

ORDINANCE NO. 588

AN ORDINANCE ADOPTING AMENDMENTS TO THE RESIDENTIAL DESIGN STANDARDS OF
THE VENETA ZONING AND DEVELOPMENT CODE

WHEREAS, the City relies on the Veneta Zoning and Development Code as its source of land use regulations; and

WHEREAS, the City desires to ensure that the design of residential developments and buildings positively projects the image and identity of the City; and

WHEREAS, there are contradictory provisions within the Zoning and Development Code regarding residential design, and certain amendments to the Code would promote clarity and consistency of the City's land use regulations ("Proposed Amendments");

WHEREAS, on February 13, 2024, the City provided proper notice of the Proposed Amendments to the Department of Land Conservation and Development; and

WHEREAS, on June 4, 2024, the Veneta Planning Commission conducted a properly advertised public hearing on the Proposed Amendments and, having received no objections, recommended that the City Council adopt the Proposed Amendments; and

WHEREAS, on July 8, 2024, the Veneta City Council conducted a properly advertised public hearing and first reading on the Proposed Amendments; and

WHEREAS, based upon all materials relevant to the proposal, staff reports, findings made by the Veneta Planning Commission, and testimony and comments submitted at public hearings, both orally and in writing, the Veneta City Council has made the findings of fact as set forth in Exhibit A.

NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the Findings of Fact set forth in the above recitals and attached as Exhibit A as its basis for adopting the Proposed Amendments to the Veneta Zoning and Development Code.

Section 2. Amendments. The Veneta Zoning and Development Code is hereby amended as follows:

- a. Section 4.00, General Development Standards and Permitted Uses, Table 4.1, General Development Standards in Residential Zones, is hereby amended as set forth in the attached Exhibit B-1.
- b. Section 4.00, General Development Standards and Permitted Uses, is hereby amended to insert Figure 4.6, Side Setbacks for Single-Family Attached Dwellings, as set forth in the attached Exhibit B-2.
- c. Section 5.29, Residential Design Standards, is hereby amended as set forth in the attached Exhibit B-3.

Section 3. Unamended Provisions. All unamended provisions of Ordinance No. 579 shall remain in full force and effect.

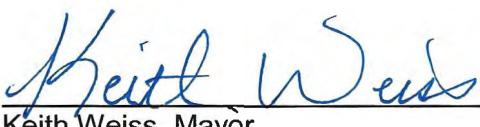
Section 4. Severability. The sections, subsections paragraphs, and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

Section 5. Effective Date. This Ordinance will go into full force and effect on the 30th day after City Council enactment.

READ FOR A FIRST TIME, BY TITLE ONLY, this 8th day of July, 2024, no Council person in attendance having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, AND FOR FINAL ADOPTION, this 12th day of August, 2024, no Council person in attendance having requested that it be read in full.

PASSED AND ADOPTED by a 5 vote for and 0 against by the City of Veneta Council this 12th day of August, 2024.


Keith Weiss, Mayor

ATTEST:

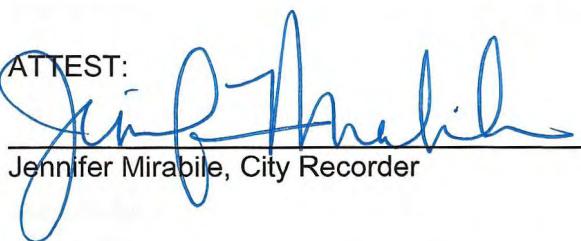

Jennifer Mirabile, City Recorder

EXHIBIT A
To ORDINANCE NO. 588

VENETA CITY COUNCIL
FINDINGS OF FACT
File No. A-24-2

A. General Findings. The Veneta City Council finds the following:

1. The City provided public notice to the Oregon Department of Land Conservation and Development (DLCD) on February 13, 2024, at least 35 days prior to the first public hearing, and provided notice in *The Register Guard* on May 15, 2024 for the Planning Commission public hearing and on June 12, 2024 for the City Council public hearing per Veneta Zoning and Development Code, Section 11.09(D).
2. The Planning Commission held a public hearing on June 4, 2024 on the proposed amendments to Veneta Zoning and Development Code and recommended adoption to the City Council.
3. The Veneta City Council conducted a public hearing and first reading on July 8, 2024, on the proposed amendments to the Veneta Zoning and Development Code.
4. Based on the findings below, the City Council concluded that the proposed amendments are in conformance with the applicable Statewide Planning Goals, the Veneta Comprehensive Plan, and the Veneta Zoning and Development Code.

B. Statewide Planning Goals and Proposed Findings

1. Citizen Involvement (Goal 1)

Objective: To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Findings: The Planning Commission and City Council conducted public hearings on the proposal prior to adopting the proposed amendments. Notice of the proposal was submitted to the Department of Land Conservation and Development on February 13, 2024, at least 35 days in advance of the first public hearing. Notice of the proposal was published in the *Register Guard* for the Planning Commission public hearing on May 15, 2024, and on June 12, 2024 for the City Council Public Hearing. Notice was also posted at City Hall, Fern Ridge Library, and on the City website.

Legislative decisions first require a Planning Commission public hearing, at which the Planning Commission makes a recommendation to the City Council, which then makes a decision based on stated findings. The Planning Commission and City Council hearings were duly noticed and open to the public. Phone numbers were publicly advertised for citizens to call into the meetings

if they were unable to attend in person. The Planning Commission public hearing was held on June 4, 2024. The City Council public hearing and first reading was held on July 8, 2024.

Conclusion: The City ensured that members of the public had an opportunity to comment on the proposed amendments, which is consistent with Goal 1.

2. Land Use Planning (Goal 2)

Objective: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Findings: The proposed amendments will amend the existing land use regulations regarding residential design standards, keeping with the goal of establishing a land use planning process as the basis for decision and actions related to the use of land, in this case, specifically the use of land for residential uses.

Conclusion: The proposed amendment is consistent with Goal 2.

3. Agricultural Lands (Goal 3)

Objective: To preserve and maintain agricultural lands

Findings: There are no agricultural lands within city limits. Goal 3 is not applicable.

4. Forest Lands (Goal 4)

Objective: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreation opportunities and agriculture.

Findings: There are no forest lands within city limits. Goal 4 is not applicable.

5. Natural Resources, Scenic and Historic Areas, and Open Spaces (Goal 5)

Objective: To protect natural resources and conserve scenic and historic areas and open spaces.

Findings: No natural resources, scenic or historic areas, or open spaces will be affected by the proposed amendments. Goal 5 is not applicable.

6. Air, Water and Land Resources Quality (Goal 6)

Objective: To maintain and improve the quality of the air, water and land resources of the state.

Findings: The quality of the air, water and land resources of the state will not be affected by the proposed amendments. Goal 6 is not applicable.

7. Areas Subject to Natural Hazards (Goal 7)

Objective: To protect people and property from natural hazards.

Findings: The proposed amendment would not have any effect on the protection of people and property from natural hazards. Goal 7 is not applicable.

8. Recreational Needs (Goal 8)

Objective: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Findings: The proposed amendments will not affect the City's recreation system or needs. Goal 8 is not applicable.

9. Economic Development (Goal 9)

Objective: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Findings: The proposed amendments would not have any effect on the economic development of the City. Goal 9 is not applicable.

10. Housing (Goal 10)

Objective: To provide for the housing needs of citizens of the state.

Findings: The proposed amendments are to the residential design standards of the Veneta Zoning and Development Code. These amendments are intended to promote the aesthetic and visual interest of residential development within the City. The amendments are intended to meet the requirement of ORS 197A.400 for clear and objective standards only regulating the development of housing. See the findings under 'Statutory and Administrative Requirements' for further discussion of ORS 197A.400.

The proposed amendments are not expected to have an effect on the feasibility of housing development in the City. The amendments will increase the maximum residential building length in VZDC Section 5.29(4)(A) from 120 feet to 160 feet. This will promote the feasibility of housing development within the City by allowing for greater flexibility in building length.

The amendments will modify the City's residential building articulation standards, which are found in VZDC Section 5.29(4)(B). The amendments will increase the feasibility of housing development within the City by removing the requirement for building articulation on non-street facing elevations (with the exception of multi-family developments). The proposed amendments will also modify the requirements from incorporating two design features (recess, extension, or offsets or breaks in roof elevation) per elevation to two design features for every 40 feet along the width of the building elevation. In practice, this would not increase the amount of design features required on smaller dwellings like single-family homes or duplexes, as they are often

less than 40 feet wide, and certainly less than the 80 feet width it would require for more than two design features to be required. The amendments would decrease the amount of design features required for smaller dwellings, as the amendments would modify this requirement to apply to street-facing elevations only.

The requirement for two design features per 40 feet of building width is also not expected to negatively impact housing development because the requirement is very similar to other Lane County cities' building articulation standards. Builders and developers often work within multiple jurisdictions, and by amending the City's design standards to be more similar to other cities' design standards ensures that developers can utilize similar design across jurisdictions. For example, the City of Eugene (EC 9.5500(7)), the City of Cottage Grove (CGDC 14.22.190(C)(2)), the City of Junction City (JCMC 17.20.110(C)), the City of Cottage Grove (CDC 2.2.190(C)(2)), and the City of Florence (FCC 10-6-6-3(C)(1)) all have building articulations standards that require two design features per certain amount (typically 30-40 feet) of building width. While this is an increase in the standard, it is not expected to negatively impact the feasibility of housing development within the City due to its limited applicability and existing similar requirements in other Lane County cities.

The amendments will modify the standards of VZDC Section 5.29(4)(C), which contains the City's 'Eyes on the Street' standards. These standards are meant to promote 'natural surveillance' of the street through the inclusion of design features like windows, porches, entrances, and balconies on residential building elevations. The requirements currently only apply to multi-family buildings and townhomes. The amendments will require all residential developments to meet this standard. The amendments will remove the requirement that all building elevations meet this standard, and only apply the standard to street-facing elevations. The amendments will also change the way this standard is measured. The current standard required 40% of the surface area of a street-facing elevation to contain the abovementioned design features. This standard was difficult for builders and developers to meet, and the amendments will change the way this is measured, from a percentage of surface area to a percentage of the horizontal plane in lineal feet containing windows only. This amendment, while extending the requirement to all dwellings, will make it more feasible and easier to meet the requirements of this section. For those reasons, the amendments to 5.29(4)(C) are not expected to negatively impact the feasibility of housing development within the City.

The amendments will also make changes to VZDC Section 5.29(4)(D), which contains the City's 'detailed design' standards. This subsection requires all street-facing elevations on residential buildings to contain at least 6 of the 14 design features listed in subsections 5.29(4)(D)(1-14). These standards are meant to increase the aesthetic and visual interest of developments within the City. The amendments will remove the requirement for dormers or gables to be actual living space to make it more feasible to use these features to meet the requirements on this section. The amendments will change 5.29(4)(D)(2) to require two or more gables in order for it to count towards the detailed design requirements, will change 5.29(4)(D)(6) to require a minimum of 6-inch by 6-inch pillar or post in order for it to count towards the detailed design requirements, and will change 5.29(4)(D)(7) to require a minimum 12-inch projection on eaves in order for it to

count towards the detailed design requirements. While these standards are increasing, they are very minor in their scope, and not expected to have any effect on the feasibility of housing development within the City. The rest of Section 5.29(4)(D) will remain unchanged.

The amendments will clarify the multi-family housing open space standards in VZDC Section 5.29(5) to exempt all housing developments with less than five units. This will promote the feasibility of housing development within the City by exempting smaller multi-unit developments from the open space standards.

The proposed amendments will add an exemption to the required side yard setback for single-family attached homes (townhomes). This change is consistent with Goal 10 because it will increase the feasibility of the development of townhome housing in the City, as previously there was no exception to the required side yard setback in residential zones.

For all of the reasons outlined above, the proposed amendments are not expected to negatively impact the feasibility of housing development within the City, and for the reasons outlined above, the amendments meet Statewide Planning Goal 10.

11. *Public Facilities and Services (Goal 11)*

Objective: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Findings: The proposed amendment will not affect any public facilities and services. Goal 11 is not applicable.

12. *Transportation (Goal 12)*

Objective: To provide and encourage a safe, convenient and economic transportation system.

Findings: The proposed amendments are not expected to have any significant effect on the transportation system of Veneta. Goal 12 is not applicable.

13. *Energy Conservation (Goal 13)*

Objective: To conserve energy.

Findings: The proposed amendments are not expected to have any effect on the conservation of energy within Veneta. Goal 13 is not applicable.

14. *Urbanization (Goal 14)*

Objective: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Findings: The proposed amendments will not have any effect on the urbanization of Veneta. Goal 14 is not applicable.

15. Willamette River Greenway, Estuarine Resources, Coastal Shorelands, Beaches and Dunes, Ocean Resources (Goals 15-19)

Findings: No part of the Willamette River Greenway is within city limits, and there are no coastal, ocean, estuarine, or beach and dune resources within city limits. Goals 15-19 are not applicable.

C. Compliance with Statutory and Administrative Requirements and Veneta Comprehensive Plan
Specific Findings. VZDC 11.20(3) and (4) require legislative amendments to comply with applicable provisions of the Comprehensive Plan text and map, statutes, and administrative rules. The following findings demonstrate compliance with the approval criteria in VZDC 11.20(3) and (4):

Statutory and Administrative Requirements

Findings: ORS 197A.400 requires that local governments “adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing, on land within an urban growth boundary.” These standards may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

The amendments to the residential design standards are intended to be clear and objective. The standards as they exist and as they are being amended will remain measurable standards which developments will clearly meet or not meet. Applicants retain the option of requesting an adjustment to these standards, which must go before and be approved by the Planning Commission as a Type III decision. Applicants will still retain the option of proceeding under the clear and objective approval process, and the approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the clear and objective approval process. For all the abovementioned reasons, the amendments are consistent with ORS 197A.400.

There are no other statutory or administrative requirements that directly apply to the proposed amendments. The City adopts the findings for the Statewide Planning Goals contained in Section B of this Exhibit to demonstrate that these proposed amendments do comply with the Oregon Administrative Rules implementing the statewide planning goals.

Comprehensive Plan Provisions

Growth Management Element

Goal: Provide sufficient buildable lands and open space areas to allow Veneta to develop as the retail and service center for the Fern Ridge area and to develop a commercial and light industrial employment base.

Findings: The proposed amendments are not expected to have any effect on the rate of growth or amount of buildable lands in the City. This element is not applicable.

Community, Building, and Site Design Element

Goal: Create a city with efficient and ecologically sensitive infrastructure; an environment that aesthetically stimulates us; and buildings, sidewalks, trails, and other public facilities that are accessible to everyone.

Findings: The proposed amendments are intended to help foster an aesthetically stimulating environment through the application of design standards for residential development.

Residential Land and Housing Element

Goals:

1. *Provide an adequate supply of residential land and encourage land use regulations that allow a variety of housing types that will be able to meet the housing needs of a range of age groups, income levels, and family types.*
2. *Encourage efficient land development patterns that minimize service and infrastructure costs.*
3. *Encourage land use patterns that provide livable neighborhoods; allow mixed uses, and allow a variety of housing types.*
4. *Encourage land use patterns that protect and enhance Veneta's natural resources.*
5. *Facilitate new housing starts to ensure there is adequate opportunity and choice to acquire safe, sanitary, and affordable housing.*
6. *Maintain an attractive residential community in an appealing rural setting.*

Findings: The proposed amendments are not expected to affect the supply of residential land or the development of a variety of housing types that will be able to meet the housing needs of a range of age groups, income levels, and family types. They are also not expected to affect land development patterns or the number of new housing starts. The amendments are intended to address Goal 6 of this element and to maintain an attractive residential community by ensuring that new housing designs have a high level of visual and aesthetic interest and positively project the image and identity of the City.

Economic Development Element

Goals: Pursue the economic interest of the City of Veneta by constructing and implementing policies and programs, including but not limited to the following functions:

1. *Guide the responsible expansion and growth of business and industry in Veneta and the Fern Ridge area.*
2. *Develop a working relationship with economic development-related public and private agencies, community groups, and business organizations.*
3. *Engage in dialogue with interested parties about the development of Veneta's industrially and commercially zoned properties, and other development and interests related to Comprehensive Plan Goals. Veneta Comprehensive Plan 28*
4. *Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses.*

5. *Limit uses on or near sites zoned for specific industrial and commercial uses to those which are compatible with proposed uses.*

Findings: The proposed amendments are not expected to have any effect on the economic development of the City. This element is not applicable.

Utilities

Goal: Upgrade and develop adequate water, sewer, storm drainage and other appropriate utilities to serve the planning population (Other utilities could potentially include telecommunications, electric, cable, solid waste, etc.).

Findings: This element is not applicable to the proposed amendments.

Community Facilities and Services

Goal: Upgrade and develop adequate community facilities and services to serve the planning population. The community facilities element of the Comprehensive Plan includes those public and semipublic activities in the community, with the exception of utilities and parks and open space. Each of these are considered as separate elements.

Findings: This element is not applicable to the proposed amendments.

Transportation

Mission: Veneta will support its residents' pursuit of healthy and prosperous lives through developing a transportation system that meets the needs of the present and anticipates the future.

Findings: This element is not applicable to the proposed amendments.

Parks and Open Space

Goal: Develop a variety of neighborhood parks, open space areas, and recreational facilities for use by the residents of Veneta.

Findings: This element is not applicable to the proposed amendments.

Natural Resources

Goals:

1. *Conserve open space and protect natural and scenic resources, including wildlife corridors.*
2. *Conserve and protect Veneta's significant wetland resources.*

Findings: The proposed amendments will add a criterion that outdoor storage uses must meet that states "The materials being stored shall not cause any contamination of stormwater runoff." Ensuring that all outdoor storage uses meet this criterion will help conserve and protect Veneta's significant wetland resources because many of the wetlands in Veneta serve as drainageways for stormwater runoff.

Conclusion: The proposed amendments are consistent with this element.

Air, Water, and Land Resource Quality

Goal: Preserve the quality of Veneta's Air, Water, and Land Resources

Findings: This element is not applicable to the proposed amendments.

Areas Subject to Development Constraints

Goal: Protect life and property from natural hazards and disasters

Findings: This element is not applicable to the proposed amendments.

D. Conclusion. For all the reasons set forth above, the proposed amendment to the Veneta Zoning and Development Code complies with the Oregon Statewide Planning Goals and the City of Veneta Comprehensive Plan.

Exhibit B-1
To ORDINANCE NO.588

Table 4.1 General Development Standards in Residential Zones

	RR	LDR	GR	RC	Notes
	4.01	4.02	4.03	4.04	See the Section noted at left for specifics.
Minimum Lot Size (in square feet)					
Single-Family Detached	1 acre*	6,000	6,000	5,000	See individual zones for specifics. *See Section 4.01(5)
Single-Family Attached	1 acre	3,000	3,000	3,000	
Duplex		6,000	6,000	5,000	
Triplex		10,000	8,000	5,000	
Quadplex		12,000	10,000	5,000	
Multi-Family (5 units and above)		18,000	10,000	5,000	
Minimum Lot Width (in feet)					
Single-Family Detached, Duplex, Triplex, Quadplex, and Multi-Family		60	60	50	
Single-Family Attached		30*	30*	30	*No more than four (4) single-family attached dwellings may be consecutively attached in the LDR and GR zones (See Sections 4.02(5) and 4.03(5))
Minimum Setbacks – Primary Structure		All measurements are minimum feet from property line. See Figure 4.1			
Front	20	20	10*		(On corner lots, frontage property is addressed on) *May increase depending on building height
Side	10	5*	5	5	May increase depending on building height *For multi-family in the LDR zone, see Section 5.29(6)
Side – Zero Lot Line	X	10 / 0	10 / 0	10 / 0	See Figure 4.2; new subdivisions only as of February 2021
Side – Single-Family Attached		0*	0*	0*	*See Figure 4.6
Rear	10	5*	5	5	May increase depending on building height *For multi-family in the LDR zone, see Section 5.29(6)
Minimum Setbacks – Accessory Structure					
Front	20	20	20	15	(On corner properties, frontage property is addressed on)
Side	3	3	3	3	
Rear	3	3	3	3	
Garage/Carport facing public ROW	20	20	20	20	
Garage/Carport facing alley	5	5	5	5	With a minimum 20'-wide alley
Lot Coverage					
Maximum Lot Coverage, all structures	30%	40%	50%	50%	Subject to all other applicable standards
Height					
Maximum Height	35	35	35	35	

Exhibit B-2
To ORDINANCE NO.588

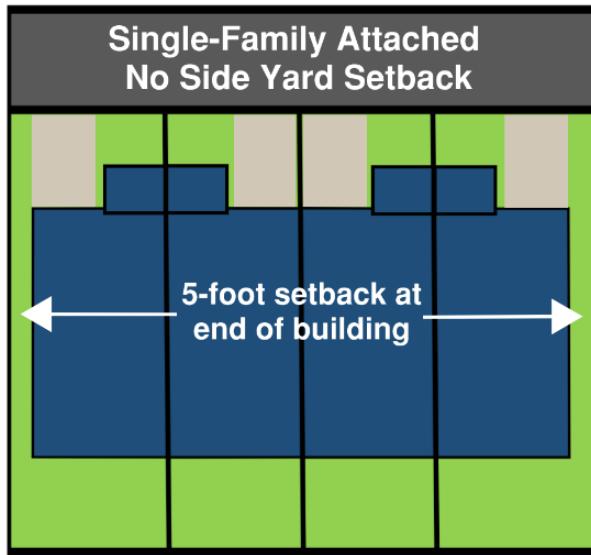


Figure 4.6 Side Setbacks for Single-Family Attached Dwellings

There is no side setback required for single-family attached dwellings (townhomes). However, a 5-foot setback is required at the end of the building, or a minimum of 10 feet between the single-family attached building and any building on adjacent property.

Exhibit B-3
To ORDINANCE NO.588

Section 5.29 – Residential Design Standards

- 1) Purpose and Applicability. The following standards are minimum requirements for new residential developments (any zone). The standards apply to single-family dwellings, manufactured homes on individual lots, duplex dwellings, triplexes, quadplexes, single-room occupancies, and multi-family projects, except mixed-use buildings with dwellings in upper stories are subject to the provisions of Section 5.13. The standards are intended to protect and enhance the appearance, safety, and livability of Veneta through appropriate building and site design regulations. The standards may be adjusted by the Planning Commission through the Type III Site Plan Review process (see Section 6.05(2)(b))
- 2) Standards. Section 5.29 provides minimum standards for residential development site and building design in all zones where residential development is permitted. The standards are administered through building plan review (no land use permit required) where Site Plan Review is not required and through Site Plan Review (Building and Planning Official for Type II reviews, or Planning Commission for Type III reviews) where such review is required in accordance with Article 6. The following graphics serve as examples of compliant development. The graphics are conceptual and do not prescribe a particular style.
- 3) Building Orientation Standards. The following standards are intended to support residential development designs where walking and crime prevention is encouraged through natural surveillance (“eyes-on-the-street”).
 - A. Primary building entrances (i.e., dwelling entrance, a lobby entrance, or breezeway/courtyard entrance serving a cluster of units) shall be oriented to abutting streets; this provision is met where entrances are visible from the street right-of-way. The standard does not apply where primary entrances for a multiple-unit building are oriented to an interior courtyard or common areas, or where buildings abut Highway 126 or a non-residential zone. See Figure 5.29(a).
 - B. Off-street parking, driveways, and other vehicle areas.
 1. Parking for multi-family (except duplexes) developments shall not be placed between buildings and the street(s) to which building entrances are oriented, except vehicle drop-off and loading areas may be permitted through Site Plan Review, provided the vehicle circulation area is minimized and the building’s primary entrance is connected to an improved street sidewalk by a pedestrian walkway and the driveway/parking area is crossed by a raised concrete walkway of not less than six (6) feet in width. See Figure 5.29(a).
 2. Parking for attached single family dwellings (townhomes) must meet the following criteria, as generally shown in Figure 5.29(b):
 - a. Except for allowed front driveway parking for single family and duplex dwellings, off-street parking areas shall be oriented to alleys, or rear or side yards, and not front or street-facing yards. Where parking in a front or street-facing yard is unavoidable, curb openings shall be minimized. This standard is intended to protect the pedestrian environment and maximize the potential for on-street parking. It is met when two street-facing garages share one driveway access that does not exceed sixteen (16) feet in width where it opens onto the street; such driveways may be wider (e.g., flare out) behind the sidewalk, between the sidewalk and garage opening(s). Where shared driveways are not feasible, the decision-making body may require a landscape strip or island be provided between adjacent driveways to break up large areas of paving and capture and slow the rate of storm water

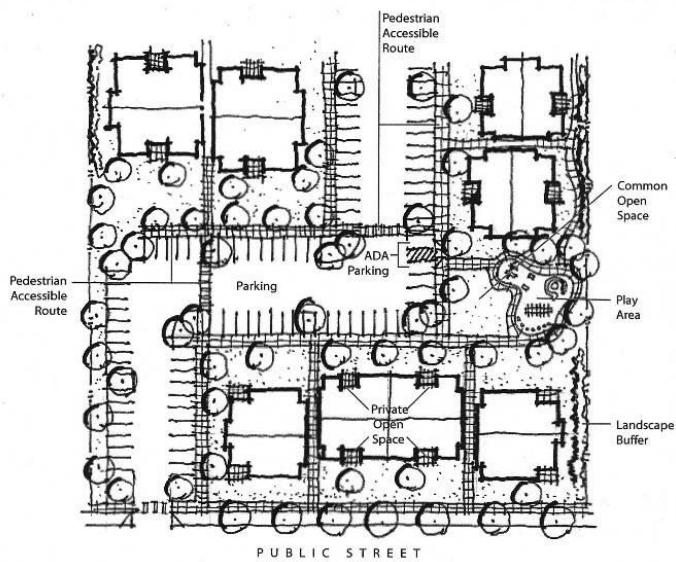
runoff; alternatively, the decision-making body may approve driveways with landscape strips between paved treads to capture and slow the rate of storm water runoff.

- b. Primary dwelling entrances shall be connected to adjacent streets by walkways; walkways serving individual townhome dwellings may be combined with driveways serving the same dwellings.
- c. The maximum number of consecutively attached townhome units with garages facing the same street is four (4) (two driveways). Buildings on corner lots may contain more than four (4) dwelling units with garages facing streets provided that not more than four (4) townhome units face the same street.
- d. Where a garage opening faces a street it must be setback at least twenty (20) feet from the street or otherwise oriented away from the street (e.g., side-loaded garage entry); where a building is placed less than twenty (20) feet from the street, the 20-foot garage setback may be accomplished by recessing the garage behind the front building elevation or turning the garage so that it is side-loaded. Side loaded garages within 50 feet of the front lot line shall have a minimum of 24 square feet of window area on the street facing side. These standards apply to both public street and private street or shared driveway frontages.

3. Where a lot contains multiple buildings or townhome units and there is insufficient street frontage to which all entrances can be oriented, primary building entrances may be oriented to common green, open space, plaza, or interior courtyard that is connected to the street sidewalk by a five (5) foot minimum width walkway. See Figures 5.29(a) and (c).

Figure 5.29(a) – Building Orientation Examples

Acceptable



Not Acceptable

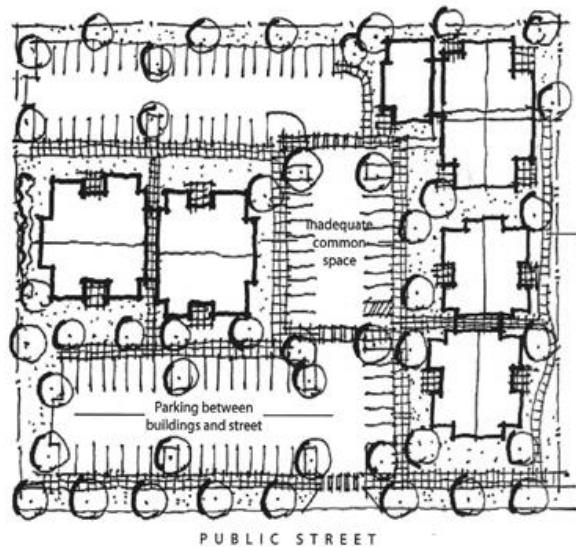


Figure 5.29(b) – Townhome Building Orientation

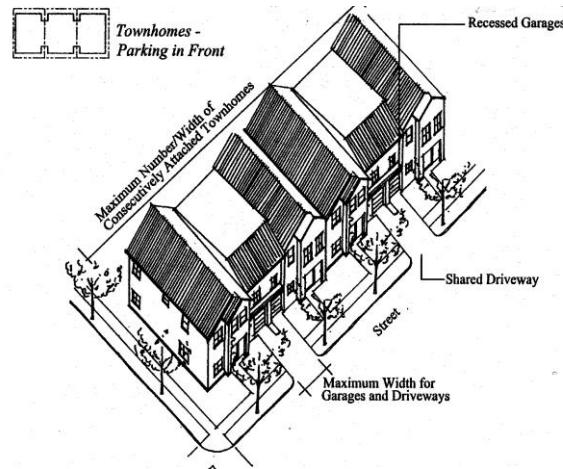
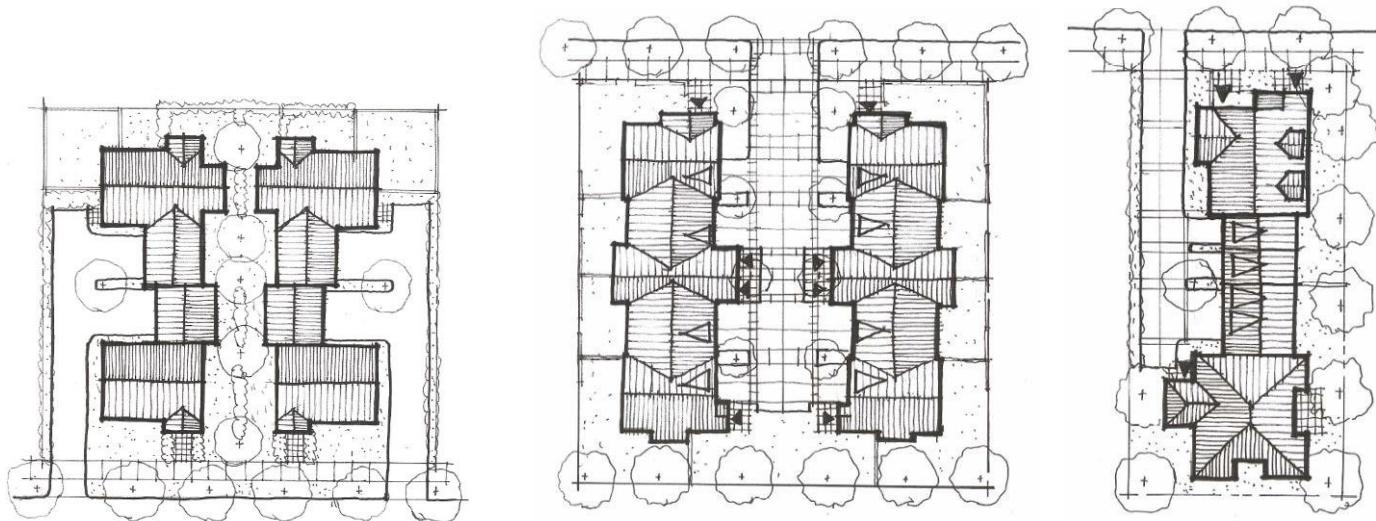


Figure 5.29(c) – Building Orientation Options



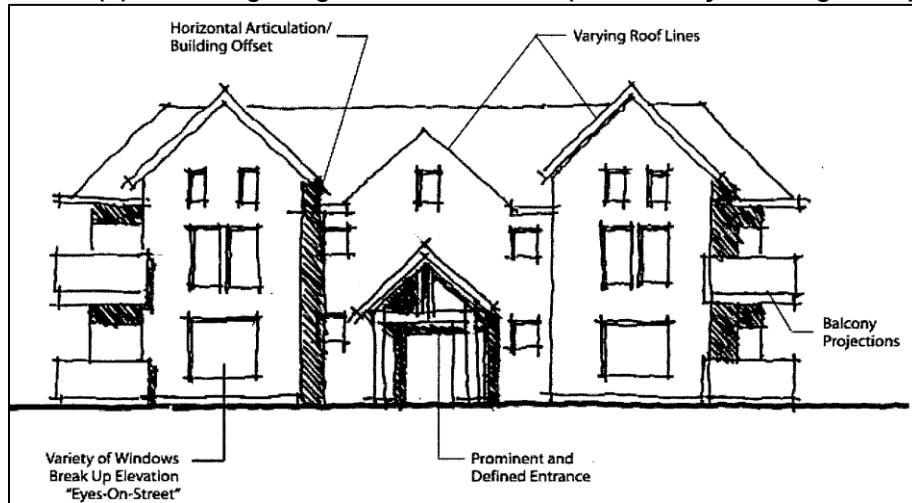
4) Building Design. The following standards are intended to promote neighborhood livability and compatibility between new and existing developments through architectural detailing, pedestrian-scale design, and street visibility.

- Building Length.** The continuous horizontal distance, as measured from end-wall to end-wall, of individual buildings shall not exceed 160 feet.
- Articulation.** All primary buildings shall incorporate architectural elements that break up large expanses of uninterrupted building surfaces or blank walls, as generally shown by Figure 5.29(d). Along all street-facing elevations, such elements shall occur at a minimum of two (2) elements every 40 feet. For multi-family uses, this requirement shall apply to all building elevations. Such elements must meet the following criteria:
 1. Recess (e.g., entrance, porch, balcony or similar feature) with a minimum depth of 6 feet.
 2. Extension (e.g., living area, porch, patio, entrance, overhang, or similar feature) that projects a

minimum of 2 feet from the building plane and runs horizontally for a minimum length of 4 feet.

3. Offsets or breaks in roof elevation: (gable, dormer, secondary roof, covered entrance, or similar feature) 2 feet or greater elevation change.

Figure 5.29(d) – Building Length and Articulation (Multi-family Housing Example)



- C. Glazing/Eyes on the Street. All primary dwellings shall provide windows on building elevations that meet the following standards: on front elevations, 40 percent of the first floor and 30 percent of any floor above that must meet this standard; on street-side elevations, 30 percent of the elevation of each floor shall meet this standard. "Percent of elevation" is measured as the percentage of the horizontal plane (lineal feet) containing windows. This standard does not apply to flag lots.
- D. Detailed Design. All dwellings shall provide the following detailing on all street-facing elevations (i.e., where the axis of the structure oriented within 45 degrees from street lot line). This standard is met by using at least six (6) of the architectural features in items "a" through "n," below, consistent with the overall composition and design integrity of building. The applicant may select the elements, except that the decision-making body may specify elements or detailing when a project is subject to a Type III Site Plan Review, Planned Unit Development review, or Conditional Use Permit review; in such cases, the decision making body may require specific design elements or changes, consistent with the purposes of Section 5.29. See Figure 5.29(e).
 1. Dormers
 2. Gables (two or more)
 3. Recessed entries (recess by 4 feet or more)
 4. Covered porch entries or portico (covered to at least a 4 feet depth)
 5. Cupolas or towers
 6. Pillars or posts (not less than 6"x6" post)
 7. Eaves (minimum 12-inch projection)
 8. Off-sets in building face or roof (minimum 16 inches)
 9. Window trim (minimum 3 inches wide)
 10. Bay windows
 11. Balconies
 12. Change in siding materials / decorative patterns: shingles, lap, tongue- in-groove, V-groove, paneling, board and batten, log construction, stone, brick, or split-face concrete block. Where different types of material are used (e.g., wood and stone), heavier materials shall be

used on the base of the building

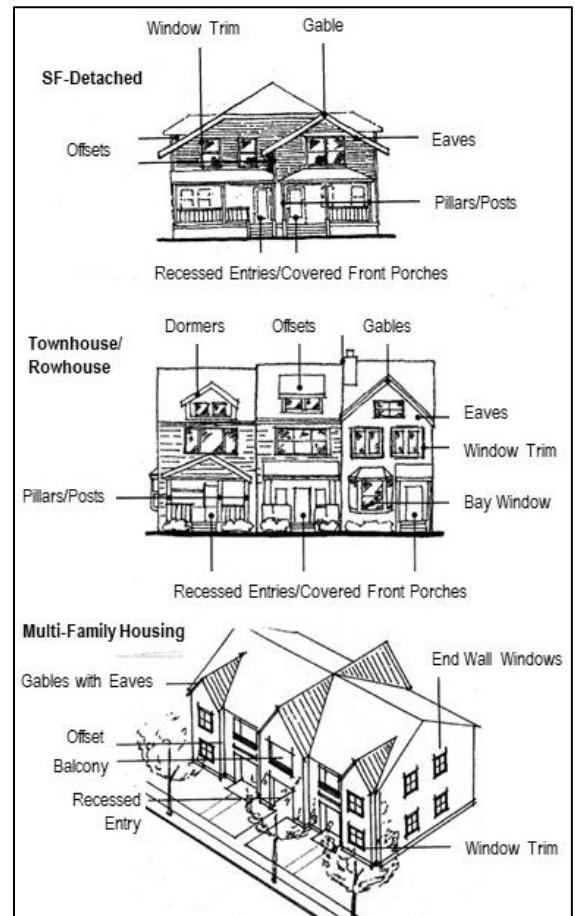
13. Decorative cornice, parapet, or pediment (e.g., for flat roofs)
14. An alternative feature providing visual contrast and aesthetic interest, similar to options 1-14, as approved through Type III Site Plan Review.

5) **Multifamily Housing – Open Space.** Multi-family housing developments (5 units or more) shall provide open space to serve the active and passive recreational needs of occupants, to reduce crowding of occupants, to reduce the apparent scale and density of development and to provide visual relief in higher density projects. The standards may be adjusted by the Planning Commission through a public hearing (Type III Site Plan Review) where innovative techniques such as rooftop gardens, historic preservation, natural features protection, or other low-impact or green building practices are used to meet the above intent. Figure 5.29(f) provides a conceptual illustration of the following standards.

A. **Common open space.** A minimum of ten percent (10%) of the site area shall be designated and permanently reserved as common open space, in accordance with all of the following criteria:

1. The site area is defined as the lot or parcel on which the development to be located, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.);
2. One or more of the following shall be provided in meeting the common open space requirement: outdoor recreation area for all residents of the development, including play fields, outdoor playgrounds, outdoor sports courts, swim pools, walking fitness courses, pedestrian amenities, or similar open space amenities, or protection of sensitive lands (e.g., trees, wetlands, riparian areas preserved).
3. Historic buildings or landmarks that are open to the public may count toward meeting the open space requirements when approved by the Planning Commission;
4. Where common open space is designated for active recreational use (e.g., playfields, sports courts, etc.) it must be suitable for the intended use in terms of slope, accessibility, area, and dimensions;
5. Designated open space areas shall have a minimum width that is not less than twenty (20) feet and a minimum length that is not less than twenty (20) feet;
6. Where a public space with pedestrian amenities is provided between primary building entrance(s) and adjoining street(s) (e.g., plaza, extended sidewalk area with seating, or similar area), the requirement to provide common open space as described above may be reduced

Figure 5.29(e) – Examples of Architectural Elements (illustrative only)



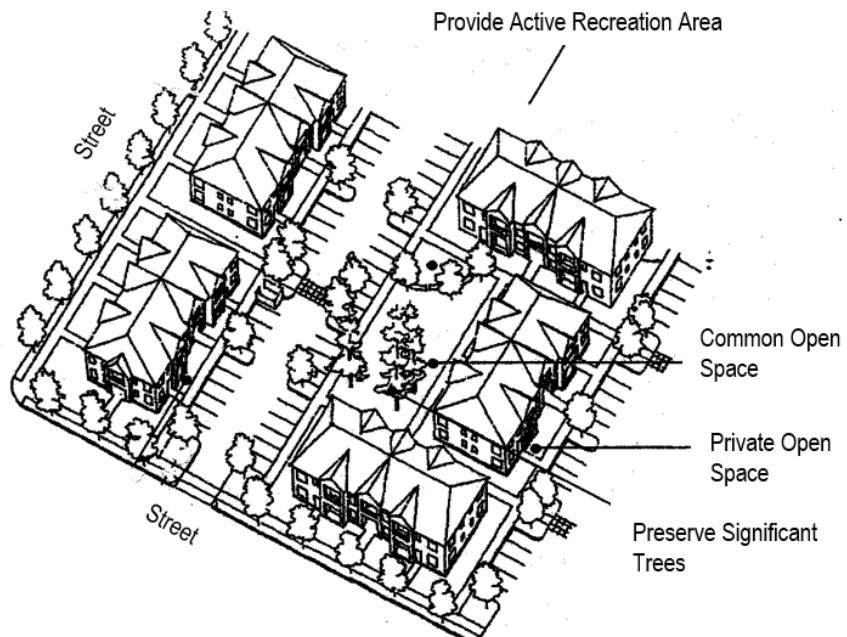
proportionately but in total shall not be less than five percent (5%) of the site;

7. The Building and Planning Official or Planning Commission waive the common open space requirement for a multiple family project of not more than twenty (20) dwelling units that is located within 1,200 feet (measured walking distance) of a public park, where there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), lighted pedestrian walkway or multi-use pathway connecting the site to the park. If the park is not developed, or only partially developed, the multiple family housing developer may improve parkland in an amount comparable to the common open space area that is waived or reduced (i.e., the area that would otherwise be required of the development) in meeting this provision.

B. Private open space. Private open space shall be provided for housing units based on all of the following criteria:

1. A minimum of fifty percent (50%) of all ground-floor housing units shall have private patios or decks containing at least forty-eight (48) square feet of usable surface. Ground-floor housing means the housing unit entrance (front or rear) is within five (5) feet of the finished ground elevation (i.e., after grading and landscaping);
2. A minimum of fifty percent (50%) of all upper-floor housing units shall have private patios or decks containing at least forty-eight (48) square feet of usable surface. Upper-floor housing means housing units that are more than five (5) feet above the finished grade.
3. Where it is not practical to provide private open space as provided in subsections (1) and (2), above, due to the existence of natural features or other physical site constraints, the private open space standard may be adjusted through Type III Site Plan Review, provided the development shall contain additional common open space to offset the reduction in private open space. At least forty-eight (48) square feet of additional common open space shall be provided for each housing unit lacking private open space. Open space required to offset the reduction of private open spaces shall not be counted towards the park dedication requirements in Section 5.26.

Figure 5.29(f) – Examples of Multiple Family Open Space



6) Multi-Family Uses and Residential Care Facilities in the Low-Density Residential (LDR) Zone. The following standards shall apply to all multi-family uses (5 units or more) and all residential care facilities in the Low-Density Residential Zone.

- A. Setbacks. The side and rear setbacks shall be ten (10) feet when the structure is twenty-two (22) feet or less in height, and fifteen (15) feet when the structure is greater than twenty-two (22) feet in height.
- B. Landscaping. A landscaped strip that is five (5) feet wide is required along all property lines whenever the multi-family use or residential care facility abuts a lot zoned Low-Density Residential. The landscaped strip counts toward the landscaping requirements of Section 5.12 of this ordinance.
 1. The landscaped strip shall contain one (1) tree every twenty (20) feet.
 2. Trees shall be selected from the City's adopted tree list and shall be appropriate for the location based on the criteria found therein.
 3. The landscaped strip shall contain a minimum of six (6) five-gallon shrubs or accent plants per 1,000 square feet of landscaping.
- C. Screening. Multi-family uses and residential care facilities shall be screened from abutting lots zoned Low-Density Residential through sight-obscuring fences, walls, and landscaping in accordance with Section 5.12(9) of this ordinance.