street are subject to subsection 3.
1. Where garage entrances, off-street parking areas, or driveways are located between a townhouse and a public street (other than an alley), the following standards shall be met (see Figure 6).
    - a. The townhouse lot shall have at least 15 feet of street frontage on a local street.
    - b. A maximum of one driveway approach is allowed for every townhouse. Driveway approaches or driveways may be shared.
    - c. On each townhouse lot, the width of the following features shall not exceed 12 feet, or 60 percent of the lot frontage width, whichever is less:
      - i. Outdoor on-site parking and maneuvering areas; and
      - ii. Garages, as measured from the inside of the garage door frame.
    - d. This standard does not supersede the City’s driveway separation standards.
  2. For all other configurations of driveway access and parking, the following standards shall be met.
    - a. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 7.
    - b. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. See Figure 8.

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

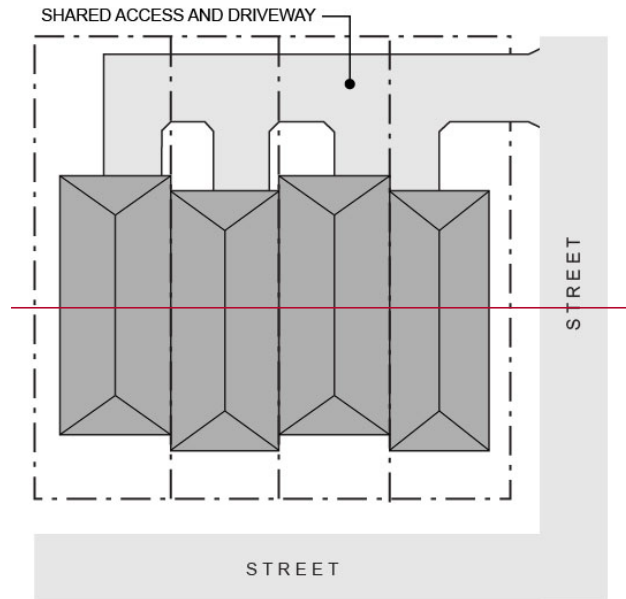
1. — Garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 6):
  - a. — Each townhouse lot has a street frontage of at least 15 feet on a local street.
  - b. — A maximum of one driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
  - c. — Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
  - d. — The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

**Figure 6. Townhouses with Parking in Front Yard**



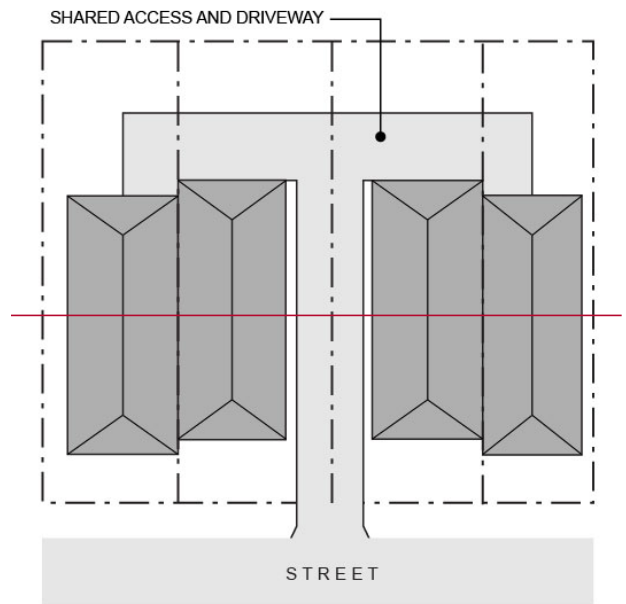
2. — The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in Subsection (1.):
  - a. — Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
  - b. — A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 7.

**Figure 7. Townhouses on Corner Lot with Shared Access**



- c.—Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 8.

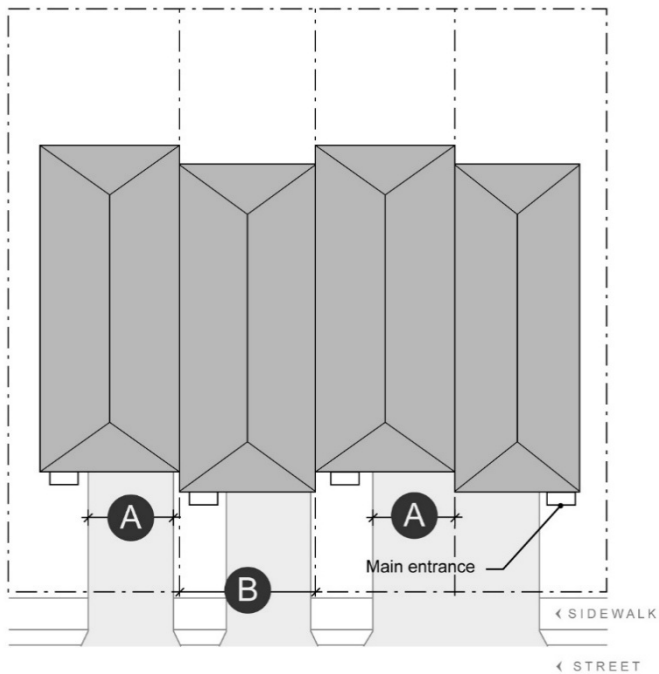
**Figure 8. Townhouses with Consolidated Access**



d.c. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access. Driveway and approach widths are subject to the City's Public Works Standards.

3. Townhouse lots that do not have public street frontage may be accessed from a shared driveway located within an access easement or tract that allows normal vehicular access and emergency access. See Figure 9.
3. ~~Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with Subsection (2-).~~
4. All driveway accesses for townhouses must comply with Section 8.2820 (Access Management Standards).
5. Townhouse projects in which vehicular access for all units is exclusively from a rear alley are exempt from these standards.
6. Townhouses with ground levels that are designed as accessible or adaptable are exempt from subsection (A)(1)(c).

**Figure 6. Townhouses with Parking in Front Yard**



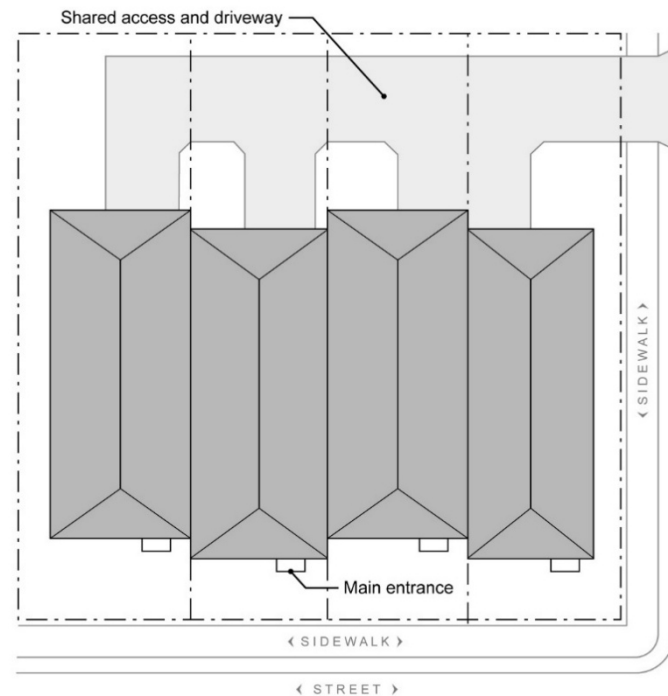
**A**

Maximum width of driveway, parking or maneuvering area, or garage: 12 feet or 60% of lot frontage width, whichever is less

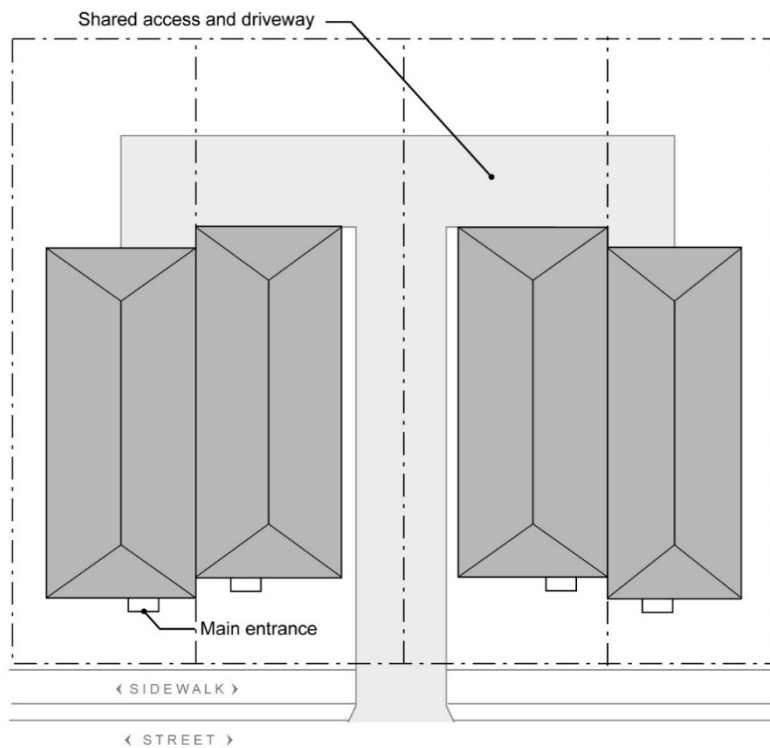
**B**

Minimum 15 feet of street frontage

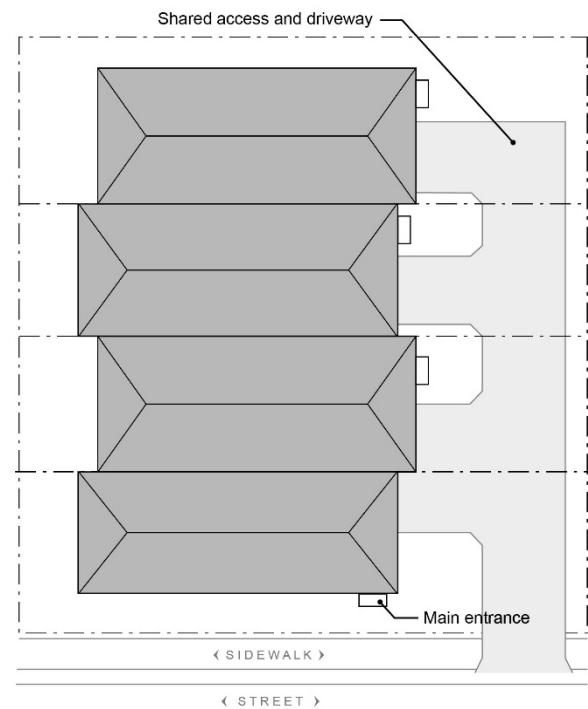
**Figure 7. Townhouses on Corner Lot with Shared Access**



**Figure 8. Townhouses with Consolidated Access**



**Figure 9. Townhouses with Access from Shared Driveway and Access Easement/Tract**



- E. *Screen of Mechanical Equipment.* All exterior ground mounted mechanical equipment located forward from the line of the front façade (living space and garage) of the building shall be screened from the street at the ground/eye level line of sight. Solar power, wind power, and satellite dishes necessitating placement on walls or roofs for normal operation are exempt from this provision.
- F. *Landscaping.* See Sections 8.520 through 8.540 for applicable landscaping requirements.
- G. *Fences.* See Section 8.340.

(Ord. No. 2018-09, 9-11-2018; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

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## Sec. 8.270. Master Development Plans.

A Master Development Plan is required as a condition of annexation, or after annexation, but prior to or concurrent with rezoning from Urban Holding-10 to other City zoning districts. The specific requirements for a Master Development Plan are:

1. *Applicability.* This Section applies to properties proposed for annexation or rezoning from Urban Holding-10, except that in the event that an applicant has applied for a Planned Unit Development application prior to or concurrent with rezoning from Urban Holding-10, the Master Development Plan approval criteria shall be those used for the Planned Unit Development application and the Great Neighborhood Principles.
2. *Purpose.* The purpose of Master Development Plan is to provide:
  - A. Orderly and efficient development of the City consistent with the City of Redmond Framework Plan and adopted Area Plans.
  - B. Compatibility or transitions with adjacent developments and the character of the area.
  - C. A complementary mix of uses and activities.
  - D. An interconnected transportation network (streets, bicycle routes, and pedestrian trails) within the master plan area and to existing and planned City streets, routes, and trails.
  - E. A range of housing choices and densities for areas planned to have residential components.
  - F. A range of open spaces and recreation facilities, as needed to facilitate the Framework Plan and an adopted Area Plan.
  - G. Public and semi-public facilities and services.
  - H. Preservation of historic buildings, scenic views, and natural resources to the greatest extent possible.
  - I. Transitions or buffers between urban development and rural areas.
  - J. Implementation of Redmond's Comprehensive Plan, including adopted Area Plans and the Great Neighborhood Planning Principles described in 3(C)(13) below.
3. *Procedures for Review.*
  - A. *General.* Master Development Plans (MDP or PMDP) shall be approved through a quasi-judicial review process. Application procedures and related fees for approval may be streamlined in order to promote timely development of urban planning for land zoned UH-10. The Community Development Director, or designee, shall inform the applicant during the mandatory pre-application stage if the proposed MDP area includes the necessary contiguous properties. The determination for the proposed plan area shall be based on utilizing the following factors:
    1. Whether there are properties that abut or are surrounded by the plan boundary that would reasonably fit within the zoning concept for the area plan;
    2. Whether the extension of public services and infrastructure would be enhanced by the inclusion of abutting properties;
    3. Whether the total acreage of abutting or enclave properties is less than the acreage in the proposed plan area; and
    4. There is a community interest that would be served by including additional properties in the plan area.

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- B. *Review and Approval Criteria for Master Development Plans (MPD) or Partial Master Development Plans (PMDP).*
1. *General.* In the review of any application for a Master Development Plan, the Planning Commission and City Council, if required, shall consider the following:
    - a. Whether the proposed Plan is generally consistent with the Framework Plan, adopted Area Plan, and Comprehensive Plan in terms of land use, density, transportation systems and networks, adequacy of infrastructure and open space.
    - b. Whether the proposed Plan is generally suitable for the area in which it is proposed, considering existing and planned neighborhoods, shopping and employment areas, and natural resources and hazards.
    - c. Whether the proposed Plan is functionally integrated with developed or planned areas.
    - d. The proposed Plan meets the applicable Great Neighborhood Principles.

C. *Master Development Plan (MDP) or Partial Master Development Plan (PMDP) Submittal Requirements and Approval Process.*

An application for approval shall include the submittal requirements set forth in the City's Land Use Review application form as well as the elements described below.

1. *Narrative.* A narrative shall set forth the goals and objectives of the plan and describe the urban characteristics of the planned area.
2. *Neighborhood Meeting.* Proof a neighborhood meeting was conducted to provide an opportunity for the applicant to meet with surrounding property owners discuss the proposal. See Section 8.385 for meeting requirements.
3. *Development Plan Map.* A map of the plan area and surrounding vicinity shall indicate planned land uses for each land parcel in the area, including plans for park and open space and community facilities, if known. The plan shall show proposed comprehensive plan map designations and zoning. The plan shall include a list of all affected properties with tax lot numbers, current ownership, parcel size, and other information that is pertinent to the plan.
4. *Land Use Diagram.* The land use diagram shall generally indicate the distribution and location of planned land uses for the master plan area, including plans for park and open space and community facilities, if known. The plan shall show proposed comprehensive plan designations, zoning, and density.
5. *Significant Resources Inventory.* An inventory of significant natural resources, scenic and historic resources, and open space areas including those identified on the City's adopted inventory and those that have the potential to qualify for protection under Redmond's Goal 5 resource protection program. When significant resources are present, the proposed plan shall include a management plan to protect resource sites.
6. *Parks and Open Space.* Identify land suitable for park and recreation use in accordance with the needs analysis in the City of Redmond Park Master Plan (Park Plan) and an adopted Area Plan. In particular, where the Park Plan indicates there is a need for neighborhood or community park, the master plan shall identify sites that may be suitable for park development using the design and location criteria from the Park Plan or an adopted Area Plan. Density transfers, SDC credits, dedication, and other value consideration may be

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identified in the planning process to compensate property owners for land dedicated to public use.

7. *Air, Noise, and Water Resources.* Review air, noise and water resources that may be impacted by planned development and address how adverse impacts will be avoided or mitigated in compliance with applicable local, State, and Federal regulations. The analysis may use City public facility plans, technical studies, and policies to meet this requirement when those plans address how urban development in the plan area can be served. In these instances, the Master Development Plan must show that the envisioned land uses in the plan area are consistent with the land use assumptions in the public facility plans. This requirement is particularly important for storm water management.
8. *Natural Hazard Areas.* Inventory areas subject to natural hazards, particularly steep slopes, and program urban development that is suitable for the identified hazard areas.
9. *Residential Uses.* Identify areas planned for housing development, if any, and the proposed zoning districts to be applied. The housing plan must identify a mix of housing types and densities so that the overall density in the area meets or exceeds the housing density objectives for the area that are identified in the Redmond Urban Framework Plan, adopted Area Plans, and the Comprehensive Plan. The Framework Plan and adopted Area Plans provide general guidance on housing densities that need to be achieved in order to meet future housing needs. Where proposed residential land uses differ from those shown in the Redmond Urban Framework Plan or adopted Area Plans, the master plan shall demonstrate how it meets the overall housing objectives of the Redmond Urban Framework Plan or adopted Area Plans. Applicants may propose new zoning districts when the proposed district(s) in total achieve the housing densities envisioned in the Redmond Urban Framework Plan or adopted Area Plans.
10. *Employment Uses.* Identify areas planned for employment use and/or mixed uses and the proposed zoning for these areas. Applicants may propose new zoning districts in cases where existing districts are not suitable for the planned development provided the proposed district(s) achieve similar land improvement values and/or employment densities envisioned in the Redmond Urban Framework Plan or adopted Area Plans.
11. *Transportation Analysis and Diagram.* Prepare a *Transportation Impact Analysis (TIA)* including a grid street plan that is consistent with street spacing and connectivity guidelines in the *Redmond Transportation System Plan (TSP)* and adopted Area or Framework Plans. The TIA shall identify and show:
  - a. The proposed classification for all streets.
  - b. The location of approved TSP improvement projects.
  - c. Any capital improvements that may need to be added to the TSP in order to serve the plan area.
  - d. Proposed bicycle pedestrian, and trail routes.
  - e. Demonstrate how planned transportation facilities will connect to transportation facilities in adjacent urban areas.
12. *Public Facilities Analysis and Diagram.* The plan shall include a conceptual layout of public facilities, including sanitary sewer, water, and storm drainage) needed to support the planned uses. The Public Facilities Analysis must be consistent with the City's adopted *Public Facility Plan (PFP)* and related facility master plans, including improvements related to the adopted Area Plan that may require amending the PFP.

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13. *North Redmond US 97 Interchange Area Management Plan (IAMP) Compliance.* The master plan shall comply with the following policies, if applicable:
- a. Any property newly annexed within the IAMP area shall have:
    - i. Direct Access to a local public street other than a State highway consistent with the Local Street Connectivity Plan; and,
    - ii. Any property to be annexed to the City shall relinquish all direct access rights to a State highway as a condition of development approval (when a legal alternative access exists).
14. *Great Neighborhood Principles.* MDPs shall address applicable Great Neighborhood Principles below. In instances where the property proposed for a MDP is located within the boundary of an adopted Area Plan, the MDP shall also address the Great Neighborhood Principles according to the specificity provided in the Area Plan.
- a. *Transportation.* Connect people and places through a complete grid street network and trail system that invites walking and bicycling and provides convenient access to parks, schools, neighborhood service centers, and possible future transit stops. Traffic calming techniques and devices may be required to slow vehicles. Curved streets are encouraged to provide interest and variety in neighborhood design. Trails shall be provided to link with existing or planned pedestrian facilities.
  - b. *Housing.* A mix of housing unit types and densities shall be integrated into the design of new neighborhoods consistent with zone requirements unless a variance or other planning permit is approved.
  - c. *Open spaces, greenways, recreation.* All new neighborhoods shall provide open spaces with recreation amenities that are useable to the public and are integrated to the larger community via trails or pathways. Parks and plazas shall be developed in accordance with Redmond's Parks Master Plan, or otherwise should be centrally located in the neighborhood and capable of supporting public gathering places. New neighborhoods should retain and incorporate significant geological features such as rock outcroppings or stands of clustered native trees into the design and lot layout.
  - d. *Integrated design elements.* Streets, civic spaces, signage, and architecture shall be coordinated to establish a coherent and distinct character for the MDP. MDPs may integrate design themes with adjacent developed or planned areas.
  - e. *Diverse mix of activities.* A variety of uses are encouraged in order to create vitality and bring many activities of daily living within walking and biking distance or a short drive of homes. Amenities including, but not limited to, trails, recreation areas, and open spaces, shall be constructed before occupancy of any residential unit, unless a phasing plan is approved. Commercial service areas must be supported by a market analysis and phasing program which will be used by the City to determine construction timing.
  - f. *Public Art or Artistic Feature.* Places for the installation of public art or artistic feature is required to provide focal points, preferably, at the gateways to neighborhoods, in and around the center of neighborhoods, or trailheads.
  - g. *Scenic Views.* Identify and preserve scenic views and corridors of the Cascade Range, Ochoco Mountains, and Smith Rock, such as in street view sheds or park

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areas. Streets and common, or public, open spaces should be located and oriented to capture and preserve scenic views for the public. Minimize visual clutter from signs and utilities within scenic corridors.

- h. *Urban-Rural Interface*. Residential development adjacent to areas outside of the Urban Reserve Area (URA) shall provide buffering to manage the transition from urban to rural intensities by meeting at least one of the following standards:
    - i. Provide 100-foot-wide landscaped buffers, exclusive of rights-of-way, for the entire length that the urban development is adjacent to lands outside of the URA. The buffers shall be landscaped with native vegetation characteristic of the local ecosystem; or
    - ii. Locating lower density development at the urban-rural interface; or
    - iii. Other appropriate and equivalent transitional elements as approved by the Review Authority.
  - i. *Pocket Parks/Tot Lots*. 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 in the amount of 2.5% of the subdivision's total developable area for subdivisions of at least two acres in gross area size. for every 25 lots/units, a minimum of 3,000 square feet and Subdivisions that require greater than 5,000 square feet of open space must provide at least 5,000 square feet of open space that is consolidated and contiguous. privately maintained. Examples of amenities~~The park must be privately maintained with elements that can include amenities such as include:~~ turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and adequate trash ~~receptable~~receptacle(s) and lighting.
  - j. *Canal Trails*. If canals or laterals are present, multi-use trails at least ten feet wide shall be provided, subject to the Central Oregon Irrigation District's review and approval. Pedestrian amenities such as benches and trash receptacles shall be provided at appropriate locations (e.g., every 500 feet, at trailheads or intersections with public streets).
  - k. *Green Design*. Land divisions and site plans shall incorporate principles of sustainable design befitting the natural ecosystem of Central Oregon. These principles may be incorporated through the layout of individual lots and the configuration of neighborhoods and include energy efficient siting and construction of buildings, water-wise and native landscaping, and amenities to provide for walkability via shade and priority access for pedestrians, or other such similar design strategy.
- D. *Implementation*. Upon approval, all subsequent development located within the MDP boundaries shall be consistent with the approval.
  - E. *Amendment/Modification to Master Development Plan*. Any modifications to the approved MDP shall be subject to the standards and procedures in Article II, "Modifications", and subject to the review criteria contained in this Section.
  - F. *Expiration of Master Development Plan*. An approved MDP or PMDP shall be subject to the requirements of Section 8.1605 concerning expiration, unless a specific timeline is approved through the land use review process.

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(Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

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(Supp. No. 2, Update 2)

Created: 2025-07-28 08:08:05 [EST]



January 13, 2025

Kyle Roberts  
Planning Director  
City of Redmond  
411 SW 9<sup>th</sup> Street  
Redmond, OR, 97756



### Housing Accountability and Production Office Final Investigation Report and Warning Notice of Potential Violation

Dear Mr. Roberts,

The Housing Accountability and Production Office (HAPO) received a complaint of a housing law violation against the City of Redmond (city) on December 2, 2025. Pursuant to Oregon Laws 2024, chapter 110, section 2, HAPO staff investigated<sup>1</sup> the complaint and have determined that should the City of Redmond proceed with amending its development code as proposed at the City of Redmond’s November 19, 2025 Urban Planning Commission meeting, the City of Redmond will potentially violate state housing law.<sup>2</sup> Therefore, HAPO does hereby issue this Warning Notice of Potential Violation (Notice) in order to specify the violation and authority that HAPO intends to invoke if the violation continues or is not remedied.<sup>3</sup>

A summary of the allegations from the complaint is as follows:

Complainant	Garrett Mosher, Central Oregon Builders Association
Local Government	Redmond
Development	N/A – Land Use Regulation Amendments
Description/Summary	Allegation of violation for proposed code amendments relating to townhouses, including applicable standards/procedures, alley setbacks, and open space.
HAPO Staff Contact	Sean Edging < <a href="mailto:sean.edging@dlcd.oregon.gov">sean.edging@dlcd.oregon.gov</a> >

<sup>1</sup> See HAPO December 8, 2025 Notice of Investigation.

<sup>2</sup> It is HAPO staff’s understanding at the time of this Notice, that the City of Redmond paused its adoption of the proposed amendments pending this office’s investigation.

<sup>3</sup> Oregon Laws 2024, chapter 110, section 3.

*The HAPO is a joint office between the Department of Land Conservation and Development and the Department of Consumer Business Services, Building Codes Division.*

### **BACKGROUND OF ALLEGATION**

This complaint relates to a package of code amendments proposed by the City of Redmond (Post-Acknowledgment Plan Amendment (PAPA) Notice #010-25) that would amend provisions governing the development of housing, including middle housing. The complaint provided materials from a November 19, 2025 Planning Commission meeting and alleges the commission recommended advancing the proposed amendments to the City Council for adoption consideration. At the time of the Notice of Investigation, the PAPA Notice that the City of Redmond submitted to the Department of Land Conservation and Development (DLCD) did not include proposed text amendments as required by ORS 197.610(3)(a). After HAPO issued the Notice of Investigation, the city uploaded relevant text amendments and findings to the PAPA database (*see Attachments C and D*). However, the text amendments did not include certain standards relevant to the investigation from the City of Redmond Standards and Specifications. To further inform the investigation, HAPO solicited relevant excerpts from the City’s website (*see Attachment E*).

The complaint does not relate to a specific development project, so a complaint may be submitted by any person within the local government’s jurisdiction. Because Central Oregon Builders Association is a member organization comprised of housing producers, including those that develop within the City of Redmond, the organization is eligible to submit a complaint. The complaint alleges that the proposed amendments will substantially impact the development of townhouses in the city. Specifically, the proposed amendments would substantially impact the buildable square footage of townhouse lots and as a result decrease housing production and increase costs, and subject middle housing to increased procedural delay and uncertainty.

### **HOUSING LAW VIOLATION AND REPORT FINDINGS**

HAPO identified several potential housing law violations (*see Attachment A for statutory and rule text*). Below is a brief summary of issues identified during HAPO review and relevant statutes and rules. For a detailed analysis and findings, *see Attachment B*.

#### **Relating to ORS 197A.400:**

1. **Clear and objective standards and procedures** - The city proposes expansion of a “Site and Design Review” process, including the addition of a new “Minor Site and Design Review” for certain housing applications, subjecting housing development applications to both subjective standards and procedures. Additionally, other standards and procedures applied to housing development generally are not clear and objective.
2. **Unreasonable cost or delay** - The city proposes eliminating an option for narrower, 16-foot alleys, meaning all alleys must contain a minimum 20-feet of pavement width. This requirement is in addition to street right-of-way starting at a minimum required width of 60 feet for a local street. If applied to a housing development application, the combined requirement may be contested in an as-applied challenge due to the increased amount of required roadway, which could increase development costs and in turn reduce developable site area.

#### **Relating to ORS 197A.420 and OAR Chapter 660, Division 046:**

1. **Middle housing procedure (OAR 660-046-0215)** – The city proposes applying a required “Minor Site and Design Review” process to any proposed development or use in one or more structures less than 3,500 square feet in size. In addition to the discretionary standards and procedures noted above, the procedural requirements create the conditions for the city to apply different and heightened review procedures for middle housing development.
2. **Off-street parking (OAR 660-046-0220(3))** – The city proposes increasing a required alley setback from 5 feet to 20 feet for the purpose of effectively requiring a second off-street parking space, as stated in staff findings (*see* Attachment D).
3. **Open space requirements (OAR 660-046-0225)** – The city proposes increasing certain minimum contiguous open space requirements for housing. This requirement scales by dwelling unit.

Please note that the identified issues are specific to the scope of the complaint. During review, HAPO identified other potential violations that are beyond the scope of the proposed amendments and alleged violations. We encourage that the city engage in a more detailed review and conformance of city land use regulations to comply with housing laws, including through voluntary compliance described later in this notice.

#### **AUTHORITY THAT MAY BE INVOKED**

HAPO may invoke the following authority if the potential violation continues or is not remedied. HAPO may initiate any of these actions no earlier than March 13, 2026, which is 60 days from the date of this potential violation notice:

- Initiate a request for a Land Conservation and Development Commission (LCDC) enforcement order by delivering a notice of request under SB 1537 Section 3(3).
- Seek a court order against a local government as described under ORS 455.160(3) without being adversely affected or serving the demand as described in ORS 455.160(2).
- Participate in and seek review of a matter that pertains to housing laws under ORS 197.090(2)(a). This does not require the notice or consent of the Land Conservation and Development Commission.
- Except regarding matters under the exclusive jurisdiction of the Land Use Board of Appeals (LUBA),<sup>4</sup> apply to a circuit court for an order compelling compliance with any housing law. If the court finds that the defendant is not complying with a housing law, the court may grant an injunction requiring compliance.

#### **VOLUNTARY COMPLIANCE OPTIONS**

HAPO prioritizes the option for a local government to resolve the potential violation through voluntary compliance. Pursuant to Oregon Laws 2024, chapter 110, section 2(3), the City of Redmond is invited to address or remedy this violation through voluntary compliance.


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<sup>4</sup> If a complainant has filed a notice of appeal with LUBA, or has initiated private litigation regarding any aspect of the application decision that was alleged to have been the subject of the housing law violation, the office may not further participate in the specific complaint or its appeal, except for: (A) Providing agency briefs, including briefs under ORS 197.830 (8), to the board or the court; (B) Providing technical assistance to the local government unrelated to the resolution of the specific complaint; or (C) Mediation at the request of the local government and complainant, including mediation under ORS 197.860. SB 1537(2)(2)(c).

Voluntary compliance options include mediation, the execution of a compliance agreement to voluntarily remedy the situation, the adoption of suitable model codes, or other remedies suitable to the specific violation. The HAPO staff person listed on the first page of this Notice can discuss appropriate voluntary compliance options with the city. Voluntary compliance to resolve this violation would involve execution of a voluntary compliance agreement between HAPO and the city.

Thank you for your attention to this matter. Please contact the staff listed on the first page of this Notice to answer questions or further discuss any of the procedural options described in this Notice.

Sincerely,



Joel Madsen  
HAPO Manager

cc:

Mayor Ed Fitch, City of Redmond  
Tony Rocco, Oregon Building Codes Division  
Brenda Bateman, Oregon Department of Land Conservation and Development  
Angie Brewer, Central Oregon Regional Representative  
Garrett Mosher, Central Oregon Builders Association

Attachments:

Attachment A. Applicable Housing Laws  
Attachment B. Housing Law Analysis and Findings  
Attachment C. Proposed Code Amendments (PAPA #010-25)  
Attachment D. Staff Report and Findings  
Attachment E. City of Redmond Standards and Specifications Excerpts

## Attachment A. Applicable Housing Laws

**ORS 197A.400** (2025 Edition) provides:

(1)(a) Except as provided in subsection (3) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating:

(A) The development of housing; and

(B) Tree removal codes related to the development of housing.

(b) The standards, conditions and procedures:

(A) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(B) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(C) May be contained in a comprehensive plan, land use regulation or an ordinance relating to housing adopted by a city that adopts, including by reference, a model ordinance adopted by the Land Conservation and Development Commission that comports with any qualifications, conditions or applicability of the model ordinance.

(c) This subsection applies only within:

(A) An urban growth boundary;

(B) An unincorporated community designated in a county's acknowledged comprehensive plan after December 5, 1994;

(C) Nonresource land; or

(D) An area zoned for rural residential use as defined in ORS 215.501.

(2) The provisions of subsection (1) of this section do not apply to:

(a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or greater.

(b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(3) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (1) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (1) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (1) of this section.

(4) Subject to subsection (1) of this section, this section does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

**ORS 197A.420** (2025 Edition), provides:

(1) As used in this section and ORS 197A.421:

(a) “City” includes a local government with jurisdiction over unincorporated lands within an urban growth boundary.

(b) “City with a population of 25,000 or greater” includes, regardless of size, any city within Tillamook County and the communities of Barview/Twin Rocks/Watseco, Cloverdale, Hebo, Neahkahnie, Neskowin, Netarts, Oceanside and Pacific City/Woods.

(c) “Cottage cluster” means a grouping of dwelling units:

(A) That are detached or attached in subgroupings of up to four units in any configuration;

(B) That have a common courtyard; and

(C) That each have a small footprint or floor area.

(d) “Duplex” means two attached or detached dwellings in any configuration on a lot or parcel, other than a lot or parcel created by a middle housing land division.

(e)(A) “Middle housing” means housing that consists of duplexes, triplexes, quadplexes, cottage clusters or townhouses.

(B) “Middle housing” includes dwelling units that are:

(i) Additional units allowed under ORS 197A.421; and

(ii) Existing dwelling units to which additional units are added under subsection (4) of this section.

(f) “Middle housing land division” has the meaning given that term in ORS 92.031.

(g) “Quadplex” means four attached or detached dwellings in any configuration on a lot or parcel, other than a lot or parcel created by a middle housing land division.

(h) “Townhouse” means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

(i) “Triplex” means three attached or detached dwellings in any configuration on a lot or parcel, other than a lot or parcel created by a middle housing land division.

(j) “Zoned for residential use” means land that:

(A) Is within an urban growth boundary;

(B) Has base zoning for, or is designated to allow, residential uses;

(C) Allows the development of a detached single-unit dwelling;

(D) Is not zoned primarily for commercial, industrial, agricultural or public uses; and

(E) Is incorporated or urban unincorporated land.

(2) Except as provided in subsection (4) of this section, each county, each city with a population of 25,000 or greater, and each city with a population of 1,000 or greater within Metro, shall allow the development of all middle housing types on each lot or parcel zoned for residential use.

(3) Each city not within Metro with a population of 2,500 or greater and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use.

(4)(a) Each city required to allow middle housing under subsection (2) or (3) of this section, excluding urban unincorporated land not within Metro, shall allow the lot or parcel to include existing housing consisting of:

(A) One single-unit dwelling;

(B) One single-unit dwelling plus one accessory dwelling unit; or

(C) One duplex.

- (b) The city may require only the new units, and not the existing units, to comply with siting and design standards adopted under subsection (5) of this section.
- (c) Existing units on the lot or parcel may be separated from the new units by a middle housing land division and are considered a single unit for the purposes of such division.
- (5) Local governments:
  - (a) May regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not individually or cumulatively discourage, through unreasonable costs or delay, the development of all middle housing types permitted in the area.
  - (b) May regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.
- (6)(a) A local government may not, based on traffic impacts from any individual middle housing development allowed under this section or ORS 197A.421:
  - (A) Require a traffic impact analysis; or
  - (B) Attribute an exaction other than a generally applicable system development charge or fee-in-lieu variance charge or a development requirement specific to the lot or parcel or its frontage.
- (b) This subsection does not apply to:
  - (A) Developments of townhouses or cottage clusters with more than 12 units.
  - (B) Lots or parcels created by a division of land, other than a middle housing land division, that occurred within the previous five years.
- (7) This section does not prohibit local governments from permitting:
  - (a) Single-unit dwellings in areas zoned to allow for single-unit dwellings; or
  - (b) Middle housing in areas not required under this section.
- (8) A local government that amends its comprehensive plan or land use regulations relating to allowing additional middle housing is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

**Oregon Laws 2019, chapter 639, section 2** provides (included here for reference of the 2019 version of statute):

- (1) As used in this section:
  - (a) “Cottage clusters” means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.
  - (b) “Middle housing” means:
    - (A) Duplexes;
    - (B) Triplexes;
    - (C) Quadplexes;
    - (D) Cottage clusters; and
    - (E) Townhouses.
  - (c) “Townhouses” means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.
- (2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:

- (a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and
- (b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.
- (3) Except as provided in subsection (4) of this section, each city not within a metropolitan service district with a population of more than 10,000 and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Nothing in this subsection prohibits a local government from allowing middle housing types in addition to duplexes.
- (4) This section does not apply to:
  - (a) Cities with a population of 1,000 or fewer;
  - (b) Lands not within an urban growth boundary;
  - (c) Lands that are not incorporated and also lack sufficient urban services, as defined in ORS 195.065;
  - (d) Lands that are not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses; or
  - (e) Lands that are not incorporated and are zoned under an interim zoning designation that maintains the land's potential for planned urban development.
- (5) Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.
- (6) This section does not prohibit local governments from permitting:
  - (a) Single-family dwellings in areas zoned to allow for single-family dwellings; or
  - (b) Middle housing in areas not required under this section.

**Oregon Laws 2025, chapter 476, section 4** provides:

Section 3, chapter 639, Oregon Laws 2019, as amended by section 21, chapter 223, Oregon Laws 2023, and section 3, chapter 283, Oregon Laws 2023, is amended to read:

Sec. 3. (1) Notwithstanding ORS 197.646, a local government shall adopt land use regulations or amend its comprehensive plan to implement ORS 197A.420 or section 3 of this 2025 Act no later than:

\* \* \*

- (e) Except as provided in paragraph (f) of this subsection, January 1, 2027, for cities to conform with section 3 of this 2025 Act or the amendments to ORS 197A.420 by section 1 of this 2025 Act; or
- (f) January 1, 2028, for cities to conform with amendments to ORS 197A.420 by section 1 of this 2025 Act pertaining to changes relating to cottage clusters.

**OAR 660-046-0215** provides:

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307. Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

**OAR 660-046-0220(3)** provides:

- (3) The following governs Large Cities' regulation of siting standards related to Townhouses:
- (a) **Minimum Lot or Parcel Size:** A Large City is not required to apply a minimum Lot or Parcel size to Townhouses, but if it applies those standards, the average minimum Lot or Parcel size for Lot or Parcels in a Townhouse Project may not be greater than 1,500 square feet. A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet, or less.
  - (b) **Minimum Street Frontage:** A Large City is not required to apply a minimum street frontage standard to Townhouses, but if it applies those standards, the minimum street frontage standard must not exceed 20 feet. A Large City may allow frontage on public and private streets or alleys; and on shared or common drives. If a Large City allows flag Lots or Parcels, it is not required to allow Townhouses on those Lots or Parcels.
  - (c) **Density:** If a Large City applies density maximums in a zone, it must allow four times the maximum density allowed for detached single-family dwellings in the same zone for the development of Townhouses or 25 dwelling units per acre, whichever is less.
  - (d) **Setbacks:** A Large City may not require front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone and must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached.
  - (e) **Height:** A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone. If a Large City requires covered or structured parking for townhouses, the applicable height standards must allow construction of at least three stories. If a Large City does not require covered or structured parking, the applicable height standards must allow construction of at least two stories.
  - (f) **Parking:**
    - (A) A Large City may not require more than one off-street parking space per Townhouse dwelling unit.
    - (B) Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.
    - (C) A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.
  - (g) **Bulk and Scale:** A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size,

those standards cannot cumulatively or individually limit the bulk and scale of the cumulative Townhouse project greater than that of a single-family detached dwelling.

(h) A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Townhouse development application.

**OAR 660-046-0225** provides:

(1) A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:

(a) Design standards in the Model Code for Large Cities as provided in OAR 660-046-0010(4)(b);

(b) Design standards that are less restrictive than those in the Model Code for Large Cities as provided in OAR 660-046-0010(4)(b);

(c) The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or

(d) Alternative design standards as provided in OAR 660-046-0235.

(2) A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.

## Attachment B. Housing Law Analysis and Findings

### *Potential Violations relating to ORS 197A.400*

#### 1. Clear and Objective Standards, Conditions, and Procedures

The city proposes expansion of the “Site and Design Review” process, codified at the City of Redmond’s Development Code (RDC) 8.3005 by adding a new category entitled “Minor Site and Design Review” that would apply to any proposed development or use containing a structure or multiple structures under 3,500 square feet in size. The proposed amendment would subject certain housing development applications to subjective standards and procedures. Additionally, other standards and procedures applied to housing development generally are not clear and objective, as described below.

ORS 197A.400(1)(a) requires that local governments “adopt and apply only clear and objective standards, conditions and procedures regulating \* \* \* [t]he development of housing;” and “[t]ree removal codes related to the development of housing.” The Oregon Court of Appeals has held that ORS 197A.400 requires that standards, conditions and procedures must be both “clear” and “objective.”<sup>5</sup> The term “clear” means “easily understood” and “without obscurity or ambiguity.”<sup>6</sup> “Objective” means “existing independent of mind.”<sup>7</sup> Standards, conditions and procedures that require “subjective, value-laden analyses designed to balance or mitigate impacts of the development on the property to be developed or the adjoining properties” are not objective.<sup>8</sup>

Below are citations and excerpts of city standards and procedures that HAPO has identified as not clear and objective, accompanied with a brief analysis. Please note this list is not exhaustive. HAPO strongly recommends a more comprehensive review and refinement of the City of Redmond’s development code when possible.

#### **Discretionary Standards (City’s Proposed Amendments)<sup>9</sup>**

##### RDC section 8.2715:

*Note: RDC section 8.2715 applies to all land divisions and development as specified in section 8.2700. The city’s proposed amendments amend certain provisions of section 8.2715, addressed below.*

<sup>5</sup> *Roberts v. City of Cannon Beach*, 316 Or App 305, 311, 504 P3d 1249, rev den, 370 Or 56, 512 P3d 813 (2021).

<sup>6</sup> *Id.* at 312,

<sup>7</sup> *Id.* at 311.

<sup>8</sup> *Id.*

<sup>9</sup> Unless otherwise noted, RDC sections listed below are a reference to the city’s proposed amendments as set forth in the November 19, 2025 Redmond Urban Area Planning Commission Agenda and Staff Report, available at <https://www.redmondoregon.gov/home/showpublisheddocument/27236/638990757792900000> (accessed DATE).

Excerpt: “5. *Preservation of Natural Features*. Existing natural features (i.e., rock outcrops) add character to the development and shall be preserved to the greatest extent practicable.

“6. *Preservation and Replacement Trees*... 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.

“\* \* \*

“8. 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 25 lots/units, a minimum of 3,000 square feet and privately maintained. Developments with 50 or more lots/units shall provide a minimum of 6,000 square feet of open space consolidated, contiguous, and configured in a way that allows for active recreation. Park amenities shall, at a minimum, include: 1/2 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.”

Analysis: Several standards applied to the development of housing in this section cannot be applied independent of mind:

- Under subsection (5), what constitutes an “existing natural feature” is not clear and preservation “to the greatest extent practicable” requires a discretionary determination.
- Subsection (6) provides discretionary authority to the Community Development Director or designee to prohibit significant tree removal in certain circumstances but does not provide a clear and objective threshold at which tree removal is prohibited.
- Subsection (8) establishes a minimum open space requirement that is clear and objective, but also requires the open space be “configured in a way that allows for active recreation” which requires a discretionary determination as to the appropriate configuration of open space requirement meeting the standard. Furthermore, the minimum required amenities include “\* \* \* other landscape or decorative features, and acceptable trash receptable(s) [sic] and lighting” requiring discretion as to the kinds of features, trash receptacles, and lighting that would meet the standard.

RDC section 8.3035(3) [existing code section]:

*Note: While this section is not amended by the proposed changes, the new “Minor Site and Design Review” expands the applicability of RDC section 8.3035 and is therefore incorporated into this analysis.*

Excerpt: “3. *Neighborhood Compatibility*. This standard shall not apply to any development that requires a conditional use permit. Subsections (B. and D.) do not apply to needed housing (ORS 197.307).

“A. The proposal will be consistent with applicable zoning standards.

“B. The location, size, design, and physical characteristics of the proposal (such as setbacks, height, position of structure on the site) will have minimal adverse impact on the livability or value of abutting properties.

“C. The project will not exceed the operational capacity of public facilities, and which are required to serve the development unless the City Engineer determines that sufficient capacity can be provided. The capacity of public facilities and services shall be based primarily on the City's Water and Wastewater Master Plan and the Transportation System Plan.

“D. The proposal is consistent with the applicable Great Neighborhood Planning Principles described in [Section 8.270](#)(3.C.14.) and adopted Area Plans.”

Analysis: Criteria (3)(B) and (D) require subjective, value-laden analyses designed to balance or mitigate impacts of the development on the property to be developed or the adjoining properties. While subsection (3) exempts needed housing and “Minor Site and Design Review” is exempted from these compatibility requirements, housing that meets neither exemption is still subject to the requirement. For example, a housing development exceeding 3,500 square feet that is not needed housing would be subject to these requirements.

RDC section 8.3035(4) [existing code section]:

*Note: Analysis for this subsection includes identified discretionary requirements and other potential housing law violations applied to triplexes, quadplexes, multi-unit dwellings, and mixed residential uses under RDC section 8.3035(4)(E). Because these components are outside of the scope of the complaint and investigation, review of those standards are omitted from this analysis. As mentioned in the findings above, HAPO strongly recommends a more comprehensive audit of the RDC when possible.*

Excerpt: “4. *Architectural Requirements.*

“A. *Architectural Theme.* A specific architectural theme is required for any structure that is a candidate for Site and Design review. The theme used shall be carried out completely in the design and not mixed with conflicting themes. The theme used shall be consistent with all buildings on the subject site.”

Analysis: This criteria establishes the use of a “specific architectural theme” for development and disallows “conflicting themes.” This standard cannot be applied independent of mind and requires subjective, value-laden analyses designed to balance or mitigate impacts of the development on the property to be developed or the adjoining properties.

**Discretionary Procedures**

RDC section 8.1205 [existing code section]:

*Note: While this code section is not amended by the proposed changes, the new “Minor Site and Design Review” requirement is processed as a “Development Action” under*

*RDC section 8.1205 and is therefore incorporated into this analysis.*

Excerpt: “1. Development Director, or designee, without public notice or hearing.  
“2. The Community Development Director, or designee, has the discretion to determine that for the purposes of this title a development action application should be treated as if it were a land use action application.”

Analysis: This provision authorizes the Community Development Director or designee to discretionarily apply different procedural requirements to a development action. It does not articulate objective thresholds for the heightened review and cannot be applied independent of mind – it relies on the discretion of the Community Development Director or designee.

RDC section 8.1215 [existing code section]:

*Note: While this section is not amended by the proposed changes, the new “Minor Site and Design Review” requirement is processed as a “Development Action” under Section 8.1205. Development Actions may be reviewed under RDC section 8.1215, which is therefore incorporated into this analysis.*

Excerpt: “1. A review of a development action may be initiated by three or more members of the Planning Commission or City Council.  
“2. The review shall be initiated in writing within 12 days of the date of the staff decision.”

Analysis: This provision authorizes the Planning Commission or City Council to apply a different, elevated review of a development action where initiated by three or more members. This provision does not articulate an objective threshold – or any threshold – triggering review. Instead, any development action may be elevated for review at the discretion of three or more members of the Planning Commission or City Council, for any reason. Therefore, the applicable procedure<sup>10</sup> relies on the discretion of Planning Commissioners or City Councilors.

RDC section 8.3005 [proposed code section]:

Excerpt: “Minor Site and Design Review shall be required for any proposed development or use containing a structure, or multiple structures, under 3,500 square feet in size. Minor Site and Design Review is subject to review criteria in Section 8.3035, as applicable. Additionally, Minor Site and Design Review:  
“1. Is exempt from Section 8.3035(3)(B) and (D);

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<sup>10</sup> This finding does not assert that the review of a development action itself is a violation of ORS 197A.400. Rather, the development code does not articulate any threshold triggering review of a decision – for example, a threshold establishing that a decision may be reviewed if a party alleges a substantive error in the original decision. Because of this omission, a proportion of applications will be required to adhere to varying procedural requirement at the discretion of the city instead of a clear and objective procedure as required by ORS 197A.400.

- “2. Is exempt from Section 8.2815 (Transportation System Analysis), unless requested by City Engineer; and  
 “3. Shall be processed as a Development Action provided for in Section 8.1205.”

Analysis: The exemption to a transportation system analysis provides authorization to the City Engineer to require a transportation system analysis at their discretion for any given application. This procedural requirement cannot be applied independent of mind – it relies on the discretion of the City Engineer.

RDC section 8.3030:

Excerpt: “Special studies, investigations and reports may be required to ensure that the proposed development of a particular site does not adversely affect the surrounding community, does not create hazardous conditions for persons or improvements on the site. These may include Traffic Impact Analysis, trip generation or parking studies/reports, impact of contaminated soils, soil conditions, flooding of waters and excessive storm water runoff, tree preservation, and other concerns of the development's impact on adjacent properties or public facilities.”

Analysis: This section provides discretionary authorization to the city to require “special studies, investigations and reports.”. The purpose of these reports is to ensure development does not “adversely affect the surrounding community, does not create hazardous conditions for persons or improvements on the site.” This procedural requirement cannot be applied independent of mind and imposes requirements for subjective, value-laden analyses designed to balance or mitigate impacts of the development on the property to be developed or the adjoining properties.

## 2. Unreasonable Cost or Delay

The city proposes eliminating an option for narrower, 16-foot alleys, meaning all alleys must contain a minimum 20 feet of pavement width. This requirement would be in addition to the minimum required street right-of-way width, which begins at 60 feet for a local street. The proposed development code amendments do not include this proposal, but the staff findings indicate that this proposal modifies the “City of Redmond Standards and Specifications (CORSS).”

Because HAPO was unable to identify proposed text amendments in materials provided in either the complaint or city-furnished text amendments, the office located the CORSS effective as of April 25, 2024 on the city’s website.<sup>11</sup> Excerpts of this document with relevant standards are included in Attachment E. with relevant provisions highlighted.

Based on the CORSS, the city applies a minimum required right-of-way and pavement standard of 20 feet to residential and commercial alleys – however, a standard drawing labeled “Typical

<sup>11</sup> Available at <https://www.redmondoregon.gov/government/departments/engineering/2010-public-works-standards-specifications> (accessed December 18, 2025).

Minimum Street Cross Section Dimensions” displays a required paving width of 16 feet for residential alleys. Another standard drawing labeled “Reduced Width Street Typical Street Cross Section & Dimensions” displays a required paving width of 20 feet for residential alleys.

HAPO cannot be certain the precise amendments proposed by the city, because the city failed to furnish proposed specific text amendments to the CORSS. However, based on materials available on the city’s website, the proposed change would eliminate the 16-foot minimum required paving width for residential alleys, and replace it with a 20-foot minimum width.

ORS 197A.400(1)(b)(B) prohibits local governments from applying standards, conditions, and procedures that have “the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.” As the LUBA has explained, whether approval standards discourage needed housing by causing unreasonable cost or delay cannot, in most cases, be meaningfully addressed in facial challenge to a legislative decision, and instead must be addressed in an as-applied challenge<sup>12</sup>

Because HAPO cannot determine in the abstract that the proposed increase to the width of paved alleys will, either by itself or cumulatively, discourage needed housing through unreasonable cost or delay, this notice does not include analysis or an assertion of unreasonable cost or delay. However, in recognition of the fact that the elimination of the 16-foot pavement width option further increases the required amount of roadway, and in turn, reduces developable site area, this notice includes a warning to the city about the prospect of a future violation finding or as-applied challenge to the city’s requirement, especially in combination with other proposals that further reduce developable site area to accommodate vehicle travel and storage.

### ***Potential Violations relating to ORS 197A.420 & OAR Chapter 660, Division 046***

ORS 197A.420 requires cities to allow middle housing based on population size. Under House Bill (HB) 2001 (2019), cities were required to allow townhouses “in areas” zoned for residential use that allow detached single-unit dwellings. *See Oregon Laws 2019, chapter 639, section 2(2)*. HB 2138 (2025) strengthened this obligation, requiring cities to allow townhouses “on each lot or parcel” zoned for residential use [that allows the development of a detached single-unit dwelling<sup>13</sup>]. *See Oregon Laws 2025, chapter 476, section 1(2)*. For reference, both versions of the statute are included in Attachment A.

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<sup>12</sup> *See Shamrock Homes LLC v. City of Springfield*, 68 Or LUBA 1, 26-27 (2013); *Home Builders Assoc. v. City of Eugene*, 41 Or LUBA 370, 422 (2002). *Rogue Valley Assoc. Realtors v. City of Ashland*, 35 Or LUBA 139, 163-64 (1998), *aff’d*, [158 Or App 1, 970 P2d 685 \(1999\)](#) (a required geotechnical study need not necessarily be applied in a manner that causes “unreasonable cost or delay,” and therefore does not violate the statute even though application of that requirement in particular cases might).

<sup>13</sup> *See* ORS 197A.420(1)(j): “Zoned for residential use” means land that:

- (A) Is within an urban growth boundary;
- (B) Has base zoning for, or is designated to allow, residential uses;
- (C) Allows the development of a detached single-unit dwelling;
- (D) Is not zoned primarily for commercial, industrial, agricultural or public uses; and
- (E) Is incorporated or urban unincorporated land.

At the time of this Notice, administrative rules implementing ORS 197A.420 are nonconforming with changes made by Oregon Laws 2025, chapter 476. The Legislature directed the Land Conservation and Development Commission (LCDC) to amend rules to conform and address specified issues by January 1, 2028. Local governments are provided until January 1, 2027 to adopt conforming amendments (January 1, 2028 for cottage clusters). Until those deadlines, affected local governments are able to apply acknowledged land use regulations to middle housing. *See* Oregon Laws 2025, chapter 476, section 4(1)(e) (text provided in Attachment A).

For this complaint, the local government proposes amendments that conflict with effective administrative rules. Because of the legislative deadline to adopt conforming provisions by January 1, 2027 and for LCDC to adopt conforming rules by January 1, 2028, this Notice does not evaluate proposed amendments in light of statutory amendments to ORS 197A.420. Instead, HAPO believes the city may continue to apply nonconforming local land use regulations until the statutory deadline. However, we also believe the city may not propose amendments that conflict with the original statute, the rules in effect, and the amendments in HB 2138.

### **1. Permitted Uses and Approval Process: Middle Housing Procedures (OAR 660-046-0215)**

The city's proposed amendments would require "any proposed development or use containing a structure, or multiple structures, under 3,500 square feet in size" to undergo a new Minor Site and Design Review process. As written, the exemptions to Site and Design Review provided in RDC section 8.3010, which would otherwise exempt detached single-unit dwellings and middle housing from Site and Design Review, do not apply to Minor Site and Design Review.

As noted in findings relating to ORS 197A.400, both procedures and standards applied via this process are not clear and objective as required under ORS 197A.400(1). However, the established threshold, as applied to middle housing development, can effectively apply a more intensive review process to middle housing at the discretion of city staff, planning commission, or city council. Additionally, the process establishes a size threshold for a development that effectively applies a different procedure for a development containing middle housing, which typically is larger<sup>14</sup> than a development containing a single detached-unit dwelling.

OAR 660-046-0215 sets forth procedural requirements that cities may apply to middle housing. This rule partially operationalizes ORS 197A.420(2) by clarifying how cities must "allow" middle housing, comparable to detached single-unit housing. The rule requires affected cities to apply "the same approval process to Middle Housing as detached single-[unit] dwellings in the same zone."

The Minor Site and Design Review Process is comparable to an existing Site and Design Review Process, which currently does not apply to the development of detached single-unit dwellings and middle housing. However, there are several exceptions:

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<sup>14</sup> While middle housing units on average are individually smaller than a detached single-unit dwelling on a lot (*see* a 2024 study of middle housing legalization in the City of Portland: <https://efiles.portlandoregon.gov/record/17159748>), the presence of a greater number of units on a lot increase the overall resultant size of a development or structure.

- The process exempts Minor Site and Design Review from two criteria that would otherwise be applicable (RDC section 8.3035(3)(B) and (D))
- The process waives a Transportation System Analysis, unless discretionarily required by the City Engineer
- The application is processed as a “Development Action” in RDC section 8.1205

A “Development Action” is a ministerial review process in which the Development Director, or designee, issues a decision within 30 days of acceptance of a complete application. However, the process enables discretionary elevation of this ministerial process in several scenarios:

- RDC section 8.1205 authorizes the Development Director, or designee, the discretion to elevate a development action to a land use action.
- RDC section 8.1210 authorizes appeal of a development action according to RDC section 8.1500 to 8.1530.
- RDC section 8.1215 authorizes review of any development action by three or more members of the Planning Commission or City Council.

In addition to the conflict with ORS 197A.400 described above, this procedure creates a potential conflict with OAR 660-046-0215, as it authorizes city staff, the planning commission, and the city council to discretionarily apply a different process to any given development application, including middle housing. This gives the city the ability to nominally apply the same procedure to detached single-unit dwellings and middle housing, but to discretionarily elevate and apply a separate, heightened procedural requirement for middle housing in practice.

## **2. Middle Housing Siting Standards: Off-Street Parking for Townhouses (OAR 660-046-0220 (3))**

The city proposes increasing a required alley setback from 5 feet to 20 feet for the purpose of effectively requiring a second off-street parking space. The staff report furnished by the city (see Attachment D), states clearly the intent behind the proposed change:

“Proposed more commonly than not for new townhouse developments are townhouses with garages that are alley-loaded (i.e., vehicular access is taken from rear of the lot via an alley). Given the townhouse small lot sizes, State-mandated minimum off-street parking standard of one space per unit, and that sometimes townhouse developments front streets that do not allow for on-street parking, presents challenges to provide adequate off-street parking space needs. The issue is exacerbated by the development code’s minimum 5-foot rear setback in all residential zones where a townhouse with a garage has vehicular access via an alley. This results in very short driveways that sometimes result in alleyways that are partially blocked with residents’ parked vehicles because there isn’t adequate space to provide for off-street parking. Staff is proposing to amend the rear setbacks to require 20 feet. This would match the minimum rear setback requirement for single-family dwellings with attached garages accessing the alley in the same zones and would provide adequate driveway space for off-street parking given the standard off-street parking space is 9 feet by 20 feet.”

The effect of this change is to require larger alley setbacks on new townhouse developments to effectively require a second off-street parking space by requiring a longer driveway to an off-street parking space. This configuration is also more frequently known as “tandem” or “in line”

parking, in which one car is parked in front of a second car. The city asserts that this can be required, because administrative rules allow cities to require the same setbacks that apply to detached single-unit dwellings.

OAR 660-046-0220(3) establishes parameters on siting standards applied to townhouses. More specifically, -OAR 660-046-0220(3)(d) prohibits cities from requiring “front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone.” Additionally, -OAR 660-046-0220(3)(f)(A) prohibits cities from requiring “more than one off-street parking space per Townhouse dwelling unit.”

Importantly, these restrictions are not mutually exclusive, both apply to local siting standards applicable to townhouses. This means that, according to OAR 660-046-0020, in addition to applicable setbacks not being permitted to exceed those applied to detached single-unit structures in the same zone, applicable off-street parking requirements are also not permitted to require more than one off-street parking space per Townhouse dwelling unit.

The city’s proposal complies with OAR 660-046-0220(3)(d), but conflicts with -OAR 660-046-0220(3)(f)(A). Specifically, by amending the setback requirement to require all townhouses with a garage fronting an alley to include a larger alley setback, the city is effectively forcing townhouses to provide an additional tandem parking space, as noted in the city’s own findings. This requirement comes at the expense of square footage that could otherwise be dedicated to the townhouse, both on the ground floor and upper stories, which can no longer be constructed within the additional setback. As noted in the complaint, this change effectively limits the buildable square footage of a townhouse.

### **3. Middle Housing Design Standards: Open Space Requirements (OAR 660-046-0225)**

The city proposes amending RDC section 8.2715(8), which establishes open space requirements for developments in medium and high-density zoned subdivisions and site plans. The existing requirement establishes a minimum requirement of 3,000 square feet of privately maintained open space for every 25 lots or units (approximately 120 square feet per unit). The proposed amendment establishes an additional requirement for larger developments with 50 or more lots or units to provide a minimum 6,000 square feet of open space that is “consolidated, contiguous, and configured in a way that allows for active recreation.”

As noted in the findings above, the standard as proposed is not clear and objective. Additionally, the standard requires the dedication of open space that scales based on the number of dwelling units in a development application, which conflicts with OAR 660-046-0225(1)(c).

Open space requirements are a type of “design standard”<sup>15</sup> and local governments are permitted to regulate design under ORS 197A.420(5). OAR 660-046-0225 sets forth parameters for allowable design standards applicable to middle housing in large cities.

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<sup>15</sup> See OAR 660-046-0020(4): “‘Design Standard’ means a standard related to the arrangement, orientation, materials, appearance, articulation, or aesthetic of features on a dwelling unit or accessory elements on a site. Design standards include, but are not limited to, standards that regulate entry and dwelling orientation, façade materials and

This rule provides four options by which local governments may regulate the design of middle housing. Under OAR 660-046-0225(1), a local government may apply:

- a) Design standards in the model code;
- b) Design standards less restrictive than the model code;
- c) The same clear and objective design standards that apply to detached single-unit dwellings, except that they may not scale by unit count (or a proxy for unit count). They may scale by form-based attributes, such as floor area; or
- d) Alternative design standards under OAR 660-046-0235.

The Large Cities Model Code only requires open space of cottage clusters for the shared common courtyard. The code does not require open space for plexes or townhouses, nor does the code require separate dedicated open space lots. Additionally, the city did not demonstrate via findings any alternative siting or design standards in the adoption of middle housing standards in PAPA #002-21.

Therefore, the applicable administrative rule in this case is OAR 660-046-0225(1)(c). This rule provides flexibility to cities to establish design standards other than those provided in the Model Code but establishes an express limitation on such standards scaling by the number of dwelling units in a development.

RDC section 8.2715(8), both in its original form and as amended, requires a minimum open space based on the total number of dwelling units in a development. Importantly, this standard will always require two- to four-fold the amount of open space where applied to middle housing containing two to four units<sup>16</sup>. Additionally, the requirement establishes a lower threshold at which a site with middle housing must provide a larger contiguous site, in comparison to a site containing only detached single-unit dwellings. This provision directly contradicts applicable administrative rule.

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appearance, window coverage, driveways, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.”

<sup>16</sup> See RD section 8.2715(8): “\*\*\*These areas shall be developed for every 25 lots/units, a minimum of 3,000 square feet and privately maintained.” This is equivalent to 120 square feet per dwelling unit.

**Sec. 8.020. Definitions.**

As used herein, 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, alley, or easement.

*Access.* The right to cross between public and private property.

*Access Management.* The process of regulating access to streets, roads, and highways.

*Accessible Route.* A continuous unobstructed path connecting all accessible elements and spaces of a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor spaces at fixtures. Exterior accessible routes may include connections to the public right-of-way, parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps, and lifts.

*Accessory Dwelling.* See Dwelling, Accessory Dwelling.

*Accessory Structure.* A non-dwelling structure incidental and subordinate to the main structure and located on the same property as the main structure.

*Accessory Use.* A use incidental and subordinate to the main use of a property and located on the same property as the main use.

*Acreage, Gross.* The total area within a unit of land.

*Active Recreation.* Recreational activities which require coordination or equipment, taking place at a prescribed location, such as sites or fields. See also Passive Recreation.

*Active Style Park.* A park designed for active recreation no less than 15,000 square feet in size and consolidated shape. Examples of active-style park components include sports play areas, exercise equipment units, public/family gatherings with picnic shelters or tables, play structures, or designated pet areas. Active-style parks commonly feature some passive recreation features, but only as a secondary use. See also Passive-Style Park.

*Adjacent.* See Abut.

*Adjoining.* See Abut.

*Administrative Decision.* A discretionary action or permit decision made without a public hearing but requiring public notification and an opportunity for appeal.

*Adverse Impact.* Negative effect of some action governed by this Code.

*Affected Person.* 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 subject to and affected by a decision.

*Affordable Housing.* Affordable housing is generally defined as housing within the means of a household that may occupy low- and moderate-income housing, meeting one of the thresholds defined in this section. Affordable Housing warrants low- and moderate-income affordability deed restrictions of at least 30 years. The affordability period may be adjusted based on the use of development incentives, modifications, variances or exceptions.

In the case of dwelling units for rent, "affordable" means housing for which rent and utilities are no more than 30 percent of the gross annual household income for a family earning less than or equal to 60 percent the Area Median Income (AMI), based on the most recent HUD Income Limits for the Bend-Redmond Metropolitan Statistical Area.

In the case of dwelling units for sale, "affordable" means housing in which the mortgage, amortized interest, taxes, insurance, HOA and associated fees, if any, constitutes no more than 30 percent of such gross annual

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household income for a family earning less than or equal to 80 percent of the Area Median Income (AMI), based on the most recent HUD Income Limits for the Bend-Redmond Metropolitan Statistical Area.

*Agent.* Any person who is authorized to represent or act for any other person.

*Alley.* A public or private way reserved as a secondary means of access to the back or 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.

*Alter.* To change, add to, or modify a structure or a use.

*Architectural Theme.* The use of a repetitive and dominant element or style to create a unifying and coherent form of construction.

*Arena, Indoor.* A facility intended to enclose spectator sporting events.

*Auto Detailing.* A use designed for cleaning the inside and outside of autos, not including an automated car wash.

*Auto Sales.* Commercial sale of new or used autos.

*Auto and Tire Service.* A commercial business engaged primarily in supplying services generally required in the operation and maintenance of automotive vehicles. Major automotive repairs, painting and body and fender work, are excluded from this definition.

*Automobile Recycling or Wrecking Yard.* A premises used for the long-term outdoor storage and sale of used automobile or truck parts.

*Awning.* A sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck.

*Batch Plant, Asphalt.* A heavy industrial use intended for mixing and preparing asphalt and/or other oil-based paving surfacing material requiring large scale preparation.

*Batch Plant, Concrete.* A use intended for mixing and preparing concrete or similar (non-oil-based) paving surfacing material requiring large scale preparation.

*Bed and Breakfast.* Provides accommodations plus breakfast on a daily or weekly basis in an operator- or owner-occupied home that is primarily used for this purpose. A Bed and Breakfast may contain up to five rental guest rooms.

*Bee.* Any stage of development of the common domestic honeybee, *Apis mellifera* species.

*Beekeeper.* A person owning, possessing, or controlling one or more colonies of bees.

*Berm.* A continuous small rise or hill in the ground which is intended to buffer or visually screen certain elements of development such as parking areas.

*Block.* An area of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-ways or lines, shorelines or waterways, natural topographical barriers, or corporate boundary lines of a city.

*Boarding or Rooming House.* A building containing five or less guest rooms intended or designed to be used, or that are used, rented, or hired out to be occupied, or that are occupied for sleeping purposes by guests.

*Buildable Area.* The portion of property that can be used to construct a building. Buildable area is the area excluding yard setbacks, easements (includes the width of easement and airspace above), and other legal or physical prohibitions to construction.

*Building.* Any structure used or intended for supporting or sheltering any use or occupancy.

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*Building Footprint.* The area of a building as measured around its foundation.

*Building Height.* See Height, Building.

*Canopy.* A permanent roofed structure which may be free-standing or partially attached to a building for a purpose of providing shelter to patrons in automobiles, and patrons on foot, but shall not mean a completely enclosed structure.

*Capacity.* The maximum level of designated use of any facility, or part thereof, as determined pursuant to the provisions of the City's adopted codes and standards or State Statutes.

*Car Wash.* Automated or manual facility whose primary use is the washing of cars.

*Cemetery.* Land dedicated to being used for the burial and honoring of the dead.

*Child.* A child under 13 years of age or a child under 18 years of age who has special needs or disabilities and requires a level of care that is above normal for the child's age.

*Child Care Center (commercial).* Any registered child care facility which is not a child care home.

*Child Care Facility.* Any Facility that provides child care to children, including a day nursery, nursery school, child care center, certified or registered family care home or similar unit operating under any name.

*Child Care Home (residential).* Any registered child care facility or certified group child care home where child care is offered in a residence up to 16 children, including children of the provider, regardless of full-time or part-time status consistent with State Law. (ORS 329A.440).

*Church.* A place or structure having a primary function of providing a place of worship for a known/established non-profit religion or religious institution.

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

*Clear and Objective.* Relates to decision criteria and standards that do not involve substantial discretion or individual judgment in their application.

*Clinic, Animal.* See Veterinarian.

*Clinic, Medical-Dental.* See Office.

*Club.* Private organization that has limited membership.

*Colony.* A beehive and its equipment and appurtenances, including one queen, bees, comb, honey, pollen, and brood.

*Commercial Amusement Establishment.* Any place where entertainment or amusement is provided, where the public on a commercial basis may observe or join in the activities.

*Common Area.* Land within a development not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. May include complementary structures and improvements.

*Comprehensive Plan.* The Plan and coordinated land use map and policy statements adopted by the City of Redmond pursuant to ORS Chapters 197 and 227 for the Redmond Urban Growth Boundary.

*Conditional Use.* A use which requires a conditional use permit review and approval.

*Conforming.* In compliance with the regulations of the applicable zone designation.

*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 public improvements and facilities.

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*Contiguous.* See Abut.

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

*Contractor's Yard.* Outdoor area containing contractor equipment or privately owned, not-for-sale, supplies.

*Convalescent Home.* See Nursing Home.

*Convention Center.* Public, semi-public, or privately-owned facility whose primary purpose is to accommodate large gatherings of people for events.

*Cottage Cluster Project.* A development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

*Cottage Clusters.* Groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard. Cottage Cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels.

*Dairy Product Processing Facility.* A facility that processes milk into products for sale and distribution.

*Day Care (commercial).* See Child Care Center.

*Day Care (residential).* See Child Care Home.

*Day Nursery.* See Child Care Facility.

*Deck.* A covered or uncovered flat-floored area adjoining a dwelling, or other building, and adapted especially to outdoor use.

*Dedication.* The transfer of private property to public ownership upon written acceptance. The term may also be used for dedications to a private homeowners' association.

*Demolition.* Any act or process that destroys in part or in whole a building or structure.

*Density(ies).* A measurement of the number of dwelling units in relationship to a specified unit of land; density calculations are based upon net acreage, which generally excludes land devoted to right-of-way. The net acreage is determined by subtracting from the total acreage of the lot or parcel that which is deemed necessary for street dedication and that area used for private streets and common driveways, if any.

~~*Density Transfer, OSPR/"R" Zone.* The allowance of reduced-sized lots in residential zones in exchange for a specific area of Open Space Park Reserve land, which would be dedicated, deeded, or sold to the City of Redmond. Density transfer provisions apply to residentially zoned land immediately adjacent to desired land zoned (or potentially zoned) OSPR/Open Space Park Reserve, or land at the urban edge not adjacent to land in designated urban reserves. The percentage of land area to be credited as 'transfer land' is to be evaluated on a case-by-case basis.~~

*Developer.* Any person, corporation, partnership, agent of the developer, or other legal entity that creates, or proposes to create, a land development, subdivision, partitioning, or other development including residential, commercial, or industrial developments.

*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. Development excludes site grading prior to site development for overhead and underground utility improvements where the real property will be returned to essentially the same condition following completion of improvements.

*Discretionary.* A permit action or decision that involves substantial judgment.

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*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 used for drainage ditches, pipes, or other natural or man-made water conveyance or runoff.

*Duplex.* See Dwelling, Duplex.

*Dwelling.* As follows:

*Accessory Dwelling Unit (ADUs).* A secondary living unit, attached or detached, accessory to a single-family detached dwelling in a residential zone containing cooking facilities meeting the dimensional standards and other requirements of the zone district in which it is located.

*Duplex.* Two attached, or detached, dwelling units on a Lot or Parcel when neither is an accessory dwelling.

*Dwelling Unit (DU).* A single unit providing complete independent living facilities for one or more person, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

*Guest House.* A detached building used as sleeping quarters for guests of the occupants of the main dwelling and having no cooking facilities.

*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:

1. *Live/work Townhouse.* A townhouse in which a business shall be limited to the ground floor and may not exceed 50 percent of the floor area of the entire townhouse unit, excluding the garage.
2. *Live/Work Apartment.* A residential multi-story, multi-unit building with a minimum of 50 percent of the building ground floor used as retail, office, or commercial space.

*Manufactured Dwelling.*

1. *Residential trailer.* A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.
2. *Mobile Home.* A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
3. *Manufactured Home.* A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction. Manufactured dwelling does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code or any unit identified as a recreational vehicle by the manufacturer.
4. *Multi-Family Complex.* A building or group of buildings on a single lot containing a total of five or more dwelling units.

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5. *Quadplex*. Four attached, or detached, dwelling units on a Lot or Parcel.
  6. *Single Family Detached Dwelling*. A detached building containing one dwelling unit, including manufactured homes.
  7. *Triplex*. Any configuration of three attached, or detached, dwelling units on one Lot or Parcel.

*Easement*. A right to use a parcel of land for specific purposes, but in which ownership of the land is not transferred. Easement includes use of property and air above the easement. Easement encroachment prohibitions shall consist of, but are not limited to, permanent structures, buildings including porches and roof eaves or components thereof, or any other horizontal and vertical encroachment, obstruction, excavation, or alternation of the easement.

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

*Equipment, General*. Smaller equipment that is typically used outdoors, such as lawnmowers, weed trimmers, rental trucks and trailers, rototillers, and so forth.

*Equipment, Heavy*. Large equipment including but not limited to backhoes, dump trucks, cranes, bulldozers, semi-truck trailers and their containers, and so forth.

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

*Exempt Vegetation*. A tree or other plant that is shown by the sun chart accompanying a solar access permit application to cast existing shade on a protected area.

*Family*. One or more persons, related or unrelated, living together in a single dwelling unit.

*Farm Use*. 'Farm Use' means the employment of land including that portion of such lands under buildings supporting accepted farming practices for the purpose of generating an income by raising, harvesting, and selling crops, or by the feeding, breeding, management, and sale of, or the product of, livestock, poultry, fur-bearing animals, or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. Farm use includes the preparation and storage of the products raised on such land for man's use and animal use and disposal by marketing or otherwise. It does not include the use of land subject to the provision of ORS 321, except land used exclusively for growing cultured Christmas trees, or to the construction and use of dwellings customarily provided in conjunction with the farm use. The definition of 'accepted farming practice,' as used in DCC Title 20 and the Redmond Development Code, means a mode of operation that is common to farms of a similar nature, necessary for the operation of such farms to generate an income and customarily utilized in conjunction with farm use.

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

*Floor Area*. The sum of the gross horizontal areas of the floors of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings, but not including:

1. Attic space providing headroom of less than seven feet.
2. Basement, if the floor above is less than six feet above grade.
3. Uncovered steps or fire escapes.
4. Private garages, carports, or porches.

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

*Fraternal Organization*. See Club.

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

*Garage, Public or Private Parking.* A publicly or privately-owned structure having one or more tiers of heights used for the parking of automobiles. Open garages may include parking spaces for customers, patrons, or clients provided said parking spaces are clearly identified as parking spaces for the building or use which is required to provide said space.

*Gas Station, Auto.* Service station having a primary function of providing gasoline to passenger automobiles.

*Gas Station, Card Lock.* Semi or fully automated service station that provides gasoline to persons having the appropriate card to enable fueling; typically intended for auto fleet (commercial vehicle) fueling.

*Gift and Card Shop.* Shop that exclusively sells cards and gifts.

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

*Established Grade.* The elevation of the ground or infrastructure as officially established by City authority.

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

*Finished Grade.* 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.

*Ground Level Grade.* 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.

*Natural Grade.* The existing grade or 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.

*Regular Grading.* Any grading that involves 5,000 cubic yards or less of material.

*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.

*Granny Flat.* See Dwelling, Accessory Dwelling.

*Gross Square Footage.* The sum of all areas on all floors of a building included within the outside faces of the exterior walls.

*Ground Cover.* A plant material or non-plant material (e.g., bark chips, mulch, gravel) that is used to cover bare ground.

*Guest House.* A detached building used as sleeping quarters for guests of the occupants of the main dwelling and having no cooking facilities; differs from an Accessory Dwelling.

*Health Club.* A place of business with equipment and facilities for exercising and improving physical fitness.

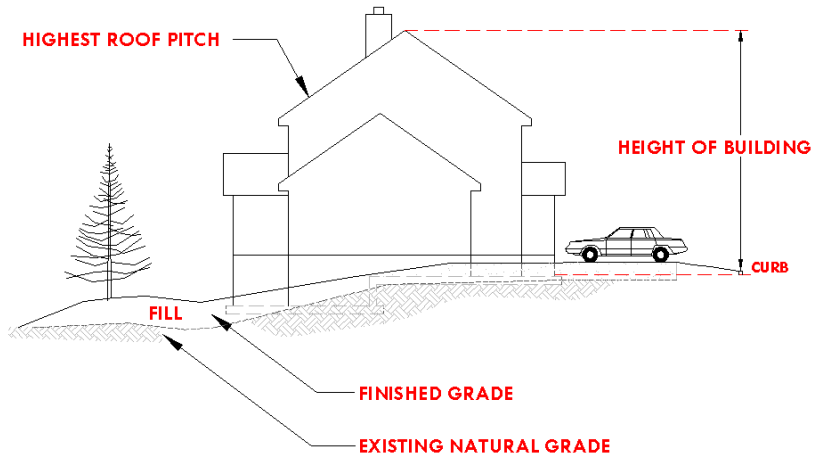
*Health Spa.* A place of business with equipment and facilities for physical care.

*Hearings Body.* The City staff, Community Development Director, or designee, Planning Commission, Hearings Officer, or City Council.

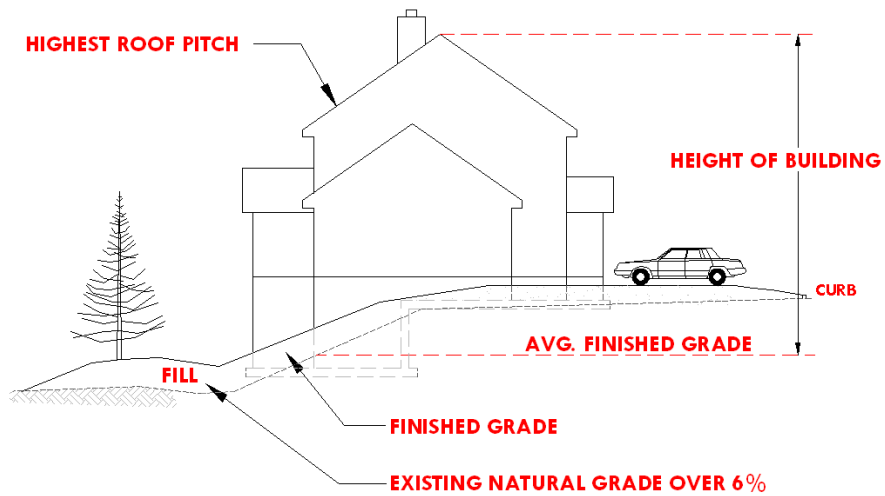
*Hearing, Initial.* The first hearing authorized and conducted by the Planning Commission, Hearings Officer, or City Council.

*Hearings Officer.* A planning and zoning hearings officer appointed or designated by the City Council pursuant to ORS 227.165.

*Height, Building.* With natural grade of up to and including ten percent, "height of a building" is the vertical distance measured between the elevation of the curb serving the property, and the highest point on the roof. For sites having a natural grade of greater than ten percent, "height of a building" is measured from average finished grade to the highest point of the roof, and a maximum of four feet of introduced fill is permitted. See *illustrations below.*



### Measuring Height of Buildings (Average slope = 10% or less)



### Measuring Height of Buildings (Average slope = more than 10%)

4' fill (max.) permitted without a variance

*Highest Shade Producing Point.* The highest shade producing point of the structure two hours before and after the solar zenith on December 21. The highest shade producing point could be the tallest point of the structure. Whenever the roof pitch is at an angle less than 17 degrees, the highest shade producing point will be the bottom eave of the structure (see figure below).

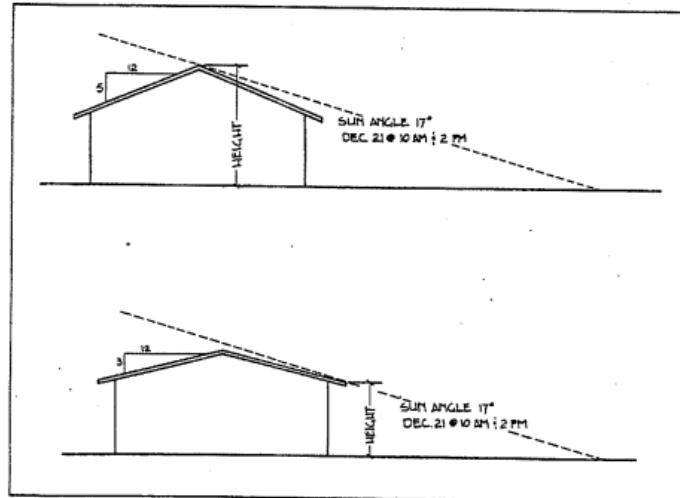


Figure 3  
Location of Highest Shade Producing Point Differs with Roof Pitch

*Hive.* Any Langstroth type structure with movable frames intended for the housing of a bee colony. A hive typically consists of a cover, honey supers, brood chambers, and a bottom board.

*Home Occupation.* Any business activity carried on by a resident, or resident family, of a dwelling as an accessory use within the same dwelling, or in an accessory structure on the same property. The business activity shall not be detrimental to the overall character of the neighborhood.

*Homeless Shelter.* A building, facility, or portion thereof used by a not-for-profit agency or organization for the purpose of providing sleeping quarters.

*Hospital.* A facility with an organized medical staff, with permanent facilities that include inpatient beds and with medical services, including physician services and continuous nursing services under the supervision of registered nurses, to provide diagnosis and medical or surgical treatment primarily for but not limited to acutely ill patients and accident victims, to provide treatment for the mentally ill or to provide treatment in special inpatient care facilities.

*Hotel (Motel).* Any building containing six or more guest rooms intended or designed to be used, or that are used, rented, or hired out to be occupied, or that are occupied for sleeping purposes by guests.

*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.

*Improvement.* Any man-made physical addition to a property affecting the value or use of that property.

*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 function as required for a specific period of time. See also *Performance Guarantee*.

*Indoor Commercial Recreation.* A room or rooms within an enclosed building which is designated and used for recreational purposes by the public.

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

*Ingress.* Access point for entering a building, site, or area.

*Instrument Runway.* A runway equipped or to be equipped with a precision electronic navigation aid or landing aid or other air navigation facilities suitable to permit the landing of aircraft by an instrument approach under restricted visibility conditions. Instrument runways are classed as precision and non-precision instrument runways.

*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.

*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 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.

*Junkyard.* Primary or accessory use of land for the storage, dismantling or selling of castoff or salvage material of any sort in other than the original form in which it was manufactured and/or assembled and not including reconditioned second-hand furniture or fixtures sold from within a walled building.

*Kennel.* A lot or buildings in which four or more dogs or cats, at least four months of age, are kept commercially for board, propagation, training, or sale.

*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, 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.

*Landscape.* The act of improving the aesthetic appearance or ecosystem function of land by changing its contours, adding and maintaining ornamental features and plantings.

*Landscaping Supply.* Indoor or outdoor sales (wholesale or retail) of bulk items typically associated with landscaping, including (but not limited to) topsoil, mulch, gravel, river rock, fountains, pavers, and so forth.

*Land Use.* The main activity that occurs on a piece of land.

*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.

*Live/Work Unit, New.* A new structure or use, which is being created to have no more than two dwelling units, as well as a business component (more intensive than a licensed home occupation as defined in this code).

*Live/Work Unit, Existing.* Any existing on-site building in which no more than two dwelling units, as well as a business component (more intensive than a licensed home occupation as defined in this code), already exists.

*Live/Work Unit, Modified.* Any existing on-site building that is being changed into a structure for the purpose of having no more than two dwelling units, as well as a business component (more intensive than a licensed home occupation as defined in this code).

*Loading Area.* An off-street space within a building or on the same lot with a building, for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials.

*Lodge.* See Club.

*Lot.* A lawfully created unit of land that is created by a subdivision of land. See also Lot of Record.

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*Corner Lot.* 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.

*Cul-de-sac Lot.* A lot fronting the bulb of a cul-de-sac that has a frontage of less than 50 feet.

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

*Flag Lot.* A lot which fronts a public street or road and where access to the street or road is by a private driveway. A 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 having between 20 and 50 feet of street frontage.

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

*Irregular Lot.* A lot of such a shape or configuration that technically meets the area, frontage and width requirements of these standards but meets these requirements by incorporating unusual elongations, angles, curvilinear lines unrelated to topography or other natural land features.

*Nonconforming Lot.* 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.

*Through Lot.* An interior lot having a frontage on two streets and/or highways, not including an alley.

See also Lot, Double Frontage.

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

*Lot Consolidation.* The consolidation of lot lines resulting in fewer lots.

*Lot Coverage.* The percentage of a lot containing the footprint of structures or buildings.

*Lot Line.* The property line bounding a lot.

*Front Lot Line.* For a lot other than a corner 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.

*Rear Lot Line.* The lot line that is opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line ten feet in length within the lot parallel to and at a maximum distance from the front lot line.

*Side Lot Line.* Any lot line or lines 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 Line Adjustment.* The adjustment of common property line(s) or boundaries between adjacent lots, tracts, or parcels for the purpose of accommodating a transfer of land. The resulting adjustment shall not create any additional lots, tracts, or parcels and all reconfigured lots, tracts, or parcels shall contain sufficient area and dimension to meet minimum requirements for zoning and building purposes.

*Lot of Record.* Any unit of land created as follows:

1. A lot in an existing, duly recorded subdivision;
2. A parcel in an existing, duly recorded major or minor 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

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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 lot of record.

*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.

*Lumber Mill.* Facility having the primary purpose of shaping and cutting raw or partially finished lumber.

*Manufactured Dwelling Park.* Any place where four or more manufactured dwellings or prefabricated structures, as defined in ORS 455.010, that are relocatable and more than eight and one-half feet wide, are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

*Manufacturing, Commercial.* Light assembly as a support use to the primary commercial use (i.e., furniture assembly, electronic repair / assembly).

*Manufacturing, Heavy Industrial.* Industrially related manufacturing; typified by use of larger machinery or chemicals; not generally associated with commercial sales other than as a secondary use to the primary industrial use.

*Manufacturing, Light Industrial.* Fully enclosed; manufacturing of items permitted in the respective zone; does not use chemicals or materials which may be toxic or otherwise detectable visually or by odor from neighboring properties.

*Martial Arts Studio.* A place where any art of self-defense is taught and/or practiced.

*Master Development Plan (MDP).* A detailed development plan showing compliance with the applicable Great Neighborhood Planning Principles, the Redmond Urban Area Framework Plan, and adopted Area Plans on lands currently zoned Urban Holding-10 (UH-10). The MDP typically identifies proposed land uses, buildings locations, landscaping, potential art locations, access and internal circulation, and infrastructure for a project where the development program may be planned to occur in phases over a period of several years. MDP's may include multiple land parcels. The MDP is a required urban planning step before annexation and rezoning property.

*Master Plan; Master Development Plan.* An overall plan indicating the physical and functional interrelationships between uses and facilities for a project, a series of projects or phased developments. Components of a master plan are set forth in Section 8.270.

*Middle Housing.* Means Duplexes, Triplexes, Quadplexes (fourplexes), Cottage Clusters, and Townhouses

*Ministerial.* A routine governmental action or decision that involves little or no discretion. The issuance of a building permit is a ministerial action.

*Mini Storage.* Securable, "for rent" unit intended to store personal items on a long-term basis.

*Mixed-Use.* Development that combines residential, commercial, public, or institutional uses within the same building or site. Mixed-use development may occur as a "vertical" mixed-use, where housing is located above the ground floor, or "horizontal" mixed-use, where housing is located on the ground floor or in a separate building or part of a building.

Within horizontal mixed-use developments, residential uses shall be located behind commercial uses relative to the front lot line, or if located at the front of the building, be less than 20 percent of the frontage of such mixed-use building. Stand alone residential uses may be horizontally mixed with other uses as specified in the MUN zone.

*Mobile Food Pod.* A site containing more than one Mobile Food Unit and associated amenities.

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**Mobile Food Unit.** A mobile vehicle, such as a food truck, trailer, or car, from which primarily food or beverages is provided to walk-up customers and does not include drive-thru service. Mobile Food Units shall be mobile at all times and must be on wheels that are functional and appropriate for the type of unit at all times.

**Mobile Food Vendor.** A Mobile Food Unit operating in a temporary manner in conjunction with a public or private event.

**Modification.** A modification is an amendment to an approved site development plan, a condition of approval, or change to an existing structure that has not received a land use approval.

**Minor Modification.** A change that is less than 25 percent of any building footprint, height or size, site improvement or dimensional requirement.

**Major Modification.** A change that is equal to or greater than 25 percent of any building footprint, height or size, site improvement or dimensional requirement.

**Floor Area.** The sum total of the gross horizontal areas of each story of the building measured from the inside of exterior walls or from the centerline of the party walls.

**Floor Area Ratio (FAR).** The total floor area of all structures and all above grade floors on a lot divided by the lot area. For FAR calculations, the floor area is measured to the inside of exterior walls. The following shall be excluded from the floor area calculation:

1. Space below grade.
2. Mechanical spaces.
3. Elevator and stair shafts.
4. Lobbies and common spaces, including atriums.
5. Space dedicated to parking.
6. Decks, balconies, porches.

**Modification of Application.** Means the applicant's submittal of new information after an application has been deemed complete and prior to the close of the record on a pending application that would modify a development proposal by changing one or more of the following previously described components: proposed uses, operating characteristics, intensity, scale, site lay out (including, but not limited to, changes in setbacks, access points, building design, size or orientation, parking, traffic, or pedestrian circulation plans), or landscaping in a manner that requires the application of new criteria to the proposal or that would require the finding of fact to be changed. It does not mean an applicant's submission of new evidence that merely classifies or supports the pending application.

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

**Multi-family Complex.** See Dwelling, Multi-family Complex.

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

**Needed Housing.** As defined in ORS 197.303, as amended.

**Net Square Footage.** Gross square feet of a building less common areas and interior walls. Common areas include stairwells, elevators, storage areas, computer server rooms, other shafts, lobbies, underground parking, and similar kinds of uses.

**Non-Conforming Structure or Use.** A lawful existing structure or use at the time these Development Code standards or any amendment thereof becomes effective, which does not conform to the requirements of the zone in which it is located.

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*Nursery for Plants.* Enclosed facility intended for commercially growing or distributing plants.

*Nursing Home.* Any home, institution or other structure maintained or operating for the nursing and care of four or more ill or infirm adults not requiring hospital care or hospital facilities.

*Office.* A room, suite of rooms, or portion of a building used for the practice of a profession or for conducting the affairs of a business.

*Open Space.* Land retained as undeveloped land for use as passive or active recreational area; land that is developed with park, landscaping, or other non-structural amenities. See also Usable Open Space.

*Overlay Zone.* A defined area or district which provides regulations in addition to those regulations in the underlying zones.

*Owner.* Person in whom is vested the ownership, dominion, or title of property; includes contract purchaser.

*Partial Master Development Plan (PMDP).* A land use plan including the same requirements as a Master Development Plan (MDP) but for only a portion of the subject property(s). The PMDP is a required urban planning step before annexation and rezoning property. Only the partially master planned portion of the property may be annexed unless otherwise approved by the City.

*Partition.* To divide an area or tract of land into two or three parcels.

*Passive Recreation.* Recreational activities which are commonly unorganized, noncompetitive, dependent on the landscape, and require no developed facilities. See also Active Recreation.

*Passive-Style Park.* A park designed for passive recreation that is of any configuration, shape, or size and is landscaped without irrigated turf. Examples of passive-style park components include seating elements, shape structures or tree canopies, trails or walkways, habitat areas. See also Active-Style Park.

*Performance Bond.* A document, acceptable by the City, issued by a surety company, 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 other legal entity, whether he, she or it is acting for himself, herself, or itself, or as the servant, employee, agent, or representative of another.

*Plat, Final.* The final plan of all or a portion of a subdivision or partition that is presented to the approving authority for final signature and recording in accordance with State law.

*Plat, Tentative.* A plan of all or a portion of a subdivision or partition that is submitted for approval in accordance with State law, and that is not a final plat.

*Precision Machine Shop.* Shop or facility that manufactures alters or modifies metal parts. Typically applies to computerized machining of tools and parts requiring high precision machining.

*Primary Use.* The most prevalent 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.

*Principal Use.* The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

*Printing and Publishing, Retail.* Service commercial use providing printing services available to the general public.

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*Printing, Wholesale.* Printing intended to serve retail or other wholesale uses rather than the general public.

*Public Recreation Facility.* A facility that is owned and operated by a public entity primarily for recreational uses. Accessory uses such as art studios, meeting/classrooms, child care, offices, and related commercial uses including food vendors and retail are allowed.

*Public 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.

*Public Transportation Station.* A place which includes a covered structure or a covered facility that is specifically designed to permit users to access public transit (such as buses). Such stations permit users to access one or more modes of public transit and incorporate public accommodations such as vehicle and bicycle parking, rest rooms, vending machines, benches, and tables for the convenience of travelers.

*Public Use.* A structure or property intended or used for a public property is or may be devoted, and to which all other uses on the premises are accessory.

*Public Way.* Any street, alley, or other parcel of land open to the outside air leading to a public street, which has been deeded, dedicated, or otherwise permanently appropriated to the public for public use and that has a clear width and height of not less than ten feet.

*Quasi-Judicial Action.* A decision or action of a public body that involves substantial discretion or judgment in applying the standards and criteria of this Code.

*Recreational Area.* Areas (other than village green) that are designed, constructed, designated, or used for recreational activities. Examples include: open space containing a park; landscaped or undisturbed natural areas; landscaped trails where a 10-foot-wide paved trail is in a 20 foot easement and is not a public sidewalk; pavilion areas at least 600 square feet in area; pool; splash pad; play court for racket sports and basketball; clubhouse; community room; art and seated viewing area; community garden; a plaza(s) at least 600 square feet in area.

*Recreational Vehicle.* A vehicle with or without motive power that is designed for use as temporary living quarters for recreational, camping, or travel use. Recreational vehicles include travel trailer, truck camper, and motor home.

*Recreational Vehicle (RV) Park.* A place where two or more recreational vehicles are located within 500 feet of one another on a lot, tract, or parcel of land under common ownership and having as its primary purpose temporary living quarters and the renting of space and related facilities for a charge or fee. Approved Safe Parking and Vehicle Camping site, per Chapter 5 of City Code, do not constitute an RV Park.

*Recreational Vehicle Site.* A plot of ground within a recreational vehicle park intended for the accommodation of a recreational vehicle or other camping unit on a temporary basis. The site may include individual use areas for picnic tables, fire pits, private parking, and other private uses.

*Recycling Collection Center.* Center used as a collection point for household or other types of residential recycling.

*Recycling Use.* Alteration of a material or commodity for re-use. Includes, but is not limited to, recycling aluminum, glass, paper, and plastic.

*Replat.* An amendment to a recorded plat.

*Research and Development Facility, General.* Establishment primarily engaged in industrial or scientific research including limited product testing; does not include medical research.

*Research and Development Facility, Medical.* Medically related research; use of biohazardous chemicals subject to DEQ regulations.

*Reserve Strip.* "Reserve Strip" means a strip of land usually a minimum of 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

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street of less than full width and adjacent acreage, in either case reserved or held for future street extension or widening.

*Residential Facility.* A residential care, residential training, or residential treatment facility, as those terms are defined in ORS 443.400, licensed, or registered under ORS 443.400 to 443.460 or licensed under ORS 418.205 to 418.327 by the Department of Human Services that provides residential care alone or in conjunction with treatment or training or a combination thereof for six to 15 individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents and need not be related to each other or to any resident of the residential facility. (ORS 197.660)

*Residential Home.* A residential treatment or training or an adult foster home licensed by or under the authority of the department, as defined in ORS 443.400, under ORS 443.400 to 443.825, a residential facility registered under ORS 443.480 to 443.500, or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents and need not be related to each other or to any resident of the residential home. (ORS 197.660)

*Residential Use.* Occupancy such as a human dwelling or lodging place.

*Retail, Bulky.* Large retail items including furniture, cars, etc.

*Retail, Medical Supply.* Shop that specializes in goods and commodities relating to care and rehabilitation of medical patients.

*Ridge Line (building).* The top of a roof at its highest elevation.

*Road.* 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. See also Street.

*Rock Crushing, Permanent.* Use of facility or site to crush rock as an ongoing operation. Could involve imported or on-site rock and may involve transporting crushed rock to other sites.

*Rock Crushing, Temporary.* Use of a site to crush rock on a temporary basis. Must involve on-site rock only but may involve transporting said crushed rock to an off-premises site. Crushing shall be incidental to primary use on the site.

*Roof Treatments.* Any additions to a style of roof that breaks up a single pitched roof. Examples of roof treatments are dormers, cupolas, and multi-pitched roofs.

*School.* A place for teaching, demonstration, or learning.

*Screening.* Materials used to conceal a feature or object from sight, such as fencing, walls, canopy, vegetation, or other barrier.

*Semi-Public Use.* A structure or use intended or used for a semi-public purpose by a church, lodge, club, or any other non-profit organization.

*Setback.* The distance between the vertical face of a structure and a property line. See Yard.

*Single Room Occupancy.* A residential dwelling 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). See also Single Room Occupancy Unit.

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

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*Site Improvement.* Landscaping, paving for pedestrian and vehicle ways, outdoor lighting, recreational facilities, etc., added to a site.

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

*Start of Construction.* The first placement of permanent construction of a structure (other than a manufactured home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation.

*Story.* The portion of a building included between the upper surface of any floor and the upper surface of the floor next above it, except the top story shall be that portion of a building within the upper surface of the top-most floor and ceiling or roof above.

*Street.* A public or private way, other than an alley, that is created to provide primary vehicle access for persons to one or more lots, parcels, areas, or tracts of land. See also Road.

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

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

*Collector Street.* 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.

*Cul-de-sac.* A street having one end open to traffic and the other end terminating in a vehicle turnaround.

*Dead End Street.* A street having only one end open to traffic, and the other end terminating in a "stub out".

*Frontage Road.* A street parallel and adjacent to a collector or arterial providing access to abutting properties.

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

*Roadway.* That portion of a street developed for vehicular traffic.

*Structure.* Any combination of materials forming any construction, which requires a foundation and is intended to support or shelter any use of occupancy. Also see definition of Accessory Structure.

*Structural Alteration.* Any change to the supporting members of a structure including foundation, bearing walls or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

*Subdivide Land.* To divide land into four or more lots within a calendar year.

*Subdivider.* Any person who causes land to be subdivided.

*Subdivision and Subdivided Lands.* Please refer to ORS 92.010(16).

*Supportive Shelter.* Any tract of land being actively managed by an agency which maintains two or more shelter units for the primary purpose of providing shelter alongside supportive services to individuals or families who lack access to permanent or safe shelter.

*Thrift Store.* Retail use that vends second-hand (used) items including clothing and furniture.

*Townhouse.* A dwelling unit that is part of a row of two or more attached dwelling units, where each dwelling unit is located on an individual Lot of Parcel and shares at least one common wall with an adjacent unit.

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*Townhouse Project.* One or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and the any commonly owned property.

*Tract, ~~Private/Public.~~* A piece of land created and designated as part of a land division that is not a lot, lot of record, or a public right-of-way, set aside in a separate area for dedication to the public, a homeowner's association, to other entity (e.g., open space, recreation facilities, sensitive lands, etc.).

*Truck Stop.* Fueling facility that also provides food, washing facility and other amenities whose primary clientele is semi-truck drivers and rigs.

*Turf.* Vegetated groundcover, typically a species of grass.

*Artificial Turf.* Synthetic Fiber surfacing made to mimic the appearance or function of grass or other groundcover without the requirements of real plant material.

*Irrigated/Irrigatable Turf.* Vegetated groundcover, typically grass or sod, requiring active management and inputs to maintain, including but not limited to the installation/use of irrigation infrastructure, fertilizers, pesticides, ect.

*Native/Natural Turf.* Vegetative groundcover consisting of native plants species, needing no management or inputs to maintain.

*Unbuildable Area.* An area in which a structure could not be built as a permitted use under existing development standards for the area according to the Redmond Development Code.

*Urban-Rural Interface.* The area where urban development interfaces with Deschutes County zoned rural areas.

*Usable Open Space.* Areas that contain natural or man-made vegetation that are physically accessible year-round for use by the general public, or by specific groups or persons within a defined project boundary or physical area (such as within a Planned Unit Development). Water surfaces such as ponds or canals; canyon walls, and other areas that are not physically accessible year-round to the general public are not to be counted as part of the required "usable open space area".

*Use.* The purpose to which land and/or any structure or improvement thereon is or is proposed to be put. The word "use" is synonymous with the terms "land use" and "use of land" unless the context clearly indicates otherwise.

*Utilities.* Public or private infrastructure which includes but is not limited to sewer, water, electric, telephone, natural gas, and cable television.

*Utility Facility.* Any major structure owned or operated by a public, private or cooperative electric, fuel, communication, sewage or water company for the generation, transmission, distribution or processing its products or for the disposal of cooling water, waste, or by-products, and including power transmission lines, major trunk pipelines, power substations, dams, water towers, sewage lagoons, sanitary landfills and similar facilities, but excluding sewer, water, gas, telephone and power local distribution lines and similar minor facilities allowed in any zone.

*Vehicle Storage and Towing Yard.* Lot for storage of parking tow-a-way's, impound yard, and storage lot for autos, trucks, busses, and R.V.'s.

*Veterinary Clinic.* A facility in which medical care is provided to animals.

*Warehouse.* Storage space for household or commercial goods within an enclosed building without direct access to individual storage spaces. Excludes wholesale distribution and storage, and vehicular storage.

*Wholesale Distribution.* An establishment engaged in the bulk sales or storage of goods with distribution and storage facilities without direct public access. Includes "contractor supplies".

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*Workforce Housing.* Housing that constitutes no more than 30 percent of such gross annual household income for a family earning 80 to 120 percent of the Area Median Income (AMI). AMI is based on the most recent HUD Income Limits for the Bend-Redmond Metropolitan Statistical Area. Workforce Housing warrants income-based deed restrictions of at least 30 years. The affordability period may be adjusted based on the use of development incentives, modifications, variances, or exceptions.

*Yard.* An open space on a lot which is unobstructed from the ground up, except as otherwise provided in these standards. Yards provide light, ventilation, privacy, room for drainage, landscaping, and emergency access.

*Yard, Front.* A yard between side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of a building. Any yard meeting this definition and abutting on a street other than an alley shall be considered a front yard.

*Yard, Rear.* A yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a building.

*Yard, Side.* A yard between side lot lines and measured horizontally at right angles from the side lot line to the nearest point of a building.

*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 subdivision utilizing zero lot lines between units and providing for potential individual ownership of each lot.

(Ord. No. 2009-04, 4-28-2009; Ord. No. 2009-03, 5-26-2009; Ord. No. 2009-14, 12-8-2009; Ord. No. 2010-10, 10-26-2010; Ord. No. 2011-09, 11-8-2011; Ord. No. 2012-04, 4-24-2012; Ord. No. 2012-10, 8-14-2012; Ord. No. 2015-01, 2-24-2015; Ord. No. 2016-17, 1-31-2017; Ord. No. 2018-09, 9-11-2018; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

**Sec. 8.135. 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

	R-1	R-2	R-3	R-4	R-5	RESTRICTIONS AND REQUIREMENTS
<b>Residential Uses:</b>						
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	
Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster	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 8.375
Manufactured Home Subdivision	N	N	O	O	O	Subject to compliance w/ applicable ORS
Multi Family Complex (five + units)	C	C	C	O	O	
Public-Owned Affordable Housing Developments	O	O	O	O	O	See Section 8.145
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
Single Family Detached Dwelling	O	O	O	O	O	
Single Room Occupancy Development	O	O	O	O	O	
<b>Non Residential Uses:</b>						
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	
Emergency Shelter	O	O	O	O	O	Reviewed under ORS 197.782. Emergency shelters for natural disaster response are not subject to review.
Farm Use, Farming	O	O	O	O	O	
Marijuana Business	N	N	N	N	N	
Mini Storage	N	N	N	N	N	
Mobile Food Pod	N	N	N	N	N	
Mobile Food Unit	N	N	N	N	N	
Mobile Food Vendor on private property	O	O	O	O	O	Permitted through Business Licensing provisions in City Code, Section 7.005 et seq. Can only operate between 8 AM and 9 PM for no more than two consecutive days within a 90-day period and must be located on real property in association with an event.
Mobile Food Vendor on public property	O	O	O	O	O	Permitted through Special Events provisions in City Code, Section 7.350 et seq. or Parks Reservation Permit.
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 8.365
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
Residential Conversion of Existing Commercial Structure	O	O	O	O	O	See Section 8.144
School (private)	C	C	C	C	C	
Supportive Shelter	O	O	O	O	O	See Section 8.370, Supportive Shelter Standards.
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	
All "R" zones are subject to density transfer provisions. See Section <a href="#">8.020, "Definitions," Density Transfer, and 8.367, "OSPR/"R" Zone Density Transfer Provision"</a>						

(Ord. No. 2009-04, 4-28-2009; Ord. No. 2015-04, 5-19-2015; Ord. No. 2016-17, 1-31-2017; Ord. No. 2018-09, 9-11-2018; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2023-07, 12-19-2023; Ord. No. 2025-03, § 1, 4-8-2025)

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## Sec. 8.141. Single Family Detached Dwellings and Plexes Development and Design Standards.

1. *Purpose.* The purpose of these Development and Design Standards is to promote and sustain:
  - A. Quality development throughout a variety of housing choices;
  - B. Architectural design that:
    1. Enhances the visual environment and character of the community;
    2. Preserves and protects property values, as well as public and private infrastructure investment;
    3. Conveys a sense of balance and character among all neighborhoods throughout Redmond; and
    4. Elevates the attractiveness and quality of life in Redmond.
2. *Intent.* The intent of the Development and Design Standards is to:
  - A. Maintain flexibility for a variety of architectural style to be developed;
  - B. Continue to allow innovations in design that recognize newer technologies such as solar and wind power, telecommunications, and environmentally conscious construction methods; and,
  - C. Promote quality design characteristics that will enhance the long-term desirability of the dwelling, neighborhood, and community.
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 ten years ago, the applicant is vested under the development and design standards in effect at the time. ~~shall. However, the applicant may 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.~~
  - B. *Track 1. Clear and Objective Process.* Conformance with Section 8.141(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.
  - C. *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.
  - D. 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 four sides;
    3. Band courses; and

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4. *Application and Approval Process.* The applications for either a Track 1 or 2 review as specified in Sections 8.141(3.)(A.) and (B.) above, shall be submitted prior to or in conjunction with an application for a building permit.
  5. *Architectural Design Standards.* Although specific architectural styles are not mandated, single family detached dwellings and plexes, shall conform with the following standards:
    - A. *Screening of Mechanical Equipment.* All exterior ground mounted mechanical equipment located forward from the line of the front façade (living space and garage) of the building shall be screened from the street at the ground/eye level line of sight. Solar power, wind power, and satellite dishes necessitating placement on walls or roofs for normal operation are exempt from this provision.
    - B. *Building Design.* The standards of this Section apply per residential structure, rather than per dwelling unit contained in the residential structure.
      1. *Architectural Design.* Duplicate or repetitive exterior home designs must be separated by at least one lot/attached building of non-repetitive exterior design on either side of the home and not be directly across the street from one another. Home designs will not be considered repetitious if three differentiating criteria are used as listed below:
        - a. *Process.* Builders of dwelling units or residential structures on the same street, with the exception of multiple dwelling units that are part of a single plex development, shall submit a plat showing the house plan names, elevation designations, or pictures for adjacent homes.
        - b. Attached plexes are exempt.
      2. *Roof Design.* Required Roof Design Elements:
        - a. Pitched or sloping roof elements;
        - b. Eave of at least 12 inches.
      3. *Front Façade Wall Design.* Ten façade elements listed below shall be used on the front elevation. Use of T-111 exceeding 20 percent of all facades, combined, is not allowed.
        - a. Twenty five percent fenestration of the first story front façade.
        - b. Window trim at least 3.5 inches wide that completely surrounds the window;
        - c. Band course, band molding, bellyband, belt course that runs the entire width of the front façade of relatively slight projection; or at the break of the second floor (if one exists) or at the line made by the lower roofline at the gable end;
        - d. Variation in wall siding, wall surface pattern or decorative materials. If an area above the highest band course exists, it must contain a different siding material than the area below the band;
        - e. Recessed or covered front entry at least 20 square feet, with a minimum four foot depth measured from the front door. If columns are used, they must not be exposed dimensional lumber less than 6" × 6";
        - f. Windows with multi-paned sashes, operable sashes, or windows that are elliptical, round, arched, bay, semi-circular or similar design;
        - g. Shutters;
        - h. Balconies;
        - i. Garage doors, including patterning relief over the door surface;

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- j. Optional enhancements and substitutions:
    - i. Enclosed soffits;
    - ii. One- and one-half inches caliper tree, in addition to required street trees;
    - iii. Covered rear patio or porch;
    - iv. Eave greater than 12 inches in depth, including extended soffit details;
    - v. Where gable ends are proposed, at least three gable end elements;
    - vi. Masonry accents;
    - vii. Paint color schemes, with a minimum of two colors used; and
    - viii. Other elements or substitutions as approved by the Community Development Director, or designee.
  - 4. *Side Elevations Facing Public Streets.* Side elevations facing streets must include either window trim at least 3.5" in width, or full-lap siding. Façade facing streets are required to have at least ten square feet of windows or doors.
  - 5. *Front Door.* A front door that is visible from the public street frontage (front yard) and pedestrian connection between the front door and the public sidewalk is required.
  - 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 8.505 through 8.515 (Off Street Parking and Loading Requirements) and Section 8.2820 (Access Management Standards).
      - i. Manufactured homes may meet this standard by substituting a garage with covered parking or carport.
      - ii. Triplexes and quadplexes may meet this standard by substituting garage or covered parking with uncovered, paved parking spot(s) per the design requirements in Sections 8.505 through 8.515.
    - b. Driveways shall be of adequate size to accommodate a minimum of one vehicle, and shall at a minimum, meet the design requirements in Section 8.515 Parking Table and Diagram.
    - c. A single-family detached home that adds an ADU shall continue to meet the minimum parking spaces requirement for the primary home.
    - d. Notwithstanding the applicable provisions of Sections 8.505 through 8.515 (Off Street Parking and Loading Requirements) and Section 8.2820 (Access Management Standards), 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.
  - 7. *Off-street Parking.* The minimum number of required off-street parking spaces for single-family detached dwellings and plexes are specified in Section 8.500.
  - 8. *Landscaping.* See Sections 8.520 through 8.540 for applicable landscaping standards.
  - 9. *Fences.* See Section 8.340.

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10. *Conversion.* Conversions of an existing single-family detached dwelling to a duplex, triplex, or quadplex is allowed, provided that the conversion does not increase non-conformance with applicable standards of the underlying zone and this Section.

(Ord. No. 2013-04, 5-14-2013; Ord. No. 2014-14, 7-22-2014; Ord. No. 2015-04, 5-19-2015; Ord. No. 2016-17, 1-31-2017; Ord. No. 2017-12, 12-12-2017; Ord. No. 2018-09, 9-11-2018; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

**Sec. 8.142. Townhouse Development and Design Standards.**

- 1. Purpose. The purpose of these Development and Design Standards is to promote and sustain:
  - A. Quality development throughout a variety of housing choices;
  - B. Architectural design that:
    - 1. Enhances the visual environment and character of the community;
    - 2. Preserves and protects property values, as well as public and private infrastructure investment;
    - 3. Conveys a sense of balance and character among all neighborhoods throughout Redmond; and
    - 4. Elevates the attractiveness and quality of life in Redmond.
- 2. Intent. The intent of the Development and Design Standards is to:
  - A. Maintain flexibility for a variety of architectural style to be developed;
  - B. Continue to allow innovations in design that recognize newer technologies such as solar and wind power, telecommunications, and environmentally conscious construction methods; and
  - C. Promote quality design characteristics that will enhance the long-term desirability of the dwelling, neighborhood, and community.
- 3. Procedure. New townhouses shall be reviewed for conformance with the requirements listed in this Section.
  - 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 ten years ago the applicant is vested under the development and design standards in effect at the time. However, the applicant may elect in writing that development and design standards herein be applied.
  - B. Track 1. Clear and Objective Process. Conformance with Section 8.142(7.), 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.
  - C. 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.
- 4. Table A: Minimum Standards.

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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
<b>Minimum Setback Distance (Feet)</b>					
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	<del>5-20</del>	<del>5-20</del>	<del>5-20</del>	<del>5-20</del>	<del>5-20</del>
Rear without garage	10	10	10	10	10

~~35.~~ *Off-Street Parking.* Townhouses shall meet the off-street parking requirements of Section 8.500.

~~46.~~ *Areas Owned in Common.* For townhouse projects, common areas must be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the City prior to issuance of a building permit.

~~57.~~ *Design Standards.* New townhouses shall meet the design standards in Subsections (A.) through (G.) of this Section.

A. *Entry Orientation.* The main entrance of each townhouse must:

1. Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
2. Either:
  - a. Face the street (see Figure 1);
  - b. Be at an angle of up to 45 degrees from the street (see Figure 2);
  - c. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
  - d. Open onto a porch (see Figure 3). The porch must:
    - i. Be at least 25 square feet in area; and
    - ii. Have at least one entrance facing the street or have a roof.

Figure 1. Main Entrance Facing the Street

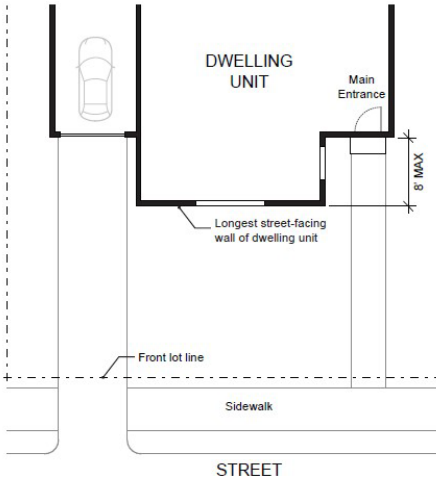


Figure 2. Main Entrance at 45° Angle from the Street

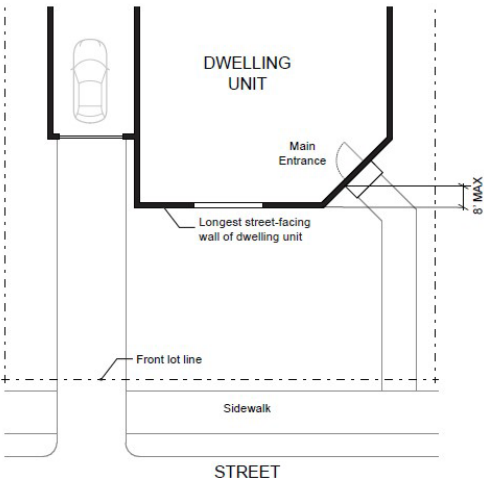
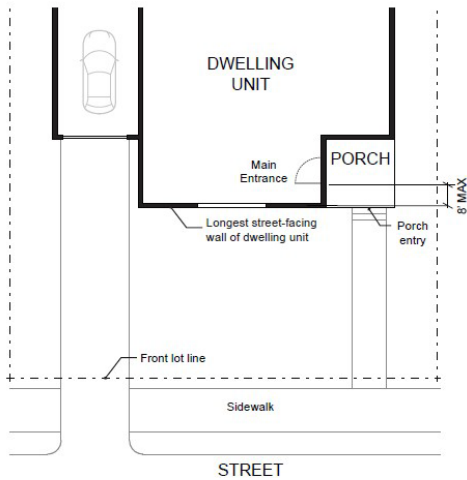
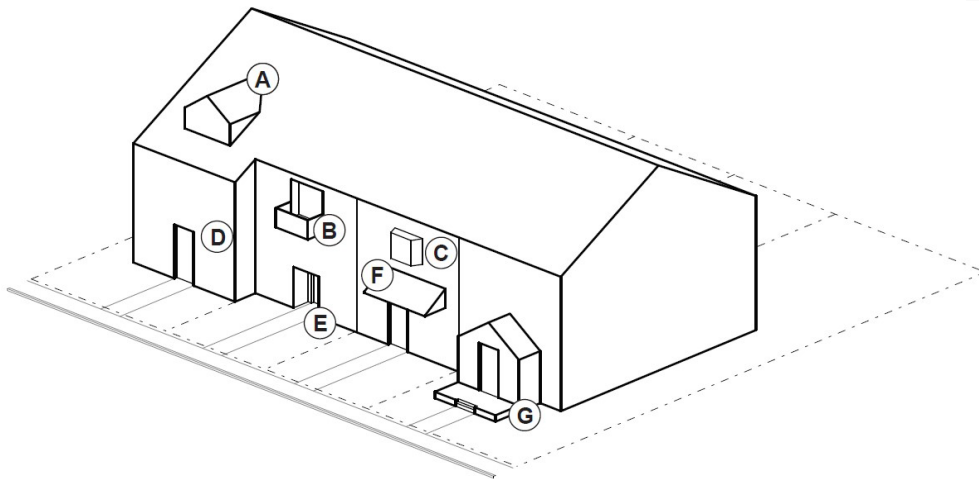


Figure 3. Main Entrance Opening onto a Porch



- B. *Unit Definition.* Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 4):
1. A roof dormer a minimum of four feet in width, or
  2. A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room, or
  3. A bay window that extends from the façade a minimum of two feet, or
  4. An offset of the façade of a minimum of two feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
  5. An entryway that is recessed a minimum of three feet, or
  6. A covered entryway with a minimum depth of four feet, or
  7. A porch meeting the standards of Subsection (A.2.d.) of this Section. Balconies and bay windows may encroach into a required setback area.

Figure 4. Townhouse Unit Definition



- (A)** Roof dormer, minimum of 4 feet wide
- (B)** Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C)** Bay window extending minimum of 2 feet from facade
- (D)** Facade offset, minimum of 2 feet deep
- (E)** Recessed entryway, minimum 3 feet deep
- (F)** Covered entryway, minimum of 4 feet deep
- (G)** Porch, meets standards of subsection (A)(2)(d) of this section

C. *Windows.* A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 5.

Figure 5. Window Coverage

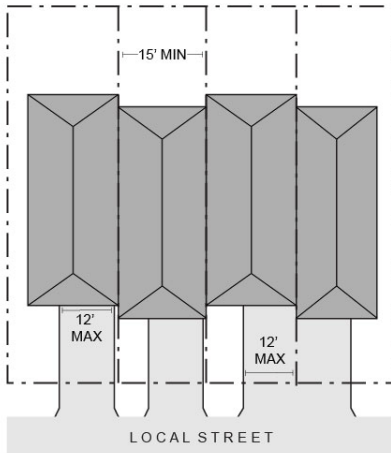


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- Area subject to 15% window & entrance door coverage requirement
- ▨ Qualifying window coverage
- ▩ Qualifying entrance door coverage

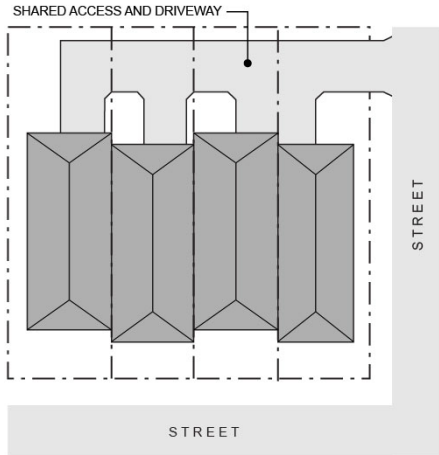
- D. *Driveway Access and Parking.* Townhouses with frontage on a public street shall meet the following standards:
1. Garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 6).
    - a. Each townhouse lot has a street frontage of at least 15 feet on a local street.
    - b. A maximum of one driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
    - c. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
    - d. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 6. Townhouses with Parking in Front Yard



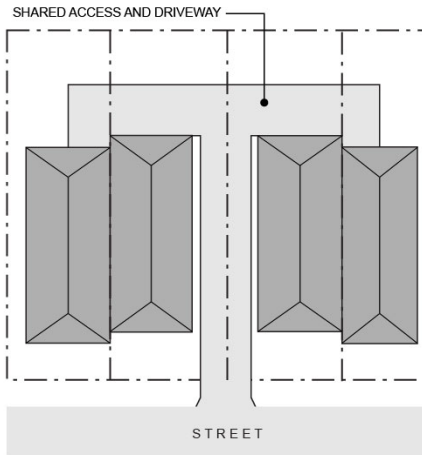
2. The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in Subsection (1).
  - a. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
  - b. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 7.

**Figure 7. Townhouses on Corner Lot with Shared Access**



- c. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 8.

**Figure 8. Townhouses with Consolidated Access**



- d. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.
- 3. Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with Subsection (2.).
- 4. All driveway accesses for townhouses must comply with Section 8.2820 (Access Management Standards).
- E. *Screen of Mechanical Equipment.* All exterior ground mounted mechanical equipment located forward from the line of the front façade (living space and garage) of the building shall be screened from the street at the ground/eye level line of sight. Solar power, wind power, and satellite dishes necessitating placement on walls or roofs for normal operation are exempt from this provision.
- F. *Landscaping.* See Sections 8.520 through 8.540 for applicable landscaping requirements.
- G. *Fences.* See Section 8.340.

(Ord. No. 2018-09, 9-11-2018; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

**Sec. 8.143. Cottage Cluster Development and Design Standards.**

- 1. Purpose. The purpose of these Development and Design Standards is to promote and sustain:
  - A. Quality development throughout a variety of housing choices;
  - B. Architectural design that:
    - 1. Enhances the visual environment and character of the community;
    - 2. Preserves and protects property values, as well as public and private infrastructure investment;
    - 3. Conveys a sense of balance and character among all neighborhoods throughout Redmond; and
    - 4. Elevates the attractiveness and quality of life in Redmond.
- 2. Intent. The intent of the Development and Design Standards is to:
  - A. Maintain flexibility for a variety of architectural style to be developed;
  - B. Continue to allow innovations in design that recognize newer technologies such as solar and wind power, telecommunications, and environmentally conscious construction methods; and
  - C. Promote quality design characteristics that will enhance the long-term desirability of the dwelling, neighborhood, and community.
- 43. Procedure. New cottage clusters shall be reviewed for conformance with the requirements listed in this Section.
  - 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 ten years ago the applicant is vested under the development and design standards in effect at the time. However, the applicant may elect in writing that development and design standards herein be applied.
  - B. Track 1. Clear and Objective Process. Conformance with Section 8.143(9.), 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.

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C. 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.

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24. 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				
<b>Minimum Setback Distance (Feet)</b>					
Front Façade, excluding garage	10	10	10	10	10
Side	5	5	5	5	5
Rear	10	10	10	10	10
Garage Access	20	20	20	20	20
Rear with garage and alley access	5	5	5	5	5

35. **Building Separation.** Cottages shall be separated by a minimum distance of six feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

46. **Unit Size.**

- A. The maximum building footprint for a cottage is 900 square feet.
- B. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

57. **Cluster Size.**

- A. Cottage clusters must include a minimum of four units per cluster.
- B. A cottage cluster may include up to a maximum of 12 cottages per common courtyard. More than one cottage cluster may be permitted on a site.

68. **Off-Street Parking and Access.** Cottages shall meet the off-street parking and access requirements of Sections 8.500 and 8.2820.

79. **Design Standards.** New cottage clusters shall meet the design standards in Subsections (A. through H.) of this Section.

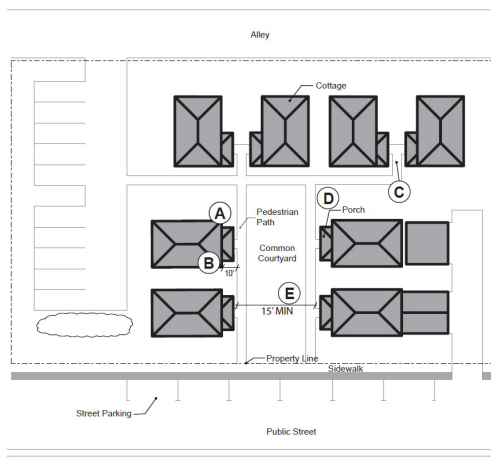
A. **Cottage Orientation.** Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):

1. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
2. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
  - a. Have a main entrance facing the common courtyard;

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- b. Be within ten feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
  - c. Be connected to the common courtyard by a pedestrian path.
3. Cottages within 20 feet of a street property line may have their entrances facing the street.
  4. Cottages not facing the common courtyard, or the street, must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
- B. *Common Courtyard Design Standards.* Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 1):
1. The common courtyard must be a single, contiguous piece.
  2. Cottages must abut the common courtyard on at least two sides of the courtyard.
  3. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
  4. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
  5. The common courtyard must be landscaped in either active or passive park style. If the common courtyard is landscaped as an active-style park, it may be of any size and shall not be subject to the irrigated turf restriction of Section 8.530(7.).
  6. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

**Figure 1. Cottage Cluster Orientation and Common Courtyard Standards**

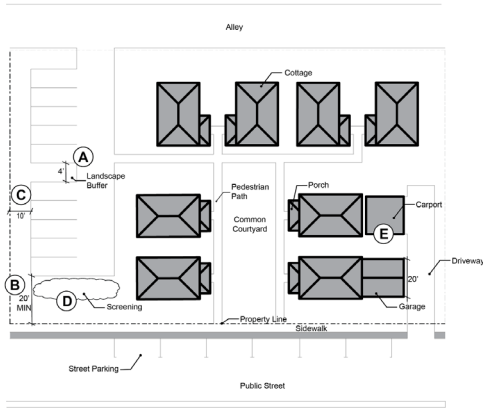


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- A** A minimum of 50% of cottages must be oriented to the common courtyard.
  - B** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
  - C** Cottages must be connected to the common courtyard by a pedestrian path.
  - D** Cottages must abut the courtyard on at least two sides of the courtyard.
  - E** The common courtyard must be at least 15 feet wide at its narrowest width.

- C. *Community Buildings.* Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
  - 1. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to Subsection (4.).
  - 2. A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.
- D. *Pedestrian Access.*
  - 1. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
    - a. The common courtyard;
    - b. Shared parking areas;
    - c. Community buildings; and
    - d. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
  - 2. The pedestrian path must be hard-surfaced and a minimum of four feet wide.
- E. *Facades.* Cottages must meet the architectural design standards for single-family detached dwellings in Section 8.141(5.B.1. through 4.).
- F. *Parking Design.* (See Figure 2).
  - 1. *Clustered Parking.* Off-street parking may be arranged in clusters, subject to the following standards:
    - a. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five contiguous spaces.
    - b. Parking clusters must be separated from other spaces by at least four feet of landscaping.
    - c. Clustered parking areas may be covered.

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2. *Parking Location and Access.*
    - a. Off-street parking spaces and vehicle maneuvering areas shall not be located:
      - i. Within 20 feet from any street property line, except alley property lines;
      - ii. Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
    - b. Off-street parking spaces shall not be located within ten feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within ten feet of other property lines.
  3. *Screening.* Clustered parking areas and parking structures shall be screened from sight of common courtyards and public streets at a height of no less than three feet.
  4. *Garages and Carports.*
    - a. Garages and carports (whether shared or individual) must not abut common courtyards.
    - b. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
    - c. Individual detached garages must not exceed 400 square feet in floor area.
    - d. Garage doors for attached and detached individual garages must not exceed 20 feet in width.
  - G. *Screening of Trash Enclosures.* Centralized Trash Enclosures are required and shall be visually consistent, or architecturally compatible, in terms of color and materials with the cottage units, a minimum six feet in height, and contain sufficient space to accommodate both refuse disposal and recycling containers adequate to accommodate the degree of development.
  - H. *Screening of Mechanical Equipment.* All exterior ground mounted mechanical equipment located forward from the line of the front façade (living space and garage) of the building shall be screened from the street at the ground/eye level line of sight. Solar power, wind power, and satellite dishes necessitating placement on walls or roofs for normal operation are exempt from this provision.
  - I. *Accessory Structures.* Accessory structures must not exceed 400 square feet in floor area.
  - J. *Existing Structures.* On a lot or parcel to be used for a cottage cluster project, an existing single-family detached dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
    1. The existing dwelling may be non-conforming with respect to the requirements of this code.
    2. The existing dwelling may be expanded up to a maximum height of 25 feet or the maximum building footprint of 900 square feet; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
    3. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
    4. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per Subsection (6.A.).

**Figure 2. Cottage Cluster Parking Design Standards**



- (A) Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B) No parking or vehicle area within 20 feet from street property line (except alley).
- (C) No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D) Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E) Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

(Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

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## Sec. 8.270. Master Development Plans.

A Master Development Plan is required as a condition of annexation, or after annexation, but prior to or concurrent with rezoning from Urban Holding-10 to other City zoning districts. The specific requirements for a Master Development Plan are:

1. *Applicability.* This Section applies to properties proposed for annexation or rezoning from Urban Holding-10, except that in the event that an applicant has applied for a Planned Unit Development application prior to or concurrent with rezoning from Urban Holding-10, the Master Development Plan approval criteria shall be those used for the Planned Unit Development application and the Great Neighborhood Principles.
2. *Purpose.* The purpose of Master Development Plan is to provide:
  - A. Orderly and efficient development of the City consistent with the City of Redmond Framework Plan and adopted Area Plans.
  - B. Compatibility or transitions with adjacent developments and the character of the area.
  - C. A complementary mix of uses and activities.
  - D. An interconnected transportation network (streets, bicycle routes, and pedestrian trails) within the master plan area and to existing and planned City streets, routes, and trails.
  - E. A range of housing choices and densities for areas planned to have residential components.
  - F. A range of open spaces and recreation facilities, as needed to facilitate the Framework Plan and an adopted Area Plan.
  - G. Public and semi-public facilities and services.
  - H. Preservation of historic buildings, scenic views, and natural resources to the greatest extent possible.
  - I. Transitions or buffers between urban development and rural areas.
  - J. Implementation of Redmond's Comprehensive Plan, including adopted Area Plans and the Great Neighborhood Planning Principles described in 3(C)(13) below.
3. *Procedures for Review.*
  - A. *General.* Master Development Plans (MDP or PMDP) shall be approved through a quasi-judicial review process. Application procedures and related fees for approval may be streamlined in order to promote timely development of urban planning for land zoned UH-10. The Community Development Director, or designee, shall inform the applicant during the mandatory pre-application stage if the proposed MDP area includes the necessary contiguous properties. The determination for the proposed plan area shall be based on utilizing the following factors:
    1. Whether there are properties that abut or are surrounded by the plan boundary that would reasonably fit within the zoning concept for the area plan;
    2. Whether the extension of public services and infrastructure would be enhanced by the inclusion of abutting properties;
    3. Whether the total acreage of abutting or enclave properties is less than the acreage in the proposed plan area; and
    4. There is a community interest that would be served by including additional properties in the plan area.

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- B. *Review and Approval Criteria for Master Development Plans (MPD) or Partial Master Development Plans (PMDP).*
1. *General.* In the review of any application for a Master Development Plan, the Planning Commission and City Council, if required, shall consider the following:
    - a. Whether the proposed Plan is generally consistent with the Framework Plan, adopted Area Plan, and Comprehensive Plan in terms of land use, density, transportation systems and networks, adequacy of infrastructure and open space.
    - b. Whether the proposed Plan is generally suitable for the area in which it is proposed, considering existing and planned neighborhoods, shopping and employment areas, and natural resources and hazards.
    - c. Whether the proposed Plan is functionally integrated with developed or planned areas.
    - d. The proposed Plan meets the applicable Great Neighborhood Principles.

C. *Master Development Plan (MDP) or Partial Master Development Plan (PMDP) Submittal Requirements and Approval Process.*

An application for approval shall include the submittal requirements set forth in the City's Land Use Review application form as well as the elements described below.

1. *Narrative.* A narrative shall set forth the goals and objectives of the plan and describe the urban characteristics of the planned area.
2. *Neighborhood Meeting.* Proof a neighborhood meeting was conducted to provide an opportunity for the applicant to meet with surrounding property owners discuss the proposal. See Section 8.385 for meeting requirements.
3. *Development Plan Map.* A map of the plan area and surrounding vicinity shall indicate planned land uses for each land parcel in the area, including plans for park and open space and community facilities, if known. The plan shall show proposed comprehensive plan map designations and zoning. The plan shall include a list of all affected properties with tax lot numbers, current ownership, parcel size, and other information that is pertinent to the plan.
4. *Land Use Diagram.* The land use diagram shall generally indicate the distribution and location of planned land uses for the master plan area, including plans for park and open space and community facilities, if known. The plan shall show proposed comprehensive plan designations, zoning, and density.
5. *Significant Resources Inventory.* An inventory of significant natural resources, scenic and historic resources, and open space areas including those identified on the City's adopted inventory and those that have the potential to qualify for protection under Redmond's Goal 5 resource protection program. When significant resources are present, the proposed plan shall include a management plan to protect resource sites.
6. *Parks and Open Space.* Identify land suitable for park and recreation use in accordance with the needs analysis in the City of Redmond Park Master Plan (Park Plan) and an adopted Area Plan. In particular, where the Park Plan indicates there is a need for neighborhood or community park, the master plan shall identify sites that may be suitable for park development using the design and location criteria from the Park Plan or an adopted Area Plan. Density transfers, SDC credits, dedication, and other value consideration may be

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identified in the planning process to compensate property owners for land dedicated to public use.

7. *Air, Noise, and Water Resources.* Review air, noise and water resources that may be impacted by planned development and address how adverse impacts will be avoided or mitigated in compliance with applicable local, State, and Federal regulations. The analysis may use City public facility plans, technical studies, and policies to meet this requirement when those plans address how urban development in the plan area can be served. In these instances, the Master Development Plan must show that the envisioned land uses in the plan area are consistent with the land use assumptions in the public facility plans. This requirement is particularly important for storm water management.
8. *Natural Hazard Areas.* Inventory areas subject to natural hazards, particularly steep slopes, and program urban development that is suitable for the identified hazard areas.
9. *Residential Uses.* Identify areas planned for housing development, if any, and the proposed zoning districts to be applied. The housing plan must identify a mix of housing types and densities so that the overall density in the area meets or exceeds the housing density objectives for the area that are identified in the Redmond Urban Framework Plan, adopted Area Plans, and the Comprehensive Plan. The Framework Plan and adopted Area Plans provide general guidance on housing densities that need to be achieved in order to meet future housing needs. Where proposed residential land uses differ from those shown in the Redmond Urban Framework Plan or adopted Area Plans, the master plan shall demonstrate how it meets the overall housing objectives of the Redmond Urban Framework Plan or adopted Area Plans. Applicants may propose new zoning districts when the proposed district(s) in total achieve the housing densities envisioned in the Redmond Urban Framework Plan or adopted Area Plans.
10. *Employment Uses.* Identify areas planned for employment use and/or mixed uses and the proposed zoning for these areas. Applicants may propose new zoning districts in cases where existing districts are not suitable for the planned development provided the proposed district(s) achieve similar land improvement values and/or employment densities envisioned in the Redmond Urban Framework Plan or adopted Area Plans.
11. *Transportation Analysis and Diagram.* Prepare a *Transportation Impact Analysis (TIA)* including a grid street plan that is consistent with street spacing and connectivity guidelines in the *Redmond Transportation System Plan (TSP)* and adopted Area or Framework Plans. The TIA shall identify and show:
  - a. The proposed classification for all streets.
  - b. The location of approved TSP improvement projects.
  - c. Any capital improvements that may need to be added to the TSP in order to serve the plan area.
  - d. Proposed bicycle pedestrian, and trail routes.
  - e. Demonstrate how planned transportation facilities will connect to transportation facilities in adjacent urban areas.
12. *Public Facilities Analysis and Diagram.* The plan shall include a conceptual layout of public facilities, including sanitary sewer, water, and storm drainage) needed to support the planned uses. The Public Facilities Analysis must be consistent with the City's adopted *Public Facility Plan (PFP)* and related facility master plans, including improvements related to the adopted Area Plan that may require amending the PFP.

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13. *North Redmond US 97 Interchange Area Management Plan (IAMP) Compliance.* The master plan shall comply with the following policies, if applicable:
- a. Any property newly annexed within the IAMP area shall have:
    - i. Direct Access to a local public street other than a State highway consistent with the Local Street Connectivity Plan; and,
    - ii. Any property to be annexed to the City shall relinquish all direct access rights to a State highway as a condition of development approval (when a legal alternative access exists).
14. *Great Neighborhood Principles.* MDPs shall address applicable Great Neighborhood Principles below. In instances where the property proposed for a MDP is located within the boundary of an adopted Area Plan, the MDP shall also address the Great Neighborhood Principles according to the specificity provided in the Area Plan.
- a. *Transportation.* Connect people and places through a complete grid street network and trail system that invites walking and bicycling and provides convenient access to parks, schools, neighborhood service centers, and possible future transit stops. Traffic calming techniques and devices may be required to slow vehicles. Curved streets are encouraged to provide interest and variety in neighborhood design. Trails shall be provided to link with existing or planned pedestrian facilities.
  - b. *Housing.* A mix of housing unit types and densities shall be integrated into the design of new neighborhoods consistent with zone requirements unless a variance or other planning permit is approved.
  - c. *Open spaces, greenways, recreation.* All new neighborhoods shall provide open spaces with recreation amenities that are useable to the public and are integrated to the larger community via trails or pathways. Parks and plazas shall be developed in accordance with Redmond's Parks Master Plan, or otherwise should be centrally located in the neighborhood and capable of supporting public gathering places. New neighborhoods should retain and incorporate significant geological features such as rock outcroppings or stands of clustered native trees into the design and lot layout.
  - d. *Integrated design elements.* Streets, civic spaces, signage, and architecture shall be coordinated to establish a coherent and distinct character for the MDP. MDPs may integrate design themes with adjacent developed or planned areas.
  - e. *Diverse mix of activities.* A variety of uses are encouraged in order to create vitality and bring many activities of daily living within walking and biking distance or a short drive of homes. Amenities including, but not limited to, trails, recreation areas, and open spaces, shall be constructed before occupancy of any residential unit, unless a phasing plan is approved. Commercial service areas must be supported by a market analysis and phasing program which will be used by the City to determine construction timing.
  - f. *Public Art or Artistic Feature.* Places for the installation of public art or artistic feature is required to provide focal points, preferably, at the gateways to neighborhoods, in and around the center of neighborhoods, or trailheads.
  - g. *Scenic Views.* Identify and preserve scenic views and corridors of the Cascade Range, Ochoco Mountains, and Smith Rock, such as in street view sheds or park

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areas. Streets and common, or public, open spaces should be located and oriented to capture and preserve scenic views for the public. Minimize visual clutter from signs and utilities within scenic corridors.

- h. *Urban-Rural Interface*. Residential development adjacent to areas outside of the Urban Reserve Area (URA) shall provide buffering to manage the transition from urban to rural intensities by meeting at least one of the following standards:
    - i. Provide 100-foot-wide landscaped buffers, exclusive of rights-of-way, for the entire length that the urban development is adjacent to lands outside of the URA. The buffers shall be landscaped with native vegetation characteristic of the local ecosystem; or
    - ii. Locating lower density development at the urban-rural interface; or
    - iii. Other appropriate and equivalent transitional elements as approved by the Review Authority.
  - i. *Pocket Parks/Tot Lots*. 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 25 lots/units, a minimum of 3,000 square feet and privately maintained. Developments with at least 50 lots/units shall provide a minimum of 6,000 square feet of open space consolidated, contiguous, and configured in a way that allows for active recreation. Examples of amenities include: turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and adequate trash receptable(s) and lighting.
  - j. *Canal Trails*. If canals or laterals are present, multi-use trails at least ten feet wide shall be provided, subject to the Central Oregon Irrigation District's review and approval. Pedestrian amenities such as benches and trash receptacles shall be provided at appropriate locations (e.g., every 500 feet, at trailheads or intersections with public streets).
  - k. *Green Design*. Land divisions and site plans shall incorporate principles of sustainable design befitting the natural ecosystem of Central Oregon. These principles may be incorporated through the layout of individual lots and the configuration of neighborhoods and include energy efficient siting and construction of buildings, water-wise and native landscaping, and amenities to provide for walkability via shade and priority access for pedestrians, or other such similar design strategy.
- D. *Implementation*. Upon approval, all subsequent development located within the MDP boundaries shall be consistent with the approval.
  - E. *Amendment/Modification to Master Development Plan*. Any modifications to the approved MDP shall be subject to the standards and procedures in Article II, "Modifications", and subject to the review criteria contained in this Section.
  - F. *Expiration of Master Development Plan*. An approved MDP or PMDP shall be subject to the requirements of Section 8.1605 concerning expiration, unless a specific timeline is approved through the land use review process.

(Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)



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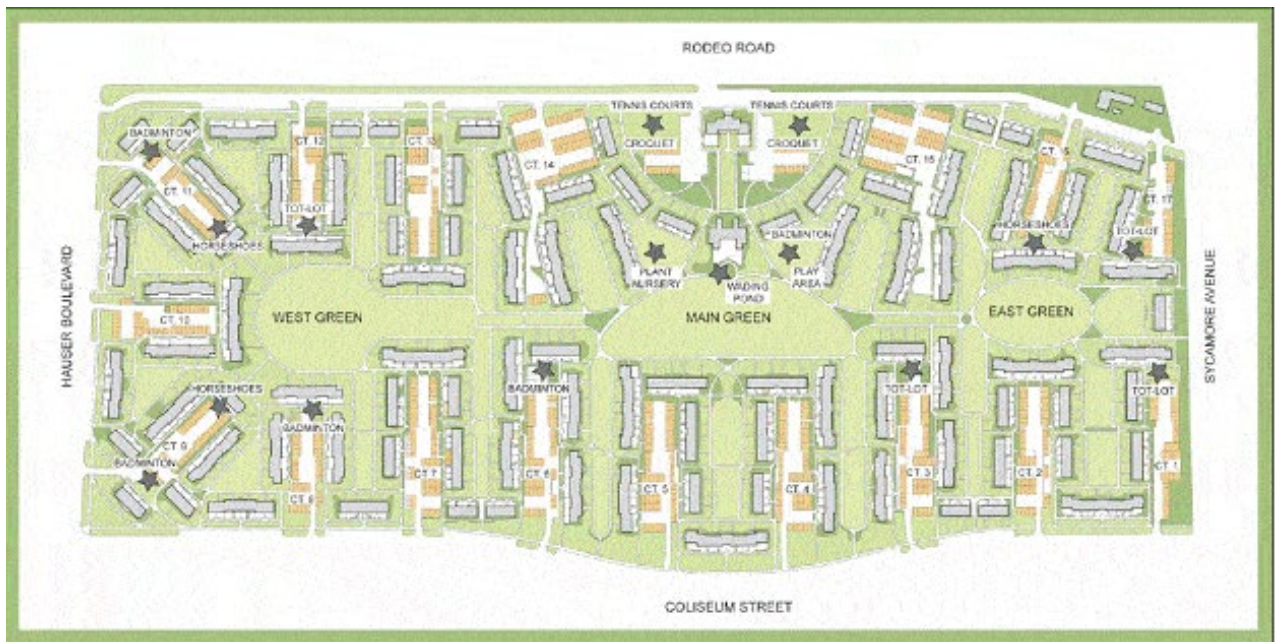
## **Sec. 8.275. Planned Unit Development (PUD).**

1. *Purpose and Applicability.* The purpose of a PUD is to:
  - A. Permit greater flexibility in land use regulations in applicable zones (e.g., reduction of minimum lot size requirements).
  - B. Encourage creative developments.
  - C. Incentivize a variety of land uses and housing types, mixed use, the economy of shared services and facilities, public amenities, and developments compatible with the surrounding area and neighborhoods.
  - D. Promote and encourage infill development, flexibility in improvements on lots, and affordable and workforce housing.
  - E. Encourage preservation of natural features and enhancement of the area vegetation.
  - F. Facilitate sustainable design, energy efficiency, desirable aesthetics, and efficient use of open space.

Density requirements, setbacks, land use regulations, and required improvements may be adjusted to allow for a more creative, functional, and desirable living environment. In return for greater flexibility in site design and development, the PUD process introduces special requirements and standards for approval.
2. *Approval.* PUD approval is subject to:
  - A. Land use review and approval as Conditional Use.
  - B. Zoning standards, except as modified by the PUD.
  - C. Subdivision and Partitions Standards, except as modified by the PUD.
  - D. Site and Design Review Standards, except as modified by the PUD.
  - E. PUD Standards and Requirements.
3. *Exceptions.* Exceptions of City standards may be allowed through the PUD approval process without a variance.
  - A. Exceptions shall substantially result in improved design of the PUD. Improved design includes but is not limited to: alleys; public or private parks, trails, recreational areas, open spaces, common or natural areas; innovative housing design; public or private activity areas; a mixture of housing types, sizes, and projected prices; energy efficient design; a variety of trees and landscaping; art and other similar design features. A PUD need not include all of these design features in order to be approved.
  - B. Exceptions to City standards include, but are not limited to:
    1. Minimum lot sizes.
    2. Setbacks.
    3. Permitted land uses.
    4. Grid street spacing standards.
    5. Connecting to public utilities, subject to acceptance by City Engineer.
    6. Street frontage, street and right-of-way width, sidewalk placement and standards, subject to acceptance by City Engineer.
    7. Landscaping.

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8. Fences and walls.
4. *Standards and Requirements.* The following standards and requirements apply to a PUD application:
- A. PUDs must be a minimum of one acre in size. In the Downtown Urban Renewal District, a minimum of 0.5 acre in size.
  - B. The applicant shall submit a written narrative that addresses the applicable standards, code, and regulations.
  - C. A PUD approach may be utilized in the design and development of residential, mixed use, or commercial and industrial service areas.
  - D. *Densities.* Maximum densities are identified in Table 8.140. Additional density (i.e., bonus density) beyond the maximum density will be considered as follows:
    - 1. Up to 20 percent beyond maximum densities for qualified Affordable Housing and Workforce Housing units. A bonus density request beyond 10 percent shall be restricted to Affordable Housing. Affordable and Workforce Housing units should be designed to be intermixed throughout the development and similar design and quality to market rate units.
    - 2. Up to 10 percent beyond maximum densities for including amenities that provide a community benefit or helps realize specified public policy goals. Examples include: additional protection of green space, recreational areas, open space, natural resources or view corridors. environmental improvements, trail connectivity, higher quality building design, or other additional amenities.
    - 3. As identified in respective Area Plans.
  - E. A PUD must include usable open space, recreational area, common area or park designed for the use and benefit of all the units or lots in the development. The land area used shall be determined by the type of amenities added by the developer. See examples below:





- F. Thoughtful design and architectural themes are required for all structures within any development. Design shall take into consideration themes continues on all elevations for each building, and onto the entire site including, but not limited to: lighting, fencing, accessory structures, signage, and trash enclosures.
  - G. A separate application or rezoning may accompany the application for approval of the PUD in which case the two items shall be considered simultaneously.
  - H. The City may recommend a performance bond or other surety to assure the proposed development will be completed as approved and within the time limits agreed to in the conditions of approval.
5. *Review Procedure for PUD's.* The following procedure shall be followed in requesting approval of a PUD.

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- A. A pre-development meeting is required prior to submittal of an application.
  - B. Proof a neighborhood meeting was conducted for residential or mixed-used development proposals that generate 200 or more daily trip ends, or 20 or more PM peak hour trip ends, where a Transportation Impact Analysis (TIA) is required, See Section 8.385 for meeting requirements.
  - C. An applicant shall submit an electronic version of the complete application. The plan shall contain and 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. Land 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.
    - 7. The location of service commercial areas, open space, recreational area, common areas, or park.
    - 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 of species proposed and size/coverage at time of planting and at five years.
    - 12. Proposed project timing schedule and surety, if required by City.
  - D. In considering the PUD, the City shall determine:
    - 1. There are special development objectives or physical conditions which justify a request for a PUD.
    - ~~2. The PUD will contain buffers on sides of the development that abut neighboring properties.~~
    - 3. The PUD, through its design and function, will improve livability for planned residents.
    - 4. The PUD contains a mix of housing types, variety of uses or services.
    - 5. The PUD can be completed within five years or phased for later development.
    - 6. The PUD will not overload adjacent streets, utilities, or infrastructure.
    - 7. The PUD will be consistent with the objectives of Area Plans and the Redmond Comprehensive Plan.
  - E. The City Shall notify the applicant whether in its judgment the foregoing provisions have been satisfied and, if not, whether they can be satisfied with other alternatives or revision to the PUD.
6. *PUD Post Approval & Modifications.* Where a PUD has been authorized pursuant to applicable zoning regulations, the plan of the subdivision shall conform with the plan of the PUD as approved.

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*Minor Modification.* Minor modification to an approval PUD will be granted when the requested change is so minor that the CDD Director, or designee, 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.

*Major Modification.* Major modifications to an approved PUD are subject to Section 8.1400.

(Ord. No. 2016-17, 1-31-2017; Ord. No. 2018-09, 9-11-2018; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

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**Sec. 8.367. OSPR/"R" Zone Density Transfer Provisions.**

Reduced-sized lots in residential zones may be allowed in exchange for a specific area of Open Space Park Reserve land, which would be dedicated, deeded, or sold to the City. This provision applies to residentially zoned land immediately adjacent to desired land zoned (or potentially zoned) OSPR/Open Space Park Reserve, or land at the urban edge not adjacent to land in designated urban reserves. The percentage of land area to be credited as 'transfer land' is to be evaluated on a case-by-case basis.

- ~~1. All property within the North Redmond US 97 Interchange Area Management Plan (IAMP) area, and annexed to the City, shall be subject to a condition of development approval that stipulates the property shall:
  - ~~A. Have immediate direct access to a local public street other than a State highway,~~
  - ~~B. Comply with the IAMP Local Street Connectivity Plan (Comprehensive Plan Addendum Chapter 9 Transportation Element figure 1); and~~
  - ~~C. Relinquish all direct access rights to a State highway when a legal alternative access exists. (Amended by City Ordinance 2007-9, June 9, 2007)~~~~

(Ord. No. 2015-01, 2-24-2015; Ord. No. 2016-17, 1-31-2017)

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## Sec. 8.410. Definitions.

The following words and phrases used in this Chapter, which supplement the definitions found in Section 8.020 and elsewhere in this Code, shall have the following meanings:

*Abandoned facility* means a wireless and broadcast communication facility, including the telecommunications tower, where the use thereof has been discontinued for more than 90 days.

*Alternative tower structure* means any existing building or other **existing** structure that is able to be used to support communication and broadcast equipment, including but not limited to light poles, utility poles, steeples, etc., but not including camouflaged or stealth towers constructed for the specific purpose of supporting communication and broadcast equipment. For the purposes of this definition, an alternative tower structure shall include all attached elements necessary to/for the structural integrity of the alternative tower structure.

*Antenna* means any system of wires, poles, rods, reflecting discs or similar devices designed for telephonic, radio, facsimile, data, or television communications through sending and/or receiving of electromagnetic waves when such system is either external to or attached to the exterior of a structure. Antennas shall include, but not be limited to, devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted up and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be part of the antenna.

*Antenna height* means the vertical distance measured from the ground surface at grade to the tip of the highest point of the antenna on the proposed structure.

*Antenna Support* means any pole, telescoping mast, tower, tripod, or any other structure that supports a device used in the transmitting and/or receiving of electromagnetic waves.

*Breakpoint* means the height at which a tower is structurally designed to collapse and fall within a predetermined radius.

*Broadcast communication facility* means any facility that transmits radio or television signals including, but not limited to, antennas, dish antennas, microwave antennas, and other types of equipment for the transmission of such signals, including towers and similar supporting structures, equipment cabinets or buildings, parking areas, and other accessory development. This definition does not apply to Amateur Radio Stations as defined by the Federal Communications Commission, Part 97 of the Commission's Rules.

*Camouflaged* means any wireless or broadcast communication facility that is designed to blend into the surrounding environment. Examples of camouflaged facilities may include architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure, antennas integrated into architectural elements, towers made to look like trees and antenna support structures designed to look like flag poles or light poles.

*Collocation* means locating wireless or broadcast communication equipment from more than one provider on a single support structure, including an increase in height of an existing tower or alternative tower structure to allow installation of such additional wireless communication or broadcast facility equipment.

*Enclosure* means an area, fenced or otherwise delineated, around the perimeter on which the equipment building, shelter, cabinet or other ancillary facilities are located.

*Equipment building, shelter, cabinet or structure* means a free-standing cabinet, shelter, building, or other structure used primarily to house equipment used by wireless or broadcast communication providers at a facility.

*FAA* means Federal Aviation Administration.

*FCC* means the Federal Communications Commission.

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*Façade mounted antenna* means an antenna architecturally integrated into the façade of a building or structure.

*Facility*, as used in this Chapter, is inclusive of all of the elements of wireless or broadcast communication facilities, as they may be more specifically defined herein.

*Guyed tower* means a wireless or broadcast communication tower that is supported, in whole or in part, by guy wires and ground anchors.

*Height* means, when referring to a tower or structure, the distance measured from the pre-existing grade level to the highest point on the tower structure, even if said highest point is an Antenna, light, or lightning protection device.

*Lattice tower* means a guyed or self-supporting three or four sided, open, steel frame support structure used to support wireless or broadcast communication equipment.

*Maintenance* means emergency or routine repairs or replacement of transmitters, antennas, or other components of previously approved wireless telecommunication facilities which do not create a significant change in visual appearance or visual impact.

*Microcell* means low powered antenna that provide additional coverage and capacity where there are high numbers of users within urban and suburban macrocells, and are mounted at street level, typically on the external walls of existing structures, lampposts, and other street furniture.

*Monopole* means a wireless or broadcast communication facility consisting of a single pole constructed for purposes of supporting one or more antennas without guy wires or ground anchors.

*Neighborhood character* means those unique attributes including, but not limited to, architecture, historical and cultural features, historical development patterns, landscape, hardscape, and the size, scale and spacing of buildings and other structures that define a neighborhood's identity.

*New Wireless and Broadcast Communication Facility* means any newly constructed or installed wireless or broadcast communication facility whether or not it uses an existing telecommunication tower, an alternative tower structure or any modification of an existing wireless or broadcast communication facility, except for those collocations that are exempt from land use review under Section 8.425(2.) of this code and those structures or activities exempted under Section 8.440.

*Panel or directional antenna* means an antenna or array of antennas designed to concentrate a radio signal in a particular area.

*RF* means Radio Frequency.

*Screened* means concealed from view with a sight obscuring fence, wall, or vegetation.

*Service area* means the area served by a single wireless or broadcast communication facility.

*Speculation tower* means an antenna support structure designed for the purpose of providing location mounts for wireless or broadcast communication facilities, without a binding written commitment or executed lease from a service provider to utilize or lease space on the tower at the time the application is submitted.

*Stealth* means facilities, including, but not limited to microcells, antennas, towers, equipment cabinets, and any other ancillary equipment that cannot be seen from any street or any nearby property, improved or unimproved, and/or that do not result in any apparent architectural changes or additions to existing buildings or telecommunication towers or alternative tower structures. The addition of landscaping, walls, fences, or grading as screening techniques does not make an otherwise visible facility a stealth facility.

*Support structure* means, inclusively, an alternative tower structure, tower and telecommunications tower as those terms are specifically used in this chapter.

*Telecommunications* means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

*Tower or telecommunications tower* means any mast, pole, monopole, guyed tower, lattice tower, free standing tower, or other structure designed specifically for and primarily used to support antennas.

*View Corridor* means the route that directs the public or an observer's attention when looking toward an object of significance to the community, including the Cascade Mountains, Smith Rock, and historic buildings.

*Whip antenna* means an antenna that transmits or receives signals in 360 degrees. Whip antennas are typically cylindrical in shape, less than three inches in diameter and no more than six feet long, including the mounting.

*Wireless communication facility* means any facility that transmits and/or receives electromagnetic waves, including, but not limited to, antennas, dish antennas, microwave antennas, panel antennas and other types of equipment for the transmission or receipt of such signals, including telecommunications towers and similar supporting structures, equipment cabinets or buildings, parking areas, and other accessory development. This definition does not apply to Amateur Radio Stations as defined by the Federal Communications Commission, Part 97 of the Commission's Rules.

(Ord. No. 2011-13, 11-8-2011)

**Sec. 8.415. Wireless Broadcast Communication Facilities.**

Wireless and Broadcast Communication Facilities shall be allowed in all zones within the City of Redmond subject to the applicable provisions of this Code, and as further restricted based on the chart below:

Zone:	References/Standards
All Residential (R) Zones - (R-1; R-2; R-3; R-4; and R-5)	New wireless and broadcast communication facilities are prohibited <b>unless</b> the provider can demonstrate that one of the exceptions set forth under Subsection (1.) of this Section is met.
Urban Holding -10 (UH-10) Zone	
Public Facility (PF) Zoned Property adjacent to an R or UH-10	
Park Zones property adjacent to an R or UH-10 zone	
<u>Mixed Use Zones</u>	Wireless and broadcast communications facilities shall be no closer than 660 feet to the rim of Dry Canyon
In all zones	

1. The provider shall demonstrate one of the following in conjunction with any application for a new wireless or broadcast communication facility proposed ~~in any Residential Zone or the Urban Holding-10 Zone:~~
  - A. Subject to Subsection (2.) of this Section, that there are no other options under this code to provide coverage because:
    1. The proposed facility would fill a significant gap in coverage and no alternative locations are available and technologically feasible; or,
    2. The proposed facility must be sited in a residential zone to prevent unreasonable discrimination in the application of this code among providers of functionally equivalent services; or,
  - B. The facility is proposed as a collocation on an alternative tower structure and the additional components are designed as a stealth facility; or
  - C. The facility is proposed to be collocated and is consistent with the provisions of Section 8.425 of this Chapter.

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2. An applicant may demonstrate compliance with these standards either independently, through the provisions of Section 8.1700 of the City Land Use Procedures Ordinance (Declaratory Ruling), or in conjunction with a land use application for a new wireless or broadcast communication facility. In Declaratory Ruling cases, the Planning Commission shall be the Review Authority.

(Ord. No. 2011-13, 11-8-2011)

### **Sec. 8.425. Collocation.**

In order to encourage shared use of towers and telecommunications towers *in all zones*, all new wireless and broadcast communication facilities proposed as collocated facilities shall comply with the following collocation standards, where applicable.

1. Except as allowed under Subsection (2.) of this Section, all collocated towers shall be subject to the standards for new towers and the provisions of this Section.
2. To encourage shared use of towers designed specifically for such purposes, no land use review process shall be required for the addition of antennae ~~ten-20~~ feet or less in height on an existing, approved tower, or an increase in height of ~~ten-20~~ feet or less to an existing, approved tower, provided there is no change to the tower type. Nor shall a land use review process be required for accompanying accessory uses as long as such uses are screened from view within the existing facility enclosure. Notwithstanding these provisions, the applicant for any collocation shall submit a copy of the report from the Federal Aviation Administration (FAA) indicating that FAA form 7460-1 has been filed with the FAA and that the proposal has no impact on the Redmond Airport or its aircraft approaches. If additional antennae are added to a camouflaged tower, the antennae shall match the existing camouflaging. No tower shall be increased in height more than once from the original height as specified herein without being subject to land use permitting according to the same standards required herein for new towers.
3. All collocated facilities, and additions to existing towers, shall meet all requirements of the State of Oregon Structural Specialty Code, latest adopted edition. A building permit shall be required for such alterations or additions. Documentation shall be provided by a licensed professional engineer, verifying that changes or additions to the tower structure will not adversely affect the structural integrity of the tower.
4. All collocated facilities shall be designed in such a way as to be visually compatible with the tower structures on which they are placed.
5. All accessory equipment shall be located within the existing enclosure, shall not result in any exterior changes to the enclosure and, in Residential and Urban Holding zones, shall not include any additional above grade equipment structures.
6. Collocation on an alternative tower structure in a Residential or Urban Holding zone shall require a stealth design.

(Ord. No. 2011-13, 11-8-2011)

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## Sec. 8.530. Landscape Design Standards.

1. *Applicability.* Except where conflicting with the City of Remond Public Works Standards and Specifications, these landscaping design standards apply to any proposal which includes any of the following:
  - A. New housing.
  - B. Development subject to Article IV Site and Design review.
  - C. Planned Unit Development.
  - D. New wireless broadcast communication facilities, as described in Section 8.415.
2. *Minimum Landscaping.* In all zones, the entirety of the unsurfaced yard area between the main building and any public or private street frontage shall be landscaped. Industrial and public zoned properties shall also be required to provide a ten-foot landscape buffer wherever such property directly abuts a residential zoned property, inclusive of structures. Additionally, any hillsides, berms, or other areas with a slope greater than ten percent that are disturbed during development shall be revegetated to prevent erosion and dust.
3. *Water Features.* Required landscaping areas shall not include water features such as fountains, waterfalls, pools, ponds, or year-round standing water collection sites. Canals, approved water drainage facilities, or naturally occurring water features are exempt.
4. *Irrigation Systems.* Irrigation shall be provided to allow for healthy plant growth. All irrigation shall be subject to the following:
  - A. Water used for irrigation shall not be permitted to water or run-off onto hard surfaces, such as paved driveways, sidewalks, streets, and other non-vegetated areas. Except for the irrigation water needed to maintain vegetation within an abutting right-of-way, water shall not be allowed to leave the subject property.
  - B. Trees shall only be irrigated with point-source irrigation such as drip irrigation and; ~~bubblers, and tree watering bags.~~
  - C. Automatic irrigation systems shall not be allowed without soil-moisture or weather-based irrigation controllers with accompanying sensors and other supporting devices installed to enable smart features.
5. *Soil.* Soils shall be amended to allow for healthy plant growth and water absorption. Prior to planting, soils shall be made friable by incorporating an organic soil amendment into, at minimum, the top two inches of soil. Additionally, mulch shall be applied to non-vegetated or uncovered areas at a depth of two inches. Both organic and inorganic mulches are allowed, however inorganic mulches are subject to additional standards described in this Section. An applicant may submit documentation from a certified landscape architect or soils scientist demonstrating that a different soil treatment that does not comply with this standard is necessary.
6. *Landscape Features.* Required landscaping areas shall feature trees, shrubs, and live ground covers in combination, and shall not contain invasive species, exposed dirt, or dead vegetation. Non-structural hardscaping, such as boulders, pavers, walkways, courtyards, artificial turf, inorganic mulches, including all types of a rock groundcover, and similar are acceptable as a landscaping feature but must not occupy more than 25 percent of required landscaped areas. ~~Wherever inorganic mulches, including all types of rock groundcovers or mulches, are used, they shall not be used in sections exceeding 20 square feet in size, nor shall any section be closer than ten feet to any other section on the property.~~

Excluding permissible irrigated turf areas, required landscaped areas must be landscaped only with species which are identified as low or very low water use in the Oregon State University Extension Office Water-Wise

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Gardening in Central Oregon Guide, revised June 2020. Plant species that do not require irrigation once established are preferred over species that require continued irrigation. Approved water drainage facilities may feature moderate water-use plant species.

7. *Irrigated Turf.* This standard applies to all irrigated turf except when used in approved active-style park areas or for recreational purposes within designated common areas. For non-residential zoned properties, not more than 20 percent of the required landscaped area may be landscaped with irrigated turf. For residential zoned properties, not more than 25 percent of the required landscaped area may be landscaped with irrigated turf. Additionally, irrigated turf areas are also subject to the following in all zones:
  - A. The minimum dimension of any irrigated turf area shall not be less than ten feet.
  - B. Irrigated turf shall not be planted in areas with a slope greater than 10 percent.
  - C. When planting irrigated turf areas, seed mixes used shall not contain more than 25 percent cool season grass species.
8. *Trees.* All trees shall have a ~~1.5-inch~~2-inch trunk diameter as measured at ~~three~~4.5 feet above natural grade at the time of planting. Existing trees with a ten inch trunk diameter as measured at three feet above natural grade or greater are considered to be significant and shall be preserved to the greatest extent possible. Significant trees that are able to be preserved shall be provided with a Tree Protection Zone (TPZ) in compliance with the Public Works Standards and Specifications to protect the tree during development of the subject property.
  - A. Where preservation is not feasible, significant trees shall be replaced at a 'one-to-one' ratio, inclusive of new street trees adjacent to the subject property.
  - B. Street trees shall comply with Section 8.540 Street Tree Standards.
9. *Installation and Maintenance.* All landscaping installation, including street trees, shall be completed prior to issuance of a Certificate of Occupancy. All landscaping shall be continuously maintained and replaced when necessary to ensure continued compliance with an approved landscape plan. Additionally, street trees shall be maintained in accordance with the standards listed in Section 3.600 of the Redmond City Code. For landscaping valued in excess of \$5,000.00, a maintenance bond may be required.
10. *Deviation and Payment In Lieu.* The Community Development Director or designee may:
  - A. Approve a deviation from any of the standards of this Section without requiring a variance when the deviation is proposed by the applicant. Reasoning for the requested deviation must be explained in writing.
  - B. Establish a fee in lieu per tree where the property is not physically feasible to replace tree(s). The fee will be specified in the City Fee Schedule.

(Ord. No. 2023-07, 12-19-2023; Ord. No. 2024-14, § 1, 8-13-2024)

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### Sec. 8.550. Exception to Lot Size Requirements.

If a lot or ~~parcel, or the aggregate of~~ contiguous lots or parcels in the same ownership, platted prior to the effective date of these standards has an area or dimension ~~which that~~ does not meet the requirements of these standards, the lot, ~~parcel, or contiguous lots or parcels, or aggregate holdings~~ may be put to use permitted subject to the other requirements of the zone in which the property is located. ~~Lots that are pre-existing in residential zones that are below the minimum size for a single-family dwelling shall be limited to one single family dwelling per lot.~~

(Ord. No. 2020-15, 11-10-2020)

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**Sec. 8.1325. Filing of Staff Report for Hearing.**

1. At the time an application, that in the judgment of the Community Development Director or Community Development Director's designee requires a hearing, is complete, a hearing date shall be set.
2. ~~Whenever possible, a draft~~The staff report ~~should~~shall be made available at least seven days prior to hearing.
3. As required by State statute, a copy of the final staff report shall be made available to the applicant, made available to such other persons who request a copy.
4. Oral or written modifications and additions to the staff report shall be allowed prior to or at the hearing.

(Ord. No. 2020-15, 11-10-2020)

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**Sec. 8.1400. Modifications of Approval.**

1. *Applicability.* This section applies to a proposal to modify an approved land use decision prior to initiating its use. For proposals to modify existing development, see Section 8.3005.

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12. *Modifications.*

- A. A Modification shall be processed as an Administrative Land Use Action as provided for in Sections 8.1300 through 8.1315. Modifications are requests for revision or deletion of a condition of approval or a change to a site development plan that is the result of changed circumstances, an error in the original decision or inconsistency with the current code.
- B. The applicant for a modification shall include reasons for the modification and demonstrate that the request is consistent with the provisions of the code and is necessary due to a change of circumstances, an error in the original decision or inconsistency with the current code.
- C. An application as a modification to an approval shall be directed to one or more specific aspects of the approval. The review shall be limited to the criteria applicable to that particular aspect of the proposal.
- D. Proposals that would modify an approval in multiple areas with a scope greater than allowable as a modification shall be treated as an application for a new proposal.
- E. Modifications shall not be accepted in such cases where a variance would be required.

23. *Alteration to an Approved Plan.*

- A. Minor Alteration to an approved Site Plan or tentative land division plan shall be processed as a Development Action provided for in Section 8.1205. Examples of such alterations include:
  - 1. Minor shifting of building location such that no setback is violated.
  - 2. Minor shifting of street alignments or easements which do not add or delete intersections or diminish road connectivity.
  - 3. Minor amendments to lot lines such that no new lots are created, and all lots continue to meet lot size and frontage requirements.
  - 4. Minor changes to landscaping species or location of plant materials such that there is no change to the aesthetic improvement qualities of the landscaping.
  - 5. Minor changes to the building design including roof line.
  - 6. Minor amendments to phasing plans that would have no adverse effect on the phasing of public improvements.
- B. Proposed changes to an approved Land Use Action shall be submitted in writing to the Community Development Department for approval. The department director shall grant approval to the proposed changes if it is determined that the change does not substantially alter the previous approval previously given, or the final conditions of approval. If the director determines the proposed change does constitute a substantial alteration or a violation of the conditions the proposal shall be processed as a modification or in the same manner as a new application.
- C. The decision may be appealed in the same manner as provided in Section 8.1500 through 1530.
- D. An Alteration can only be considered if there are non-substantive changes in the outward appearance of the development, impact on the surrounding properties is minimal, and the alteration is consistent with the conditions of the original approval and applicable criteria.

(Ord. No. 2020-15, 11-10-2020)

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(Supp. No. 2, Update 2)



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## Sec. 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 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.

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

*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.

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*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.

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

*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.

*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.

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*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.

*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)

*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.

*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 specific 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.

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*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 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.

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*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)

*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 multiple years.

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

*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 Plan and all conditions as approved through the land use review and approval process.

*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.

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*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.

*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 turnaround.

*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.

*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.

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

*Substantial Completion.* The stage of a project in which the City has inspected, tested, and found acceptable the water supply system, fire hydrant system, sewage disposal system, the stormwater drainage system including paving of the roadway associated with the stormwater system, curbs, street signs, and roads necessary for emergency vehicle access.

*Tract.* A piece of land created and designated as part of a land division that is not a lot, lot of record, or a public right-of-way. ~~An expanse of land comprised of a single or multiple ownership.~~

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*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.

(Ord. No. 2012-11, 10-23-2012; Ord. No. 2015-01, 2-24-2015; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2023-07, 12-19-2023)

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### **Sec. 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/or Class A Administrative 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.

(Ord. No. 2012-11, 10-23-2012; Ord. No. 2013-06, 4-9-2013)

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### Sec. 8.2405. Filing Procedures and Requirements.

1. Any person or an authorized agent or representative, proposing a land partitioning, shall prepare and submit ~~three 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 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.

(Ord. No. 2012-11, 10-23-2012; Ord. No. 2020-15, 11-10-2020; Ord. No. 2023-07, 12-19-2023)

### Sec. 8.2410. Approval Criteria for Tentative Partition.

The Review Authority shall approve, approve with conditions, or deny a proposed tentative ~~subdivision~~ ~~partition~~ plan. Approval, or approval with conditions, shall be based on compliance with the criteria set forth in Section 8.2235.

(Ord. No. 2012-11, 10-23-2012; Ord. No. 2015-01, 2-24-2015; Ord. No. 2022-04, 6-28-2022; Ord. No. 2023-07, 12-19-2023)



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## Sec. 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 ten feet wide, with an all weather surface a minimum of five feet wide, constructed and centered within the right-of-way.
  - C. A block shall have sufficient width to provide for two 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~~ [Transportation System](#) 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 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 percent or where path grade would exceed 12 percent 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 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.

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- B. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted by the 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.
- D. For a partition where one proposed parcel contains an existing dwelling, a one-time exemption may be allowed wherein said parcel does not need to meet the minimum density standard of the underlying zone.
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 five 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 re-division is possible, the 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 re-division 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. *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.

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11. *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 12-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 ten 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.

(Ord. No. 2012-11, 10-23-2012; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

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## Sec. 8.2715. Fundamental Design 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 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 natural features (i.e., rock outcrops) add character to the development and shall be preserved to the greatest extent practicable.
6. *Preservation and Replacement 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. *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 guylines easements along the rear of lots adjacent to unsubdivided land may be reduced to ten0 feet in width, unless determined otherwise by the City Engineer or designate.

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- 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.
8. 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 25 lots/units, a minimum of 3,000 square feet and privately maintained. Developments with 50 or more lots/units shall provide a minimum of 6,000 square feet of open space consolidated, contiguous, and configured in a way that allows for active recreation. Park amenities shall, at a minimum, include: 1/2 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.
9. *Urban-Rural Interface.* Residential subdivisions adjacent to areas outside of the Urban Reserve Area (URA) shall provide buffering to manage the transition from urban to rural intensities by meeting at least one of the following standards:
- A. Provide landscaped buffers at least 100 feet wide, exclusive of rights-of-way, for the entire length that the urban development is adjacent to lands outside of the URA. The buffers shall be 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.

(Ord. No. 2012-11, 10-23-2012; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2023-07, 12-19-2023)

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## Sec. 8.2830. Variances.

1. *Major Variance.* Upon application, the Community Development Director, or Hearings Body, may authorize variances from the standards of this ~~Chapter Article~~ pursuant to the criteria listed below if the applicant can establish:
  - A. That special conditions exist which are peculiar to the subject property, and which are not applicable to other properties in the same zone which make conformance to these standards impractical.
  - B. That the variance is the minimal deviance from these standards needed to accomplish the objective.
  - C. That the varied requirement(s) will conform to the purpose and objectives of the Comprehensive Plan and of these standards and will have no adverse impact on surrounding properties or on the provision of general urban services in the area.
  - D. That strict interpretation of these standards would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of these standards.
  - E. That the special conditions and circumstances do not result from actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconvenience.
2. *Minor Variance.* A minor variance under this ~~Chapter Article~~ shall be no greater than 25 percent of the requirements from which the variance is sought. Upon application, the Community Development Director, or Hearings Body, may authorize variances from the standards of this ~~Chapter Article~~ pursuant to the criteria listed below if the applicant can establish:
  - A. More efficient use of the site.
  - B. Preservation of natural features where appropriate.
  - C. Adequate provision of light, air, and privacy to adjoining properties.
  - D. Adequate access.
  - E. That the variance will have minimal adverse impact on the livability, value or development potential of abutting properties and the surrounding area.
  - F. Consistency with the overall objectives of the Comprehensive Plan.
3. The Community Development Director, or Hearings Body, may attach such conditions to any variance granted that will ensure the variance meets the objectives of the Comprehensive Plan and of these standards and does not have an adverse impact on surrounding properties or on the provision of general urban services in the area.

(Ord. No. 2012-11, 10-23-2012)

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**Sec. 8.3005. Applicability of Site and Design Review.**

Unless exempted in Section 8.3010, Site and Design Review shall be required for any new-proposed development or use containing a structure, or multiple structures, and Mobile Food Pods.

Minor Site and Design Review shall be required for any proposed development or use containing a structure, or multiple structures, under 3,500 square feet in size. Minor Site and Design Review is subject to review criteria in Section 8.3035, as applicable. Additionally, Minor Site and Design Review:

1. Is exempt from Section 8.3035(3)(B) and (D);
2. Is exempt from Section 8.2815 (Transportation System Analysis), unless requested by City Engineer; and
3. Shall be processed as a Development Action provided for in Section 8.1205.

(Ord. No. 2016-17, 1-31-2017; Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

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## Sec. 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 percent 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 the development and design standards of Sections 8.141, 8.142, or 8.143.
10. Supportive Shelters, as identified in Section 8.370.

(Ord. No. 2016-17, 1-31-2017; Ord. No. 2017-12, 12-12-2017; Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-04, 6-28-2022; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

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## Sec. 8.3025. Plans Required.

The Applicant shall submit to the Community Development Department the following documents with the required fee.

1. *Exterior Elevations.* Drawings or sketches of elevations for each proposed building. Such plans shall indicate the building height, primary building materials, color, shape, and other design features of the building, including the location of all exterior mechanical devices.
2. *Site Plan.* Site plans containing the following.
  - A. A drawing showing the floor plans for each building and a description of each internal "use."
  - B. A written summary showing the following:
    1. For commercial and industrial development:
      - a. The square footage of the "project area", and a clearly defined outline of this area.
      - b. The percentage of the lot covered by structures.
      - c. The total number of parking spaces.
      - d. The total square feet to be landscaped and location of existing trees.
      - e. The total square feet within the project area to be left natural, gravel, or other surface not required by this provision.
    2. For residential developments.
      - a. The total square footage of all floors of the structures.
      - b. The number of dwelling units in the development (include the units by the number of bedrooms in each unit, e.g., 10 one-bedroom, 25 two-bedroom, etc.).
      - c. Percentage of lot coverage by:
        - i. Structures.
        - ii. Recreation areas.
        - iii. Landscaping and location of existing trees.
        - iv. Parking and paved areas.
  - C. The legal description, dimensions, and total square footage or acreage of the site.
  - D. All vehicle and pedestrian access points to public rights-of-way and the interior circulation plan for the property.
  - E. Project name.
  - F. A vicinity map.
  - G. The identified scale.
  - H. North arrow.
  - I. Date the site plan is prepared.

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- J. Street names, locations, and right-of-way widths of all existing and proposed streets within or on the boundary of the proposed development.
  - K. Lot layout with dimensions for all lot lines.
  - L. Zoning of the site.
  - M. Zoning of all adjacent properties.
  - N. Location and use of all proposed and existing buildings, fences, and structures within the proposed development. Indicate which buildings are to remain and which are to be removed.
  - O. Location and size of all existing and proposed public utilities, serving the subject property, in and adjacent to the proposed development with the locations shown of:
    - 1. Water lines, services, backflow prevention device and meter sizes.
    - 2. Sewer lines, manholes, services, and cleanouts.
    - 3. Storm drains, facilities and catch basins.
    - 4. Power/phone poles and lines; show whether the lines are overhead or underground.
    - 5. Existing fire hydrants.
  - P. The proposed location of:
    - 1. Connection to the City water system.
    - 2. Connection to the City sewer system.
    - 3. The proposed method of drainage of the site.
    - 4. All exterior mechanical equipment or equipment areas.
  - Q. Location of existing canals and laterals including easements and right-of-way.
  - R. Location of existing drainage on-site.
  - S. Location of all utility and access easements on the property.
  - T. Location, size, and use of all contemplated and existing public areas within the proposed development.
  - U. All fire hydrants proposed to be located within the site.
  - V. A topographic map of the site at a contour interval not to exceed five feet.
  - W. Location of all parking areas and dimensions of all parking spaces.
  - X. Locations of all existing natural features including, but not limited to, any existing trees having a six inch trunk diameter or greater, three feet above grade, and any natural drainage ways existing on the site, and all significant natural features including (but not limited to) outcroppings of rocks, boulders, etc. Indicate any contemplated changes that would affect a natural feature.
- 3. *Landscape Plan*. See Sections 8.520 through 8.540 for applicable landscaping standards.
  - 4. *Lighting Plan*. A lighting plan showing the type, placement, wattage, and method of shielding all exterior lights from adjacent sites shall be submitted.
  - 5. *Neighborhood Compatibility Statement*. A statement shall be submitted that addresses the applicable neighborhood compatibility criteria within Section 8.3035(3.).

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6. *Transportation System Analysis (TSA). A TSA approval memorandum, issued by the City Engineer, shall be included per Section 8.1015.*

(Ord. No. 2022-04, 6-28-2022; Ord. No. 2023-07, 12-19-2023)

### **Sec. 8.3030. Special Studies, Investigations and Reports.**

Special studies, investigations and reports may be required to ensure that the proposed development of a particular site does not adversely affect the surrounding community, does not create hazardous conditions for persons or improvements on the site. These may include Traffic Impact Analysis, trip generation or parking studies/reports, impact of contaminated soils, soil conditions, flooding of waters and excessive storm water runoff, tree preservation, and other concerns of the development's impact on adjacent properties or public facilities.

~~1. An approved Transportation Impact Analysis (TIA) will be required prior to land use application completeness acceptance. A TIA approval memorandum, issued by the City Engineer, shall be included with the application submittal per Section 8.1015.~~

(Ord. No. 2020-15, 11-10-2020; Ord. No. 2022-09, 12-13-2022; Ord. No. 2023-07, 12-19-2023)

**FINDINGS FOR TEXT AMENDMENTS TO THE REDMOND CITY CODE,  
CHAPTER 8 (DEVELOPMENT CODE)**

**HEARING DATE:** November 19, 2025, (continued to December 10, 2025) 5:30 PM, Redmond City Hall Council Chambers and via digital conference (GoTo Meeting)

**HEARINGS BODY:** Redmond Urban Area Planning Commission

**FILE NUMBER:** 711-25-000216-TA

**FILE NAME:** Redmond Development Code Text Amendment

**REQUEST:** A Legislative Amendment to the Redmond City Code, Chapter 8 (Development Code) Amending Various Sections of Code

**APPLICANT:** City of Redmond

**REVIEWING STAFF:** Kyle Roberts, AICP, Planning Director

**I. BACKGROUND**

**Summary:**

Chapter 8 of the Redmond City Code, known as the Redmond Development Code (RDC), is the primary mechanism to implement the City’s Comprehensive Plan, regulate zoning, growth and development, land use activity, and other City policies related to Great Neighborhood Principles. As a living document, periodic amendments to the RDC are needed to adapt to changing conditions, comply with Comprehensive Plan policies, new state legislation, or simply to improve administration of provisions within the code. Code amendments touch on many different aspects of the community, livability and have significant implications regarding providing certainty, flexibility and modernization of regulations all at the same time.

The City’s last major code amendment occurred in December 2023. Since that time, the City Planning Division has processed and evaluated numerous land use applications using the standards and criteria established in the City’s development code. Staff and City Council have identified various sections code that are in need of revision; however, this code amendment application is intended to focus on only a few priority topics along with various relatively minor fixes. An initiative for a larger, much more comprehensive amendment package is anticipated to begin in 2026.

This proposed amendments to the zoning standards in the Development Code is being initiated legislatively by staff at the direction of Council. The findings and supporting materials demonstrate the proposed text amendments are consistent with the Statewide Planning Goals, the Comprehensive Plan, and RDC Section 8.760 (Amendments). The four criteria set forth in Section 8.760 are addressed herein, as well as applicable state laws and requirements.

**Proposal:**

City Council had the opportunity to review a number of large-scale master development planned subdivisions this year. Five specific topics of concern were identified and discussed repeatedly during the reviews. These included alley standards, townhouse rear setbacks, useable open space, evacuation routes, and planter strip landscaping. City Council has directed the Planning Commission and staff to evaluate and propose potential changes to the standards of the aforementioned topics.

**Alleys:** Council has expressed a desire for adequately-sized residential alley widths for new developments. While both the RDC and City of Redmond Standards and Specifications (CORSS) document define the minimum right-of-way width for alleys, the CORSS provides the design standards for alleys. The CORSS currently has listed a minimum of 16- and 20-foot pavement widths for

residential alleys. Staff proposes eliminating the 16-foot pavement width option from the CORSS.

Townhouse with garage and alley access - rear setbacks: Proposed more commonly than not for new townhouse developments are townhouses with garages that are alley-loaded (i.e., vehicular access is taken from rear of the lot via an alley). Given the townhouse small lot sizes, State-mandated minimum off-street parking standard of one space per unit, and that sometimes townhouse developments front streets that do not allow for on-street parking, presents challenges to provide adequate off-street parking space needs.<sup>1 2</sup> The issue is exacerbated by the development code's minimum 5-foot rear setback in all residential zones where a townhouse with a garage has vehicular access via an alley. This results in very short driveways that sometimes result in alleyways that are partially blocked with residents' parked vehicles because there isn't adequate space to provide for off-street parking. Staff is proposing to amend the rear setbacks to require 20 feet. This would match the minimum rear setback requirement for single-family dwellings with attached garages accessing the alley in the same zones and would provide adequate driveway space for off-street parking given the standard off-street parking space is 9 feet by 20 feet.<sup>3</sup>

Pocket parks – useable open space: One of the City's 11 Great Neighborhood Principles requires that open space for pocket park(s) be provided for subdivisions and site plans proposed in medium and high-density residential zones at a standard of 3,000 square feet for every 25 lots/units. Currently there is no requirement that a minimum square footage of open space be consolidated. In other words, the standard can be met by providing numerous small open space tracts that can result in open space that is not useable for active recreation. Staff is proposing to add language that requires developments with at least 50 lots/units provide a minimum of 6,000 square feet of open space consolidated, contiguous, and configured in a way that allows for active recreation.

Evacuation routes for new subdivisions: With the increasing concern over wildfire danger among the community, Council requested that a provision be added to the development code's land division standards that require new subdivisions to provide for evacuation routes. Existing in the development code under the fundamental design provisions for land divisions is a standard that requires a subdivision or partition to provide, whenever possible, a minimum of two points of access to provide for assured access for emergency vehicles and ease of resident evacuation. Staff consulted with the Redmond Fire and Rescue Fire Marshall to explore opportunities to enhance the existing standard. All proposed land divisions are reviewed by the Fire Marshal using the Oregon Fire Code (OFC). The OFC requires a secondary emergency access when at least 30 units are proposed.<sup>4 5</sup> Additionally, the OFC has a spacing standard that is required between emergency access points that is intended to ensure there would be at least one emergency access during an emergency. Sometimes providing more than two access points is not possible. However, staff has found often with relatively large, proposed subdivisions, there are required connection points that provide connection/access to adjacent existing or future development that can often serve as tertiary emergency access. Staff believes that the development code's existing multiple access points standard is appropriate and is therefore not recommending a change to the standard.

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<sup>1</sup> The one off-street parking space requirement can be met by providing a parking space in the garage (or driveway) as long as it meets the dimensional standard of 9' x 20.'

<sup>2</sup> Oregon Administrative Rule 660-046-0220(3)(f)(A) requires that cities with a population greater than 25,000 cannot require more than one off-street parking space per Townhouse dwelling unit.

<sup>3</sup> Oregon Administrative Rule 660-046-0220(2)(c) requires that cities with a population greater than 25,000 cannot require middle housing (e.g., townhouses) setbacks be greater than those applicable to detached single-family dwellings in the same zone.

<sup>4</sup> Only one secondary emergency access is required regardless of how many proposed units there are over the minimum 30-unit threshold.

<sup>5</sup> Oregon Fire Code Sections D107.1 and D107.2.

**Planter strip landscaping:** Water conservation is a goal of Council. The City has already updated the landscaping standards in the development code, which in part greatly reduced the amount of turf that is allowed when landscaping private property. The change was made to help reduce outdoor water use. Council has now directed staff to prohibit the planting of turf in planter strips – defined as the area between the back of the curb and front of the sidewalk and/or path that is horizontally separated from the curb. Because the planter strip is located in public right-of-way, it is the City of Redmond Standards and Specifications (CORSS) document that regulates the landscaping of these strips. That said, staff proposes adding language in the CORSS that prohibits the planting of turf in planter strips.

Lastly, staff has also taken this opportunity to propose various relatively minor amendments to the code that will bring regulations in line with state law, modernize existing regulations, provide clarity, improve administration, add greater flexibility and reduce barriers, and fix errors.

In summary, these additional amendments include:

- Adding a discretionary review track for zoning conformance review of townhouses and cottage clusters (allowed by ORS 197A.400)
- Updating Wireless and Broadcast Communications Facilities provisions to align with local policy and Section 6409(a) of the FCC Spectrum Act
- Updating landscaping standards with industry standards and best practices for urban tree care
- Updating a land use procedure in accordance with state law [ORS 197.797(4)(b)]
- Providing clarification on the applicability of modification of approval provisions
- Adding an exception provision to the minimum density standard for proposed partitions with an existing single-family dwelling
- Updating the exception to lot size provision in accordance with House Bill 2138 (2025)

**Exhibits:**

The proposed amendments to the RDC are contained in one exhibit and is attached hereto:

Exhibit A – Amendments to various sections of the Redmond City Code, Chapter 8. Changes are shown in red-colored text with additions in underlined text and deletions in strikethrough text.

Exhibit B – Public comments

Exhibit C – DLCD, Housing Accountability & Production Office (HAPO) – Notice of Investigation, December 8, 2025

**Noticing:**

Noticing for the first evidentiary hearing scheduled for November 19, 2025, was noticed as follows:

- Per ORS 197.610, a notice of proposed change to an implementing regulation and zoning map amendment was submitted to the Department of Land Conservation and Development (DLCD) on October 6, 2025.
- Per Section 8.1110 of the Redmond Development Code, a public hearing notice for the November 19<sup>th</sup> Planning Commission hearing was published in the *Redmond Spokesman* on November 6, 2025.
- Public hearing with Planning Commission continued on November 19, 2025, to December 10, 2025, by unanimous vote of Planning Commission

**Applicable Criteria:**

The following are the applicable sections from the Oregon Revised Statutes, Oregon Administrative Rules, and the Redmond Development Code:

- Oregon Revised Statutes (ORS) – Chapters 92, 197, 197A, and 227
- Oregon Administrative Rules (OAR), Chapter 660:
  - Division 15, Statewide Planning Goals and Guidelines
  - Division 18, Post-Acknowledgement Amendments
  - Division 46, Middle Housing in Medium and Large Cities
- City of Redmond Development Code:
  - Article I – Zoning Standards
    - Section 8.760: Criteria for Amendments

## II. FINDINGS & CONCLUSIONS

### **Findings:**

Redmond Development Code, Article I – Zoning Standards: Amendments: Sections 8.750 through 8.770 set forth the procedure and standards for an amendment to the text of the Redmond Development Code. Specifically, Section 8.760 sets forth the four review criteria that must be met when evaluating amendment requests. Findings for each criterion are presented below.

**8.760 Criteria for Amendments.** The burden of proof is upon the applicant. The applicant shall show the proposed change is:

1. In conformity with all applicable State statutes;

**FINDING:** The following State statutes apply directly to this application:

*ORS 197.610, Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development*

ORS 197.610 requires local jurisdictions to submit proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development (DLCD). Notice of the proposed implementing amendments to the Redmond Development Code (RDC) has been provided to DLCD more than 35 days in advance of the first evidentiary hearing concerning the amendments.

*ORS 197.797, Local quasi-judicial land use hearings; notice requirements; hearing procedures*

ORS 197.797 sets forth noticing requirements. The applicable RDC standards that address amendment and legislative procedures and noticing requirements (i.e., Sections 8.750-8.770 and 8.1100-8.1125) were developed in compliance with the applicable State statute regarding noticing and public hearings. The relevant findings, incorporated by reference herein, show compliance with the aforementioned statutes.

Notice of the proposed text amendment has been advertised in the local newspaper (public notice) as required by the RDC and State statute. Regarding statutory public hearing requirements, this proposal is legislative and not quasi-judicial. Sections 8.1100 through 8.1125 of the RDC implement the quasi-judicial statutory requirements in similar fashion and have been met. The Redmond Urban Area Planning Commission and City Council’s public hearing and review processes meet the statutory requirements for the purpose of the review.

*ORS 197A.400, Clear and objective approval criteria required; alternative approval process*

Currently the development code allows an applicant to choose between the City applying clear and objective standards or discretionary standards when conducting zoning conformance review for single-family dwellings or plexes. As part of this code amendment package, staff is proposing to add a discretionary review track to the townhouse and cottage cluster zoning conformance review standards. Said proposal is allowed by and is in compliance with ORS 197A.400(3).

ORS 197A.420, *Duplexes; middle housing*

As discussed above, staff is proposing to amend the minimum rear setbacks for townhouses that have garages with alley access to match the minimum rear setback requirement for single-family dwellings with attached garages accessing the alley for all residential zones. Staff's proposal is allowed by and complies with ORS 197A.420(5) as the amended minimum setback will not be greater than the same setback applied to single-family in the same zones.<sup>6</sup>

Based on the above discussion and finding, staff concludes that the proposed amendments comply with criterion #1.

2. In conformity with the State-wide planning goals whenever they are determined to be applicable;

**FINDING:** The following State-wide planning goals have been determined to apply directly to this application:

Goal 1 – Citizen Involvement - calls for the opportunity for citizens to be involved in all phases of the planning process. The Redmond Urban Area Planning Commission serves as the City's formal citizen advisory commission to fulfill Goal 1 and is made up of Redmond area residents.

The agenda for the Planning Commission public hearing, where and when the proposed amendments are discussed, were provided in accordance with law. All documents were available for public review. Public notice advertising the November 19<sup>th</sup> public hearing was published in the *Redmond Spokesman*.

Goal 2 – Land Use Planning – requires establishing a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed amendments are intended to enhance livability, bring regulations in line with state law, modernize existing regulations, provide clarity, improve administration, and add greater flexibility and reduce barriers.

Goal 3 – Agricultural Lands – is not applicable because there are no agricultural lands in the city limits.

Goal 4 – Forest Lands – is not applicable because there are no forest lands in the city limits.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces – none the proposed amendments affect any regulation that implements Goal 5 and the City's acknowledged regulations implementing Goal 5 remain in effect with no change in applicability.

Goal 6 – Air, Water, and Land Resources Quality – is not applicable because the City's acknowledged regulations implementing Goal 6 remain in effect with no change in applicability.

Goal 7 – Areas Subject to Natural Hazards – is not applicable because the City's acknowledged regulations implementing Goal 7 remain in effect with no change in applicability.

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<sup>6</sup> Oregon Administrative Rule 660-046-0220 provides direction on the implementation of ORS 197A.420(5).

Goal 8 – Recreational Needs – requires the City to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts. This goal is not applicable as the amendments have no effect on the availability of or access to recreational opportunities.

Goal 9 – Economic Development – requires the City to plan and zone enough land to meet the community’s projected commercial and industrial needs. The City adopted an Economic Opportunities Analysis (EOA) in 2020. This document serves as the City’s compliance document under Goal 9, OAR 660-009-0015, and ORS 197.712. Strategies identified in the EOA carried over as economic development goals and policies outlined in Chapter 9 of the City’s Comprehensive Plan. The proposed code amendments do not have a direct impact on the EOA or the economic development goals and policies of the City’s Comprehensive Plan.

Goal 10 – Housing – provides for the housing needs of citizens of the state. The City adopted a Housing Needs Analysis (HNA) in 2019. This document serves as the City’s compliance document under Goal 10, OAR Chapter 660, Division 008, and ORS 197A.270. This report concludes that Redmond should plan to accommodate development of 6,963 new dwelling units over the next 20 years in order to house the projected population growth. The proposed code amendment package includes amending an existing provision and creating new provisions with the purpose of reducing development barriers and providing greater permitting flexibility. Specifically, this includes adding a discretionary review track for townhouses and cottage clusters zoning conformance review as well as adding an exception provision to the minimum density standard for proposed partitions with an existing single-family dwelling. Additionally, removing outdated language from the development code’s exception to lot size requirement provision.

Goal 11 – Public Facilities and Services – requires the City to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The proposed amendments will have no impact on the City’s ability to plan and develop public facilities and services.

Goal 12 – Transportation – requires the City to provide and encourage a safe and convenient and economic transportation system. Per OAR 660-012-0060, the proposed amendments will have no impact on an existing or planned transportation facility.

Goal 13 – Energy Conservation – is not applicable because the City’s acknowledged regulations implementing Goal 13 remain in effect with no change in applicability.

Goal 14 – Urbanization – requires the City to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The proposed amendments do not encourage uncoordinated development, sprawl, or lower targeted densities. The management of the City’s land use inventories is unaffected by this amendment.

Goal 15 – Willamette River Greenway – is not applicable to the city of Redmond.

Goal 16 – Estuarine Resources – is not applicable to the city of Redmond.

Goal 17 – Coastal Shorelands – is not applicable to the city of Redmond.

Goal 18 – Beaches and Dunes – is not applicable to the city of Redmond.

Goal 19 – Ocean Resources – is not applicable to the city of Redmond.

Based on the above discussion and finding, the proposed amendments are consistent with the statewide planning goals and therefore complies with criterion #2.

3. In conformity with the Redmond Comprehensive Plan, land use requirements and policies; and

**FINDING:** The Redmond Comprehensive Plan is the official land use policy statement of the Redmond City Council. The City frequently reviews and updates the RDC to try and ensure it is aligned with the Comprehensive Plan. Staff has found only a small number of Comprehensive Plan policies have meaningful relevance to the proposed amendments.

Chapter 2 of the Comprehensive Plan identifies goals and policies that pertain to land use planning and procedures. Goal 1 of the chapter states: “Ensure that Redmond’s Comprehensive Plan, implementation tools, and administration procedures build on the community’s vision for the future and align with regional, state, and federal plans and regulations.” The RDC serves as the major implementation mechanism of the Comprehensive Plan. Amendments to the RDC create greater alignment with the Comprehensive Plan that contribute to advancing the community’s vision for the future.

Policy 2-1-7 suggests identifying and assigning land uses in a way that encourages the best relationship between places where people live, work, shop, and recreate. The proposed amendments directly address this policy by further restricting the placement of cell towers in the community in line with the intent of the original adopting City ordinance (Ordinance 2011-13) that established zoning standards for wireless and broadcast communication facilities. The intent of the ordinance was to limit the placement of cell towers to the commercial and industrial zones and to minimize adverse aesthetic and visual impacts on property adjacent to or surrounding residential neighborhoods within the city. Specifically, the proposed amendment generally prohibits placement of new wireless and broadcast communication facilities in the mixed use zones because said zones are semi-residential in nature and the City’s Mixed Use Neighborhood zone is adjacent to or wholly surrounded by residential zones.

Chapter 5 of the Comprehensive Plan identifies goals and policies that address the protection of open spaces, scenic and historic areas, and natural resources in Redmond. Policy 5-2-1 identifies the need to “[S]upport water conservation efforts within the Deschutes Basin to meet the water needs for rivers and communities today and into the future.” Staff’s proposal to add language in the City’s Standards and Specification document that prohibits the planting of turf in planter strips is intended to reduce outdoor water use, thus advancing water conservation efforts.

Chapter 15 of the Comprehensive Plan includes policies aimed at enhancing livability in Redmond. The goal of Chapter 15 is for Redmond to “guide development by implementing forward-looking policies to improve livability, retain community identity, create a high quality of life, and support a safe environment.” The proposed amendment to increase rear setbacks for townhouses will enhance the livability of newly-proposed neighborhoods by ensuring that adequate space is available for off-street parking and alleyways are free of parked vehicles. Additionally, the proposed revision to the pocket park requirement will improve neighborhood open spaces by ensuring that useable space is provided, which allows for areas for active recreational opportunities that can enhance quality of life.

Policy 15-1-3 speaks to improving community aesthetics. As discussed above, the proposed amendments to the wireless and broadcast communication facilities standards will help ensure that the look and feel of residential areas are not impacted by allowing placement of wireless and broadcast communication facilities in the City’s mixed use zones as was intended by Ordinance 2011-13.

Staff concludes that the proposed amendments are consistent with the applicable Redmond Comprehensive Plan goals and policies.

4. That there is a change of circumstances, further studies justifying the amendment or mistake in the original zoning.

**FINDING:** There has not been a change of circumstances per se; however, as discussed in the introduction of this staff report, City Council had the opportunity to review a number of large-scale master development planned subdivisions this year. As a result, five specific topics of concern were identified and discussed repeatedly during the reviews. Council directed staff to work with the Planning Commission to explore proposing amendments to standards related to the five identified topics of concern. Additionally, because it has been nearly two years since the development code underwent a major amendment, staff took this opportunity to propose various relatively minor amendments to the code to bring regulations in line with state law, modernize existing regulations, provide clarity, improve administration, add greater flexibility and reduce barriers, and fix errors.

### **III. RECOMMENDATION**

The Redmond Urban Area Planning Commission opened the first evidentiary public hearing on November 19, 2025. Although no public testimony was provided, comments were submitted as found in Exhibit B. After the staff presentation, the Commission had a number of questions for staff and ultimately voted to continue the hearing to December 10<sup>th</sup>. The Commission also directed staff to meet with the Central Oregon Builders Association (COBA) and Hayden Homes to discuss their concerns with the proposed amendments.

## Attachment E. City of Redmond Standards and Specifications (CORSS) Excerpts

### II. DESIGN PARAMETERS

#### A. STREET

##### 1) General

Materials and procedures for street improvements shall conform to the City of Redmond Specifications, Ordinances of the City of Redmond and Oregon Standard Specifications for Construction. Street width, alignment and placement shall meet the requirements of the City of Redmond Development Code. Street widths are shown in Table 1, and in Standard Drawing 2-1. Street intersections shall be as near right angles as possible except where topography requires a lesser angle, but in no case shall the acute angle be less than 60°.

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

Functional Class	Width (ft)		Right of Way	Travel Lanes	Sidewalks	Bike Lanes**	Parking**
	Pavement standard	Pavement (minimum)					
Residential Alley*	20 ft		20 ft	1	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)
	32 ft		60 ft	2***	5 ft.		both sides (unstriped)
	28 ft*		60 ft	2***	5 ft.	shared	one side (unstriped)
	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, unstriped)
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:**

\*New alleys must be private and may be constructed only in conjunction with the creation of covenants, conditions and restrictions (CCR's) and the establishment of a homeowner's association (HOA) for the development. The CCR's shall provide that the primary responsibility for parking enforcement, if applicable, 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 lane.

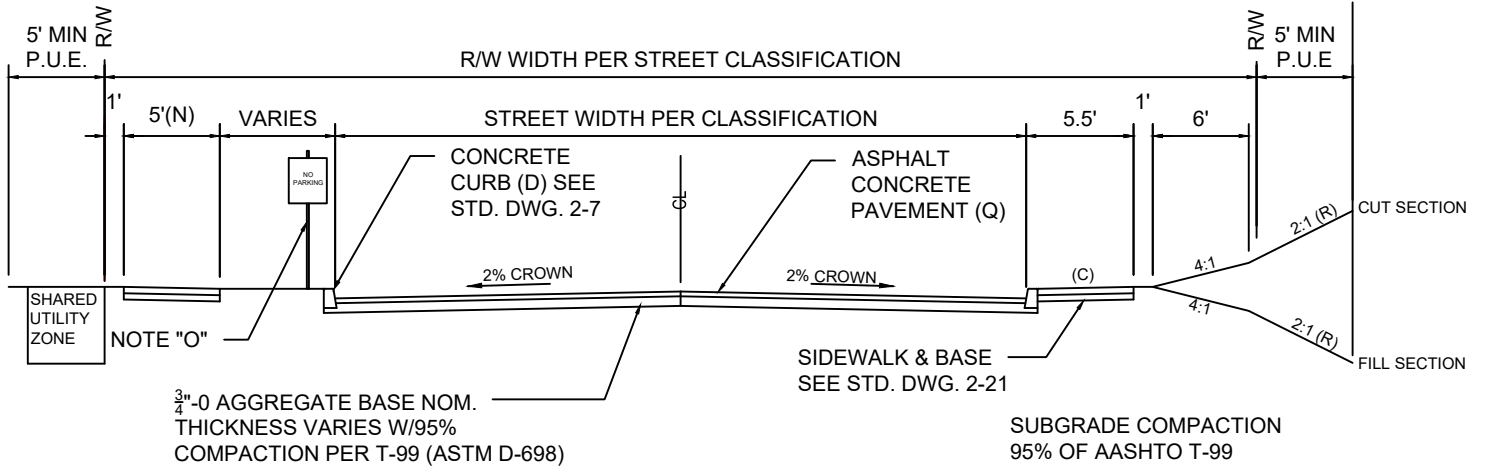
##### 2) Slope

Minimum longitudinal slope for drainage control at the standard curb grade for all streets is 1.0%. A minimum longitudinal slope of 0.5% using curb and gutter may be allowed by the City Engineer. A written request is required justifying the need for a variation and describing what will be done to ensure that constructed street grades are not less than design and storm drainage requirements are met.

Maximum street grades are as follows (see also Standard Drawing 2-1):

Arterials, Major and Industrial Collectors	6%
Minor Collectors, Industrial Streets	8%
Local Street	10%


SLOPE CATCH OUTSIDE OF CITY RIGHT-OF-WAY  
REQUIRE SLOPE EASEMENT DOCUMENTATION



TYPE OF STREET	R/W WIDTH (FT.)	PAVING WIDTH CURB TO CURB (FT.)	TRAVEL LANE WIDTH (FT.)	TURN LANE WIDTH (FT.)	BIKE LANE WIDTH (FT.)	PARKING LANE WIDTH (FT.)	SIDE-WALK WIDTH (FT.)	AC DEPTH (IN.)	(E.) AGGR. BASE DEPTH (IN.)	MIN. CURB RETURN RADIUS (FT.)	DESIGN SPEED (MPH)	(B) MAX. GRADE (%)	MIN. CL CURVE RADIUS (FT.)
MAJOR ARTERIAL (STATE HIGHWAY)	(L)	(L)	(L)	(L)	(L)	(L)	(L)	(L)	(L)	(L)	(L)	(L)	(L)
MINOR ARTERIAL (M)	100(A)	50	12	14	6	N/A	7	8	10	(I)	40	6	(H)
MAJOR COLLECTOR	80	36	12	(P)	6	N/A	5	6	8	(I)	35	6	(H)
MINOR COLLECTOR	60	40	12	N/A	N/A	8	5	6	8	(I)	35	8	(H)
INDUSTRIAL COLLECTOR	80	40	14	N/A	6	N/A	5	6	8	(I)	35	6	(H)
INDUSTRIAL	60	40	12	N/A	N/A	8	5	6	8	(I)	35	8	(H)
LOCAL RESIDENTIAL	60	36/32/28/24(O)	10	N/A	N/A	8	5	4	6	(I)	25	10	(H)
ALL WEATHER SERVICE ROAD	30(J)	24(G)	12	N/A	N/A	N/A	N/A	2(G)	6	15	15	10	(H)
ALL WEATHER UTILITY ACCESS	20(F)	14(G)	14(K)	N/A	N/A	N/A	N/A	2(G)	6	15	15	10	(H)
ALLEY - COMMERCIAL	20	20	10	N/A	N/A	N/A	N/A	3	6	15	15	10	(H)
ALLEY - RESIDENTIAL	20	16	N/A	N/A	N/A	N/A	N/A	2	4	15	15	10	(H)

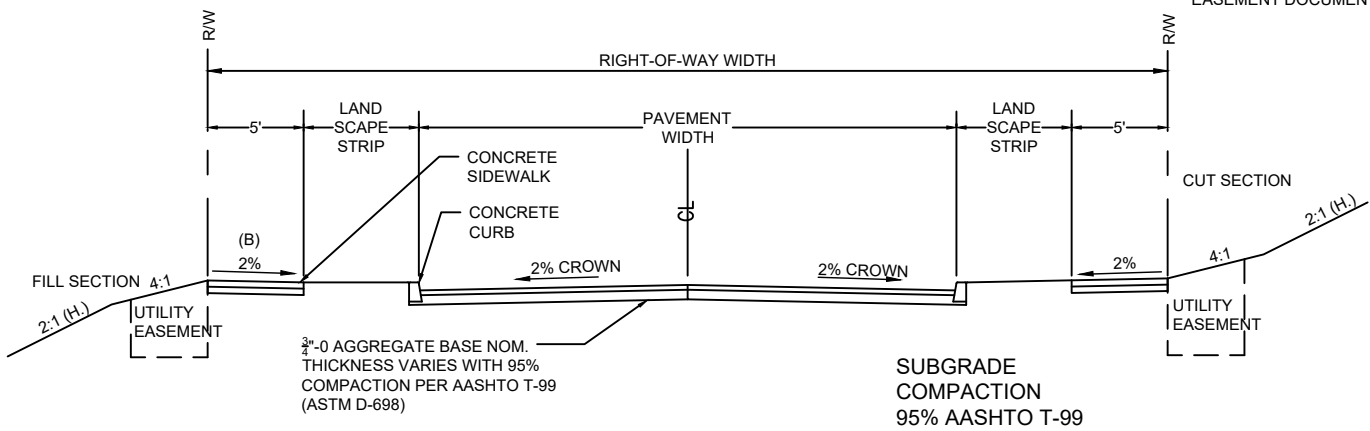
NOTES:

- (A) 80 FOOT RIGHT-OF-WAY PERMITTED IN EXISTING DEVELOPED AREAS WITHIN CITY LIMITS.
- (B) MAXIMUM GRADE MAY BE INCREASED BY 2% WITH CITY ENGINEER'S APPROVAL. MINIMUM GRADE 1%, 0.50% WITH GUTTER AND CITY ENGINEER'S APPROVAL.
- (C) SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF THE STREET UNLESS CONDITIONED OTHERWISE IN THE LAND USE APPROVAL PROCESS. CONSIDERATION MUST BE GIVEN TO ACCOMMODATE AND MATCH EXISTING DRIVEWAYS. PROPERTY TIGHT SIDEWALK IS STANDARD. CURB TIGHT SIDEWALK IS WITH APPROVAL OF THE CITY ENGINEER ONLY.
- (D) 7 INCH CURB EXPOSURE IS REQUIRED ON MINOR ARTERIAL STREETS.
- (E) AGGREGATE BASE MAY BE INCREASED OF DECREASED WHEN A "CBR" OR "R" VALUE IS REQUIRED.
- (F) MAY BE LOCATED IN A EASEMENT GRANTED TO THE CITY OF REDMOND.
- (G) CURBS ARE NOT REQUIRED. AC PAVING MAY BE REQUIRED FOR ALL WEATHER SERVICE & UTILITY ACCESS ROADS UNDER SPECIAL CIRCUMSTANCES.
- (H) DESIGN CRITERIA SHALL BE APPROVED BY THE CITY OF REDMOND AT NO LESS THAN CURRENT AASHTO STANDARDS. SEE DESIGN STANDARDS, SECTION II.A.7., HORIZONTAL CURVES, FOR DESIGN VALUES.
- (I) ADDITIONAL RIGHT-OF-WAY MAY BE REQUIRED TO ACCOMMODATE THE LARGE RETURN RADIUS AND WHEELCHAIR RAMP.
- (J) MINIMUM WIDTH REQUIRED FOR PUBLIC ACCESS.
- (K) ONE TRAVEL LANE ONLY
- (L) DESIGN CRITERIA SHALL MEET CURRENT O.D.O.T. STANDARDS.
- (M) SEE TRANSPORTATION SYSTEM PLAN FOR FIVE LANE ARTERIAL. (PAVING WIDTH = 74 FEET)
- (N) SEE SECTION 215.3.09,C. OF DIVISION II-STREETS, STANDARD SPECIFICATIONS FOR HORIZONTAL & VERTICAL ALIGNMENT REQUIREMENTS OF SEPARATED OR MEANDERING SIDEWALKS. SEE STANDARD DRAWING 2-24 FOR DOWNTOWN COLORED SIDEWALK REQUIREMENTS.
- (O) SEE DESIGN STANDARDS SECTION II.A.1 32'-36' WIDTH: PARKING ON BOTH SIDES OF STREET. 28' WIDTH: PARKING ON ONE SITE OF STREET. 24' WIDTH: NO PARKING.
- (P) 14 FOOT TURN LANE WHEN WARRANTED.
- (Q) REFER TO DESIGN STANDARDS SECTION II.A.18 FOR ASPHALT CONCRETE CLASSIFICATION AND BINDER.
- (R) ANYTHING STEEPER THAN 2:1 REQUIRES CITY ENGINEER APPROVAL.

<p>CITY OF REDMOND PUBLIC WORKS DEPARTMENT</p> <p><b>TYPICAL MINIMUM STREET CROSS SECTION DIMENSIONS</b></p>	SCALE:		STANDARD DRAWING NO.	
	DRAWING BY:		NTS	2-1
	APPROVED BY:		JWS	
	DATE:		JNM	
	4/1/2024		STREETS	

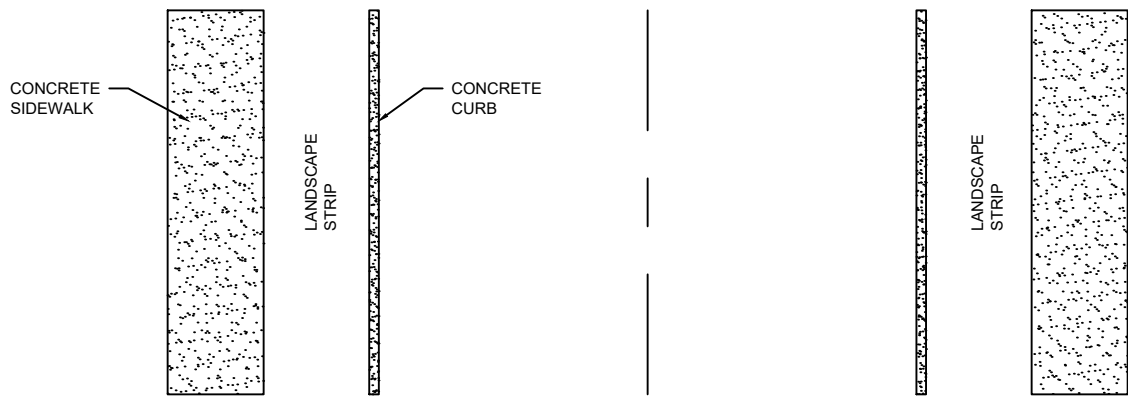
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SLOPE CATCH OUTSIDE OF CITY RIGHT-OF-WAY REQUIRES SLOPE EASEMENT DOCUMENTATION.



3/4\"-0 AGGREGATE BASE NOM. THICKNESS VARIES WITH 95% COMPACTION PER AASHTO T-99 (ASTM D-698)


SUBGRADE COMPACTION 95% AASHTO T-99



TYPE OF STREET	R/W WIDTH (FT.)	PAVING WIDTH CURB TO CURB (FT.)	AC DEPTH (IN.)	(E.) AGGR. BASE DEPTH (IN.)	MIN. CURB RETURN RADIUS (FT.)	DESIGN SPEED (MPH)	(B) MAX. GRADE (%)	MIN. CL CURVE RADIUS (FT.)	TRAVEL LANE #, WIDTH (FT.)	PARKING LANE #, WIDTH (FT.)	UTILITY EASEMENT (FT.)
REDUCED LOCAL 1	50	32	3	6	20	25	10%	(E.)	2, 9	2, 7	5
REDUCED LOCAL 2	40	28	3	6	20	25	10%	(E.)	1, 14	1, 7	10 (G)
RESIDENTIAL ALLEY	20	20	3	6	15	15	10%	(E.)	2, 10	N/A	N/A

**NOTES:**

- A. THE LOCATION AND APPROVAL OF REDUCED WIDTH NON-GRID STREETS IS DETERMINED ONLY THROUGH THE LAND USE PROCESS AND/OR ANNEXATION AGREEMENT. 20 FOOT WIDE PUBLIC UTILITY AND ACCESS EASEMENTS LOCATED AT THE REAR LOT LINE IN CONJUNCTION WITH REDUCED WIDTH STREETS ARE REQUIRED. PUBLIC UTILITY AND ACCESS EASEMENTS SHALL BE IMPROVED TO AC PAVED ALLEY STANDARDS INCLUDING PAVED APRONS AT ALL STREET INTERSECTIONS AND ARE REQUIRED TO HAVE AN AGREEMENT FOR MAINTENANCE PROVISIONS FILED WITH THE COMMUNITY DEVELOPMENT DEPARTMENT.
- B. SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF THE STREET. CONSIDERATION MUST BE GIVEN TO ACCOMMODATE AND MATCH EXISTING DRIVEWAYS. PROPERTY TIGHT SIDEWALK IS STANDARD, SIDEWALKS MAY BE LOCATED TIGHT TO CURB WITH CITY ENGINEER APPROVAL IF EXISTING TOPOGRAPHY OR OTHER PHYSICAL CONDITIONS PREVENT THE LANDSCAPE STRIP FROM BEING INSTALLED.
- C. NO PARKING ALLOWED WITHIN 40 FEET OF THE END OF ALL CURB RETURNS IN ORDER TO ACCOMMODATE LARGE EMERGENCY VEHICLES.
- D. MINIMUM GRADE OF 0.5%. IF UNAVOIDABLE CONDITIONS EXIST, A GRADE OF 2.0% STEEPER THAN SHOWN IS ALLOWED.
- E. SEE DESIGN STANDARDS, SECTION II.A.7, HORIZONTAL CURVES, FOR DESIGN VALUES.
- F. MAXIMUM DISTANCE BETWEEN REDUCED WIDTH STREET INTERSECTIONS SHALL BE 660 FEET. CUL-DE-SACS ARE NOT PERMITTED.
- G. LOCATE SIDEWALK IN UTILITY EASEMENT TO PROVIDE MINIMUM 3 FOOT WIDE LANDSCAPE STRIP.
- H. ANYTHING STEEPER THAN 2:1 REQUIRES CITY ENGINEER APPROVAL.

<p>CITY OF REDMOND PUBLIC WORKS DEPARTMENT</p> <p><b>REDUCED WIDTH STREET TYPICAL STREET CROSS SECTION &amp; DIMENSIONS</b></p>	SCALE: NTS		STANDARD DRAWING NO.
	DRAWING BY: JWS		2-2
	APPROVED BY: JNM		
	DATE: 4/1/2024		

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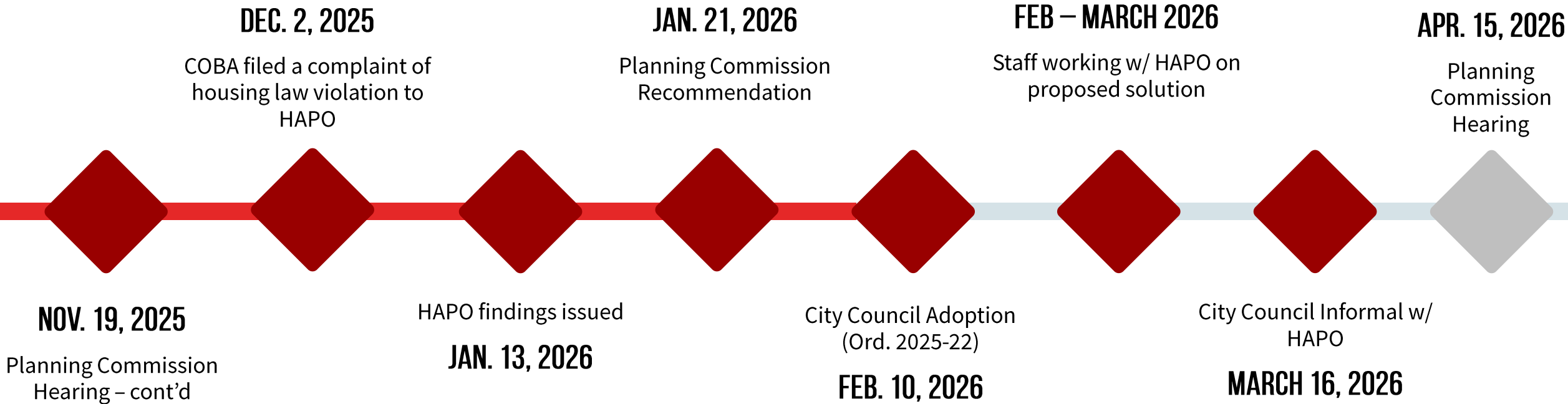
# TENTATIVE PROPOSAL FOR TOWNHOUSE SETBACKS & OPEN SPACE AMENDMENTS

REDMOND CITY COUNCIL

APRIL 7, 2026



# PROCESS TO DATE



# TOWNHOUSE SETBACKS

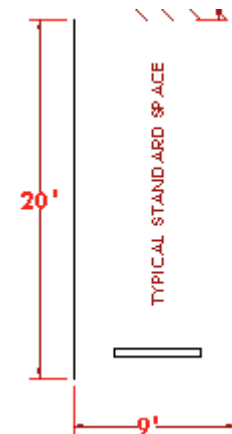
## State law:

- City cannot require more than 1 off-street parking space per Townhouse unit
- A garage is considered an off-street parking space
- Setbacks for townhouses cannot be more restrictive than the same setbacks applied to single-family dwellings in the same zone

## Our development code:

- Requires a single-family dwelling to have a garage
- Does not require a townhouse to have a garage

Rear with garage and alley access	<u>5-20</u>	<u>5-20</u>	<u>5-20</u>	<u>5-20</u>	<u>5-20</u>
Rear without garage	10	10	10	10	10



## Sec. 8.142. Townhouse Development and Design Standards.

1. *Procedure.* New townhouses shall be reviewed for conformance with the requirements listed in this Section.
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
<del>Minimum Street Frontage (Feet)</del>	<del>20</del>	<del>20</del>	<del>20</del>	<del>20</del>	<del>20</del>
<b>Minimum Setback Distance (Feet)</b>					
Front with alley or other rear access	10	10	10	10	5
Front without alley or other rear access	10	10	10	10	10
<u>Front with street access – driveway length</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
Front <u>with garage*</u> <del>setback from</del> and street <u>access</u>	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
<u>Rear with alley access – driveway length</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
Rear with garage* and alley access	<del>5-20</del>	<del>5-20</del>	<del>5-20</del>	<del>5-20</del>	<del>5-20</del>
Rear without <del>garage-alley access</del>	10	10	10	10	<del>10-5</del>

*\*Note: A garage is an optional feature.*

**TOWNHOUSE  
SETBACKS**

# OPEN SPACE REQUIREMENTS

i. *Pocket Parks/Tot Lots.* 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 25 lots/units, a minimum of 3,000 square feet and privately maintained. Developments with at least 50 lots/units shall provide a minimum of 6,000 square feet of open space consolidated, contiguous, and configured in a way that allows for active recreation. Examples of amenities include: turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and adequate trash receptable(s) and lighting.

i. *Pocket Parks/Tot Lots.* 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 -in the amount of 2.5% of the subdivision's total developable area for subdivisions of at least two acres in gross area size. for every 25 lots/units, a minimum of 3,000 square feet andSubdivisions that require greater than 5,000 square feet of open space must provide at least 5,000 square feet of open space that is consolidated and contiguous. privately maintained. Examples of amenitiesThe park must be privately maintained with elements that can include amenities such as~~include:~~ turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and adequate trash ~~receptable~~receptacle(s) and lighting.

Original proposed language:

Newly proposed language:



## CITY OF REDMOND

**CITY HALL**  
411 SW 9<sup>th</sup> STREET  
REDMOND, OR 97756  
541.923.7710  
FAX: 541.548.0706  
[info@redmondoregon.gov](mailto:info@redmondoregon.gov)  
[redmondoregon.gov](http://redmondoregon.gov)

# STAFF REPORT

**DATE:** April 7, 2026  
**TO:** City Council  
**THROUGH:** Keith Witcosky, City Manager  
**FROM:** Keith Leitz, City Attorney  
**SUBJECT:** E-bike Policy Discussion and Public Testimony

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### Report in Brief:

The City Council has invited public input and testimony on whether to ban (or limit) the use of E-bikes and E-scooters within the Redmond city parks (including the Dry Canyon). A public survey has been open since that time.

### Background:

In recent years, the use of different types of E-bikes and E-scooters has grown significantly within city parks. The City Council is now considering restrictions that are needed to ensure community safety and would like to hear from the community.

Residents have been encouraged to provide input on this topic, either via the survey, in person, or submitted via email to [publictestimony@redmondoregon.gov](mailto:publictestimony@redmondoregon.gov).

As of the date of this staff report (April 2, 2026), 2027 comments have been received. Of those, 1068 favored a ban, 932 opposed it, and 27 did not take a position ("not sure" or "other" was their position).

### Discussion:

Council, generally has three available options for this topic:

1. Enact a ban on all E-bikes and/or E-scooters in city parks (including the Dry Canyon);
2. Enact a ban on E-bikes and/or E-scooters that are exclusively electric, i.e. do not have pedals in city parks (including the Dry Canyon); or
3. Do not enact a ban on E-bikes and/or E-scooters in city parks (including the Dry Canyon).

The state regulates E-bikes based on the maximum speed of the E-bike. However, due to enforcement concerns, Legal and the Police Department recommend not basing a ban on the top speed of the E-bike.

The draft ordinance language would prohibit:

"Operating an e-bike or e-scooter (as defined in this chapter) except on designated parking areas or roads. Personal transportation or assistive mobility devices are exempted, such as: wheelchairs, bicycles, roller blades, skateboards."

The draft definition of an E-bike and E-scooter is:

**Electric Bicycle (E-Bike).** A bicycle equipped with an electric motor that provides propulsion without pedaling.

**Electric Scooter (E-Scooter).** A scooter that is equipped with an electric motor and may be propelled by its motor without human propulsion.

### Fiscal Impact:

There is no direct fiscal impact to the City associated with this discussion.

### Alternative Courses of Action:

1. Direct staff to draft an ordinance enacting a ban on E-bikes in City parks (including the Dry Canyon).
2. Direct staff not to draft an ordinance enacting a ban on E-bikes in City parks (including the Dry Canyon).
3. Take no Action and Request more information.

**Recommendation / Suggested Motion:**

Not applicable.

# City of Redmond PROCLAMATION

**A proclamation designating April 5-11, 2026, as**

## **ARBOR WEEK**

**WHEREAS**, in 1872 Arbor Day, a special day set aside for the planting of trees, was first celebrated in Nebraska; and

**WHEREAS**, Arbor Day is the day set aside to plant ceremonial trees, educate children and adults about the importance of trees, and honor the important role trees play in our daily lives; and

**WHEREAS**, trees provide shade and habitat for wildlife, improve air and water quality, reduce the erosion of precious topsoil, increase property values and economic vitality in business areas, contribute to a sense of community pride and ownership, and add beauty to communities; and

**WHEREAS**, the City of Redmond recognizes that our urban forest is a necessity and is an integral part of the City's infrastructure and ecosystems; and

**WHEREAS**, the City of Redmond is committed to provide resources to maintain and enhance the urban forest; and

**WHEREAS**, the City of Redmond is now recognized as a "Tree City USA" recipient for fostering programs which increase the number and health of our trees; and

**WHEREAS**, the City of Redmond recognizes April 24, 2026, as National Arbor Day.

**NOW, THEREFORE BE IT RESOLVED THAT** Council hereby proclaims the week of April 5-11, 2026, to be **ARBOR WEEK** in the City of Redmond and citizens are encouraged through the City to become more involved with the planting and stewardship of the urban forest in celebration of **ARBOR WEEK**.

**APPROVED** by the City Council and **SIGNED** by the Mayor this 7<sup>th</sup> day of April 2026.

The City of Redmond, Oregon

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Ed Fitch, Mayor

ATTEST:

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Kelly Morse, City Recorder



# 2026 ARBOR MONTH ACTIVITIES

<b>APRIL</b> <b>2026</b> ARBOR MONTH ACTIVITIES	SUN	MON	TUE	WED	THU	FRI	SAT
	—————			01	02	03	04
	05	06	07	08	09	10	11
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30	—————	

**7** | **Tree Planting**  
**Boy Scouts of America**  
**Troop #27**  
**4PM @ Spud Bowl**

**8** | **Tree Planting**  
**Small Animal 4-H**  
**Redmond Chapter**  
**4PM @ Spud Bowl**

**24** | **Dry Canyon Clean-up**  
**Heart of Oregon Corps**  
**12:30PM – 2:30PM**  
**Start @ Weigand Dog Park**

