



CITY OF REDMOND
Community Development Department

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

www.redmondoregon.gov

REDMOND URBAN AREA PLANNING COMMISSION

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

Monday, June 6, 2022 6:30 pm

Oral comments can be provided in-person or virtually. For those who plan to provide oral comments virtually during the hearing, pre-register at planredmond@redmondoregon.gov (must pre-register before 4:00 p.m. on June 6th)

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

Agenda

**UAPC
Members**

Teri
Jansen,
Chair

Ron
Osmundson,
Vice-Chair

Heather DeWolf

Norman
Schultz

Richard Bryant

Joseph
Zampko

Vacancy

Ex-Officio
Vacancy

- I. CALL TO ORDER / INTRODUCTIONS
- II. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA
- III. APPROVAL OF MINUTES
 - a. April 11, 2022
 - b. April 18, 2022
 - c. May 2, 2022
- IV. PUBLIC HEARING
 - a. Redmond Development Code Text Amendment (711-21-000084-TA):
Legislative Amendment to Incorporate HB 2001 Requirements and
Other Substantive Changes
- V. Next Meeting – July 11, 2022
- VI. COMMISSION MEMBER COMMENTS
- VII. ADJOURN

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

The City of Redmond encourages all citizens to participate in its programs and activities. This meeting location is accessible to people with disabilities. Requests for accommodation may include sign language interpreter service, assistive listening devices, materials in an alternate format or any other accommodation. If any accommodations are needed, please contact the ADA Coordinator at 541-504-3036 or access@redmondoregon.gov. Requests should be made as soon as possible, but at least 3 business days prior to the scheduled meeting. The City of Redmond does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its programs or activities.



DRAFT

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REDMOND URBAN AREA PLANNING COMMISSION

Hybrid Meeting (in person & virtual)

MINUTES

April 11, 2022

Commissioners Present: Chair Teri Jansen, Vice-Chair Ron Osmundson, Richard “Dick” Bryant, Heather DeWolf (virtual), Laura Garcia, Norman Schultz, Joseph Zampko

Youth Ex Officio: **Vacant**

City Staff: Kyle Roberts, *Interim Planning Director*; John Roberts, *Deputy City Manager*; Christian Armatas, *IT Specialist II*; David Pilling, *Engineering Development Manager*; Heather Cassaro, *Director of Communications/IT*; Jamie Christofferson, *Planning Permit Coordinator*; Keith Leitz, *City Attorney*; Sarah Vowell, *Assistant Planner*

Visitors: Cameron Prow, *TYPE-Write II* (minutes contractor); Andrea; Anna & Jeff Phelps; Annie & Tyler Lampella; Anthony Levison; April Pust, *Becon, LLC*; Barry & Marci Campbell; Billy & Molli Swankie; Brian Nierman, *Szabo Landscape Architecture*; Courtney Perkey, *BHG Partners*; David Perloe, *LEDG Capital, LLC*; DeLori “Lori” Kallberg; Ellen Michaels; Eric & Kerry Hardenbrook, *Hardenbrook Hardwoods LLC*; Esther & Steve Richards; Jamie Garza; Janine & Kevin Mills; Jeff & Jennifer Peck; Jeremy Firkins; Judi & Mike Patrick; Kathi Swanson; Kay Noble; Kenneth Katzaroff, attorney with *Schwabe Williamson & Wyatt*; Kevin B. Fitzpatrick, *Alder Creek Homes*; Lane Rick, __; Larry Wright, *Tekneek Architecture*; Laurie Richmond; Margie Todd; Meghan (Burns) & Caleb Ness; Melissa Schlieve; Mike Lindsey, *Oregon Renovations*; Nancy & Ed Tomlin; Office of Things; Patrick & Dakota Bigos; Perry Schwarz; RaineyPM Admin; Rob Brown; Roger Mathus; Scott & Tammy Phillips; Steve Wasserman; Steve Ehlers; Caller 09

Media: Steele Haugen, *ZoloMedia.com*

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

I. CALL TO ORDER – INTRODUCTIONS

Chair Jansen called the regular meeting of the Redmond Urban Area Planning Commission to order at 6:30 p.m., Monday, April 11, 2022, with a quorum present (7 of 7 commissioners).

II. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

None.

III. APPROVAL OF MINUTES

A. March 21, 2022

Motion 1 (7/0/0): Commissioner Osmundson moved to approve the March 21, 2022, minutes as presented. Commissioner Bryant seconded the motion which passed unanimously.

IV. PUBLIC HEARING

- A. Cottages on Helmholtz (City Files 711-21-000281-SP and 711-21-000282-RMP): Site & Design Review and Partition – 2052 SW Helmholtz Way (Tax Lot 1513190000701) in Redmond, Oregon 97756

Chair Jansen read the hearing procedures into the record. Commissioner DeWolf declared a conflict of interest due to her past inquiry with the applicant about purchasing the property. She recused herself from consideration of this issue due to her stated conflict of interest and because she was attending this meeting virtually (not in person). No other commissioner declared any pre-hearing contacts, ex parte observations, or conflict of interest. No one challenged any commissioner's ability to hear this matter based on bias, prejudgment, or personal interest. Chair Jansen opened the public hearing.

Staff report: Interim Planning Director Roberts presented the staff report and outlined the applicant's proposal. LEDG Capital, LLC, is seeking site and design review approval of an 89-unit multi-family development and a 2-lot partition on 7.52 acres. His summary covered the application timeline, applicable review criteria, key findings and conclusions, and conditions of approval. Based on the submitted plans, staff findings and conclusions, he recommended the Planning Commission approve the Cottages on Helmholtz project, subject to 17 conditions of approval outlined in the staff report.

Commissioners asked questions to clarify their understanding of the issues being considered. Chair Jansen confirmed with Mr. Perloe that the proposed units will be at market rates.

Applicant presentation: Mr. Perloe responded to commissioner questions and discussed the design concept, parks, landscaping, storage, and rental rates. Mr. Katzaroff objected to four conditions of approval: COA 7 (common open space) was not clear and objective criteria, making it unenforceable under state law; COA 8 (privately fenced yards) was not required by the code; COA 10 (protecting aesthetic character of adjacent neighborhoods) was not relevant approval criteria; and COA 11 (parking area screening) should allow fencing in addition to landscaping.

Chair Jansen stated testimony needed to relate directly to the applicable review criteria. She thanked everyone present for attending the meeting.

Public testimony:

- Anna Phelps asked how the code defined "needed housing."
- Scott Phillips (opposed) stated he lived about 200 feet from the proposed development on Helmholtz. His concerns included lack of notice to affected neighborhoods, high-density overlay, housing type, building design, storage, parking, traffic, and property values.
- Meghan (Burns) Ness (opposed) expressed concerns about the impact of this type of housing on surrounding property values and safety impacts due to increased traffic.
- Ellen Michaels (opposed) expressed concerns about the property management plan, number of units, number of parking spots, rental rates, if the applicant intended to follow CC&Rs as surrounding property owners have to, amount of hardscaping, light pollution, lack of compatibility between the proposed unit design and surrounding homes, and impact on surrounding property values.

- Scott Phillips (opposed) expressed an additional concern about the applicant's qualifications to do multi-family housing.
- Melissa Schlieve (opposed) stated she lived within one block of this development. She objected to the high-density overlay done by the City in 2017. She stated her primary concerns were livability and the value of abutting properties.
- Lori Kallberg (opposed) said she didn't remember receiving notice when the high-density overlay was passed in 2017.
- Barry Campbell (opposed) stated concerns about the frequent references to emotion, kids' safety, traffic flow, community services, applicant's meeting bare minimum standards, pressure for density at the expense of diversity, and livability. He thanked planning commissioners for their role and Interim Planning Director Roberts for his responsiveness.
- Esther Richards (opposed) stated she and her husband lived on 43rd Street, two houses away from the proposed development. Her concerns included the lack of notice about this development, park space, open space, boundaries, parking, density, safety impacts due to an extra 821 trips per day, and whether the 2017 zoning change was appropriate.
- Tyler Lampella (opposed) expressed concerns about lack of notice to the neighborhood, livability, compatibility with nearby neighborhoods, and impact of ORS 307.197.
- Annie Lampella (opposed) stated she was born in Redmond and her family had been here since the [19]40s. Her concerns included high-density development, lack of grass in yards, and the safety impact on surrounding neighborhoods due to the proposed development's lack of access to Helmholtz and an additional 821 trips per day.
- Pat Bigos (opposed) stated he was the only resident on 42nd Street who was notified about this development. His concerns included safety of children in his neighborhood if 42nd (currently, a cul-de-sac) were turned into a through street.
- Nancy Tomlin (opposed) asked if an environmental impact study and a traffic study had been done and the impact of low-income rental cottages on existing neighborhoods.
- Rob Brown (opposed) stated he lived on 43rd Street. He expressed concerns about COA 13 (transportation) including parking standards and where guests would park.

Applicant rebuttal: Mr. Perloe, Mr. Katzaroff, and Mr. Nierman responded to commissioner questions and public testimony.

Staff rebuttal: Mr. Leitz stated the City believed COA 10 was a clear and objective standard. Mr. Pilling explained why 42nd Street was being extended from an existing cul-de-sac.

Chair Jansen closed the public hearing.

Commissioner deliberations covered how multi-family units will be platted, property management, ownership type, storage size, park locations, open space requirements, landscaping design and materials, pet zone, lighting impact on surrounding neighborhoods, if all buildings will be subject to architectural review by the City, traffic flow on SW Helmholtz, improving the Helmholtz/Sisters Highway intersection, application felt incomplete, parking

requirements, compatibility with Redmond's great neighborhood principles, sidewalks, Helmholtz accesses, why exterior façade standards were different for single- and multi-family housing, and if Forked Horn Butte Road and Salmon Avenue will be extended to Helmholtz. Chair Jansen reminded commissioners they were required to follow the applicable review criteria in the Redmond Development Code.

Motion 2 (4/2/1): Commissioner Schultz moved to approve the Cottages on Helmholtz project (City Files 711-21-000281-SP, 711-21-000282-RMP), subject to 17 conditions of approval in the staff report and subject to modifying Condition of Approval 10 as discussed. Commissioner Garcia seconded the motion which passed with Commissioners Bryant, Garcia, Jansen, and Schultz voting in favor, Osmundson and Zampko opposed, and DeWolf abstaining.

V. NEXT MEETING

- April 18, 2022, 6:30 p.m. (**3rd** Monday) – hybrid meeting (in-person and virtual)

VI. COMMISSION MEMBER COMMENTS

Chair Jansen reminded commissioners that the hybrid meeting environment was for the public. Planning commissioners need to be physically present unless they are ill or out of town.

VII. ADJOURN

With no further business, Chair Jansen adjourned the meeting at 9:05 p.m.

APPROVED by the Redmond Urban Area Planning Commission and SIGNED by me this _____ day of _____, 2022.

ATTEST:

Teri Jansen
Chair

Kyle Roberts
Interim Planning Director



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REDMOND URBAN AREA PLANNING COMMISSION

Hybrid Meeting (in person & virtual)

MINUTES Worksheet

April 18, 2022

Commissioners Present: Chair Teri Jansen, Vice-Chair Ron Osmundson, Richard "Dick" Bryant, Heather DeWolf, Norman Schultz (*excused: Laura Garcia, Joseph Zampko*)

Youth Ex Officio: **Vacant**

City Staff: Kyle Roberts, *Interim Planning Director*; John Roberts, *Deputy City Manager*; Megan Jacob, *Associate Planner*; Sarah Vowell, *Assistant Planner*

Visitors: Cameron Prow, *TYPE-Write II* (minutes contractor); Caller 01; Karna Gustafson, *Central Oregon Builders Association*; R.Lenska

Media: None

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

CALL TO ORDER – INTRODUCTIONS

Chair Jansen called the regular meeting of the Redmond Urban Area Planning Commission to order at 6:30 p.m., Monday, April 18, 2022, with a quorum present (5 of 7 commissioners).

I. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

None.

II. APPROVAL OF MINUTES

A. April 4, 2022

Motion 1 (5/0/0): Commissioner Osmundson moved to approve the April 4, 2022, minutes as presented. Commissioner Schultz seconded the motion which passed unanimously.

IV. HB 2001 and SB 458 Code Amendments

A. Anticipated Outcomes

B. Exhibits – Organization of Code Amendments

C. Timelines

F. SB 458

Interim Planning Director Roberts presented the staff memo. His summary included an update on the envisioned exhibits and timeline to adopt Redmond Development Code (RDC) amendments needed to meet House Bill 2001 and Senate Bill 458 requirements.

D. Density Table – Exhibit A

Interim Planning Director Roberts reviewed the working draft of Exhibit A which contained proposed amendments to RDC Section 8.0140, Table B, Minimum Standards. He and Deputy City Manager Roberts responded to commissioner questions.

E. Feedback

Commissioner concerns included City councilors' opinions about density increases which were expressed during the April 5, 2022, joint workshop with Council, the City's need to retain control over how residential development is done, impact of the housing needs analysis on minimum densities, density ratios, difficulty of meeting minimum density standards, impacts of greater density on current infrastructure, and consequences of not meeting HB 2001 requirements. Chair Jansen stated the Planning Commission's focus needed to be on meeting HB 2001 requirements first. Other density changes could be discussed later. She directed staff to move forward with yellow-highlighted changes on the working draft until HB 2001 requirements have been met.

Chair Jansen invited public comments on the draft density table:

- Karna Gustafson expressed concern about minimum densities in the R-4 and R-5 zones which she stated were out of compliance with the comprehensive plan.

V. **NEXT MEETING**

- May 2, 2022, 6:30 p.m. (1st Monday) – hybrid meeting (in-person and virtual)

VI. **COMMISSION MEMBER COMMENTS**

Chair Jansen commended commissioners for the great job they did at the April 18, 2022, meeting.

Commissioner Bryant asked if notice requirements about proposed developments could be expanded beyond the current 100-foot distance and whether the City could post signs on properties proposed for development. Deputy City Manager Roberts responded to his concerns.

Commissioner DeWolf thanked planning staff for the information they provided. She stated commissioners should be able to vote on how they want to attend meetings. She also felt it was important to hear from members of the public who attend Planning Commission meetings.

VII. **ADJOURN**

With no further business, Chair Jansen adjourned the meeting at 7:44 p.m.

APPROVED by the Redmond Urban Area Planning Commission and SIGNED by me this _____ day of _____, 2022.

ATTEST:

Teri Jansen
Chair

Kyle Roberts
Interim Planning Director



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REDMOND URBAN AREA PLANNING COMMISSION

Hybrid Meeting

MINUTES Worksheet

May 2, 2022

Commissioners Present: Chair Teri Jansen, Vice-Chair Ron Osmundson, Richard "Dick" Bryant, Heather DeWolf, Norman Schultz (*absent: Joseph Zampko*)

Youth Ex Officio: **Vacant**

City Staff: Kyle Roberts, *Interim Planning Director*; John Roberts, *Deputy City Manager*; Sarah Vowell, *Assistant Planner*

Visitors: Cameron Prow, *TYPE-Write II* (minutes contractor)

Media: None

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

I. CALL TO ORDER – INTRODUCTIONS

Chair Jansen called the regular meeting of the Redmond Urban Area Planning Commission to order at 6:30 p.m., Monday, May 2, 2022, with a quorum present (5 of 6 commissioners). She reported Commissioner Laura Garcia had resigned.

II. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

None.

III. CODE UPDATE & PROCESS TIMELINE

Interim Planning Director Roberts provided an update on the code process and timeline. Staff are nearing completion on proposed amendments to the planned unit development regulations. However, since this work was not part of code amendments for House Bill 2001, Planning Commission review was postponed until HB 2001 requirements have been met. Due to DLCD (Oregon Department of Land Conservation and Development) requirements for a 35-day notice, the Planning Commission's public hearing on HB 2001 code amendments will be held on June 6, 2022. The packet for the June 6 meeting will be sent to commissioners on May 27, 2022.

IV. NEXT MEETING

- June 6, 2022, 6:30 p.m. (**1st** Monday) – hybrid meeting (in-person and virtual)

V. COMMISSION MEMBER COMMENTS

Commissioner Schultz asked about the City Council review process of Planning Commission decisions. Interim Planning Director Roberts replied the Council's public hearing to review the Planning Commission's decision on the Cottages on Helmholtz project was scheduled for Tuesday, June 14, 2022.

Commissioner Bryant asked when the current Planning Commission vacancy would be filled. Chair Jansen summarized the commissioner recruitment process.

VI. ADJOURN

With no further business, Chair Jansen adjourned the meeting at 6:41 p.m.

APPROVED by the Redmond Urban Area Planning Commission and SIGNED by me this _____ day of _____, 2022.

ATTEST:

Teri Jansen
Chair

Kyle Roberts
Interim Planning Director

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

HEARING DATE: June 6, 2022, 6:30 PM, Redmond City Hall Council Chambers

HEARINGS BODY: Redmond Urban Area Planning Commission

FILE NUMBER: 711-21-000084-TA

FILE NAME: Redmond Development Code Text Amendment

REQUEST: A Legislative Amendment to the Redmond City Code, Chapter 8 (Development Code) to Incorporate House Bill 2001 Requirements and Other Substantive Changes

APPLICANT: City of Redmond

REVIEWING STAFF: Kyle Roberts, AICP, Interim Planning Director
Through John Roberts, AICP, Deputy City Manager

I. BACKGROUND

Summary:

The last update to the Redmond Development Code was adopted by City Council in November 2020 and was in sync with the adoption of the Redmond Comprehensive Plan 2040. The code amendments allowed the Development Code to account for many of House Bill 2001 requirements. This current update is intended to finalize the remaining HB 2001 requirements, modernize and improve administration of the Development Code. These include changes to create a more diverse mix of housing and better implementing the Great Neighborhood Principles. In 2021, the Planning Commission held one work session and ten public hearings on the proposed amendments. In 2022, the Commission has conducted four work sessions on the amendments. Lastly, the Commission held two joint workshops with City Council.

The proposed amendments to the Development Code were initiated legislatively by the City. The findings and supporting materials, demonstrate the proposed text amendments are consistent with the Statewide Planning Goals, the Comprehensive Plan, and Development Code Section 8.0760. The four criteria set forth in Section 8.0760 are addressed herein, as well as applicable state laws and requirements.

Proposal:

The request is for a legislative amendment to update multiple sections of the Development Code. The majority of changes are made to comply with House Bill 2001, removing barriers for the development of middle housing. This includes permitting by right middle housing in all residential zones as well as revising siting and design standards. Definitions of duplexes, triplexes, and quadplexes have changed to allow for detached units. Additionally, new provisions have been added to allow for middle housing land divisions as required by Senate Bill 458.

Other changes have been made as part of the update. Of note, some of these include changes to minimum lot sizes and densities in residential zones. The changes have been made to bring them in greater alignment with the Comprehensive Plan and Housing Needs Analysis. Major revisions have been made to the Development Code's Planned Unit Development provisions to allow for greater flexibility in design and incentivize use. Changes have been made to definitions to better align with State requirements, and to streamline permitting processes. A new zone, M-1.5 (General Industrial), is being introduced, although no property is being rezoned at this time. The purpose and intent of M-1.5 is

to provide for general industrial uses that require less than 35% of property for outdoor storage of raw or assembled materials.

Amendments to address administrative procedures have also been made throughout the Development Code, which included repeal of select sections of code. These changes are intended to eliminate redundancy, provide clarity, and improve overall application of the Development Code.

Exhibits:

The proposed Redmond Development Code amendment package is comprised of five exhibits (A-E) as shown below and attached hereto:

- Exhibit A – Section 8.0140 (“Density Table”)
- Exhibit B – Senate Bill 458 (Middle Housing and Expedited Land Division)
- Exhibit C – Master Development Plans & Planned Unit Developments
- Exhibit D – House Bill 2001 & Other Amendments
- Exhibit E – Administrative Topics

Noticing:

Per ORS 197.610, a notice of proposed change to an implementing regulation was submitted to the Department of Land Conservation and Development (DLCD) on April 28, 2022. Per Section 8.1110 of the Redmond Development Code, a public hearing notice for the June 6th hearing was published in the *Bend Bulletin* on May 27, 2022.

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) – 197.610 and 197.797
- Oregon Administrative Rules (OAR), Chapter 660:
 - Division 15, Statewide Planning Goals and Guidelines
 - Division 46, Middle Housing in Medium and Large Cities
- City of Redmond Development Code:
 - Article I – Zoning Standards
 - Section 8.0760: Criteria for Amendments

II. FINDINGS & CONCLUSIONS

Findings:

Redmond Development Code, Article I – Zoning Standards: Amendments: Sections 8.0750 through 8.0770 set forth the procedure and standards for an amendment to the text of the Redmond Development Code. Specifically, Section 8.0760 sets forth the four review criteria that must be met when evaluating an amendment request. Findings for each criterion are presented below.

8.0760 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 197.758, *Development of middle housing; local regulations*
ORS 197.797, *Local quasi-judicial land use hearings; notice requirements; hearing procedures.*

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 197.758 requires local regulations comply with House Bill 2001. The Oregon State Legislature passed HB 2001 in June 2019 with the intent to provide more opportunities for a variety of housing types in traditionally single-family neighborhoods, and to increase the overall housing supply with a focus on increasing options for smaller housing types that could be less expensive. HB 2001 (codified as ORS 197.758), sets middle housing requirements for both Medium Cities and Large Cities, with “Large Cities” defined to include all Oregon cities with a population of more than 25,000, unincorporated areas within the Portland Metro boundary that are served by sufficient urban services, and all cities within the Portland Metro boundary with a population of more than 1,000.

According to the U.S. Census Bureau, the population of Redmond is 33,274 as of the 2020 decennial census. As a Large City, Redmond is required by ORS 197.758 to 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,” and
- Triplexes, quadplexes, cottage clusters, and townhouses “in areas zoned for residential use that allow for the development of detached single-family dwellings.”

ORS 197.758 and its implementing regulations allow local governments to regulate siting and design of middle housing, provided that the regulations do not, individually or cumulatively, discourage middle housing development through unreasonable costs or delay. When regulating siting and design of middle housing, Large Cities should balance concerns about neighborhood compatibility and other factors against the need to address Oregon’s housing shortage by removing barriers to development and should ensure that any siting and design regulations do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay.

Throughout 2020, the Department of Land Conservation and Development (DLCD) led three rulemaking efforts to help cities comply with the requirements of ORS 197.758/HB 2001. This work included the creation of model codes, establishment of compliance standards, and identification of processes and criteria for the evaluation of city plans to address infrastructure needs. On December 9, 2020, the Land Conservation and Development Commission (LCDC) adopted a set of Oregon Administrative Rules (OAR’s) that outline the “minimum compliance standards” Large Cities must meet for middle housing to comply with HB 2001. They also adopted a Large Cities Middle Housing Model Code to guide the development of all middle housing types in Large Cities. Large Cities may choose to regulate middle housing using the Large Cities Middle Housing Model Code, the minimum compliance standards, or a combination of the two.

A city may also adopt alternative siting or design standards other than those authorized by the Oregon Administrative Rules, under certain conditions (OAR 660-046-0235). Redmond is

proposing standards that meet a combination of the minimum compliance standards and Model Code standards and is not proposing any alternative siting or design standards.

Under HB 2001, Large Cities must adopt land use regulations and/or amend the comprehensive plan to implement the middle housing requirements in ORS 197.758 by June 30, 2022.

ORS 197.797 sets forth noticing requirements. The applicable RDC standards that address amendment and legislative procedures and noticing requirements (i.e., Sections 8.0750-8.0770 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.

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 City has conducted numerous public meetings and work sessions with the Planning Commission over the past 14 months regarding these proposed amendments.

Public notices and agendas for Planning Commission meetings where and when the proposed amendments were discussed were provided in accordance with law. All documents were available for public review. Further, public notice advertising the June 6th public hearing was published in the *Bend Bulletin*. The City continually provided public review and involvement opportunities during public meetings and work sessions conducted by both the Planning Commission.

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. Through the course of review of the text amendments to the RDC, input was received from City staff, Planning Commission, Central Oregon Builders Association, developers, and residents of the community. The proposed amendments will bring to the RDC into compliance with House Bill 2001; better implement policies of the Comprehensive Plan; and provide clearer regulations and policies for City staff to administer.

Goal 10 – Housing – provides for the housing needs of citizens of the state. A major portion of the proposed amendments are to bring the RDC into compliance with House Bill 2001, removing barriers to permitting middle housing.

The City of Redmond 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 197.296(3). 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. New housing in Redmond is forecast to be 60% single-family detached, 15% single-family attached, and 25% multi-family to meet the diverse needs of the projected Redmond population. The HNA also identified a deficit of land for single-family and multi-family to accommodate the needed housing units, and the need to designate additional land for housing and/or increase the development capacity of existing land. Permitting middle housing throughout all residential designations is one strategy that will help to partially address this deficit, by adding additional development capacity particularly in the Limited and General Residential designations (implemented by the R-1, R-2 zones and R-3, R-4 zones respectively).

ORS 197.296(6)(b), as amended by House Bill 2001, allows jurisdictions to assume up to a 3% increase in zoned capacity, unless they demonstrate a quantifiable validation that the anticipated capacity will be greater.

The 2019 HNA calculated zoned capacity of undeveloped areas across the City and UGB, which can be used as the basis for estimating additional housing units that may be produced due to middle housing allowances. The focus is on Limited and General Residential designations (implemented by R-1, R-2 and R-3, R-4 zones respectively). While middle housing is proposed to be permitted in the High-Density Designation (R-5 zone), expected middle housing densities in those zones are not likely to exceed densities of multifamily development also permitted in that zone and thus would not result in additional development capacity.

Plan Designation	Capacity
Limited Residential	1,464
General Residential	2,363
Total	3,827
<i>Additional 3% development capacity</i>	<i>115</i>
Revised Total	3,942

Source: 2019 HNA Exhibit 76, Estimate of residential capacity on areas WITH and WITHOUT Master Plans, Redmond UGB, 2019.

The City could expect up to an additional 115 dwelling units as middle housing to be produced as a result of the proposed middle housing code amendments, in addition to the portion of the total 6,817 new dwelling units for the next 20 years already forecasted to be middle housing types. The additional middle housing capacity helps the City to partially meet its identified housing demand for the 2019-2039 period, in compliance with Goal 10. The City will continue working outside of this project to identify additional measures to correct the capacity deficit for needed housing.

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 Development Code to try and ensure it is aligned with the Comprehensive Plan. Updates to the Development Code in this context helps ensure the Development Code remains modern and tailored to meet the

changing needs of the community. As such, the proposed amendments touch on and implement policy statements contained in every chapter of the Redmond Comprehensive Plan.

Chapter 2 of the Redmond Comprehensive Plan identifies goals and policies that pertain to land use planning and procedures. Goal 1 of the chapter states the following:

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 Development Code serves as the major implementation mechanism of the Comprehensive Plan. These amendments to the Development Code create alignment with recent State-directed policy as well as contribute to advancing the community's vision for the future.

Chapter 10 of the Redmond Comprehensive Plan identifies goals and policies related to housing in Redmond. Staff have found that new single-family master plans and subdivisions have experienced challenges meeting the code's current minimum density requirement in R-4 and R-5. As part of these amendments, and per Policy 10-1-6(c), staff has lowered the minimum density requirement in R-4 and R-5 for single-family. Moreover, in doing so, staff evaluated the current density requirements for the other residential zones and are proposing adjustments to bring the densities in better alignment with Policies 10-1-4(a)-(e).

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

FINDING: Under HB 2001, Large Cities must adopt land use regulations and/or amend the comprehensive plan to implement the middle housing requirements in ORS 197.758 by June 30, 2022. This mandate was the primary driver for the proposed code amendments. As mentioned previously, the code amendment process began over a year ago and as part of the process, staff and stakeholders identified areas throughout the code unrelated to HB 2001 that were in need of revision to modernize the code to meet the changing needs of the community.

EXHIBIT A – REDMOND DEVELOPMENT CODE (RDC)

EXHIBIT A: AMENDMENTS TO RDC DENSITY TABLES: HB 2001

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

Prepared for June 6, 2022, Planning Commission Public Hearing

Amend the following throughout the RDC:

- Repeal and replace Section 8.0140, Table B, Minimum Standards in entirety.
- Incorrect numbering and references.
- Remove all references to “multi-family dwellings,” and replace with “triplexes and quadplexes” where appropriate.

Chapter 8 – 8.0140

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

* **Green Highlighting** represents minimum lot sizes, density alternatives or setback standards still being considered and discussed.

Zone:					
Standard:	R-1	R-2	R-3, <u>R-3A</u>	R-4	R-5
Minimum Lot size - Square Feet					
Single Family, <u>Duplex</u> , <u>Triplex</u>	9,000	9,000	7,500 <u>6,000</u>	5,500 <u>5,000</u>	5,500 <u>4,000</u>
<u>Quadplex</u> , Cottage Cluster	<u>9,000</u>	<u>9,000</u>	<u>7,500</u> <u>7,000</u>	<u>7,000</u>	<u>7,000</u>
<u>Duplex</u>	<u>9,000</u>	10,000	8,000	7,500	7,500
<u>Duplex Lot</u>			4,250	3,750	3,750
<u>Multifamily Dwelling</u>	NA	NA	NA	F	F
Townhouse	<u>1,500</u>	<u>1,500</u>	<u>1,500</u> E	<u>1,500</u> E	<u>1,500</u> E
Multi-Family Complex: 5+ units	No Minimum Lot Size Must Meet Density Standards				
Density - Units/Net Acre					
Minimum Density/ <u>Gross</u> <u>Acre: All</u>	4	4	5	10 5	15 8
Maximum Density: Single Family	5	5	5.8 <u>7.3</u>	8 <u>8.7</u>	8 <u>10.9</u>
Maximum Density: Duplex, Triplex, Quadplex, Cottage Cluster	No Maximum Density Must Meet Minimum Lot Size				
Maximum Density: Townhouses	20	20	23.2 <u>25</u>	25	25

EXHIBIT A

Zone:

Standard:	R-1	R-2	R-3, <u>R-3A</u>	R-4	R-5
Maximum Density: Multi-family Complex 5+ units	N/A	N/A	N/A	14.5	17.4
Planned Unit Developments (PUDs) and Cottage Developments (COD) densities specified in Section 8.0275 et seq.					
Minimum Setback Distance – Feet See c, F, and H below					
Front Façade, excluding garage which must be 20 feet back from property line	15-10	15-10	15-10	10	10
Interior Side	B-5/10	-B-5/10	B-5/10	-B 5/10	5
<u>Interior side yards must be a minimum of 5 feet on one side and 10 feet on the other side for single family, duplex, triplex, and quadplex residences. Where alley access is provided, both interior side yards may be reduced to 5 feet. Exceptions to the 10-foot setback are allowed (1) when the residential lot was created prior to the adoption of this standard (November 9, 2006); (2) on cul-de-sac lots; or (3) on flag lots.</u>					
Street Side	15-10	15-10	15-10	15-10	15-10
Rear	20	20	20	20 15 /10	10 5
Garage, access from street	20	20	20	20	20
Garage, access from alley	5	5	5	5	5
Setbacks					
<u>ADUs: Specified in Section 8.0325.</u>					
<u>Cottage Clusters: Specified in Section 8.0143.</u>					
<u>Cottage Developments: Specified in Section 8.0285 et seq.</u>					
<u>Multi-family Complexes: Specified in Section 8.3035.4.E. Table A.</u>					
<u>Townhouses: Specified in Section 8.0142.</u>					
Maximum Building Height – Feet					
	32	32	32	40,E 45	40,E 45
Minimum Street Frontage – Feet					
Standard Street	50	50	50	50	50 40
Cul-de-sac	30	30	30	30	30
Flag Lot	20	20	20	20	20
Duplex lot (non-flag or cul de sac)	N/A	N/A	25	25	25
Townhouse	30-20	30-20	30-20	30-20	30-20
A. Interior side yards must be a minimum of 5 feet on one side and 10 feet on the other side for single family, duplex residences. Where alley access is provided, both interior side yards may be reduced to 5'. Exceptions to the 10' setback are allowed (1) when the residential lot was created prior to the adoption of this standard; or (2) on cul de sac lots; or (3) on flag lots.					
B. Does not include solar setbacks, which are calculated separately.					
D. Pursuant to the Townhouse Development Standards in Chapter 8, Article IV Site and Design Review Standards, Section 8.3035.4.f.2, Table A.					

EXHIBIT A

Zone:

Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
E. Does not apply to development standards for Multi-family Dwellings and Multi-family Complexes which are located in Chapter 8, Article IV, Site and Design Review Standards, Section 8.3035.4.E.2., Table A					
F. Street trees are required to be provided in accordance with Section 8.3035(5)(K)					
G. ADU Rear Yard and Other Setbacks (Zones R-1 and R-2 — no change <i>to setbacks since the lot sizes are quite large.</i>)					
For all other zones:					
2-story ADUs — 20-foot rear yard setback;					
2-story ADU that abuts an alley — 10-foot rear yard setback (driveway, if proposed, must still be 20 feet deep)					
1-story ADU — 10-foot rear yard setback					
1-story ADU that abuts a 20-foot wide alley — 5-foot rear yard setback (driveway must still be 20 feet deep)					
ADU abutting a street corner — maintain front yard setback — side may be 5 feet for either 1 or 2 stories (driveway must still be 20 feet deep) ADU cannot extend in front of the house or be built in the front yard or front yard setback.					
ADU on lot abutting a commercial/industrial property — 5-foot rear yard setback regardless of height.					
N/A = "not allowed"					

EXHIBIT B – REDMOND DEVELOPMENT CODE (RDC)

EXHIBIT B: SB 458 AMENDMENTS

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

Prepared for June 6, 2022, Planning Commission Public Hearing

Amend the following throughout the RDC:

- Incorrect numbering and references.
- Amend the Table of Contents.
- Remove all references to “multi-family dwellings,” and replace with “triplexes and quadplexes” where appropriate.

ARTICLE III. LAND DIVISION STANDARDS

(***)

MIDDLE HOUSING AND EXPEDITED LAND DIVISIONS

8.2650 Purpose. The purpose of the expedited and middle housing land division process is to implement requirements in ORS 197.360 to 197.380 for expedited land divisions in residential districts, and 2021 Oregon Laws Ch. 103 (S.B. 458) regarding middle housing land divisions, in order to create homeownership opportunities.

8.2655 Applicability.

- 1. Expedited Land Division Applicability.** The procedures of this chapter are applicable to partitions and subdivisions within a residential zone as provided in ORS 197.365.
- 2. Middle Housing Land Division Applicability.** The procedures of this chapter are applicable to the following middle housing projects, or proposed middle housing projects, on an existing lot within a residential zone:
 - A. A duplex.
 - B. A triplex.
 - C. A quadplex.
 - D. A townhouse project.
 - E. A cottage cluster.

8.2660 Procedures. An Expedited Land Division or Middle Housing Land Division is not land use procedure. Unless the applicant requests to use the procedures in Sections 8.2200-8.2515 - Partitions and Subdivisions (a land use action), the following procedure for an Expedited Land Division or Middle Housing Land Division shall be followed.

- 1. Pre-Application Meeting.** A pre-application meeting is not required.
- 2. Application Requirements.** Applications shall be submitted upon forms established by the Community Development Director. Applications will not be accepted in partial

EXHIBIT B – REDMOND DEVELOPMENT CODE (RDC)

submittals. All of the following items must be submitted to initiate the completeness review:

- A. Application form, including required notarized signature(s) that demonstrate consent of all owners of the affected property;
- B. Deed, title report, or other proof of ownership;
- C. Information addressing the approval criteria of Section 8.2665 for Expedited Land Division or Section 8.2670 for Middle Housing Land Division in sufficient detail for review and action;
- D. Plans required for the particular type of application as noted by staff on the application checklist;
- E. Application narrative to address applicable code approval criteria and standards as noted on the application checklist; and
- F. Payment of the required fee.

3. Completeness Review. The Community Development Director shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within 21 calendar days after the City receives the application submittal.

- A. Incompleteness shall be based solely on failure to pay required fees, failure of the applicant's narrative to address the relevant criteria or development standards, or failure to supply the required information listed in the checklist and shall not be based on differences of opinion as to quality or accuracy. Determination that an application is complete indicates only that the application contains the information necessary for a qualitative review of compliance with the Development Code standards.
- B. If the application was complete when first submitted or the applicant submits the additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were in effect at the time the application was first submitted.
- C. If an application is incomplete, the completeness notice shall list what information is missing and allow the applicant to submit the missing information. The completeness notice shall include a form, designed to be returned to the Community Development Director, or designee, by the applicant, indicating whether or not the applicant intends to amend or supplement the application.

4. Notification.

- A. The Community Development Director, or designee, shall provide written notice of the receipt of the completed application for a Middle Housing Land Division or Expedited Land Division to all of the following:
 - 1. The applicant and/or authorized representative;
 - 2. The owner(s) of record of the subject property;
 - 3. Any City-recognized neighborhood association whose boundaries include or are within 100 feet of the subject property;
 - 4. Owners of record within 100 feet of the perimeter of the subject property; and
 - 5. Affected City departments, governmental agency, or special district responsible for providing public facilities or services which is entitled to notice under an intergovernmental agreement with the City which includes provision for such notice or is otherwise entitled to such notice.
- B. The notice shall state:
 - 1. The street address or other easily understood geographical reference to the subject property;

EXHIBIT B – REDMOND DEVELOPMENT CODE (RDC)

2. A time and place where copies of all evidence submitted by the applicant will be available for review;
 3. The applicable criteria for the decision;
 4. The name and telephone number of a local government contact person;
 5. A brief summary of the local decision-making process for the Middle Housing Land Division or Expedited Land Division;
 6. That issues that may provide the basis for an appeal to the hearings officer must be raised in writing prior to the expiration of the comment period;
 7. That issues must be raised with sufficient specificity to enable the local government to respond to the issue; and
 8. The place, date and time that comments are due.
 - C. For purposes of appeal to the hearings officer under ORS 197.375 (Appeal of Local Government to Referee; Court of Appeals), this requirement shall be deemed met when the Community Development Director can provide an affidavit or other certification that such notice was given.
 - D. After notification according to the procedure set out above, the Community Development Director, or designee, shall provide a 14-day period for submission of written comments prior to the decision.
 5. **Decision.** The Community Development Director, or designee, shall make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the applicable requirements of Section 8.2650 through 8.2680 of Article III of the Redmond Development Code.
 - A. Approval may include conditions to ensure that the application meets the applicable regulations.
 - B. For Middle Housing Land Division and Expedited Land Division applications, the Community Development Director, or designee:
 1. Shall not hold a hearing on the application; and
 2. Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination.
 - C. The decision shall include a statement of the facts upon which the decision authority relied to determine whether the application satisfied or failed to satisfy each applicable approval.
 - D. Notice of the decision shall be provided to the applicant and to those who received notice under subsection (4) of this section within 63 days of the date of a completed application. The notice of decision shall include:
 1. The summary statement described in (2)(b) of this subsection; and
 2. An explanation of appeal rights under ORS 197.375 (Appeal of decision on application for expedited land division).
 6. **Appeals.** An appeal of a decision made under this section shall not be subject to Section 8.1500 through 8.1560 of Article II of the Redmond Development Code, Land Use Procedures. Any appeal of an Expedited Land Division or Middle Housing Land Division must be as provided in ORS 197.375. The Approval Authority for any appeal of an Expedited Land Division or Middle Housing Land Division is a City-appointed Hearings Officer.
 7. **Expiration.** The tentative approval of a Middle Housing Land Division or Expedited Land Division is void if a final plat is not recorded within three years of the tentative approval.

8.2665 Criteria of Approval – Expedited Land Division.

EXHIBIT B – REDMOND DEVELOPMENT CODE (RDC)

1. The Community Development Director, or designee, will approve or deny an application for Expedited Land Division based on whether it satisfies the applicable criteria of approval. The Community Development Director, or designee, may approve the land division with conditions to ensure the application meets the applicable land use regulations.
2. The land subject to the application is within the R-1, R-2, R-3, R-3A, R-4 and/or R-5 zones.
3. The land will be used solely for residential uses, including recreational or open space uses that are accessory to residential use.
4. The land division does not provide for dwellings or accessory buildings to be located within a designated Historic Resource.
5. The land division satisfies the minimum improvement requirements for development in Section 8.2240.
6. The land division satisfies the following development standards contained in the Redmond Development Code or in an applicable Master Plan:
 - A. Applicable lot dimensional standards;
 - B. Applicable standards that regulate the physical characteristics of permitted uses, such as building design standards;
 - C. Applicable standards in this code for transportation, sewer, water, drainage and other facilities or services necessary for the proposed development, including but not limited to right-of-way standards, facility dimensions and on-site and off-site improvements.
7. The land division will result in development that either:
 - A. Creates enough lots to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or
 - B. Will be sold or rented to households with incomes below 120 percent of the median family income for Bend-Redmond MSA, which the project is built.

8.2670 Criteria of Approval – Middle Housing Land Division.

1. The Community Development Director, or designee, will approve a tentative plan for Middle Housing Land Division based on whether it satisfies the following criteria of approval:
2. The application provides for the development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot allowed under ORS 197.758 (5).
3. Separate utilities are provided for each dwelling unit.
4. The applicant provides for easements necessary for each dwelling unit on the plan for:
 - A. Locating, accessing, replacing and servicing all utilities;
 - B. Pedestrian access from each dwelling unit to a private or public street;
 - C. Any common use areas or shared building elements;
 - D. Any dedicated driveways or parking; and
 - E. Any dedicated common area.
5. The applicant proposes exactly one dwelling unit on each resulting lot, except for lots, parcels or tracts used as common areas.
6. The applicant demonstrates that buildings or structures on a resulting lot will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots, that structures or buildings located on the newly created lots will comply with the Oregon residential specialty code.
7. The original lot dedicated and improved the abutting street right-of-way sufficient to comply with minimum right-of-way and improvement standards of Section 8.2710 or

EXHIBIT B – REDMOND DEVELOPMENT CODE (RDC)

dedication and/or improvements of the abutting street right-of-way are proposed that meet the subject standards.

8. The type of middle housing developed on the original lot shall not be altered by a Middle Housing Land Division. For example, cottage cluster units within a cottage cluster do not become single-family detached residential units after a Middle Housing Land Division.

8.2675 Conditions of Approval – Expedited Land Division and Middle Housing Land Division. The Community Development Director, or designee, may add conditions of approval of a tentative plan for a Middle Housing Land Division or Expedited Land Division as necessary to comply with the applicable criteria of approval. Conditions may include but are not limited to the following:

1. A condition to prohibit the further division of the resulting lots or parcels.
2. A condition to require that a notation appear on the final plat indicating that the approval was given under Section 2 of Senate Bill 458 (2021) as a Middle Housing Land Division.
3. A condition to require recording of easements required by the tentative plan on a form acceptable to the City, as determined by the City Attorney.

8.2680 Final Plat for Expedited Land Division and Middle Housing Land Division.

1. The final plat shall comply with the Middle Housing Land Division or Expedited Land Division conditions of approval.
2. The following data requirements, if applicable, shall also be shown on the final plat.
 - A. All tracts of land intended to be deeded or dedicated for public use;
 - B. Street names as approved by the Community Development Director;
 - C. Any non-access strips.
3. **Approval Criteria.** The Community Development Director, or designee, shall approve or deny the final plat for the Middle Housing Land Division or Expedited Land Division. Approval shall be based on the following criteria:
 - A. Lands to be deeded or dedicated for public use are provided for on the final plat or on separate documents.
 - B. An approved guarantee of completion is provided for required public improvements that have not been completed and accepted by the City.
 - C. An approved grading and drainage plan is provided if grading is required.
 - D. Approved construction drawings for required public improvements are provided.
 - E. All conditions of tentative plat approval have been met and the final plat substantially conforms to the provisions of the approved tentative plat.
4. A notice of middle housing land division for each middle housing lot shall be recorded with the County recorder that states:
 - A. The middle housing lot may not be further divided.
 - B. No more than one unit of middle housing may be developed on each middle housing lot.
 - C. The dwelling developed on the middle housing lot is a unit of middle housing and is not a single family detached residential unit, or any other housing type.
5. No plat shall have any force or effect and no title to any property shall pass until the final plat has been recorded; however, a final plat is not required prior to issuance of building permits for middle housing proposed with a Middle Housing Land Division.

//End//

EXHIBIT C – REDMOND DEVELOPMENT CODE (RDC)

EXHIBIT C: MASTER DEVELOPMENT PLANS & PLANNED UNIT DEVELOPMENTS AMENDMENTS

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

Prepared for June 6, 2022, Planning Commission Public Hearing

Amend the following throughout the RDC:

- Incorrect numbering and references; particularly references to 8.0270 and 8.0300.
- Amend the Table of Contents to accurately reflect moving Master Development Plans from Supplementary Provision Section 8.0300 to the Planned Unit Development Section.
- Remove all references to “multi-family dwellings,” and replace with “triplexes and quadplexes” where appropriate.

Table of Contents

MASTER DEVELOPMENT PLANS & PLANNED UNIT DEVELOPMENTS

Master Development Plans	<u>8.0270</u>
Planned Unit Developments	8.0275
Cluster Developments	8.0280
Cottage Developments	8.0285
PUD, CLD & COD Development Review Submittal Procedure [deleted by Ord. #2020-15 on November 10, 2020]	8.0286
Amending A Planned Unit, Cluster or Cottage Development [deleted by Ord. #2020-15 on November 10, 2020]	8.0287

SUPPLEMENTARY PROVISIONS

Master Development Plans	8.0300
Establishment of Clear Vision Areas	8.0305
Exception to Clear Vision Area	8.0310

(***)

MASTER DEVELOPMENT PLANS & PLANNED UNIT DEVELOPMENTS

~~8.0300~~

8.0270 **Master Development Plans.** A Master Development Plan is required to annexation 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 as follows:

EXHIBIT C – REDMOND DEVELOPMENT CODE (RDC)

1. Applicability. This section applies to all properties proposed for annexation and/or rezoning from Urban Holding-10 on or after the date of the adoption of this ordinance.
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 Urban Framework Plans and an adopted Area Plans.
 - B. Compatibility and/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 Master Development Plan area appropriately includes the necessary all contiguous UH-10 Zoned properties in the plan area. The Community Development Director shall base the determination for the proposed plan area shall be based on utilizing the following factors:
 1. Whether there are UH-10 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 UH-10 properties;
 3. Whether the total acreage of abutting or enclave UH-10 zoned 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.
 - B. Review and approval criteria for Master Development Plans (MDP) 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, and is consistent with an adopted Area Plan, and

EXHIBIT C – REDMOND DEVELOPMENT CODE (RDC)

- 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 in Section 8.3050.

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 an applicant to meet with surrounding property owners to discuss the proposal. Proof shall include, but is not limited to: invitation, notice, mailing, and posted signage.

(***)

- 13. Great Neighborhood Principles. ~~Master Development Plans~~ MDPs shall address applicable ~~Redmond~~ Great Neighborhood Principles described below. In instances where the property proposed for a MDP ~~Master Development Plan~~ is located within the boundary of an adopted Area Plan, the MDP ~~Master Development Plan~~ 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 other existing or planned pedestrian facilities ~~existing, or planned in the future.~~
 - 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. Housing developments containing more than five attached units must be designed to be consistent with the Higher Density Multifamily Design Guidelines.
 - c. Open spaces, greenways, recreation. All new neighborhoods shall provide useable open spaces with recreation amenities that are integrated to the larger community. Central parks and plazas shall

EXHIBIT C – REDMOND DEVELOPMENT CODE (RDC)

be used to create public gathering places when the cumulative number of lots or units (including phases of a project) exceed 23. ~~where appropriate.~~ Central Parks and Plazas should be located in or near the center of the project to the extent practicable. New neighborhoods should retain and incorporate significant geological features such as rock outcroppings, stands of clustered native trees into the design and lot layout, etc. ~~into the design of new neighborhoods.~~ Neighborhood and community parks shall be developed in appropriate locations consistent with the ~~the~~ policies in Redmond's Parks Master Plan.

- d. Integrated design elements. Streets, civic spaces, signage, and architecture shall be coordinated to establish a coherent and distinct character for the MDP ~~Master Development Plan.~~ MDPs ~~Plans~~ may integrate design themes with adjacent developed or planned areas.
- e. Diverse mix of activities. A variety of uses are is 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, 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, and/or in and around the center of neighborhoods, or trailheads ~~to provide focal points.~~
- g. Scenic views. Identify and preserve scenic views and corridors of the Cascade Range, Ochoco Mountains, and Smith Rock, where practicable such as in street view sheds or park 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. Urban development shall interface with rural areas through landscaped open space buffers at least 100 feet wide and the length of the urban development, excluding public streets, or shall be transitioned from higher density development to lower density development at the urban-rural interface, ~~or utilize other appropriate and equivalent transitional elements.~~
- i. Fully developed "pocket parks" or "tot lots" shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Examples of Park amenities shall, at a minimum, include: turf areas, benches, deciduous shade trees ~~trees,~~ irrigation, shrubs, natural or decorative features, and adequate trash receptable(s) and lighting. ~~and decorative features.~~
- k. Canal trails. If canals or laterals are present, multi-use trails at least 10 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

EXHIBIT C – REDMOND DEVELOPMENT CODE (RDC)

- locations (e.g., every 500 feet, at trailheads or intersections with public streets).
- I. ~~Green Design. Environmentally friendly and~~ Energy-efficient design through solar access setbacks, xeriscaping and planting of drought-resistant trees to minimize water usage and provide shade. is encouraged for public and private infrastructure, architecture and building orientation, open spaces and natural areas and transportation facilities. In addition, the planting of native, drought-resistant trees is encouraged to provide shade and to minimize water usage.
 - D. Implementation. Upon approval of ~~a Master Development Plan~~, all subsequent development located within the MDP ~~area master plan~~ boundaries shall be consistent with the approval ~~approved master plan~~.
 - E. Amendment/Modification to Master Development Plan. Any modifications to the approved MDP ~~master development plan~~ 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 ~~Master Development Plan~~ or PMDP ~~Partial Master Development Plan~~ shall be subject to the requirements of Section 8.1605 of ~~this Code~~ concerning expiration, unless a specific timeline is approved through the land use review process.

8.0275 Planned Unit Development (PUD)

- 1. **Purpose and Applicability.** The purpose of a PUD ~~planned unit development~~ is to:
 - A. Permit greater flexibility in land use regulations in all zones, ~~thereby allowing the developer to use a more creative approach in the development of land.~~
 - 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 ~~P~~ preservation of natural features and enhancement of the area vegetation, ~~variety of land uses, variety of and~~ housing types, the economy of shared services and facilities, and a development more compatible with the surrounding area ~~are a few of the common benefits attained from a planned unit development.~~
 - 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 some special requirements and standards for design approval. ~~These conditions will be employed to maximize quality of site design.~~

- 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.

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- D. Site and Design Review Standards, except as modified by the PUD.
- E. PUD Standards and Requirements.
- F. A public hearing with the Hearings Body following the procedure described in Land Use Administrative actions allowed under Article II.

3. Exceptions. Exceptions to 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, including solar.
 - 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.
 - 8. Fences and walls.

4. Standards and Requirements. ~~Approval of a request for a PUD is dependent upon the submission of an acceptable plan and satisfactory assurance that it will be carried out.~~ The following standards and requirements shall apply to a PUD application:

- A. PUDs must be a minimum of one (1) acre in size. In the Downtown Urban Renewal District, a minimum of a half (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 8.0140. Additional density (i.e., bonus density) beyond the maximum density will be considered as follows:
 - 1. Up to 20% beyond maximum densities for qualified Affordable Housing and Workforce Housing units. A bonus density above 10% would require said units to qualify as Affordable Housing units. Affordable and Workforce Housing units should be designed to be intermixed throughout the development and similar design and quality to market rate units.
 - 2. As identified in respective Area Plans.
 - 3. Promotes or provides a significant community benefit or helps realize specified public policy goals. For example: additional protection of green space, recreational areas, open space, natural resources or view corridors; environmental improvements or trail connectivity; higher quality building design; provision of other amenities.
- E. A PUD must include a usable ~~village green-style~~ open space, recreational area,

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common area or park recreational area designed for the use and benefit of all the units or lots in the development. ~~Lots or units shall be designed to have the front façade of homes directly access the open space or recreational area provided.~~ Size of open area shall be at least 1,000 square feet per unit and no less than 60 feet wide. The land area used shall be determined by the type of amenities added by the developer. See examples below:

(***) *Pictures Inserted*

- F. Thoughtful design and architectural themes are required for all structures within any development. Design shall take into consideration themes continued 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 a separate application or rezoning may accompany the application for approval of the PUD in which case the two items shall be considered simultaneously.
- ~~F.~~ ~~No PUD shall be considered by the City that proposes a use not permitted either outright or as a conditional use within the zone. However,~~
- ~~E.~~ ~~The PUD shall receive a density bonus of 20% when at least 10% of the total number of units are affordable at 80% Area Median Income level or less for a period of no less than 20 years. These units shall be dispersed throughout the development and built at a rate and design similar to proposed market rate units.~~
- ~~F.~~ ~~The minimum area shall be 3 acres.~~
- H.G. 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 all types of PUD's. The following procedure shall be followed in requesting approval of a PUD approval. ~~A mandatory Pre-Application Meeting is required for any PUD proposal.~~

- A. A pre-development meeting is required prior to submittal of an application.
- B.A. An applicant shall submit to the city an electronic version of the complete application, ~~plus 3 hard copies.~~ 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. Garages must be setback from the front façade a minimum of 3 feet.~~
 - 7. The location of off-street parking spaces, and a parking management plan if the total number of spaces required exceeds 75.
 - 8. The location of service commercial areas, ~~public or~~ open space, recreational area common areas or park ~~open space/recreation areas.~~
 - 9. Plans for site grading and drainage.
 - 10. Plans for water supply and sewage disposal.
 - 11. Plans for transfer of ownership of the property, if any, and arrangements for maintenance of common areas and facilities.

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12. Landscape plan including the list of species proposed and size/coverage at time of planting and at five years.
13. Proposed project timing schedule and surety, if required by City.
- ~~C.B.~~ In considering the PUD plan, the City shall determine that:
 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 ~~choices~~, variety of uses or services.
 5. The PUD can be completed within 5 years or phased for later development.
 6. The PUD will not overload adjacent streets, or utilities or infrastructure.
 7. The PUD will be consistent with the objectives of Area Plans and the Redmond Comprehensive Plan.
- ~~D.G.~~ 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 of the PUD plan.

- 6. ~~Planned Unit Development~~ PUD Post Approval & Modifications.** Where a PUD ~~planned unit development~~ has been authorized pursuant to applicable zoning regulations, the plan of the subdivision shall ~~confirm~~ conform with the plan of the PUD ~~Planned Unit Development~~ as approved.

Minor Modifications – Minor modifications to an approved 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 Modifications – If Major modifications to an approved PUD are subject to Section 8.1400, changes to the approval are proposed, they must first be approved by the City through a land use process prior to construction or use.

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EXHIBIT D: HB 2001 RELATED & OTHER AMENDMENTS

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

Prepared for June 6, 2022, Planning Commission Public Hearing

Amend the following throughout the RDC:

- Incorrect numbering and references; particularly reference to 8.0270 and 8.0300.
- Amend the Table of Contents to accurately reflect moving Master Development Plans from Supplementary Provision Section 8.0300 to the Planned Unit Development Section.
- Remove all references to “multi-family dwellings,” and replace with “triplexes and quadplexes” where appropriate.
- Repeal in entirety Section 8.0280 Cluster Developments.
- Remove all references to “Cluster Developments” throughout RDC.
- Remove all references to “gross” density and specify the use of “net.”
- Merge definitions contained in Section 8.2020 (Land Division Standards) with Section 8.0020 (Definitions).
- Add Section 8.2840 in Table of Contents.

INTRODUCTORY PROVISIONS

(***)

8.0010 Purpose. These standards are adopted for the purpose of promoting the livability, health, safety, peace, comfort, convenience, economic well-being and general welfare of the City of ~~Redmond~~ and not limited to, but specifically to achieve, the following designated objectives:

(***)

9. To assure that middle housing is part of new neighborhood development consistent with the Great Neighborhood Principles and the community need to increase affordable and workforce housing.

10. To assure annexation in an orderly manner and integration of affordable and workforce housing.

(***)

8.0030 Definitions. As used herein, the following words and phrases shall mean:

(***)

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Affordable Housing. Affordable housing is generally defined as housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities, for a family at 80 percent of the Area Median Income (AMI). AMI is based on the most recent HUD Income Limits for the Bend-Redmond Metropolitan Statistical Area.

(***)

Apartment. A building or portion thereof, designated for occupancy by three ~~five~~ or more families living independently of each other. See *Dwelling, Multi-Family Dwelling and Multi-Family Complex*.

(***)

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.

(***)

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

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

Child Care Home (residential). Any registered child care facility or certified group child care home where child care is offered in the home of the provider in a residence to fewer than 13 up to 16 children, including children of the provider, regardless of full-time or part-time status consistent with State Law. (657A.440) (ORS 329A.440)

(***)

~~**Cluster Development.** Multiple dwellings on a single legal lot; see RDC Section 8.0275 to 8.0287, *Planned Unit Developments*.~~

(***)

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.

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 Development. See Section 8.0285.

(***)

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

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

Day Nursery. See *Child Care Facility Home; Child Care Center*

(***)

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

(***)

Density(ies). A measurement of the number of dwelling units in relationship to a specified unit amount of land; density calculations are based upon net acreage, which generally excludes land devoted to ~~street~~ 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.

(***)

Developer. Any person, corporation, partnership, agent of the developer, or other legal entity that ~~who~~ 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 ~~but~~ excludes ~~ing~~ 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.

(***)

Duplex lot. ~~A lawfully created lot of record containing one dwelling unit of a duplex dwelling structure. See illustration below.~~

Delete accompanying duplex lot diagram.

Dwelling. As follows:

Accessory Dwelling Unit (ADUs). A secondary living unit, or separate cottage, ~~on a single-family lot in a residential zone~~ containing cooking facilities, and meets the dimensional standards and other requirements of the zone ~~ing~~ district in which it is located.

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

(***)

Manufactured Dwelling. Means:

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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.

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.

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.

Multi-Family Dwelling. A building on a single lot containing a total of three or four dwelling units.

Multi-Family Complex. A building or group of buildings on a single lot containing a total of five or more dwelling units.

Quadplex. Four attached or detached dwelling units on a Lot or Parcel.

Single Family Detached Dwelling. A detached building containing one dwelling unit and designed for occupancy by one family, including manufactured homes only, excluding a mobile home.

Triplex. Any configuration of three attached or detached dwelling units on one Lot or Parcel.

(***)

Easement. ~~A grant of the 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.

(***)

Family. ~~An individual or two or more persons related by blood or marriage or a group of not more than five persons who need not be related by blood or marriage living together in a dwelling unit.~~ One or more persons, related or unrelated, living together in a single dwelling unit.

(***)

Food Cart. A mobile vehicle, such as a food truck, trailer or car, from which service or food or beverages is provided to walk-up customers. Food carts shall be mobile at all times and must be on wheels that are functional and appropriate for the type of unit at all times.

Food Cart Pod. A site containing more than one food cart and associated amenities on private property.

(***)

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~~**Home Occupation.** Any business carried on by a resident of a dwelling as an accessory use within the same dwelling, or in an accessory structure on the same property.~~

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.

(***)

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.

(***)

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.

~~**Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, and that is being used for residential purposes. It does not include any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 or any unit identified as a recreational vehicle by the manufacturer.~~

~~**Manufactured Home Park.** Any place where two or more manufactured homes are parked 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 space or keep space for rent to any person for a charge or fee paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.~~

~~**Manufactured Home Subdivision.** A subdivision intended to be occupied exclusively by manufactured homes.~~

(***)

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

(***)

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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 findings of fact to be changed. It does not mean an applicant's submission of new evidence that merely clarifies or supports the pending application.

(***)

Modular Home. ~~See Prefabricated House.~~

(***)

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, ~~day~~ child care, offices, and related commercial uses including food vendors and retail are allowed.

(***)

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

(***)

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; and plaza(s) at least 600 square feet in area.

(***)

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

~~Any combination of materials forming any construction the use of which requires a foundation. The word structure shall be construed as though followed by the words "or part thereof." A railroad car or shipping container is not a structure. A patio that does not extend into the yard setbacks is not a structure. A patio cover that does not extend into the setbacks is not a structure, may be permitted as long as no portion of the cover is closer than 3 feet to any property line, and is no larger than 24 x 24 sq. ft. A patio cover will not be allowed if it directs drainage onto other properties. See patio (covered) for more detail.~~

Townhouse. A single family dwelling unit, 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 or Parcel and shares at least one common wall with an adjacent unit. ~~with a private entrance, which is part of~~

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~~a structure whose dwelling units are attached horizontally in a linear arrangement and having a totally exposed front and rear wall to be used for access, light, and ventilation.~~

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.

(***)

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

(***)

Workforce Housing. Housing that is affordable to households earning 60 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.

(***)

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, and room for drainage, landscaping, and emergency access.

(***)

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

R-1 Limited Residential Zone. To provide lower density residential neighborhoods for single family detached residences, middle housing, and a mix of other housing types.

R-2 Limited Residential Zone. To provide low density residential neighborhoods for ~~primarily~~ single family detached residences, middle housing, and a mix of other housing types.

R-3 Limited Residential Zone. To provide medium density residential neighborhoods with a mix of single-family detached residences, middle housing, duplexes and a mix of other housing types. ~~some conditionally permitted multi-family residential development.~~

R-3A Limited Residential Zone. To provide medium density residential neighborhoods with a mix of single-family detached residences, middle housing, mix of other housing types, and allow for some limited commercial use on a conditional use basis. Examples of ~~These~~ limited commercial uses ~~may~~ include a restaurant, theater, art gallery, office space and ~~limited~~ retail.

R-4 General Residential Zone. To provide high medium density residential neighborhoods with a mix of single-family detached residences, middle housing, duplexes and a mix of other housing types including multi-family residential development. ~~conditionally permitted multi-family residential development.~~ Limited commercial uses such as offices are also conditionally permitted where compatible with surrounding development.

R-5 High Density Residential Zone. To provide high density residential neighborhoods with an emphasis on multi-family development, middle housing and

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smaller lot single family ~~and duplex~~ developments. Limited commercial uses such as offices are also conditionally permitted where compatible with surrounding development.

(***)

M-1.5 General Industrial Zone. To provide for general industrial uses such as manufacturing, research, and contractor uses using less than 35% of the property for outdoor storage of raw or assembled materials. Such storage must be sufficiently screened by fences or landscaping.

(***)

FG Fairgrounds Zone. To allow for development or enhancement of the Deschutes County Fairgrounds to support services, facilities or events to serve the region (e.g., related to training, sporting, recreational, medical, conference, public safety or emergency coordination). ~~Such, sports facilities, and related facilities.~~

(***)

LLI Large Lot Industrial Zone. That area with the city identified to attract and retain traded-sector industries that require an adequate supply of large, developable parcels of industrial land.

(***)

PF Public Facilities Zone. To provide for public facility and other uses such as: wastewater treatment facilities, water storage reservoirs, well sites, public schools, public or private day care/child care facilities, transportation/mobility, libraries, museums, pavilions, public plazas, public safety or emergency services, emergency training and coordination facilities, and Public Works Administration facilities.

(***)

8.0070 Location of Zones. The boundaries of the zones listed in these standards shall be as indicated on the most recent City of Redmond Zone ing Map, as amended, of 1980 which is hereby adopted by reference. The boundaries shall be modified in accordance with Section 8.0750 et seq (Amendments) ~~zoning map amendments pursuant to this section and shall be adopted by reference.~~

(***)

RESIDENTIAL USE ZONE

(***)

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

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

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LAND USE:	ZONE:					RESTRICTIONS AND REQUIREMENTS:
Residential Uses:	R-1	R-2	R-3	R-4	R-5	
Accessory Building: <u>Detached</u> Sheds, shops, and garages. Excluding railroad cars not in railroad right of way, and movable shipping containers or similar storage containers that are not classified as structures.*	O	O	O	O	O	Detached; includes greenhouse, workshops, potting sheds, and the like. <u>M</u> ust be located within the property and not in the yard setback areas. <u>Movable shipping containers, or similar, are not allowed.</u>
(***)						
Cluster Development	O	O	O	O	O	
Cottage Development	O	O	O	O	O	
Condominium	O	O	O	O	O	Condo plats are State regulated
Duplex	O	O	O	O	O	
Duplex Lot	O	O	O	O	O	
Manufactured Home	O	O	O	O	O	See Single Family <u>Detached</u> Dwelling
Manufactured Home Park	N	N	<u>EN</u>	<u>EO</u>	<u>EO</u>	<u>See Section 8.0375</u>
Manufactured Home Subdivision	N	N	O	O	O	Subject to compliance w/ applicable ORS
Multi Family Complex (5 + units)	C	C	C	O	O	
Multi Family Dwelling (3 & 4 plex)	O	O	O	O	O	
<u>Single Family Detached Dwelling, Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	
Nursing, Convalescent, and Assisted Living Facility	N	N	C	C	C	More than 15 people
Planned Unit Development	<u>NC</u>	<u>NC</u>	C	C	C	
(***)						
Single Family Dwelling	O	O	O	O	O	
Townhouse	O	O	O	O	O	
(***)						
Non Residential Uses:						
<u>Child Care Facility:</u>						
<u>Child Care Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>Child Care Home</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	
(***)						
Mini Storage	N	N	N	<u>EN</u>	N	2 ac. min., must front major arterial and subject to Site Design review.
(***)						
Office	N	N	C	C	C	Only when previously established in R-3 as 'office' <u>Conditional in conjunction with a master plan or PUD.</u>

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LAND USE:	ZONE:					RESTRICTIONS AND REQUIREMENTS:
<i>Residential Uses:</i>	R-1	R-2	R-3	R-4	R-5	
Retail	N	N	C	<u>N</u> C	<u>N</u> C	Only when previously established in R-3 as 'retail'. <u>Conditional in conjunction with a master plan or PUD.</u>
(***)						
<u>Public Facility or Emergency Management Services</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
City Owned Utility Facility	O	O	O	O	O	

All "R" zones are subject to density transfer provisions. See 8.0020, "Definitions", *Density Transfer*, and 8.0367, "OSPR / 'R' Zone Density Transfer Provisions.

~~*All or portions of shipping containers, subject to staff's determination of appropriate architectural designs, may be used subject to building permit approval.~~

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

LAND USE:	ZONE:	RESTRICTIONS AND REQUIREMENTS:
<i>Residential Uses:</i>	<i>R-3A</i>	
Accessory Building: <u>Detached sheds</u> , Sheds, shops, garages, , excluding railroad cars not in railroad right of way, movable shipping containers, and similar storage containers that are not structures.*	O	<u>Must be located within the property and not in the yard setback areas. Movable shipping containers, or similar, are not allowed. Potting sheds, or similar must be located within the property and not in the yard setback areas.</u>
Guest House <u>or</u> Accessory Dwelling Unit	O	Detached; includes greenhouse, workshops No kitchen; uses main houses' sewer & water <u>Connected to primary residential unit utilities; includes kitchen.</u> sewer & water Uses main houses' sewer & water; has kitchen
Accessory Use	O	Includes Home Occupations, potting sheds, and the like must be located within the property and not in the yard setback areas.
<u>Multi-family Complex</u> Apartment	O	
Bed and Breakfast	C	
Condominium (Commercial Only)	C	
<u>Single Family Detached Dwelling</u> , Duplex, <u>Triplex, Quadplex, Townhouse, Cottage Cluster</u>	O	Duplexes in the R-3A zone are permitted on corner lots of 10,000 s.f. or more with conditional use approval.
Residential Care Home	C <u>O</u>	Defined in and regulated by ORS
Single Family Dwelling	O	
Non-Residential Uses:		
<u>Child Care Facility:</u>		
<u>Child Care Center</u>	<u>C</u>	

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<u>Child Care Home</u>	<u>O</u>	
(***)		

C = conditional uses.

*All or portions of shipping containers, subject to staff's determination of appropriate architectural designs, may be used subject to building permit approval.

(***)

COMMERCIAL USE AND INDUSTRIAL USE ZONE

(***)

8.0180 Light Industrial M-1, and M-1.5 Zones.

8.0185 Heavy Industrial M-2 Zone.

8.0186 Large Lot Industrial LLI Zone.

(***)

8.0190 Table C, Uses Permitted. The following uses are allowed outright or conditionally in each of the Commercial and Industrial zones ~~as follows:~~

"O" means Permitted Outright

"C" means Permitted Conditionally

"N" means Not Allowed

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

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Residential: Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Single Family <u>Detached Dwelling</u> (including ADU's) and Duplex on ground floor	C	O*	C	N	N	N	N	<u>N</u>	N	O*	*Only permitted for those uses pre-dating the adoption of the C-2 Zone Amendments and Downtown Overlay District on August 12, 2008
Attached Single Family and <u>triplex and quadplex</u> Multi-family above ground floor	O	O	O	O	O	O	N	<u>N</u>	N	O	
Resumption of a residential use	O	O	O	O	O	O	N	<u>N</u>	N	C	Only as previously established residential use
Eating and Drinking	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Bakery (retail / sit down)	O	O	O	O	O*	O	O	<u>O</u>	O	O	
Bar, Lounge, Tavern, Nightclub,	O	O	C	O	O*	O	O	<u>O</u>	O	O	
Café, Restaurant (sit-down), Diner, Brew Pub	O	O	O	O	O*	O	O	<u>O</u>	O	O	Delis are listed under "retail uses"
Café, Restaurant, Espresso (Drive-through)	O	O	O	O	O*	O	O	<u>O</u>	O	O	Delis are listed under "retail uses"
Entertainment	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements
Amusement Park	C	N	N	N	O	O	N	<u>N</u>	N	N	
Arena for Indoor Sport Events	O	C	N	C	O	O	N	<u>N</u>	N	C	Larger than indoor commercial recreational use
Driving Range	O	N	N	N	N	O	N	<u>N</u>	N	N	
Golf Course	N	N	N	N	N	O	N	<u>N</u>	N	N	
Indoor Commercial Recreation	O	O	O	O	O	O	C	<u>C</u>	C	O	
Miniature Golf, "Pitch & Putt"	O	N	N	N	N	O	N	<u>N</u>	N	N	
Outdoor Commercial Recreation	C	C	N	C	O	C	N	<u>N</u>	N	C	
Walk-in Movie Theater	O	O	O	O	O	O	N	<u>N</u>	N	O	
Automobile, Trucks, RV's:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements
Auto Detailing	O	C	N	O	O*	N	O	<u>O</u>	N	C**	No auto body work permitted as "detailing". ** Grandfathered as a Conditional Use for existing businesses prior to August 12, 2008
Auto Painting, Auto Body Work	O	N	N	N	O*	N	O	<u>O</u>	O	N	
Auto Repair	O	C	N	C	O*	N	O	<u>O</u>	O	C**	Defined in part by some on-site auto storage. ** Grandfathered as a Conditional Use for existing businesses prior to August 12, 2008
Auto Sales (new and used); Auto Rentals	C	C	N	O	N	N	N	<u>N</u>	N	C**	** Grandfathered as a Conditional Use for existing businesses prior to August 12, 2008
Auto Service	O	C	N	O	O*	N	N	<u>N</u>	O	C**	Includes auto lube shops ('same day' service). ** Grandfathered as a Conditional Use for existing businesses prior to August 12, 2008
<u>Recreational Vehicle or</u> Boat or RV Sales and Service	C	N	N	<u>CO</u>	<u>CO</u>	N	<u>CN</u>	<u>C</u>	N	N	Includes motorcycles, ATVs, other recreational vehicles

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Residential: Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Car Wash	O	O	O	O	O	O	O	<u>O</u>	O	C**	Steam cleaning permitted in the industrial zones. ** Grandfathered as a Conditional Use for existing businesses prior to August 12, 2008 ** Grandfathered as a Conditional Use for existing businesses prior to August 12, 2008
Gas Stations and <u>Including</u> Card Lock	O	O	N	O	O	O	O	<u>O</u>	O	C**	
Tire Sales and Service	O	O	N	O	O	N	N	<u>N</u>	N	N	
Truck Stop	O	N	N	N	O	N	O	<u>O</u>	O	N	
Truck Terminal	N	N	N	N	N	N	O	<u>O</u>	O	N	Includes impound yards, auto fleets
<u>Automobile and Recreational</u> Vehicle Storage / Towing Yard	N	N	N	N	N	N	<u>C</u>	<u>C</u>	<u>C</u>	N	
Industrially Related Uses	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Aircraft/Airport Service, Parking Lot, Maintenance	N	N	N	N	N	N	O	<u>N</u>	O	N	
Auto Wrecking, Recycling	N	N	N	N	N	N	C	<u>N</u>	O	N	
Bakery, Wholesale Distribution	C	N	N	N	N	N	O	<u>N</u>	O	N	
Batch Plants (Asphalt / Concrete)	N	N	N	N	N	N	N	<u>O</u>	O	N	Must be fully enclosed in "C" zones that permit this use
Commercial Manufacturing (Retail Support, Craftsmen)	O	O	O	O	O	O	O	<u>O</u>	O	O	
Concrete & Conc. Products, Stone-cutting	N	N	N	N	N	N	C	<u>C</u>	O	N	
Distribution Center	N	N	N	N	O	N	O	<u>O</u>	O	N	Up to 50% retail allowed in Industrial zones 'Auto Wrecking Yard' is a separate category
Dump, Landfill	N	N	N	N	N	N	N	<u>N</u>	C	N	
Enclosed Warehousing and Manufacturing	N	N	N	N	N	N	O	<u>O</u>	O	N	
Junkyard	N	N	N	N	N	N	N	<u>N</u>	O	N	Outdoor storage of bulk landscaping material
Landscaping Supply (Bulk)	N	N	N	N	N	N	O	<u>O</u>	O	N	
Lumber Mill	N	N	N	N	N	N	N	<u>N</u>	O	N	
Manufacturing (Heavy Industrial)	N	N	N	N	N	N	N	<u>N</u>	O	N	Subject to DEQ requirements and neighborhood compatibility Excludes research using biohazardous materials Must be fully enclosed in the "C" zones that permit this use
Manufacturing (Light Industrial)	N	N	N	N	N	N	O	<u>O</u>	O	N	
Medical Research Facility	O	O	O	O	O	O	O	<u>O</u>	O	O	
Precision Machine Shop	C	N	N	C	N	N	O	<u>O</u>	O	N	
Retail Uses in support of primary Industrial Use	N	N	N	N	N	N	O	<u>O</u>	O	N	Must be less than 50% of the gross floor area
Rock Crushing / Recycling	N	N	N	N	N	N	C	<u>C</u>	O	N	
Slaughterhouse	N	N	N	N	N	N	N	<u>N</u>	O	N	
Tanning, Curing, Storing of Hides	N	N	N	N	N	N	N	<u>N</u>	O	N	
Wholesale Printing and Distribution	N	N	N	N	N	N	O	<u>O</u>	O	N	
Wood Product Mfg and Assembly	N	N	N	N	N	N	O	<u>O</u>	O	N	
Offices and Office Products	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:

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Residential: Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Office	O	O	O	O	O	O	C	<u>C</u>	N	O	
Office Service and Supplies	O	O	O	O	O*	O	N	<u>N</u>	N	O	
Offices related to Industrial Use	N	N	N	N	N	N	O	<u>O</u>	O	N	
Printing, Publishing	O	O	O	O	O	O	O	<u>O</u>	N	O	
Telemarketing, Call Center	O	O	O	O	O	O	C	<u>C</u>	N	N	
Public and Semi Public Uses	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Agricultural Uses	N	N	N	N	N	N	N	<u>N</u>	N	N	
Churches, Religious Institutions	C	C	C	C	C	C	C	<u>C</u>	N	C	
Convention Center	O	O	N	O	N	O	N	<u>N</u>	N	O	
Hospital	N	N	O	N	N	N	N	<u>N</u>	N	N	
Lodge, Club, non-profit / frat. Org.	C	C	C	C	C	C	C	<u>C</u>	N	C	
Park, Public or Private	O	O	O	O	O	O	O	<u>O</u>	O	O	
Parking Garage, Public or Private	O	O	O	O	O	O	O	<u>O</u>	O	O	
Public Transportation Station	O	O	O	O	O	O	O	<u>O</u>	O	O	
RV Park, Public or Private	N	N	N	N	N	N	N	<u>C</u>	N	N	ORS 197.490 prohibits RV parks in Comm. Or Industrial zones
<u>Police or Fire Station; Public Safety or Emergency Services</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>O</u>	<u>C</u>	<u>C</u>	<u>C</u>	
Schools, Public or Private	C	C	C	C	C	C	C	<u>C</u>	N	C	
City Owned Utility <u>or Public</u> Facility	O	O	O	O	O	O	O	<u>O</u>	O	O	
Retail Uses	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements
Bicycle Sales and Service	O	O	N	O	O*	O	N	<u>O</u>	N	O	Excludes Equipment and Heavy Equipment Also called Building Supplies (non-landscaping)
Bulky Retail (including furniture)	O	O	N	O	O	O	N	<u>O</u>	N	O	
Contractor Supplies (enclosed)	O	O	N	O	O	N	O	<u>O</u>	O	O	
Contractor Supplies (outdoors)	O	C	N	C	O	N	N	<u>O</u>	N	C	
Delicatessen	O	O	O	O	O*	O	C	<u>C</u>	N	O	
Drug Store, Pharmacy	O	O	O	O	O*	O	N	<u>O</u>	N	O	
Equipment Sales, Service & Rental	O	O	N	O	O	N	N	<u>O</u>	N	C	Excludes Heavy Equipment Sales and Service
Florist	O	O	O	O	O*	O	N	<u>O</u>	N	O	
Gallery, Studio	O	O	N	O	O	O	N	<u>O</u>	N	O	
General Retail	O	O	N	O	O*	O	N	<u>N</u>	N	O	
Gift / Card Shop	O	O	O	O	O*	O	N	<u>N</u>	N	O	
Grocery Store, Market	O	O	N	O	O**	O	N	<u>N</u>	N	O	
Hardware Store	O	O	N	O	O*	O	N	<u>O</u>	N	O	Only permitted w/primary service use in M zones
Heavy Equipment Sales	O	N	N	N	N	N	O	<u>C</u>	O	N	
Heavy Equipment Service	O	N	N	N	N	N	O	<u>C</u>	O	N	
Heavy Equipment Storage (outdoor)	N	N	N	N	N	N	N	<u>C</u>	O	N	
Medical Supplies (Retail)	O	O	O	O	O	N	N	<u>O</u>	N	O	
Mobile / Mfr'd Home Sales & Service	O	N	N	C	N	N	N	<u>N</u>	N	N	

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Residential: Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Novelty, Specialty, Variety Store	O	O	C	O	O*	O	N	<u>N</u>	N	O	Incl. music, art supply, electronic equipment, sporting goods Non storage-related; for retail sales
Outdoor Merchandise Display, Other	O	C	N	O	O	N	N	<u>N</u>	N	C	
Pet Shop	O	O	N	O	O	O	N	<u>N</u>	N	O	
Plant Nursery	O	N	N	O	O	O	N	<u>C</u>	N	N	
Thrift Store — ⁴	O	O	O	O	N	O	N	<u>N</u>	N	O	
Service Commercial Uses	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	
Appliance and Computer Repair	O	O	N	O	O*	N	N		N	O	Includes stereos, electronic equipment, residential appliances
Bank, Financial Institution	O	O	N	O	O	C	N		N	O	
Beauty & Barber Shops and Salons (includes spas)	O	O	O	O	O*	O	N	<u>N</u>	N	O	
Contractor Service	O	N	N	O	O	N	O	<u>O</u>	O	N	Enclosed within a building (except in M2 zone); includes equipment rentals and sale Incl. outdoor storage of equipment and building supplies <u>If a facility is part of an industrial development and within the manufacturing structure, a conditional use permit is not required</u>
Contractor's Yard	C	N	N	N	N	N	O	<u>O</u>	O	N	
Child Care <u>Facility</u>	O	O	O	O	O	O	C	<u>C</u>	N	O	
Dry Cleaner (drop off only)	O	O	N	O	O*	O	N	<u>C</u>	N	O	
Dry Cleaner (full service)	O	C	N	C	O*	N	N	<u>C</u>	N	C	
Kennel	C	N	N	C	N	N	O	<u>C</u>	O	N	
Laundromat	O	O	N	O	O	O	N	<u>C</u>	N	O	
Mini Storage	<u>O C</u>	N	N	<u>O C</u>	N	N	<u>O C</u>	<u>C</u>	N	N	<u>See Section: 8.0615(17)</u>
Mortuary, Funeral Home	O	O	O	N	N	O	N	<u>C</u>	N	O	
Motel, Hotel	O	O	C	O	O	O	C	<u>N</u>	N	O	
Printing and Copying Store	O	O	N	O	O*	O	N	<u>C</u>	N	O	
Veterinarian Services	O	O	O	O	O	O	O	<u>C</u>	O	C	Fully enclosed in C zones; no outdoor kennels

O* Maximum size = 10,000 square feet

O** Maximum size = 20,000 square feet

8.0195 Table D, Minimum Standards. The following minimum standards are required in each of the Commercial and Industrial zones as follows (all distances are measured in feet):

	C-1	C-2	C-3	C-4	C-4A	C-5	M-1 & M-1.5	M-2	LLI	(***)
Minimum Yard Setbacks										
Front										
(***)										

(***)

EXHIBIT D – REDMOND DEVELOPMENT CODE (RDC)

OTHER ZONES

- 8.0200 Fairgrounds FG Zone.**
8.0205 Park Reserve Open Space (OSPR) Zone.
8.0210 Public Facility PF Zone.
8.0215 Park Zone.

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

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

Land Use:	Zone					Comments
Residential	FG	OSPR	PF	Park	Airport	
Homeless Shelter	N <u>O</u>	O*	C	N	N	
Single Family Dwelling	O	C	N	N	N	In conjunction with a use permitted by this section, or a caretaker residences or in OSPR with approved density transfer.
(***)						
Non-Residential Uses:						
(***)						
<u>Public Safety, Emergency Services, Training and Coordination Facilities</u>	<u>O</u>	<u>C</u>	<u>O</u>	<u>C</u>	<u>C</u>	
(***)						
Commercial use; accessory to permitted use	O	O	O	O	O	In the Public Facility Zone, commercial uses are limited to no more than 50% of the total floor area, building footprint or lot area, whichever is most restrictive. Commercial use subject to <u>a Temporary Use Permit</u> special use permit review, requirements and standards.
(***)						

(***)

MIXED-USE ZONES

(***)

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

EXHIBIT D – REDMOND DEVELOPMENT CODE (RDC)

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

LAND USE:	ZONE:			REFERENCE / STANDARDS:
	MUN	MUE	MULW	
<u>Residential Uses:</u>**				All stand-alone residential uses listed in Table G may not occupy more than 20% of the net land area <u>on the subject property zoned</u> in the MUN zone.
(***)				
<u>Commercial Uses:</u>				
<u>Child Care Facilities</u>	<u>C</u>	<u>C</u>		
(***)				
<u>Commercial Uses:</u>				
<u>Child Care Facilities</u>			<u>C</u>	
(***)				

**** Any residential use is prohibited within 1 mile of the Redmond Airport Runway Protection Zone.**

***** In the MUE zone, commercial uses must be of a type and scale that is designed to support surrounding industrial and employment uses and may not be used for commercial development that serves a primarily regional retail function.**

(***)

SUPPLEMENTARY PROVISIONS

(***)

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

- The size of a stand-alone accessory dwelling unit shall be no less than 300 square feet in gross floor area and no more than 900 square feet in gross floor area. ~~but shall not be more than 50 percent of the floor area of the primary dwelling unit~~ Guest houses shall be no less than 300 square feet in gross floor area and no more than 1200 square feet in gross floor area.

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3. An accessory dwelling unit must be able to function as a separate dwelling unit. This includes the following:
 - A. The accessory dwelling unit must be separately accessible from the exterior. An interior entrance to the primary residence may be approved, pursuant to review and acceptance by the Community Development Director or designee designate;
 - B. The accessory dwelling unit must have separately accessible utilities, unless served by the primary residence.
 - C. The accessory dwelling unit shall contain a kitchen.
 - D. The accessory dwelling unit shall contain a bathroom.
 - E. The accessory dwelling unit shall not be a Recreational Vehicle (RV) or portion thereof.

(***)

5. An accessory dwelling unit shall be located within the dimensional requirements of the zone district in which the property is located and cannot be located in front of the forward-most facade of the primary dwelling.

(***)

8.0335 Development Standards Along the Perimeter of the Canyon.

1. The following rules apply to any development within 100 feet of the canyon rim:
 - A. Any dwelling or accessory structure shall be less than twenty-four (24) feet in height and setback at least twenty-five feet from the Ccanyon rim;
 - B. No existing trees within 25 feet of the canyon rim, over 3" caliper measured 3 feet above ground level shall be ~~are~~ removed from the site or, if removed, are replaced by an equal number of tree(s) that are at least 2" caliper measured 3' above ground level;
 - C. Development shall maintain the natural appearance of the canyon rim; no alteration of the rock formation portion of the canyon rim is permitted;
 - D. No fence is constructed within ten (10) feet of the Ccanyon rim;
 - E. All lots fronting on the Ccanyon rim shall be a minimum of 9,000 square feet;
 - F. No deck, patio or structure requiring a building permit may be constructed within ten (10) feet of the Ccanyon rim;
 - G. Lighting shall be met subject to 8.0330, "Exterior Lighting".
2. A Conditional Use Permit ~~Site and Design Review~~ is required for the following Development along Redmond Dry Canyon:-
 - A. Any structure exceeding 24' height, or is located within 25' of the Ccanyon rim;
 - B. Any structure not governed by section (A)(1) located in a side or rear yard area adjacent to the Ccanyon rim.
 - C. Decks or patios shall be setback from the Ccanyon rim the same number of feet as the height of the deck or patio from the ground.

(***)

~~8.0370 Building Setbacks for the Protection of Solar Access.~~

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Repeal in entirety.

(***)

~~8.0375 Manufactured Home Placement Standards.~~

- ~~1. The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet.~~
- ~~2. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.~~
- ~~3. The manufactured home shall have a pitched roof, except that no standard shall require a slope of less than three feet in height for each 12 feet in width.~~
- ~~4. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.~~
- ~~5. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single family dwellings constructed under the state building code as defined in ORS 455.010.~~
- ~~6. The manufactured home shall have a garage or carport constructed of like materials. A jurisdiction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.~~
- ~~7. In addition to the provisions in paragraphs (1) to (6) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single family residential dwelling on the same lot would be subject.~~

Delete the above Section (8.0375) in entirety and replace with Manufactured Home Park Standards (below).

8.0375 Manufactured Home Park Standards. Manufactured Home Park. A manufactured home park shall be built to site standards in effect at the time of construction and shall comply with the following additional provisions:

1. Evidence shall be provided that the park will be connected to City sewer and water services.
2. The space provided for each manufactured home shall be provided with City water and electrical and sewerage connections.
3. The number of manufactured homes shall not exceed the maximum density permitted in the underlying zone.
4. A manufactured home shall occupy not more than 40 percent the contiguous space provided for the exclusive use of the occupants of the manufactured homes and exclusive of space provided for the common use of tenants, such as roadway, general use structures, parking spaces, walkways, and areas for recreation and landscaping.
5. No manufactured home in the park shall be located closer than 15 feet from another manufactured home or from a general use building in the park. No manufactured home accessory building shall be closer than 10 feet from a manufactured home space or other

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- building or structure. No manufactured home or other building or structure shall be within 25 feet of a public street property boundary or 10 feet of another property boundary.
6. A manufactured home permitted in the park shall meet the following standards as determined by an inspection by the Building Official:
 - A. It shall have a State insignia indicating compliance with Oregon State Manufactured Home Construction Standards in effect at the time of manufacture and including compliance for reconstruction or equipment installation made after manufacture.
 - B. Notwithstanding deterioration which may have occurred due to misuse, neglect, accident, or other cause, the manufactured home shall meet the State standards for manufactured home construction evidenced by the insigne.
 - C. It shall contain not less than 225 square feet of space as determined by measurement of the unit exclusive of any trailer hitch device.
 - D. It shall contain a water closet, lavatory, shower or tub, and a sink in a kitchen or other food preparation space.
 - E. A manufactured home permitted in the park shall be provided with a continuous skirting.
 7. There shall be no outdoor storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the park.
 8. The land which is used for park purposes shall be surrounded, except at entry and exit places, by a sight obscuring fence or hedge not less than six feet in height. The fence or hedge shall be maintained in a neat appearance.
 9. If the park provides space for 50 or more manufactured home units, each vehicular way in the park shall be named and marked with signs which are similar in appearance to those used to identify public streets. A map of the named vehicular ways shall be provided to the fire department.
 10. If a manufactured home space or permanent structure in a park is more than 500 feet from a public fire hydrant, the park shall have water supply mains designed to serve fire hydrants and hydrants shall be provided within 500 feet of such space or structure. Each hydrant within the park shall be located on a vehicular way and shall conform in design and capacity to the public hydrants in the City.
 11. Open Space. A minimum of at least 2,500 square feet plus 150 square feet per manufactured home space shall be provided for a recreational play area, group or community activity. The Hearings Body may require this area to be physically separated from streets, or parking area by a fence or the equivalent, that conforms to fence regulations, but at least 30 inches in height where allowed by fence standards. Unless otherwise approved, no required open space area shall contain less than 2,500 square feet. Recreation areas shall be improved with grass, plantings, surfacing, or buildings suitable for recreational use. No recreation facility created within a manufactured home park wholly to satisfy the requirements of this section shall be open to, or offered in itself, to the general public.
 12. Parking Space Requirement. Two parking spaces shall be provided for each manufactured home space on the site. In addition, guest parking spaces shall also be provided in every manufactured home park within 200 feet of the manufactured home spaces served and at a ratio of one parking space for each two manufactured home spaces. Parking spaces shall have durable and dustless surfaces adequately maintained for all-weather use and shall be properly drained.
 13. All manufactured home parks over 10 acres in size shall be located to have access on a street designated as a collector street unless otherwise approved by the Community Development Director or designee.

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14. All manufactured home parks containing a total site area of 20 acres or more shall provide a secondary access to the mobile home park. Such secondary access shall enter the public street system at least 150 feet from the primary access.
15. Lighting shall be installed along the access ways of the manufactured home park and the recreation area with lights of 100 watts or better or not over 100 feet apart. Wires for service to light poles and trailer spaces shall be underground.
16. Roadways within the park shall be paved and shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or less than 24 feet in width if parking is not permitted on the edge of the roadway and an adequate designated area is provided and improved for guest parking and tenant recreational vehicles (such area shall be designed and improved to provide not less than one parking space per each two unit spaces in the park).
17. No manufactured home park shall be created on a site of less than one acre.
18. Sidewalks or other approved surfaced pedestrian walkways shall be provided.

OFF-STREET PARKING & LOADING REQUIREMENTS

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

Land Use	Standard: Unless Transportation Analysis supports other methods as approved by City Engineer
<i>Residential</i>	
All residential uses within the Downtown Overlay District	1 space per Dwelling Unit (<u>DU</u>).
Apartment Bed and Breakfast Boarding House Caretaker, Watchman living on-site Cottage <u>Clusters and Cottage</u> Developments Guest Houses / Access Dwellings Homeless Shelter Multi Family Complex (over 4 D.U.s) Multi Family Dwelling (incl. 3 & 4 plex) <u>Triplex and Quadplex</u> Res. Use other than Ground Floor Res. Use, Ground Floor < 25% Res. Care Facility (6 or more residents) Res. Care Home (5 or less residents) Single Family <u>Detached</u> Dwelling <u>Duplex</u> 2 <u>space</u> / <u>DU</u> D.U.*; 1 <u>space</u> / Mgr, 1 <u>space</u> / 10 <u>DU</u> D.U.'s* 1 space per bedroom 1 space per bedroom 2 spaces per dwelling unit <u>1</u> 2 spaces per cottage 1 space per <u>Guest House</u> dwelling unit 1 space per room; or 1 space per employee 2 sp / <u>DU</u> D.U.*; 1 sp / Mgr, 1 sp / 10 <u>DU</u> D.U.'s* <u>1</u> 2 <u>space per</u> sp / <u>DU</u> D.U.* 2 spaces per dwelling unit <u>DU</u> 2 spaces per dwelling unit <u>DU</u> 1 space per each 2 rooms 2 spaces 2 spaces per dwelling unit <u>DU</u> <u>1 space per DU</u>	

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Land Use	Standard: Unless Transportation Analysis supports other methods as approved by City Engineer
Townhouse *Dwelling Unit (***)	<u>1</u> 2 spaces per dwelling unit <u>DU</u>

8.0505 Off-Street Parking and Loading. General provisions are as follows:

(***)

~~11. On Street Parking Credits. The minimum requirement off-street parking spaces may be reduced by the number of on-street parking spaces that are allowed and constructed along the street frontage of the proposed development subject to approval by the City Engineer. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.~~

12. Common Parking Areas shall conform to city standards and shall be located within 220 feet of the land use.

8.0510 Design and Improvement Standards for Parking Lots. The design and improvement standards for parking lots are:

(***)

2. Except for parking in connection with single family detached dwellings or middle housing ~~or duplex dwellings~~, parking and loading areas adjacent to or within a residential zone or adjacent to any dwelling shall be screened with a sight-obscuring fence or planted screen of not less than three feet in height.

(***)

6. ~~Except for dwellings not required to undergo land use review,~~ Ggroups of more than two parking spaces shall be ~~so~~ located and served by a driveway so that their use will require no backing movements or other maneuvering within a street right-of-way, other than an alley, unless approved by the City Engineer. Single family detached dwelling and middle housing type are exempt from this standard.

(***)

8.0565 Exception to Building Height Limitations. Except for the FAA aviation requirements set forth in Federal law Section 8.0230, the following types of structures or structural parts are not subject to the building height limitations prescribed in Sections 8.0100-8.0295:

(***)

8.0575 Special Exceptions to Lot Size Requirements.

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1. Any parcel of land or portion thereof, which is required to dedicate ~~to be dedicated to a public or semi-public entity for a road, canal, railroad, utility or other public use,~~ shall be exempt from the minimum lot size requirements set forth by these standards, unless part of a proposed subdivision.

(***)

CONDITIONAL USES

(***)

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

(***)

3. Bed and Breakfasts: A bed and breakfast shall comply with the following provisions:
 - A. All new construction or conversions of existing structures to a Bed and Breakfast require Site and Design Review.
 - B. All such uses are in conformance with applicable ~~the Article V, City~~ Sign Standards ~~as is applicable.~~
 - C. All such uses shall have a maximum of 5 guest suites.
 - D. All such uses shall provide one parking space per guest suite in addition to the residential use requirement of two spaces.
 - E. All such uses provide parking areas to be screened as per design review standards.

(***)

13. ~~Multi-Family Dwelling and Multi-Family Dwelling Complex:~~ A multi-family dwelling and a multi-family complex shall comply with the following provisions:
 - A. ~~If such a dwelling or complex or any unit thereof is more than 500 feet from a public fire hydrant or as otherwise required by the uniform fire code, then a new hydrant or hydrants shall be provided at appropriate locations as determined by the Fire Marshal. Such hydrants shall be located on a vehicular way and shall conform in design and capacity to the public hydrants in the City.~~
 - B. All such complexes with more than 20 dwelling units shall be located to have access on a street designated as a collector unless otherwise approved by the Hearings Body.
 - C. Sidewalks or other approved surfaced pedestrian walkways shall be provided.

(***)

16. Child Care Facilities ~~Nursery Schools:~~ ~~Nursery schools~~ Child Care Facilities shall provide and maintain at least 75 ~~400~~-square feet of outdoor play area per child. A sight obscuring fence at least four feet but not more than six feet high shall separate the play area from the abutting lots.

(***)

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8.0625 Public Hearing on a Conditional Use. A public hearing may be required at the discretion of the Community Development Director, or designee, for any conditionally permitted use. If required, the hearing shall ~~following~~ follow the procedure described in Land Use Administrative actions allowed under Article II.

(***)

VARIANCES

(***)

8.0710 Standards Required to Grant Minor Variances to On-Site Requirements. A minor variance under this section shall be no greater than 25% of the requirement from which the variance is sought. The Community Development Director, or designee, may consider a variance from these standards relating to on site requirements.

1. In the case of a yard setback variance, the applicant shall show the approval will result in:
 - A. More efficient use of the site.
 - B. Preservation of natural features where appropriate.
 - C. Adequate provisions of light, air, and privacy to adjoining properties.
 - D. Adequate access.

(***)

ARTICLE III. LAND DIVISION STANDARDS

(***)

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

Merge definitions contained in Section 8.2020 (Land Division Standards) with Section 8.0020 (Definitions).

(***)

~~**Planned Unit Development.** "Planned Unit Development" means a complex of uses designed and developed as a single development unit, built by a single owner or group of owners and maintained by an association. The phrase Planned Unit Development may be abbreviated "PUD".~~

(***)

GENERAL REQUIREMENTS

(***)

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

(***)

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8.2215 Informational Requirements. The following information shall be shown on the tentative plat or provided in accompanying materials. No tentative plat shall be considered complete unless all such information is provided:

(***)

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

1. **Track 1 – General Criteria. Subdivision, Tentative Plans (~~N~~o ~~'N~~eeded ~~H~~ousing').**

(***)

E. ~~Show General conformance compliance~~ with the Great Neighborhood Principles, including a description of the range of housing unit types proposed.

(***)

M. Fully developed “pocket parks” or “tot lots” shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Park amenities shall, at a minimum, include: one half of the park dedicated to turf areas ~~for at least 50% of the lot~~, benches, trees, shrubs, ground cover, irrigation, and other landscape or decorative features, and acceptable trash receptable(s) and lighting.

(***)

2. **Track 2 – Subdivision, Tentative Plan Approval Criteria (~~'N~~eeded Housing' & Clear and Objective Standards).** ~~General:~~ The planning division shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions, shall be based on compliance with the following criteria:

- A. The applicant has demonstrated that the proposed housing is needed housing as defined by State statutes.
- B. The proposed land uses and densities are consistent with ~~the land use designation(s) shown on~~ the comprehensive plan, in this code, and as refined in any applicable area plan, master plan, or framework plan.

(***)

F. On any Residential ~~R-4~~ zoned property, if the subdivision results in a lot greater than twice the minimum lot size in the underlying zone, ~~than 13,500 square feet in size~~ the application shall indicate the location of lot lines and other details of layout that show future division of the lot may be made without violating the requirements of this development code and without interfering with the orderly extension of adjacent streets, bicycle paths, and accessways.

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- G. Lot side lines shall run at right angles to the street upon which the lots face, except that on curved streets they shall be radial to the curve.
- H. There shall be no proposed grading on portions of the development site that meet or exceed 15% slope.
- I. The ~~proposal~~ proposed subdivision complies with the Traffic Impact Analysis Review provisions.
- J. The proposed subdivision street layout ~~of the proposed subdivision~~ shall disperse motor vehicle traffic onto more than one public local street unless approved by the City Engineer.
- K. Urban development shall interface with rural areas (rural areas are those that lie within areas outside of the UGB or UAR) through landscaped open space buffers at least 100 feet wide and the length of the urban development, excluding public streets, or shall be transitioned from higher density development to lower density development at the urban-rural interface, or utilize other appropriate and equivalent transitional elements.
- L. Fully developed “pocket parks” or “tot lots” shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Park amenities shall, at a minimum, include: ~~turf areas for at least 50% of the lot, benches, trees, shrubs, and other landscape features.~~ one half of the park dedicated to turf areas, benches, trees, shrubs, ground cover, irrigation, other landscape or decorative features, and acceptable trash receptable(s) and lighting.
- M. No site grading of the site shall occur until the City has approved the subdivision application.
- O. The proposed subdivision does not contain any Through/Double Frontage lots or parcels.

(***)

DESIGN STANDARDS AND IMPROVEMENTS

(***)

8.2705 Blocks, Lots and Parcels.

(***)

- 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); ~~except for L~~ lots fronting on the bulb of a cul-de-sac, ~~then 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. ~~Lots created as part of a Planned Unit Development shall meet the same frontage requirements listed herein, except such frontage may be allowed along private streets.~~ 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.

(***)

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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. A Conditional Use Permit is required when a tract is proposed as a remedy for Through/Double Frontage Lots and Parcels.

(***)

12. Flag Lots. A flag lot shall be considered as a “flag lot” if the pole of the flag lot is less than half the width of the average lot width. For flag lots, the following shall be required:
- A. Flag poles shall be no less than 20’ wide. Flag lot frontage can be reduced by approval from Redmond Fire & Rescue and City Engineer.
 - B. ~~Flag lot development, if allowed by the zone, is limited to one duplex or single-family dwelling per lot.~~ All zone regulations apply, including the minimum required lot size and setbacks unless setback reductions are allowed as described in (E).

(***)

- F. No flag lot shall be partitioned or further divided, except as provide for by middle housing.
- G. The “pole” of the flag lot shall be no longer than 150’ 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’ 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 ~~each dwelling unit on a flag lot;~~ and one space per unit for middle housing on a flag lot.

(***)

8.2715 Fundamental Design Elements

(***)

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 CDD Director, or designee, or Hearings Body. The subdivider, ~~or~~ partitioner or developer shall be responsible for complying with requirements of this section and shall:

(***)

9. Fully developed “pocket parks” or “tot lots” shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Park amenities shall, at a minimum, include: one half of the park dedicated to turf areas,

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benches, trees, shrubs, ground cover, irrigation, other landscape or decorative features, and acceptable trash receptable(s) and lighting.

(***)

8.2840 CC&Rs Middle Housing. CC&Rs developed on or after January 1, 2021, shall not restrict middle housing per ORS 93.277 as amended.

ARTICLE IV – SITE AND DESIGN REVIEW STANDARDS

(***)

8.3025 Plans Required. The Applicant shall submit to the Community Development Department the following documents with the required fee.

(***)

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., ten (10) one (1) 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.

(***)

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

(***)

4. Architectural Requirements.

(***)

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D. Commercial and Industrial buildings.

(***)

3. Commercial Drive-up windows and drive-throughs should be oriented away from the ~~principle~~ principal street.

(***)

E. ~~Multi-Family Dwellings and Complexes.~~ This section establishes a process for the review of ~~multi-family dwelling and~~ multi-family complexes development proposals in order to promote functional, safe, innovative and attractive development that is compatible with the natural and man-made environment. The intent is to promote compatible development, foster the attractiveness and functional utility of multi-family development, protect public and private investments in the area, ~~and,~~ raise the level of community expectations for the quality of its environment.

1. ~~Density Standards.~~ The following residential densities shall apply to multi-family dwellings and complexes:
 - a. ~~General Residential (R4) Zone~~ — A minimum of 4.0 units per acre and a maximum of 14.5 units per acre.
 - b. ~~High density residential (R5) Zone~~ — A minimum of 8.0 units per acre and a maximum of 17.4 units per acre.
2. Table A. Minimum Standards. The following minimum standards apply in each of the Residential zones: ~~as follows.~~

Multi-Family Complex Standards:	R-4	R-5
Minimum Setback Distance (A)		
Front	15	15
Side	15	15
Rear	20	15
Garage	20	20
Multi-family dwellings and multi-family complexes are exempt from the solar setback requirements of Section 8.0370, except when the abutting property to the north is developed with a single-family dwelling.		
Maximum Building Height	45	45
Off Street Parking		
Multi-Family Dwelling (3 & 4 D.U.'s)	2 sp. / D.U.	2 sp. / D.U.
Multi-Family Complex over 4 D.U.'s)	2 sp. / D.U. + 1 sp. / 10 D.U.'s	2 sp. / D.U. + 1 sp. / 10 D.U.'s
<i>Alternatives to the number of parking spaces required will be considered on a case-by-case basis and only with a Transportation Engineers analysis as approved by the City Engineer.</i>		
(A) Multi-family dwellings and multi-family complexes are exempt from the solar setback requirements of Section 8.0370, except when the abutting property to the north is developed with a single-family dwelling.		

3. Building Orientation. All buildings facing a public street right of way shall

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have a functional primary entrance oriented to each public street frontage, except for buildings fronting along and facing a Major Arterial street as designated on the City of Redmond Transportation System Plan. Additional primary entrances, if provided, or, in cases where buildings are internal to the development and do not front on the public street right of way, shall be oriented to a private common area (common areas include private streets, courtyards, or open spaces). A hard-surfaced pedestrian sidewalk or pathway connecting the building entrances to the public streets right of way shall be provided.

4. Building Form. ~~The continuous horizontal distance (i.e., as measured from end wall to end wall) of individual buildings (including buildings with multiple dwelling units) shall not exceed 90 lineal feet, unless part of a Master Plan development which may permit a maximum length of 120 feet.~~ In order to preclude large expanses of uninterrupted building surfaces, each floor of the building shall include at least three of the following features within every 30 lineal feet or portion thereof along all elevations of the structure:
 - a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet;
 - b. Extension (e.g. floor area, deck, patio, entrance or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
 - c. Offsets or breaks in roof elevations of two feet or greater in height.
 - d. Offset or breaks in building façade elevations of 2 feet or greater in relief.
5. Detailed Architectural Features. All buildings shall provide detailed design along all elevations (e.g., front, rear and sides). Detailed design requires use of at least five of the following architectural features on all front and exterior side (corner lot) elevations and at least three of the following architectural features on all interior and rear yard elevations, at a minimum of every 30 lineal feet of horizontal wall. Architectural features shall be varied on the different building elevations. The standard applies to each full and partial building story.
 - a. Dormers
 - b. Gables
 - c. Recessed and covered porch entries of at least 4 feet in depth
 - d. ~~Covered porch entries~~
 - e. ~~Cupolas or towers,~~ at least 2, minimum 2-foot elevation change to roof ridge
 - f. ~~Pillars or posts~~
 - g. Eaves (minimum 12 6-inch projection)
 - h. Off-sets in building face or roof (minimum 16 inches)
 - i. Window trim on all windows ers on the façade
 - k. Bay or oriel windows
 - k. Balconies
 - l. Decorative patterns on exterior finishes (e.g., ~~dramatic~~ paint scheme, scales/shingles, wainscoting, ornamentation, and similar features)
 - m. ~~Decorative cornices and roof lines (e.g., for flat roofs)~~

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- n. An alternative feature providing visual relief and detail, similar to option a-i above, may be approved through the development review process.

(***)

- 8. Trash Receptacles. A common trash enclosure shall be required and is subject to the following standards.

- a. Trash enclosures shall be oriented away from adjacent residences and shall be screened by use of brick or stone walls.
- b. Trash enclosures shall be accessible to trash pick-up vehicles and shall provide an unobstructed, straight on approach a minimum of 40 feet in length.
- c. Trash enclosures, a minimum of six-feet in height, shall be constructed of masonry solid, durable and attractive walls, with solid screen doors and shall be visually consistent with project architecture. Gate opening shall be a minimum of 10 feet wide and shall not include a center pole or other obstruction preventing access to the enclosure. Gates must swing open 180 degrees and shall include a gate stop to hold it open.

(***)

- 9. Mechanical Equipment. External mechanical equipment, such as heating or cooling equipment, pumps or generators, that is located on the ground or on the roof of buildings, must be entirely screened from view at ground level by sight obscuring walls, fences, parapet or other similar means consistent with the overall architecture of the development. Landscaping is not an acceptable alternative for such screening as specified herein. Screening shall be compliant with all applicable codes. No heating or cooling equipment shall be placed on exterior walls unless completely screened from view.
- 10. Common Open Space. Common open space(s) shall be incorporated into the site plan for multi-family complexes as a primary design feature. A minimum of 15 percent of site area (inclusive of required setbacks but exclusive of dedicated street rights-of-way and land dedicated to other public uses like parks and schools), shall be provided as common open space and be suitable for a recreational play area, or group or community activities. However, in no case shall less than 3,000 square feet of common open space be provided. Such area shall be improved with turf grass, plantings, surfacing, equipment, structures or buildings suitable for recreational use. The Hearings Body may require this area to be protected from streets, parking areas, or the like, by a fence or the equivalent. Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements. ~~(Note: Relocated and rewritten from Section 8.3035(4)(E)(13))~~

In conjunction with the open space requirements, all multi-family complexes with 20 or more units shall provide two or more amenities for

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the residents as listed below. Such amenities shall be centrally located for a majority of the residents.

- a. Tot lot/play structure
- b. Community garden
- c. Picnic tables/barbecue areas
- d. Swimming pool, splash pad, or other water feature
- e. Indoor recreation facility
- f. Sports courts (i.e. basketball, tennis, volleyball)
- g. Other active or passive recreation area that meets the intent of this standard as approved through the development review process.

11. Private Open Space. Private open space accessible from interior shall be required for all multi-family dwellings and complexes based on the following standards:

(***)

16. ~~Upper Floors.~~ ~~Third and fourth floors of multifamily dwellings and complexes constructed in residential zones along the perimeter of the side development shall occupy no more than 80% of the building footprint area (ground floor) when abutting a residential lot less than 20,000 square feet in area or any residential lot developed with a single family or duplex residential dwelling.~~

~~F. Townhouse Design and Development Standards.~~

Repeal and replace in entirety. See Section 8.0142

(***)

- G. Exterior Mechanical Equipment. These shall be screened so as not to be visible from public streets or residences and not placed on exterior walls unless fully screened.
- H. Surfacing. Gravel is prohibited as a surfacing material in the commercial or mixed use zones. Areas that are not part of the required landscaped areas shall be surfaced with asphalt or concrete unless natural, undisturbed open areas.

(***) *Check and fix appropriate numbering references to account for surfacing provision.*

5. Landscaping

(***)

- G. Parking lot landscaping. In addition to meeting all other landscape requirements, at least ten (10%) percent of the paved parking ~~total required landscaping for the site shall~~ include planting beds at least 5 feet wide ~~be planted within or immediately adjacent to the parking lot(s), plus a ratio of one tree per ten parking spaces shall be planted. This parking lot landscaping may be considered as meeting a portion of the underlying zone's minimum landscape percentage~~

EXHIBIT D – REDMOND DEVELOPMENT CODE (RDC)

~~requirements. Parking lots exceeding 20 spaces shall incorporate a portion of this required landscaping in interior islands not less than three feet in width.~~

(***)

7. General Site Criteria.

A. Grading and Drainage.

1. Grading - Grading of on-site private land shall be managed to ensure that there are no adverse conditions created for neighboring lands or public right-of-way. A stormwater grading plan shall be developed that satisfies the following criteria:
 - i. On-site maintainability.
 - ii. Professional civil engineering practices.
 - iii. Identify responsibility for the management of the stormwater.
2. Drainage & Stormwater - Per direction of the City Engineer, and specified in the City of Redmond Standards and Specifications, drainage shall be managed on-site or as determined reasonable for shared responsibility for both conveyance and disposal of private and public right-of-way stormwater.

The storm event shall be for the 50-year 24-hour storm event, and require the total of public and private runoff to be contained within development boundaries. At a minimum, a drainage plan shall include engineering calculations meeting professional practice methods of storm volume development, original and new topography of the site, drainage pathways and flow direction, location of retainage, and/or disposal of the stormwater.

- ~~1. Grading on the site shall take place so there is no adverse affect on neighboring properties or public right of way. A grading plan may be required to assure that all drainage is retained on site.~~
- ~~2. All drainage shall be retained on site at all times. A drainage plan may be required that shows slope, method of drainage retention and disbursement of water on site at the discretion of the City Engineer.~~
3. **Blasting - A permit for explosive blasting shall be obtained from Redmond Fire & Rescue and City Engineer prior to blasting.**

(***)

8.3040 Downtown Overlay District Design Review Criteria. In addition to the standards in Section 8.3035, prior to the issuance of a building permit, all properties and structures in the Downtown Overlay District, unless exempt under Section 8.3040(2) below, shall comply with the Downtown Design Standards. If a conflict exists between the Sections 8.3035, 8.3040, and 8.3045, then Section 8.3040 shall take precedence.

(***)

2. Exempt Development. These Design Standards shall apply to any development in the Downtown Overlay District except for the following ~~exempt~~ uses:

- A. Minor Modifications.
- B. Landscaping or landscape alterations.

EXHIBIT D – REDMOND DEVELOPMENT CODE (RDC)

- C. Repair or maintenance of public or private buildings, structures and landscaping that present a risk to public safety.
- D. Maintenance of the exterior of an existing structure such as re-roofing, or re-siding where similar materials and colors are used.
- E. Interior remodeling.
- F. Temporary structures and uses which are for relief of victims of disaster or an emergency.
- G. Single family detached dwellings s and middle housing ~~units and duplex dwelling units.~~
- H. Child care facilities ~~Daycare centers~~ that operate in existing residential structures.

(***)

//End//

EXHIBIT E – REDMOND DEVELOPMENT CODE (RDC)

EXHIBIT E: AMENDMENTS TO RDC - ADMINISTRATIVE TOPICS

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

Prepared for June 6, 2022, Planning Commission Meeting

Amend the following throughout the RDC:

- Revise provisions to provide gender-inclusive language. For example, he or she. Including but not limited to sections: 8.1305.1; 8.2300.2.B; 8.2320.3; 8.2330.1; 8.2800; 8.2825.3.B; 8.3020.1; 8.4060.3; 8.4400.2.E; 8.4455.5.
- Incorrect numbering and references.
- Remove all references to “multi-family dwellings,” and replace with “triplexes and quadplexes” where appropriate.
- Repeal in entirety Section 8.0142 Higher Density Multifamily Design Guidelines.
- Repeal in entirety Section 8.0370 Building Setbacks for Protection of Solar Access.
- Insert Chapter 8 Table of Contents Other Zones Section “Table H, Minimum Standards” (Section 8.0265).
- Consistently reference approvals are at the discretion of the Community Development Director, or designee.
- Fix typos, syntax and grammatical errors.

Chapter 4. Utilities – Water and Sewer Connection and Responsibilities

(***)

4.050 Property Owner Responsibility.

1. No plumber or other person shall uncover, use, alter, disturb, or make any connection with a city water or sewer main or connect any pipe after it has been disconnected by the City, without first obtaining a permit from the Director of Public Works. A City of Redmond Street Cut Permit is required to excavate new building sewer in the right of way or expose existing building sewer for repair within the right of way.
2. The owner is responsible for all costs and expenses relating to the installation and connection of the building sewer. The owner shall indemnify the City from loss or damage that may directly or indirectly result from the installation of the building sewer.
3. The connection of the building sewer into the sewer main shall conform to the requirements of the State of Oregon Building and Plumbing Codes and City of Redmond Standards and Specifications.
4. The owner shall notify the City when building sewer is ready for connection and inspection to a public sewer. Only City of Redmond staff will make the physical connection to existing or active sewer mains.
5. Streets, sidewalks, and other public property disturbed in the course of work shall be restored in accordance with the City Standards and Specifications unless the City approves otherwise in writing.
6. The owner of property served by a building sewer shall be responsible for maintenance and repair of the building sewer to the point of the service connection to the City sewer. This responsibility includes any costs of maintenance or repair of the building sewer. In

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- the event of any break, leak or other damage to a building sewer, the owner of the property served by the building sewer shall cause repairs to be made immediately to minimize any sewer spillage or damage to surrounding property.
7. The owner shall, at the owner's personal own risk and expense, furnish, install and keep in good and safe condition, equipment that may be required for receiving, controlling, applying and utilizing water or sewer services. The City shall not be responsible for loss or damage caused by the improper installation of the equipment, or for the negligence, want of proper care or wrongful act of the customer in installing, maintaining, using, operating or interfering with the equipment.
 8. The service connection at the water main or sewer main, whether located on public or private property, is the property of the City, and the City reserves the right to repair, maintain and replace it.
 9. The water service from the connection to the water main to and including the water meter is the property of the City of Redmond.
 10. The water service pipes must be arranged so that the supply to each separate house or premises may be controlled by a separate stopcock placed within or near the line of the street curb.
 11. The point of service connection with the public sewer or water system shall be as determined by the City. Building sewers are not allowed to enter the public sewer at manholes unless authorized by the City.
 - ~~12. There shall be no more than one sewer and water connection to each 50' x 100' lot.~~
 12. Irrigation only water services subject to approval by City Engineer or Public Works Director.
 13. Old building sewers may be used in connection with new buildings only if the City determines that they meet all requirements of this chapter and are in acceptable condition.
 14. Shared building sewer lines (defined as building sewers serving more than one lot, parcel, or tax lot) are prohibited in new construction. It is the responsibility of owner(s) having an existing shared building sewer lines to maintain these lines and replace them as needed.

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Chapter 7 – Business

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Short Term Rentals (STRs)

7.132 Purpose. The Short-Term Rental Permit is in recognition of people choosing to rent their property on a short-term basis (i.e., 30 days or less). The following standards and procedures are in addition to federal and state laws, and City ordinances and regulations.

7.134 Definition. For the purpose of this Section, a Short-Term Rental (STR) shall mean a dwelling unit, or any portion, thereof that is available or advertised, or listed by an agent, for use, rent, or occupancy for a period of less than 30 consecutive days. ~~A STR is not permissible in a multi-family dwelling or multi-family complex and is not a home occupation.~~

[Section 7.134 added by Ord. #2020-04 passed August 25, 2020]

7.136 Zones. STRs are permitted in residential zones, Mixed Use Neighborhood zone, C2 zoned property, including within the Downtown Overlay District (DOD), granted

EXHIBIT E

applicable standards and requirements are complied with. STRs shall not unreasonably interfere with other uses permitted in the zone in which the property is located.

In residential zones. ~~On~~ properties containing both a residential dwelling and an accessory residential ~~dwelling~~, only one residential ~~structure~~ unit may be rented out as an STR, but not both. A STR is not permissible in triplex, quadplex, cottage clusters or cottage development, multi-family complex and is not a home occupation. A STR is permissible in a duplex unit if the other unit is owner occupied or a long-term rental.

Within C2 zoned property and DOD, no more than 25% of the dwelling units in an Apartment or Multi-Family Complex may be permitted as STRs.

7.138 STR Standards and Requirements. A permit for a STR shall be issued when the following standards and requirements are met:

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5. Number of Occupants. The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with the “Good Neighbor Guidelines”, shall remain posted inside the STR. It is the owner’s responsibility to ensure the renters are ~~aware~~ aware of these limitations.

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(***)

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INTRODUCTORY PROVISIONS

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Chapter 8 – Article I – Zoning Standards – Introductory Provisions

8.0020 Definitions

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Alley. A public or private way ~~permanently~~ 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.

(***)

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

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.

(***)

8.0030 Authority and Land Use or Zoning Approval ~~Zoning Permit.~~

- Authority.** Whenever necessary to enforce the provisions of the Development Code, the Director, or designee, shall have the authority in addition to other remedies provided by law, to issue compliance notices and orders, assess penalties, record violations and liens with the City Clerk, issue citations, to institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin or abate a violation.
- Approval.** The Director, or designee or other Approving Authority shall not give land use or zoning approval on any development or use of land that is not in full compliance with all applicable provision of the Development Code, regardless of whether the applicant(s) or current owner(s) created the violation.

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Prior to the construction, alteration or change of use of any structure or lot for which land use approval or a zoning permit, but not a building permit, is required, ~~a zoning permit~~ approval for such construction, reconstruction, alteration, or change of use of any structure or lot shall be obtained from the Planning Department. Approval may be authorized if:

- A. It results in the property coming into full compliance with all applicable provisions of the Development Code or City Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreements.
- B. It is necessary to protect public safety and welfare.
- C. It is for work related to and within a valid easement over, on or under an affected property.

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Chapter 8 – Article I – Zoning Standards – Residential Use Zones

8.0130 Urban Holding UH-10 Zone. The City shall administer the provisions of Title 20 Redmond Urban Area Zoning Ordinance of the Deschutes County Code for this County zoning district. In a UH 10 zone the following regulations shall apply:

- ~~1. Uses Permitted Outright. In an UH 10 Zone, the following uses are permitted outright:~~
 - ~~A. Single family dwelling, manufactured home, and Temporary RV Parks.~~
 - ~~B. Accessory uses and structures, including up to two accessory dwelling units.~~
 - ~~C. Home occupation subject to 8.0345~~
 - ~~D. Farm use as defined in 8.0020~~
 - ~~E. Operation, maintenance and piping of existing irrigation systems operated by an Irrigation District~~
 - ~~F. Municipal utility facilities~~
 - ~~G. Accessory buildings customarily provided in conjunction with farm use~~
 - ~~H. Alteration, restoration or replacement of a lawfully established dwelling~~
- ~~2. Conditional Uses Permitted. In an UH-10 Zone, the following uses are permitted when authorized in accordance with the provisions of Sections 8.0600-8.0645:~~
 - ~~A. Commercial horse stable~~
 - ~~B. Non-municipal utilities constituting radio, television and wireless tower, non-municipal utility station or substation~~
 - ~~C. Kennel or animal hospital~~
 - ~~D. Commercial activities that are in conjunction with farm use~~
 - ~~E. Farm stands~~
 - ~~F. Bed and breakfast inn~~
 - ~~G. A manufactured home to be used for a medical hardship.~~
 - ~~1. The manufactured home shall be temporarily sited on the lot or parcel only for the term of a hardship suffered by the existing resident or relative of the resident.~~
 - ~~2. The manufactured dwelling shall be removed or demolished within three months of the date the hardship no longer exists.~~
 - ~~3. The existence of a medical hardship is verified by a written doctor's statement, which shall accompany the conditional use permit application.~~
 - ~~4. Permits granted under DCC 20.12.030(D) shall be required to meet any applicable Oregon Department of Environmental Quality review and removal requirements as a condition of approval.~~
- ~~3. Accessory Uses. In an UH 10 Zone, there shall be the following limitations on accessory uses:~~

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- ~~A. Must meet the requirements set forth in the Supplementary Provisions, Section 8.0300.~~
4. ~~Lot Size. In an UH-10 Zone, the minimum lot size shall be as follows:~~
 - ~~A. Lot area shall be a minimum of 10 acres. Such lots shall have a minimum average width of 300 feet and minimum depth of 330 feet.~~
5. ~~Yards. In an UH-10 Zone, the minimum yard requirements shall be as follows:~~
 - ~~A. The front yard shall be a minimum of 50 feet from the existing street right of way line or the ultimate street right of way as adopted on the Comprehensive Plan or official Map, except that any lot of record less than one acre in size and lawfully created prior to the effective date of the City's UH-10 zone shall have a minimum front yard of 30 feet. Permanent structures located along future collector and arterial streets shall comply with Section 8.0350 to preserve future right of ways.~~
 - ~~B. A side yard shall be a minimum of ten feet from the foundation to the property line.~~
 - ~~C. A rear yard shall be a minimum of 50 feet from the foundation to the property line.~~
 - ~~D. The setback from the northern lot line shall meet the solar setback requirements in Section 8.0370.~~
6. ~~Height of Buildings. In a UH-10 Zone, no building shall exceed a height of 30 feet.~~
7. ~~Off Street Parking and Loading. In an UH-10 Zone, off street parking shall be provided in accordance with the provisions of Section 8.0500 of these standards.~~
8. ~~Signs. In an UH-10 Zone, the sign limitations shall be as follows:~~
 - ~~A. One non-illuminated nameplate or home occupation sign not exceeding one and one-half square feet in area for each dwelling unit; or~~
 - ~~B. One non-illuminated temporary sign not exceeding six square feet in area; or~~
 - ~~C. One non-illuminated sign not exceeding 25 square feet in area said sign shall be set back at least 10 feet from a property line.~~
9. ~~Special Provisions. In a UH-10 Zone, there shall be the following special provisions:~~
 - ~~A. All public improvements required in conjunction with any land use development permitted under Redmond Code Section 8.0130 shall conform to the adopted City of Redmond's Public Works Standards & Specifications, dated September 1995, and amended thereafter, as set forth in Section 8.0367.~~
10. ~~Master Development Plans. The development and approval of an Urban Area Master Plan subject to the provisions of RDC 8.0300~~270 ~~is required as a condition of annexation or for UH-10 land already in the City, prior to or concurrent with rezoning from UH-10 to other City zoning districts.~~

(***)

RESIDENTIAL USE ZONES

8.0141 ~~Architectural Design Standards for Single Family~~ Detached Dwellings and Plexes Development and Design Standards. ~~Duplexes, Tri-plexes, and Four-plexes~~

1. Purpose. The purpose of these ~~Architectural~~Development and Design Standards is to promote and sustain:
 - ~~A. High~~Quality development throughout a variety of housing choices;
 - ~~B. A diversity of individual styles that incorporate positive design characteristics throughout the City; and,~~
 - ~~C. Excellence in a~~Architectural design that:

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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, ~~integrity~~ and character among all neighborhoods throughout ~~Redmond the City~~; and
 4. Elevates the attractiveness and quality of life in Redmond; ~~and~~
2. Intent. The intent of the Architectural Development and Design Standards is to:
 - A. Maintain flexibility for a variety of architectural style to be developed ~~throughout the City~~;
 - ~~B. Establish a basis for architectural character for each dwelling, regardless of architectural style;~~
 - C. Continue to allow innovations in design that recognize newer technologies such as solar and wind power, telecommunications, and environmentally conscious construction methods; and,
 - D. Promote quality design characteristics that will enhance the long-term desirability of the dwelling, neighborhood and community ~~as an attractive place to live~~.
3. Procedure. New single-family detached dwellings and plexes, ~~duplexes, tri-plexes, and four-plexes~~ shall be reviewed for conformance with the requirements listed in this Section, subject to the procedures outlined below:
 - A. Track 1. Clear and Objective Process. Conformance with Section 8.0141(5), below. An application demonstrating conformance with this Section 8.0141(5) ~~shall be submitted to the City. Conformance with the objective standards included in Section 8.0141(5) 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 by the City.~~
 - ~~Fast track process: If an Architectural Master Plan application is submitted and approved, all requirements of this section must be met prior to occupancy.~~
 - B. Track 2. Discretionary Process. As an alternative to the Track 1 procedure ~~above~~, an application may be submitted ~~to the City~~ which demonstrates conformance with the Purpose and Intent of this Section as listed in ~~Sections 8.0141(1) and (2), above. These applications are reviewed administratively by the City 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.~~
 - C. 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 ~~Two~~ exterior types of wall siding material on 3~~4~~ sides;
 3. Band courses ~~on 3 sides~~; and
 - ~~4. One additional tree.~~
4. Application and Approval Process. The applications for either a Track 1 or ~~Track 2~~ review as specified in Sections 8.0141(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, ~~duplexes, triplexes, and fourplexes~~ shall conform with the following ~~objective~~ standards:

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- 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 by use of landscaping materials such as shrubs and trees or fencing at least three (3) feet in height at installation. 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 (1) 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 ~~out of five following~~ differentiating criteria are used as listed in ~~2 through 7~~ below:
 - a. Process. Builders of multiple dwelling units or residential structures homes 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, and elevation designations or pictures ("A", "1", etc.) for adjacent homes. ~~No photographs will be required. Homes by other builders may be denoted as "Home by Others".~~
 - b. ~~Process. Builders constructing individual units shall submit photos showing front elevations for units located on either side of the home directly across the street.~~
b. Attached plexes are exempt.
 2. Roof Design. Required Roof Design Elements:
 - a. Pitched or sloping roof elements ~~greater than 4:12;~~
 - b. Eave of at least 12 inches.;
 3. Front Façade Wall Design. Ten (10) façade elements listed below shall be used on the front elevation. Use of T-111 exceeding 20% of all facades, combined, is not allowed.
 - a. 25~~40~~% fenestration of the first story front façade.
 - b. Window trim ~~or surround (casing)~~ 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 and at the break of the second floor (if one exists) or and at the line made by the lower roofline at the gable end ~~except when single wall panel systems are used;~~
 - 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 ~~on the walls that front onto public spaces;~~
 - e. Recessed or covered front entry at least 20 square feet, with a minimum 4-foot depth measured from the front door. If columns are used, they must not be exposed dimensional lumber less than 6" x 6".
 - f. Windows with multi-paned sashes, operable sashes, or windows that are elliptical, round, arched, bay, semi-circular or similar design;
 - g. ~~Shutters, as a matched pair for windows, either decorative, fixed or movable;~~

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- h. Balconies.
- i. Garage doors, ~~with or without windows~~, including patterning relief over the door surface;
- j. Optional enhancements and substitutions:
 - 1. Enclosed soffits;
 - 2. 1 ½" caliper tree in front of landscape area, in addition to required street trees;
 - 3. ~~1 ½" caliper tree in rear or side landscape area;~~
 - 4. ~~Covered entry feature over secondary doors, separate from eave;~~
 - 5. Covered rear patio or porch;
 - 6. Eave greater than 12 inches in depth, including extended soffit details;
 - 7. Where gable ends are proposed, at least three (3) gable end elements ~~such as windows, decorative vent cover, decorated verge boards, trusses, false beams, corbels, brackets, molding, rake, fascia, cornice return treatments, or other decorative elements in gable ends shall be used;~~ and
 - 8. Masonry accents;
 - 9. Paint color schemes, with a minimum of 2 colors used ~~(example: Trim & Exterior Wall colors).~~
 - 10. 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 10 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. ~~Front porches, including covered front porches, are highly encouraged.~~
- 6. Driveways and Garages.
 - a. A garage is required for each newly constructed residential structure ~~dwelling unit~~, and shall be of adequate size to accommodate a minimum of one vehicle, and shall at a minimum meet the design requirements in Section 8.0500 through 8.0515 (Off Street Parking and Loading Requirements) of the ~~City of Redmond Development Code~~. Triplexes and quadplexes ~~four-plexes~~ may meet this standard by substituting garage or covered parking with uncovered, paved parking spot(s) per the design requirements in Section 8.0500 through 8.0515.
 - b. ~~Driveway access to any street less than 28 feet wide shall be in conformance with Section 8.2710(3)(Table 1), of Article 3, the City of Redmond Land Division Code.~~
 - c. Driveways, ~~whether accessed from a public or private street or alley,~~ shall be of adequate size to accommodate a minimum of one vehicle, and shall at a minimum meet the design requirements in Section 8.0515 (Parking Table and Diagram) of the ~~City of Redmond Development Code~~.
 - d. ~~If a garage as required by subsection 8.0141(5)(B)(6)(a) above is converted to living or other space permissible by this Code, two off-street parking spaces shall be provided pursuant to Section~~

EXHIBIT E

~~8.0500 through 8.0515 (Off Street Parking and Loading Requirements) of the City of Redmond Development Code. A single-family detached home that adds an ADU shall continue to meet the minimum parking spaces requirement for the primary home.~~

- e. Notwithstanding the applicable provisions of Sections 8.0500 through 8.0515 (Off Street Parking and Loading Requirements) of the City of Redmond Development Code, all required off street parking areas and driveways constructed in conjunction with single family detached dwellings or and du-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. Landscaping. See Section 8.3035(5). All lots on which new dwellings or duplexes are constructed which abut a public or private street, not including an alley, shall be landscaped between the corresponding façade of the structure and the edge of the street, for the entire length of the street frontage(s). A master template shall be used to denote the required interior or corner lot landscaping.
8. Fences. See Section 8.0340. Fences constructed in conjunction with any dwelling (including fences constructed by the developer of a subdivision as perimeter fences) shall be in accordance with the applicable provisions of Section 8.0340 of the City of Redmond Development Code.
9. Conversion 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.

~~8.0142 Architectural Design Standards for Multi-Family Structures with 5 or more attached units.~~

Delete the above Section (8.0142) in entirety, including Subsection (4) Higher Density Multifamily Design Guidelines, and replace with Townhouse Development and Design Standards (below). Multi-family Complexes have development standards in the site and design review section (Article IV).

8.0142 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.

* Green Highlighting represents minimum lot sizes and density alternatives still being considered and discussed.

Standard:	<u>R-1</u>	<u>R-2</u>	<u>R-3, R-3A</u>	<u>R-4</u>	<u>R-5</u>
<u>Maximum Density (Units/Net Acre)</u>	<u>20</u>	<u>20</u>	<u>23.2</u> <u>25</u>	<u>25</u>	<u>25</u>
<u>Minimum Lot Size (Square Feet)</u>	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>
<u>Maximum Building</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>45</u>	<u>45</u>

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Height (Feet)					
Minimum Street Frontage (Feet)	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
Minimum Setback Distance (Feet)					
Front with alley or other rear access	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>5</u>
Front without alley or other rear access	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
Front garage setback from street	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
Non-street side: Common wall lot line where units are attached; Exterior wall at the end of a townhouse structure	<u>0</u> <u>5</u>	<u>0</u> <u>5</u>	<u>0</u> <u>5</u>	<u>0</u> <u>5</u>	<u>0</u> <u>5</u>
Street side	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
Rear with garage and alley access	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Rear without garage	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>

3. Off-Street Parking. Townhouses shall meet the off-street parking requirements of Section 8.0500.
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 F of this section.
 - A. Entry Orientation. The main entrance of each townhouse must:
 - a. Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
 - b. Either:
 - i. Face the street (see Figure 1);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 2);
 - iii. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
 - iv. Open onto a porch (see Figure 3). The porch must:
 - (A) Be at least 25 square feet in area; and
 - (B) Have at least one entrance facing the street or have a roof.

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Figure 1. Main Entrance Facing the Street

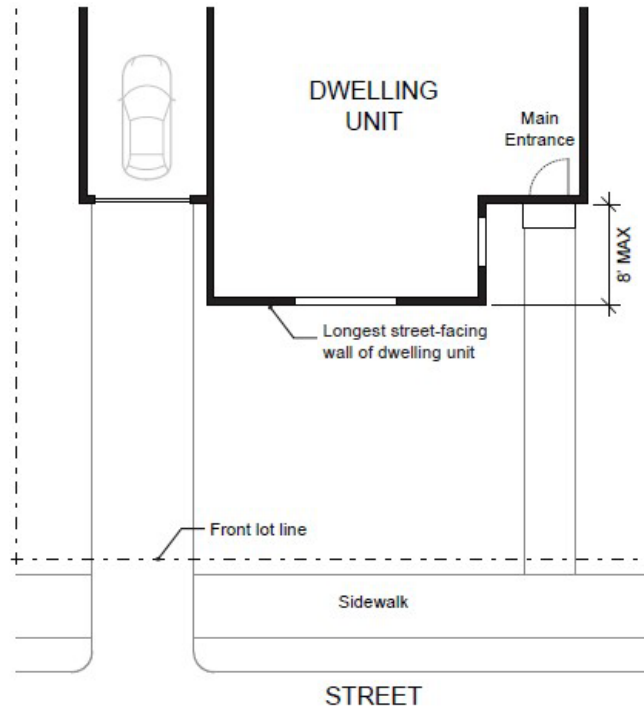


Figure 2. Main Entrance at 45° Angle from the Street

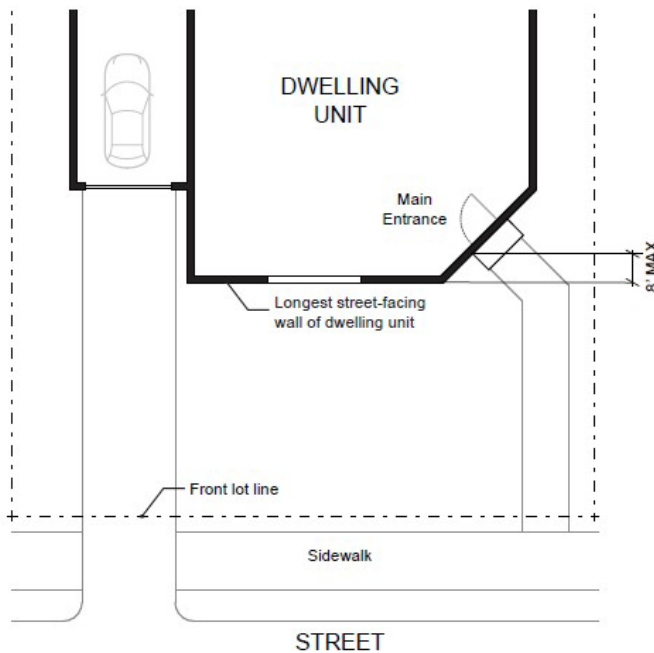
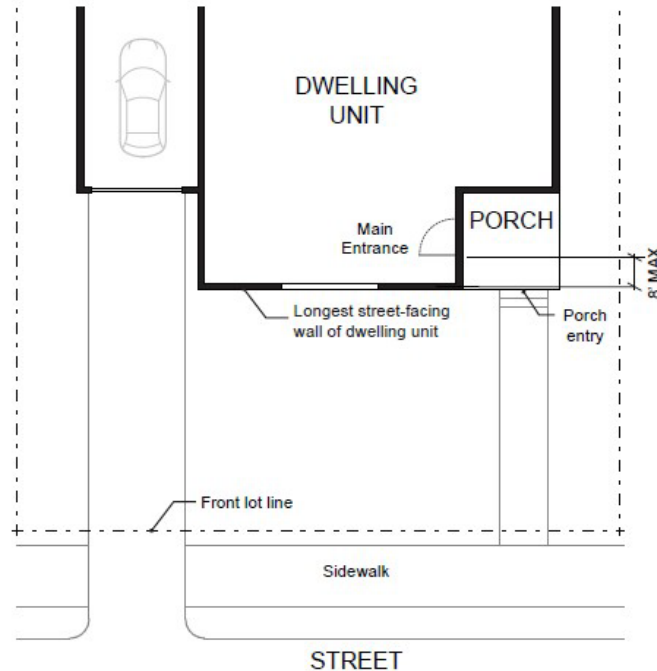


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Figure 3. Main Entrance Opening onto a Porch

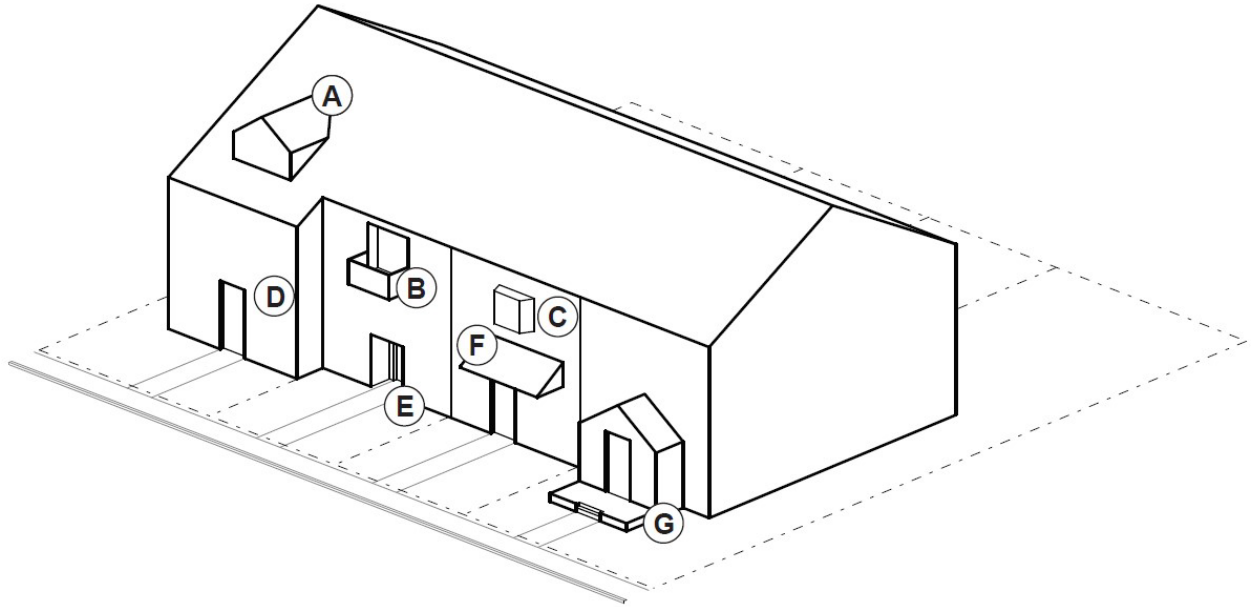


B. Unit definition. Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 4):

- a. A roof dormer a minimum of 4 feet in width, or
- b. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or
- c. A bay window that extends from the facade a minimum of 2 feet, or
- d. An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
- e. An entryway that is recessed a minimum of 3 feet, or
- f. A covered entryway with a minimum depth of 4 feet, or
- g. A porch meeting the standards of subsection (A)(b)(iv) of this section. Balconies and bay windows may encroach into a required setback area.

Figure 4. Townhouse Unit Definition

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- 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 façade.
- D. Façade 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)(b)(iv) 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

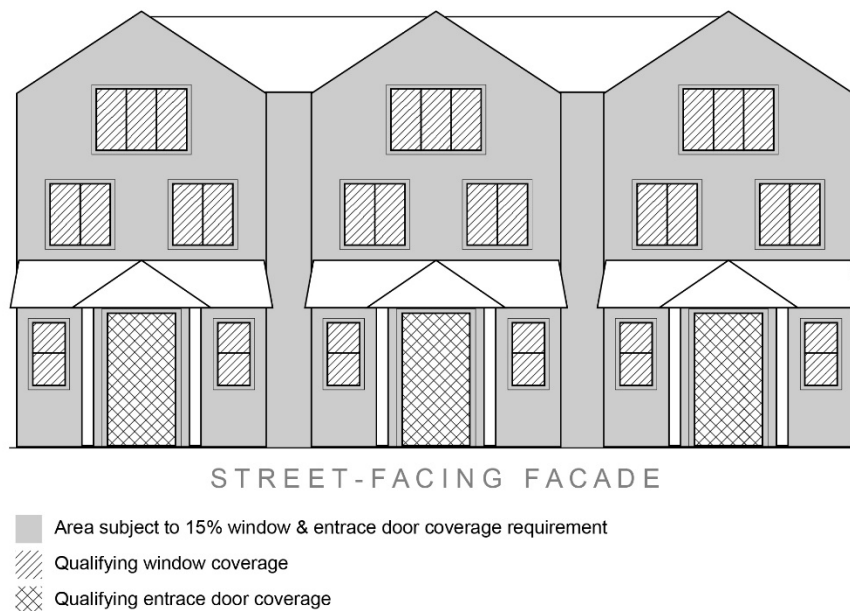
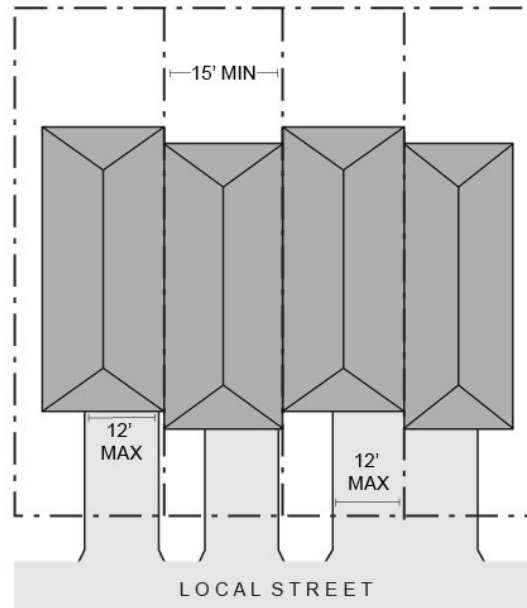


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D. Driveway Access and Parking. Townhouses with frontage on a public street shall meet the following standards:

- a. 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).
 - i. Each townhouse lot has a street frontage of at least 15 feet on a local street.
 - ii. A maximum of one (1) driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
 - iii. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
 - iv. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

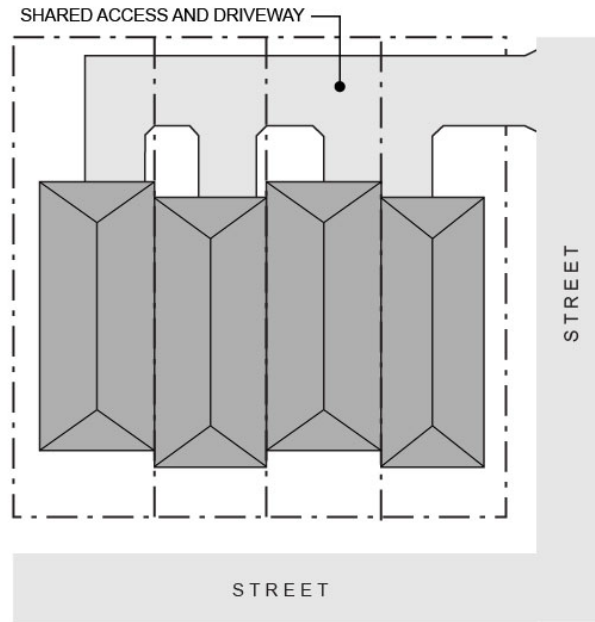
Figure 6. Townhouses with Parking in Front Yard



- b. The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (a).
 - i. 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.
 - ii. 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.

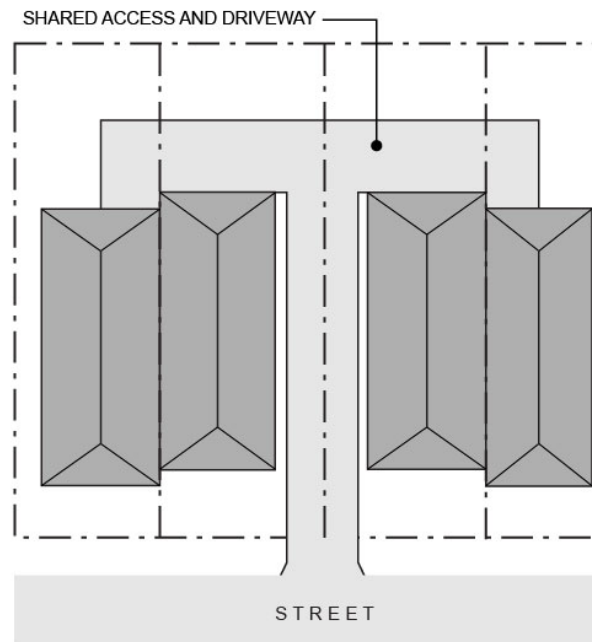
Figure 7. Townhouses on Corner Lot with Shared Access

EXHIBIT E



- iii. 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



- iv. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.
- c. Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (b).

E. Landscaping. See Section 8.3035(5).

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F. Fences. See Section 8.0340.

8.0143 Cottage Cluster Development and Design Standards.

1. Procedure. New cottage clusters shall be reviewed for conformance with the requirements listed in this Section.

2. Table A: Minimum Standards.

* **Green Highlighting** represents minimum lot sizes and density alternatives still being considered and discussed.

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

3. Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

4. 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.

5. 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.

6. Off-Street Parking. Cottages shall meet the off-street parking requirements of Section 8.0500.

7. 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):

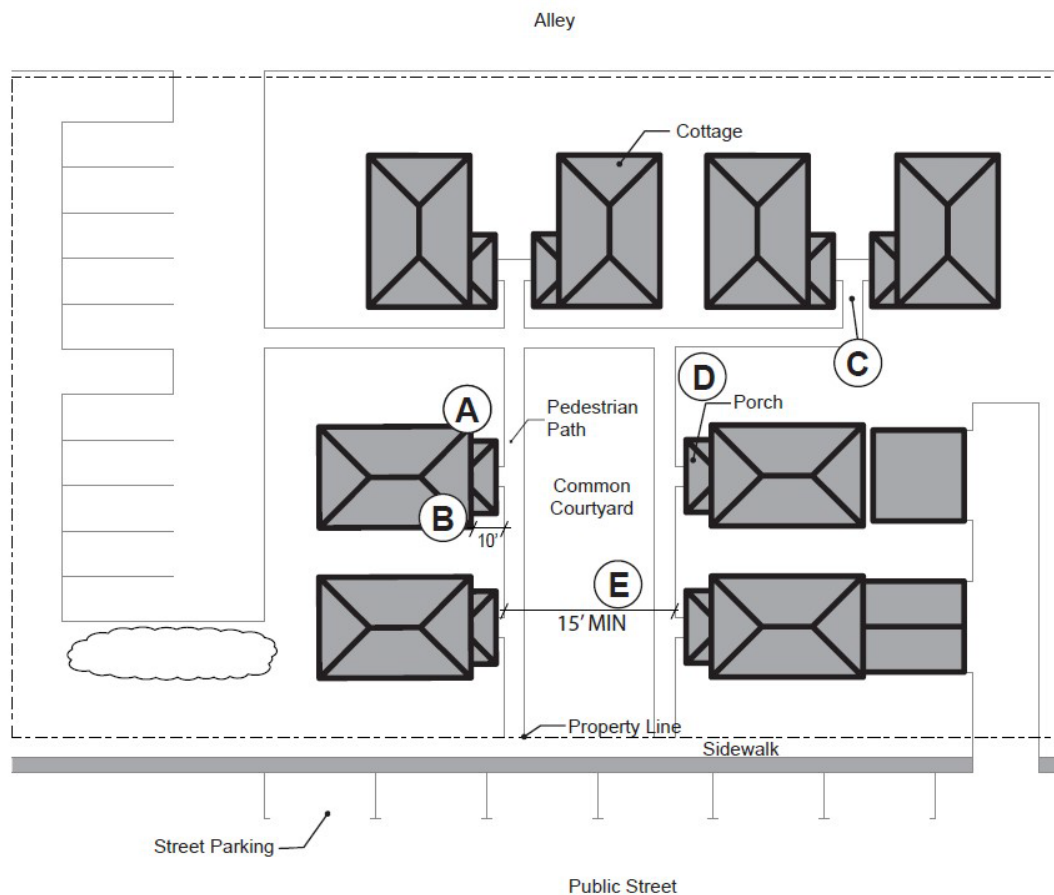
a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.

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- b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard;
 - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - iii. Be connected to the common courtyard by a pedestrian path.
 - c. Cottages within 20 feet of a street property line may have their entrances facing the street.
 - d. 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):
 - a. The common courtyard must be a single, contiguous piece.
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection A of this section 6).
 - d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 - e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
 - f. 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.

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Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



- (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:
- a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to section 4.

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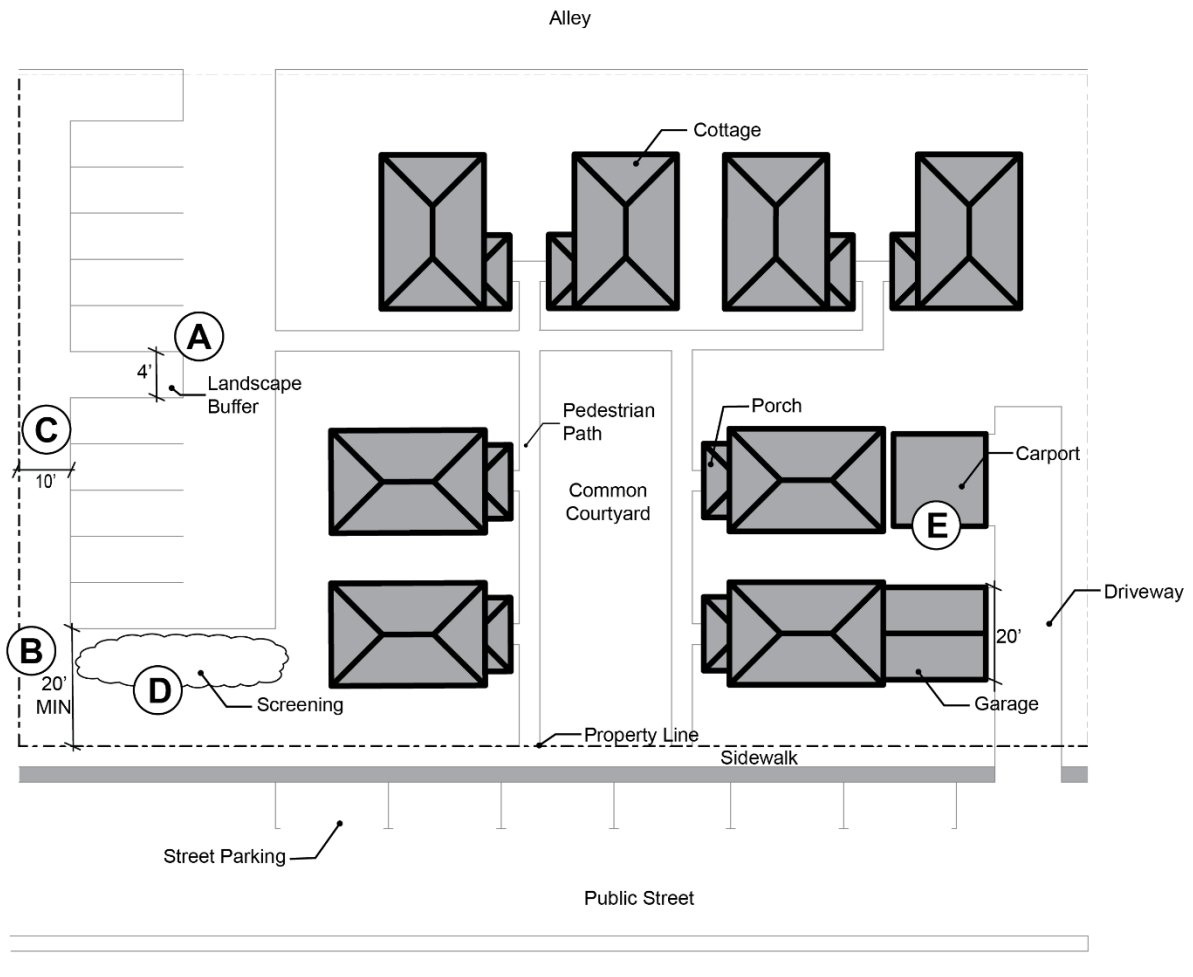
- b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.
- D. Pedestrian Access.
- a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
- i. The common courtyard;
 - ii. Shared parking areas;
 - iii. Community buildings; and
 - iv. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
- E. Facades. Cottages within 20 feet of a street property line must meet the architectural design standards for single-family detached dwellings in Section 8.0141(5)(B).
- F. Parking Design (see Figure 2).
- a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
- i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
 - ii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
 - iii. Clustered parking areas may be covered.
- b. Parking location and access.
- i. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - Within of 20 feet from any street property line, except alley property lines;
 - 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.
 - ii. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- c. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- d. Garages and carports.
- i. Garages and carports (whether shared or individual) must not abut common courtyards.
 - ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 - iii. Individual detached garages must not exceed 400 square feet in floor area.
 - iii. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

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- G. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.
- H. 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:
- a. The existing dwelling may be non-conforming with respect to the requirements of this code.
 - b. 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.
 - c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
 - d. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (6)(A).

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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.

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EXHIBIT E

Commercial Use and Industrial Use Zones

(***)

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

(***)

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

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

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

~~B. Fee-In-Lieu of Parking: Payment made to the City of Redmond in lieu of providing the required off-street parking spaces for a project in the Downtown Overlay District may be provided as follows:~~

- ~~1. By payment to the City of Redmond in an amount equal to the value of the required parking on a per parking place basis. From time to time the City Council shall establish by resolution the value of off-street parking facilities on a per parking place basis. Funds collected by the City of Redmond from such payment shall be deposited in a special fund and used only by the city to acquire and/or develop on-street or off-street parking and related facilities which are determined by City Council to alleviate the need for parking spaces in the Downtown Overlay District.~~
- ~~2. For development requesting to pay an in-lieu fee for 5 or more spaces of the total requirement of spaces, the Community Development Director or designee shall make a finding that allowing fees in lieu of on-site parking will not unduly negatively impact neighboring properties.~~
- ~~3. All in lieu of parking fees shall be paid prior to the issuance of certificate of occupancy. In the case of a multi-tenant building, the fees shall be calculated based on and paid prior to the issuance of certificate of occupancy for each individual tenant spaces.~~
- ~~4. Funds paid to the City of Redmond for in-lieu of parking shall not be refundable except as otherwise provided by State law.~~

B. Fee-In-Lieu of Parking: The purpose of these provisions is to allow development in the Downtown Overlay District to reduce the number of on-site parking spaces through payment of a fee in order to meet the parking requirements set forth in this Code. These provisions may be utilized for parking required for new construction or for an increase in required parking resulting from the change of use of an existing building.

Payment made to the City in-lieu of supplying the required off-street parking spaces for a project in the Downtown Overlay District may be provided as follows:

1. By the one-time payment of a non-refundable parking improvement fee to the City in the amount established in the City's Fee Schedule, paid prior to the issuance of Certificate of Occupancy.

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2. From time to time the City shall establish the value of off-street parking facilities on a per parking space basis. Fees collected by the City from such payment shall be deposited in a parking fund and used only by the City to acquire or develop on-street or off-street parking and related facilities, which are determined to alleviate the need for parking spaces in the Downtown Overlay District.
3. The City Engineering shall evaluate development proposals requesting to pay an in-lieu fee through conducting a Traffic Impact Analysis or parking study.
4. Any such request for parking in-lieu may be denied or reduced by the Community Development Director or designee. The Director, or designee, shall determine:
 - a. Whether there is sufficient alternative parking within a two to four-block radius of the project location.
 - b. Whether approval of the request would have an adverse effect on surrounding neighborhoods.
 - c. Whether the request meets the Purpose and Intent of the Downtown Overlay District Zone.
 - d. Complies with the Redmond Comprehensive Plan 2040 and support plans, as amended.

(***)

SUPPLEMENTAL PROVISIONS

(***)

8.0345 Home Occupation. The purpose of a home occupation is to allow residents the opportunity to engage in a home-based business. Home occupations shall have characteristics that are indistinguishable from the residential use of a dwelling, or property, and do not infringe upon the rights of nearby residents. Meeting the criteria below shall be considered and permitted as uses accessory to the residential use of a dwelling. ~~When permitted as an accessory use the following limitations shall apply to home occupations:~~

1. The home occupation is to be secondary to the main use of the property as a residence. The home occupation can occur in the primary dwelling or in an accessory structure on the same property.
2. No structural alterations shall be allowed to accommodate the home occupation except when otherwise required by law, and then only after the plans for such alterations have been reviewed and approved by the City. Such structural alterations shall not detract from the outward appearance of the building as a residence.
3. The home occupation must be conducted wholly within lawfully built enclosed structures and in such a manner as not to give an outward appearance of a business.
4. Outdoor Storage, including but not limited to inventory, supplies or equipment, must be completely screened behind a sight-obscuring fence or within an enclosed structure; stored products, equipment or materials shall not be visible from the public right-of-way or adjacent properties or common area.
53. ~~No materials or mechanical equipment shall be used which will be detrimental to or inconsistent with the residential use of the property or adjoining residences because of~~

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~~vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.~~ A home occupation is prohibited which is inconsistent with the residential use of the property or creates adverse impacts such as: noise, vibration, smoke, dust, odor, generation of additional traffic or other factors.

- ~~64.~~ No materials or commodities shall be delivered to or from the property which are of such bulk or quantity as to require delivery by a commercial vehicle or a trailer or the parking of customer's vehicles in a manner or frequency as to cause disturbance or inconvenience to nearby residents or so as to necessitate off-street parking.
- ~~5.~~ ~~No exterior storage or display shall be permitted.~~
- ~~76.~~ Exterior signs shall be limited to those permitted in the zone in which the home occupation is located. There shall be no other exterior indication of the home occupation.
- ~~8.~~ Allows on-site one (1) business related vehicle or truck not exceeding 15,000 pounds gross vehicle weight and one (1) other non-motorized wheeled trailer, which shall not exceed 10,000 pounds gross vehicle weight. No commercial vehicle as defined in ORS 801.208, as amended, is permitted as part of a home occupation.
- ~~97.~~ There shall be no retail sales from the premises.
- ~~8.~~ ~~A home occupation which creates a nuisance because of noise, smoke, dust, gas or the generation of excessive vehicle traffic is prohibited.~~
- ~~10.~~ Home Occupation licenses are subject to City Code Section 5.335 et seq governing nuisances and noise.

8.0340 Fences. All fences constructed ~~after the time of the adoption of this ordinance (Ord #2014-14, 07/22/2014)~~ shall comply with the following standards. For the purpose of these standards, fences refers to fences, lattice work, screens or walls (other than a retaining wall). The intent of these standards is to ensure that fencing contributes positively to the appearance of the community and neighborhoods, and that the scale, location, and aesthetics ~~appearance~~ of fencing does not adversely affect surrounding properties ~~adjacent or nearby properties~~ or public safety.

1. On all properties one (1) acre or less in size, in all Residential Zones (including residential uses in the C-2 Zone and in the Downtown Overlay District) and the Urban Holding Zone, all fences shall be developed to the following standards:
 - A. Fences abutting a local public street shall comply with the following:

(***)

5. Fences shall be constructed of wood, vinyl, ~~chain link~~ or wrought iron. Chain link fences are not permitted. Other types of fences material, powder coating and construction may be approved by ~~and at the discretion of~~ the Community Development Director, or designee, subject to conforming with ~~compliance with~~ the intent statement above.

(***)

8.0380 Temporary Use Permit (TUP)

1. Purpose. The purpose of this section is to establish regulations for uses that are temporary in nature.
2. Intent. The intent of this section is to ensure that the temporary uses do not adversely impact the long-term uses of the same or neighboring sites or impact the general health, safety, and welfare of persons residing within the community.

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3. Applicability. Temporary uses are characterized by their short-term or seasonal nature and by the fact that permanent changes are not made to the site. These provisions place restrictions on the duration of the temporary use, its location, and other development standards.
4. Approval. Approval may be granted for structures or uses which are temporary or seasonal in nature, such as: temporary real estate offices, construction trailers and construction offices, provided such uses comply with other provisions of this Code, or other required City, County or State permits.
5. Application and Fee. An application for a temporary use shall be filed with the City and accompanied by the fee as specified in the City fee schedule.
6. Permit Approval. A TUP may be authorized by the Community Development Director, or designee, provided that the applicant submits a narrative and detailed site plan that demonstrates that the proposed use:
 - A. Generally conforms to the standards of the zone in which it is located.
 - B. The proposed use will not adversely affect adjacent structures and uses of the surrounding neighborhood.
 - C. The proposed use will not adversely affect the circulation and flow of vehicular and pedestrian traffic in the immediate area.
 - D. The proposed use will not create a demand for additional parking which cannot be met safely and efficiently in existing parking areas.
 - E. The proposed use will not conflict with the terms or intent of any other use permit, of any type, currently in effect on the property.
 - F. The proposed use will comply with applicable noise, odor, nuisance, fire code and other provisions of this Code and not be detrimental to the public welfare of the community.
 - G. Meets all applicable Building Code requirements.
7. Time Limits. Temporary uses may be issued a permit for up to one year to accommodate the duration of the proposed use. The temporary use or structure shall be removed upon expiration of the TUP.
8. Conditions. Reasonable, clear and objective conditions may be imposed in connection with the TUP as necessary to meet the purposes and intent of this section. Guarantees and evidence may be required that such conditions will be or are being complied with. Such conditions may include, but are not limited to:
 - A. Special setbacks and spaces.
 - B. Fences and walls.
 - C. Control of points of vehicular ingress and egress.
 - D. Special provisions for signs.
 - E. Maintenance of landscaping, weeds, litter, debris, and dust.
 - F. Control of noise, vibration and odors.
 - G. Limitation of operational hours for certain activities.
 - H. A time period within which the proposed use shall be developed.
 - I. A time limit on total duration of temporary use.
9. Revocation. Any departure from approved plans not authorized shall be cause for revocation. Furthermore, if in the Community Development Director's or designee determination, a condition or conditions of TUP approval are not or cannot be satisfied, the TUP approval, or building and occupancy permits, shall be revoked.
10. Extension. Not less than ten days before expiration, a request for a one-time extension of a temporary use for an additional period may be considered.

Chapter 8 – Article I – Zoning Standards – Amendments

EXHIBIT E

AMENDMENTS

8.0750 Authorization to Initiate Amendments. An amendment to the text of these standards, or to the City Comprehensive Plan Map may be initiated by ~~either City Council, or the Planning Commission,~~ or Community Development Director. A property owner may initiate a request for a map or text amendment by filing an application with the Community Development Department.

(***)

Chapter 8 – Article I – Zoning Standards – Preservation of Historic Resources

8.0825 Administration. This code shall be administered by the ~~Redmond Historic Landmarks Commission (Landmarks Commission)~~ the Historic Preservation Officer.

8.0855 Local Landmark Register. The Commission may designate historic resources to the Local Landmark Register as a means of providing recognition of their significance and providing incentive and guidelines for their preservation. The Local Landmark Register is maintained by the Historic Preservation Officer and shall be available to the public.

(***)

3. Nomination Procedure. Any person, group, or government agency may nominate a property for listing in the Local Landmark Register. The nomination procedures are as follows:

(***)

- H. Historic Resources designated as Landmarks shall be noted as such in the ~~Redmond Comprehensive Plan~~ City of Redmond Historic Preservation Plan. The designation shall apply to the entirety of the recognized Landmark as described in the Record of Designation regardless of future property division or ownership.

(***)

8.0865 Alterations, Demolitions, and Relocations of Historic Resources listed in the Local Landmark Register. The Landmarks Commission shall use the provisions of this Section to preserve the exterior character-defining features of Local Landmarks, listed either individually or within a locally designated historic district; and exteriors and interior public spaces of city-owned Landmarks. The portion of this section relating to alterations does not apply to properties listed solely in the National Register of Historic Places and that have not been designated as Local Landmarks.

(***)

- D. In addition to meeting the applicable guidelines in 3(a) through 3(j) of this Section, in order to approve an application for the alteration of a Landmark the Commission must find that the proposal meets the following design standards as applicable:

(***)

12. ~~Design guidelines in Appendix A~~ The City of Redmond Historic Resources Best Practices Manual.

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Chapter 8 – Article II (Development Action)

(***)

8.1210 Decision.

1. Development action applications acted upon without notice or hearing should be approved or denied by the Community Development Director, or designee, within 30 days of acceptance of the a complete application ~~by the Community Development Director or designee.~~
2. Notice of a decision shall be provided to the applicant or the applicant's representative and to the Planning Commission ~~and the City Council.~~
3. The decision may be appealed in accordance with Sections 8.1500 through 8.1530 herein.
4. A development action decision becomes final when no further local appeal under this title is possible.

(***)

Land Use Action

(***)

8.1320 Application and Supporting Documents. Except as provided for in Section 8.1370 herein, all documents or evidence relied upon by an applicant for a land use approval shall be submitted to the Planning Division as part of the application and be made available to the public at the time notice is provided under Section 8.1335 herein.

Modification of Application

1. An applicant may modify an application at any time during the approval process up until the close of the record.
2. The Hearings Body shall not consider any evidence submitted by or on behalf of an applicant that would constitute modification of an application (as defined) unless the applicant submits an application for a modification, pays all required modification fees and agrees in writing to restart the 120-day review requirement as of the date the modification is submitted. The shot clock for an application, as modified, may be restarted as many times as there are modifications.
3. The Hearings Body may require that the application be re-noticed and additional hearings be held.
4. Up until the day a hearing is opened for receipt of oral testimony, the Community Development Director or designee shall have sole authority to determine whether an applicant's submittal constitutes a modification. After such time, the Hearings Body shall make such determinations. The Hearings Body's determination on whether a submittal constitutes a modification shall be appealable only to LUBA and shall be appealable only after a final decision is entered on an application.

Chapter 8 – Article III – Land Division Standards – Introductory Provisions

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

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

Chapter 8 – Article III – Land Division Standards – Land Partitioning

8.2410 Requirements for Tentative Partition Approval.

(***)

2. Access Management proposals comply with the standards set forth in Section 8.2820 ~~8.2460–2499~~.

(***)

Chapter 8 – Article III – Land Division Standards – Final Subdivision Plat

FINAL SUBDIVISION PLAT

8.2335 Final Plat Approval. ~~After the final plat has been checked and approved as provided in this article, and when all signatures appear thereon, except those of the Community Development Director, County Clerk and Board of County Commissioners, the Community Development Director shall certify the final plat and submit it to the Board of County Commissioners for final approval.~~

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

(***)

FINAL PARTITION PLAT

(***)

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

BOUNDARY LINE ADJUSTMENTS

(***)

8.2625 Final Plat Approval. After the final plat has been reviewed and approved by the City, and when all signatures as required by the Deschutes County Surveyor other than the Development Services Director, County Clerk and County Commissioner appear on the mylar, the City Engineer and Planning Director shall sign the final plat mylar and return it to the applicant to file with Deschutes County.

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Chapter 8 – Article III – Land Division Standards – Supplementary Provisions

SUPPLEMENTARY PROVISIONS

Chapter 8 – Article IV – Site And Design Review Standards – Introductory Provisions

8.3005 Applicability of Site Design and Review.

Major Site and Design Review shall be required for any new development or use containing a structure(s) equal to or over 3,500 square feet in size (includes multiple structures) in aggregate.

~~Minor Site and Design Review shall be required for any new development or use containing a structure under 3,500 square feet in size (includes multiple structures).~~

(***)

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, ~~duplexes, tri-plexes, and four-plexes~~ unless located on a lot within 100 feet of the canyon and/or located within a zero lot-line subdivision.
4. Manufactured home in an approved manufactured home park.
5. Additions to an existing building of less than 25% of the total building square footage, not to exceed 1,000 square feet.
6. Any development that does not include the construction or alteration of a building which will have a negligible impact on the land as determined by the Community Development Director, or designee.
7. Overhead electrical power transmission lines and poles greater than 12.5 kv.
8. ~~Daycare~~ Child care facility centers in residential neighborhoods that utilize existing structures.

8.3020 Site Improvement Agreement. Where public improvements are required as a condition of approval, the applicant may be required to execute and record an Improvement Agreement subject to the following.

1. The developer may, in lieu of completion of the required improvements, request the Community Development Director, or designee, to approve an agreement ~~between himself and the City~~ specifying the schedule by which the required improvements and repairs shall be completed. Provided, however, any schedule of improvements agreed to other than sidewalks shall not exceed two (2) years from the date of land use approval. The agreement shall also provide the following information:

(***)

8.3025 Plans Required. The Applicant shall submit to the Community Development Department the following documents with the required fee.

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(***)

3. A Landscape Plan. A landscape plan is required for all multi-family complex, commercial or industrial development. The landscape plan shall include the following:
 - A. Area Required. Each property developed shall show at least the following percentage of the total site or project area to be developed in landscaping.

ZONES	
R-1 to R-5 With the exception of single family or duplex construction.	15%
C-1 <u>to C-5</u>	15%
C-2	15%
C-3	15%
C-4	15%
C-5	15%
Downtown Overlay District	0%
M-1, <u>M-1.5, M-2, LLI</u>	15%
M-2	15%
<i>Airport</i>	<i>Per section 8.3035 only.</i>
Park, <u>OSPR, PF, FG</u>	15%
OSPR	15%
PF	15%
FG	Not Applicable
<u>MUN & MUE</u>	<u>15%</u>
<u>MULW and MULW-SD</u>	<u>10%</u>

(***)

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

(***)

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.

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- 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 8.0300(3)(C)(13) and adopted Area Plans.

//End//