



**PLANNING COMMISSION
AND JOINT PUBLIC
ADVISORY COMMITTEE
(PAC #7) MEETING**

October 15, 2026 at 6:00 PM

**Boardman City Hall Council Chambers
AGENDA**

-
- 1. CALL TO ORDER**
 - 2. FLAG SALUTE**
 - 3. ROLL CALL**
 - 4. APPROVAL OF MINUTES**
 - A. Planning Commission Meeting September 24, 2026
 - 5. WORK SESSION**
 - A. Recap
 - B. Comprehensive Plan
 - C. Development Code - Presentation
 - D. Development Code - Policy Discussion
 - 6. DISCUSSION ITEMS**
 - A. Planning Official Update
 - 7. PUBLIC COMMENT**

INVITATION FOR PUBLIC COMMENT – The commission chair will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The commission chair may limit comments to 3 minutes per person for a total of 30 minutes. Please complete a request to speak card prior to the meeting. Speakers may not yield their time to others.

- 8. COMMISSION COMMENTS**
- 9. ADJOURNMENT**

Zoom Meeting Link:

This meeting is being conducted with public access in-person and virtually in accordance with Oregon Public Meeting Law. If remote access to this meeting experiences technical difficulties or is disconnected and there continues to be a quorum of the council present, the meeting will continue.

The meeting location is accessible to persons with disabilities. Upon request of an individual who is deaf or hard of hearing, accommodations such as sign language or equipment for the

hearing impaired must be requested at least 48 hours prior to the meeting. To make your request, please contact the City Clerk at 541-481-9252 (voice), or by e-mail at .

Comprehensive Plan

Draft | October 2026



Boardman
STRATEGIC PLAN

Making big dreams a reality.



photo credit: City of Boardman

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Letter from the Mayor



Boardman Community Members,

We are excited to present the updated Comprehensive Plan! It is the City of Boardman's guiding document that presents our shared vision for the future. Boardman has experienced significant growth in the past decade, and we expect that to continue with this Plan ensuring that we remain connected to the values that have been expressed by our residents.

Boardman has experienced a lot of change since we incorporated with a move up and away from the Columbia River when the John Day Dam was built. That river frontage continues to be a place recognized for recreation hosting the Boardman Marina RV Campground and development hosting the Port of Morrow, the second largest port in Oregon.

Three years ago, the City of Boardman started this endeavor to update the Comprehensive Plan as part of a larger Strategic Planning process.

Extensive public outreach has been an integral part of the Strategic

Planning process engaging Public Advisory Committee (PAC) members, doing outreach to the public, talking with community groups and organizations, and including local leaders. We are grateful to everyone who participated in this effort, from those who attended PAC meetings and outreach events, and city staff who worked tirelessly to see this vision through to adoption.

We invite the residents and business owners of the City of Boardman to stay involved. Implementing the vision of the Comprehensive Plan will take collaboration, innovation, and continued conversation to see Boardman remain a place where future generations thrive.

On behalf of the City Council and the staff, thank you for being part of this work. Working together we will create the future that reflects the Heart of Boardman!

Sincerely,

A handwritten signature in blue ink, which appears to read "Paul Keefer". The signature is fluid and cursive, written in a professional style.

Paul Keefer
Mayor, City of Boardman

Acknowledgements

Public Advisory Committee

Cristina Cuevas, Boardman City Council
Zack Barresse, Boardman Planning Commission
Shara Weiss, Boardman Church
Isaias Valencia, Local Builder/Woodhill Homes
Michael Graham, Tillamook
Leon Gibb, Citizen/Bike and Ped Advocate
Vincent Guerrero, Morrow County
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Stephanie Case, Boardman Principal Planner
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Zack Barresse, Position #5
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David Jones, Position #7

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Heather Baumgartner, Councilor/Commissioner
Cristina Cuevas, Council President 2026/
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Introduction

About This Plan

Comprehensive Plan Purpose and Use

Boardman is in the middle of a transformation. The expansion of the Port of Morrow and the rapid rise of hyperscale data center development have made this small Columbia River city one of Oregon's fastest-growing communities, with a population that has more than doubled over the past twenty years and a pace of growth that is outrunning the city's own long-range forecasts. That growth is bringing jobs, investment, and new residents, but it is also straining the community's housing supply, testing the capacity of its infrastructure, and placing new demands on the land, water, and energy resources Boardman depends on.

This Comprehensive Plan is Boardman's response. Under Oregon law, a comprehensive plan is a city's controlling land use planning document and a long-range framework of goals and policies that guides decisions about housing, economic development, transportation, parks, infrastructure, natural resources, and growth management. City leaders, the Planning Commission, and staff use it to evaluate development proposals, direct public investment, and keep growth aligned with the community's vision. Together with the concurrent Development Code update, this plan gives Boardman the policy tools and regulatory framework to manage rapid change intentionally and equitably through 2050 and beyond.



photo credit: City of Boardman

This is the first comprehensive update to Boardman’s plan in over twenty years. It is grounded in new technical studies and the input of a community that asked for a more connected, walkable city with a defined center, adequate housing for its workforce, and growth that benefits the people who already live here. The plan is organized into four chapters:

1. **People:** establishes the City’s commitment to inclusive and responsive engagement;
2. **Development:** addresses housing, economic development, land use, and urbanization;
3. **Services:** covers parks, public facilities, infrastructure, and transportation;
4. **Nature:** addresses natural resource protection, climate hazards, and energy.

Each chapter opens with a background section documenting current conditions and closes with goals and policies that set the City’s direction.

Comprehensive Plan Purpose and Use

The Comprehensive Plan is carried out over time through several mechanisms:

- **Development Code and Zoning Map:** These are the primary tools for implementing the Plan. The Comprehensive Plan Map sets the intended long-term pattern of land use; the Zoning Map and Development Code translate that pattern into enforceable standards, such as permitted and conditional uses, development requirements, and review procedures for individual properties. Both must remain consistent with the Comprehensive Plan and are updated periodically as policies and community needs evolve.
- **Capital Improvement Planning:** The Plan guides the City’s Capital Improvement Program, which prioritizes public investment in transportation, water, wastewater, parks, and public buildings — the infrastructure that supports the Plan’s land use pattern and community goals.
- **Area-Specific and Topic-Specific Plans:** Neighborhood plans, transportation system plans, and park and infrastructure master plans provide more detailed direction for specific areas or systems. These must stay consistent with the Comprehensive Plan and may lead to amendments over time.
- **Intergovernmental Coordination:** Implementation depends on coordination with Morrow County, the Port of Morrow, regional agencies, special districts, state agencies, and neighboring jurisdictions to keep services, infrastructure, and land use decisions aligned across boundaries.

The City Council, Planning Commission, or members of the public may initiate amendments through adopted procedures, and periodic updates keep the Plan consistent with state requirements and grounded in current community priorities and data.

Oregon Requirements and Statewide Planning Goals

Oregon has required cities and counties to adopt comprehensive plans since 1973, when Senate Bill 100 established the state’s land use planning program (ORS Chapter 197). Local plans must be consistent with the Statewide Planning Goals adopted by the Land Conservation and Development Commission (LCDC) — broad policy direction on topics from citizen involvement and housing to transportation, natural resources, and urbanization — and must be based on factual information, coordinated with other jurisdictions, and periodically updated.

Of the nineteen Statewide Planning Goals, twelve apply to the City of Boardman. These include:

• Goal 1: Citizen Involvement	• Goal 9: Economic Development
• Goal 2: Land Use Planning	• Goal 10: Housing
• Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces	• Goal 11: Public Facilities and Services
• Goal 6: Air, Water, and Land Resource Quality	• Goal 12: Transportation
• Goal 7: Areas Subject to Natural Hazards	• Goal 13: Energy Conservation
• Goal 8: Recreational Needs	• Goal 14: Urbanization

The Role of Goals and Policies

The goals and policies of the Boardman Comprehensive Plan are the core of the document. They reflect current conditions and the community’s vision for the future and establish the City’s official position on how growth, development, and investment should occur.

Goals are broad, long-term statements of desired outcomes that are meant to endure over time. Policies provide specific direction and guide decision-making by the City Council, Planning Commission, and staff when they evaluate development proposals, public investments, and plan amendments.

The goals and policies draw on the factual basis documented in the Plan’s supporting studies, and input from the community engagement process. They are organized by topic but are interrelated. No single goal or policy takes precedence over another unless the Plan says so explicitly.

As Boardman’s controlling land use planning document under Oregon law, Comprehensive Plan goals and policies are legally binding and guide all land use decisions in the city. While the Development Code contains the specific approval standards applied to individual land use applications, the Code itself must be consistent with this Plan. Together with implementing ordinances and plans, these goals and policies will shape Boardman’s physical form, community character, and quality of life through 2050 and beyond.

About Boardman

A Brief History

The land that is now Boardman was originally home to the Yakama, Cayuse, Umatilla, and Walla Walla Tribes, whose lifeways were closely tied to the Columbia River — fishing, gathering native plants and medicines, trading buffalo meat, hides, and obsidian, and traveling to the mountains each late summer to harvest huckleberries.

Permanent settlement was slow to follow. Even the Lewis and Clark expedition, which passed along this stretch of the Columbia in the early 1800s, found little established here, and the Oregon Trail ran just 15 miles south starting in 1843. It was irrigation that finally drew people to stay: civil engineer Sam Boardman filed homestead rights on the land in 1903, chasing the dream of bringing water to it, and when the West Extension Irrigation Canal opened in 1916, developer E.P. Dodd platted part of his homestead into the original townsite. Families and farmers followed through the early 1920s, and the town's incorporation, begun in 1921, wasn't finalized until 1927. Sam Boardman himself went on to become Oregon's first State Parks Superintendent in 1929, pioneering the state's system of park waysides and rest stops before retiring in 1950.

Early residents built the town's civic and social life quickly, opening a shared church and school building by 1916 and organizing a grange, a parent-teacher association, and other civic groups within a few years — the start of a community that has long organized around shared institutions. The Highway Inn, built the same year, anchored a small tourist economy that grew alongside U.S. Highway 30 and, later, Interstate 84; several of the businesses that opened along that route are still run by the same families today.

The town's population held steady at around 125 residents for more than four decades, even as the surrounding region changed. Twice in that time, growth elsewhere forced Boardman itself to move: half a mile in 1952 to make way for U.S. Highway 30, and a quarter mile in 1965 as the John Day Dam neared completion and its reservoir threatened to flood the original townsite. The second move was the larger undertaking — relocating the entire town required a new City Hall, water system, and sewer system, built through a carefully planned effort by the Boardman Urban Renewal Agency, with CH2M-Hill as consulting engineer and broad citizen involvement throughout. By 1967, the railroad, highway, and town were all in their current locations, and the original townsite now lies beneath the dam's reservoir, Lake Umatilla.



photo credit: City of Boardman

Boardman's modern economy took shape in the decades that followed. Nearly 100,000 acres of newly irrigated farmland, made possible by center-pivot irrigation, transformed agriculture through the 1960s and '70s, while the Port of Morrow, established in 1958, and the Portland General Electric plant brought industrial investment and jobs. That growth proved uneven — a regional recession in the 1980s hit Port-related industries hard, just a few years after Morrow County had ranked among the highest counties in the nation for per capita income. The Port's fortunes recovered through the 1990s, and Amazon's arrival there in 2008 marked a new era of industrial and technology investment. By 2023, Boardman ranked among the fastest-growing cities in Oregon.

Boardman Today

Boardman has become a young, fast-growing, and increasingly multicultural community. Today, Boardman has an estimated 6,150 residents within its Urban Growth Boundary, a 74% increase since 2010 and more than double the population of twenty years ago. Hispanic and Latino residents make up roughly 70% of the population, about 63% of residents speak a language other than English at home. Growth has consistently outpaced the City's own long-range population forecasts, and at its current pace may reach those forecasts years ahead of schedule, adding urgency to planning for a community larger than official projections assume.

That growth comes with real cost-of-living pressure. Nearly 40% of renters are cost-burdened and 18% are severely cost-burdened, and the median home sale price of \$425,000 is affordable only to households earning roughly \$90,000 or more, which is a threshold only about 45% of local ownership households meet. Meeting that need will require 728 net new housing units by 2046, across the full range of types from single-family homes to apartments and manufactured homes.

The Columbia River shapes Boardman as much as its economy does. It supplies the City's drinking water and offers swimming, boating, fishing, and windsurfing, and its waterfront includes a 74-acre marina and park with campsites, a boat launch, and a swimming area, with roughly 75 more acres of the same riverfront property available for future recreational development. At the same time, the railroad, Interstate 84, and a Bonneville Power Administration transmission corridor cut across the city from east to west, dividing it into three distinct areas connected by just two crossings, at Main Street and Laurel Lane, a mile apart. That physical fragmentation, as much as distance, helps explain why access to daily services is uneven across the community, and growing traffic from residential and Port activity is adding pressure at Main Street and the I-84 interchanges.

Boardman's job market is closely tied to the surrounding region. Most local jobs are in agriculture, manufacturing, and education, yet about 70 to 80% of Boardman's workers commute into the city, while 72% of residents commute elsewhere for work, meaning only 28% of residents both live and work in Boardman. This commuting pattern is driven largely by the Port of Morrow and the rapid growth of data centers, which together support an estimated 1.3 jobs for every household in the city. As a result, much of the workforce commutes from Hermiston, Umatilla, and the Tri-Cities. Access to everyday amenities reflects a similar pattern. About 64% of residents live within a 10-minute walk of a park, but only 20% live within a 10-minute walk of a retail destination. The largest gaps are in south and northeast Boardman, where many of the city's lower-income households and families live.

The Comprehensive Plan update is Boardman's response to these conditions: a plan to manage rapid growth, rising housing costs, changing demographics, and a fragmented physical form, while building on the city's river frontage and other assets to keep Boardman livable, connected, and inclusive for everyone who calls it home.

Comprehensive Plan Update Process

Community Engagement Process

Community engagement is central to how Oregon communities plan for the future. Statewide Planning Goal 1 requires that land use and development decisions reflect community input, giving every resident a chance to help shape decisions that affect them. For Boardman, that meant giving residents a direct voice in how land should be used, where the city should grow, and how new development should be guided and regulated.

Community engagement for the Comprehensive Plan update began in 2025. Between May 2025 and May 2026, the City engaged hundreds of residents through a mix of bilingual, in-person, and online activities. Key activities included:

- **Community Listening Session (May 2025):** Residents confirmed the project team’s findings on existing conditions, discussed current and future challenges facing Boardman, and helped draft a vision statement reflecting their values and hopes for the city’s future.
- **Tabling at Community Events (August 2025):** Tabling at events such as the Morrow County School District Open House reached residents who might not otherwise attend formal meetings.
- **Online Engagement (August–September 2025):** A StoryMap introduced the Comprehensive Plan process and invited participation, and two community surveys, offered in English and Spanish, gathered input on community identity and character.
- **Open House (May 2026):** Residents reviewed draft future land uses and helped inform the city’s growth strategy.

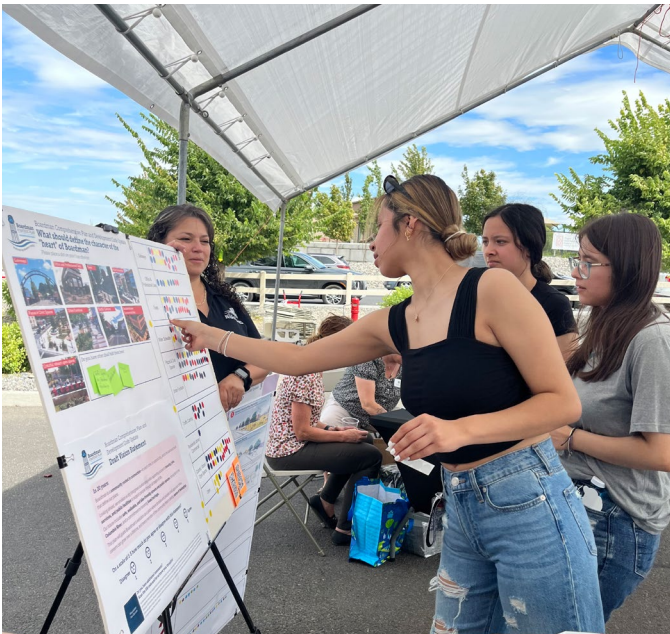


photo credit: Cascadia Partners



photo credit: Cascadia Partners

Broadening Participation

To reach beyond public events and online surveys, the City also established a Public Advisory Committee and worked with community partners throughout the planning process.

Public Advisory Committee (PAC)

The City convened a Public Advisory Committee to give community members a direct role in reviewing plan findings, offering input, and helping ensure the Comprehensive Plan reflects a range of local perspectives. The PAC met jointly with the Planning Commission at key milestones, bringing together appointed officials and community representatives to review engagement findings, discuss growth alternatives, and provide direction on draft policies.

Community Partners

The City worked with Spanish-speaking community members to conduct targeted outreach to residents the standard engagement process might not reach. These partners supported survey distribution and engagement activities, helping ensure that Spanish-speaking residents could provide direct input on the Comprehensive Plan in their preferred language.

Key Themes

Across all phases of engagement, several consistent themes emerged. Residents want a more connected, walkable city with a defined center. This includes gathering places, local restaurants and shops, and public amenities around City Hall and Main Street that make Boardman feel like a community, not just a place to work. Housing was a top concern: residents called for diverse housing types, including middle housing, senior housing, and affordable homes for first-time buyers, alongside stronger code enforcement to maintain neighborhood quality. On the economy, input emphasized diversifying beyond agriculture, expanding education and career pathways through the schools and Blue Mountain Community College, and strengthening local health care and social services so residents don't have to leave town for basic needs. Parks and recreation drew some of the strongest responses, with high demand for an indoor soccer and multipurpose facility, a sports complex, expanded trail and bike connections, and better access to the Columbia River waterfront. Residents also consistently asked for cleaner and safer parks, improved lighting and landscaping along Main Street, and emergency preparedness outreach that reaches Spanish-speaking households.



photo credit: Cascadia Partners

Linking the Community Vision to Statewide Planning Goals

Community input converged on four themes that organize this plan: people, development, services, and nature. As introduced above, each theme forms a chapter of the Comprehensive Plan and addresses one or more applicable Statewide Planning Goals. Engagement also shaped the development of Boardman’s 20-year Community Vision. Through listening sessions, surveys, and public events, residents identified shared priorities: housing and economic opportunity, community services and public spaces, connections to the Columbia River, and a strong sense of belonging. Together, these priorities were translated into a vision for a connected, welcoming, and sustainable community where people of all ages can thrive.

Community Vision

In 20 years, Boardman is a community rooted in connection—to each other, to opportunity, and to the land and river that define our place. Looking ahead, we envision a city that grows sustainably while expanding access to housing, jobs, services, and public facilities to support people through all stages of life. Our future includes safe, walkable, and bike-friendly streets and public spaces, strong ties to the Columbia River, and a commitment to honoring local heritage. This plan will guide Boardman’s evolution as a place where families and people of all ages can thrive, careers can grow over a lifetime, and every member of the community feels a lasting sense of belonging.

The table below shows how the Plan’s four themes align with the applicable Statewide Planning Goals.

Theme	Statewide Planning Goal
People	Goal 1: Citizen Involvement
Development	Goal 2: Land Use Planning
	Goal 9: Economic Development
	Goal 10: Housing
	Goal 14: Urbanization
Services	Goal 8: Recreational Needs
	Goal 11: Public Facilities and Services
	Goal 12: Transportation
Nature	Goal 5: Natural Resources, Scenic and Historic Areas, Open Spaces
	Goal 6: Air, Water, and Land Resources Quality
	Goal 7: Areas Subject to Natural Hazards
	Goal 13: Energy Conservation

Land Use Gallery

This section looks at how Boardman’s land use regulations, parks and trails, transportation network, and underlying landform fit together, and what the resulting development patterns reveal about how the city works today.

Spatial Pattern: A City Built in Layers

Boardman’s layout still reflects the sudden move that shaped it. When construction of the John Day Dam forced the city to relocate to higher ground in 1967, the new town was laid out along a north-south line, crossed by a series of east-west barriers: a railroad, a freeway, a canal, and a power line corridor. The result is a city that reads in five distinct bands, each cut off from the next by one of these barriers (see “Boardman’s Growth History” diagram).



photo credit: City of Boardman

Current Trend

The city’s layered physical form has shaped where and how growth has occurred over time. Understanding this existing spatial pattern provides important context for the current development trends and helps identify where today’s growth patterns align with or diverge from the community’s vision for the future.

Community input made clear what Boardman wants to become. Current growth trends tell a different story: much of the city’s recent development has followed highway-oriented commercial strips, single-family subdivisions, and industrial expansion, all of which are patterns that don’t fully match the community’s vision. That vision calls for a connected, sustainable, and welcoming Boardman with greater access to housing, jobs, services, and public spaces.

The Comprehensive Plan Map translates the vision of the community into a spatial plan, grounded in an analysis of existing and future conditions. It balances what makes Boardman feel like home, like its neighborhoods, gathering places, and community life, with the jobs and industry that keep the city running.

Boardman's Growth History

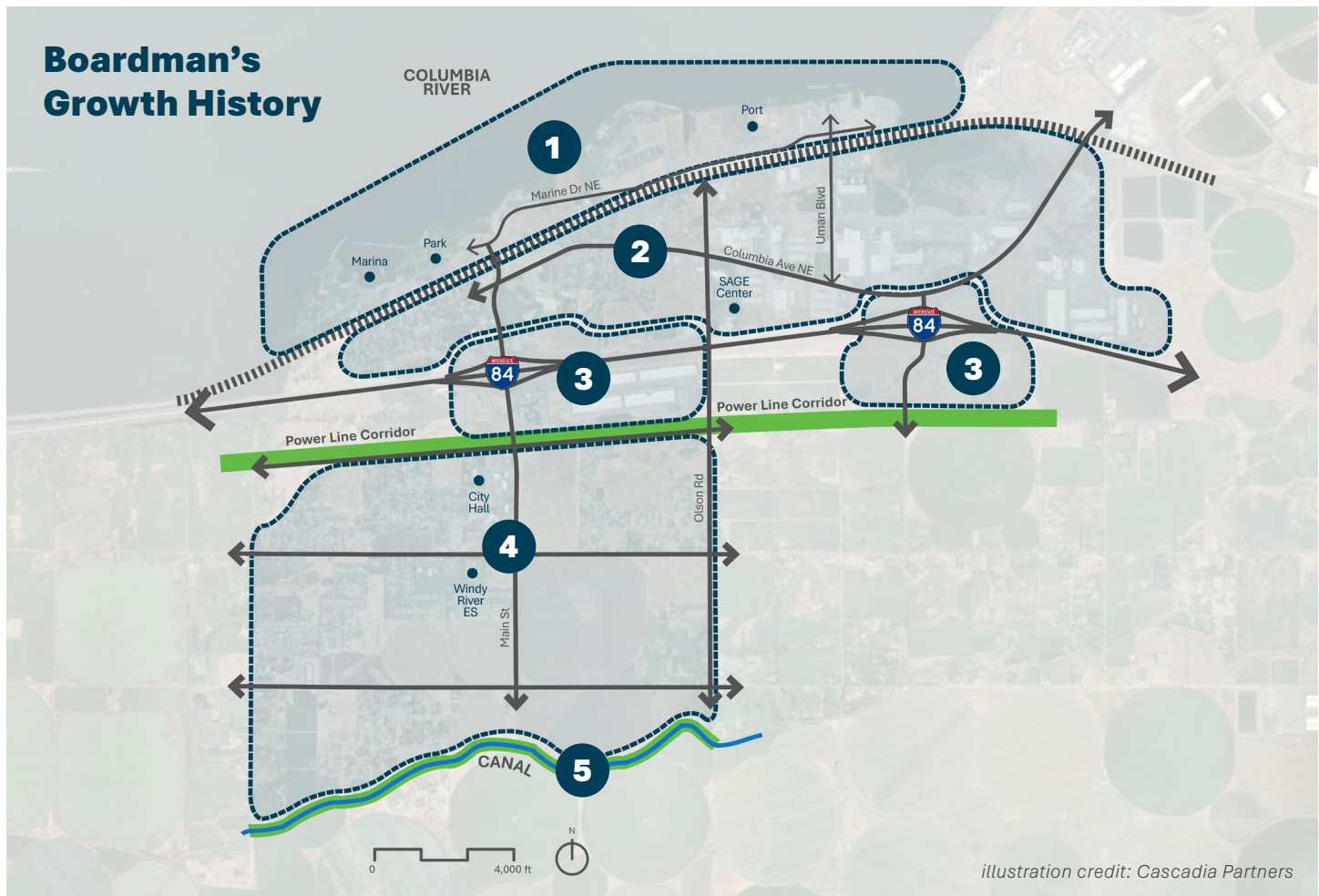


illustration credit: Cascadia Partners

- 1 The waterfront:** Between the Columbia River (Lake Umatilla) and the Union Pacific Railroad, this band holds the Port of Morrow's industrial operations alongside Boardman Marina Park, where the community keeps its ties to the river.
- 2 Between the railroad and the freeway:** This strip is the relocated heart of the city — its oldest neighborhoods, a park, a school, and community anchors like the SAGE Center and the Pool & Recreation Center.
- 3 The Interstate 84 corridor:** I-84 divides the city, but it has also grown into Boardman's main commercial strip, built up around two interchanges: Main Street, the center of civic life, and Laurel Lane, which serves industrial and freight traffic.
- 4 The residential plateau:** Between the power line corridor and the Boardman Irrigation Canal sits the city's largest residential area, built out since the 1980s and set apart from the traffic and industry to the north.
- 5 The southern edge:** The Boardman Irrigation Canal marks the practical edge of the city. Beyond it lies the Naval Weapons Systems Training Facility's restricted bombing range, which leaves little room for the city to grow further south.

Comprehensive Plan Map Designations

The Comprehensive Plan Map is the Plan's controlling instrument for future growth. It translates the community's vision into a spatial plan, showing where each land use will go and at what intensity, and drawing the boundaries that define where those uses apply. The Map uses six land use designations, described below.



photo credit: Cascadia Partners

Neighborhood Character

Low-to-medium scale residential neighborhoods, with development characterized by single-family homes, duplexes, townhomes, cottage clusters, and accessory dwelling units. This designation enriches traditional residential neighborhoods while allowing for compatible infill on lots that are generally larger than those in Village Character areas. Tree-lined streets, private yards, on-street parking, and a high level of connectivity to local schools, parks, and services through walking and biking routes characterize these areas.



photo credit: Cascadia Partners

Village Character

Medium-to-high scale residential neighborhoods that support Boardman's growth and offer a broader range of housing choices at more attainable prices. Development includes attached and detached housing types such as duplexes, townhomes, walk-up apartments, and mixed-use buildings on compact lots. Pedestrian-oriented streets, reduced setbacks, and shared common spaces create walkable areas that connect neighbors to one another. Village Character areas are located in walkable, bikeable settings and anchor Boardman's future center.



photo credit: Scott Edwards Architecture

Civic Center

Low-to-medium scale commercial nodes designed to serve the daily needs of Boardman's population. By clustering retail, civic uses, services, restaurants, and offices near residential areas, these nodes reduce vehicle dependency. Buildings form a continuous street wall with active ground-floor uses and parking located to the rear. Enhanced streetscapes, wayfinding and signage, and public gathering spaces create a shared sense of place. The Civic Center designation supports the Plan's vision of a defined heart of Boardman around City Hall and Main Street.

Employment Center

Medium-to-large scale regional hubs located along major arterials, serving both residents and visitors. This designation supports a range of uses including commercial retail, offices, health care facilities, hospitality, and light industrial uses. While these centers accommodate higher traffic volumes and ample parking, they are also connected by transit, pedestrian, and bicycle infrastructure that links Boardman's residential areas to regional employment and services.



photo credit: Cascadia Partners

Industrial Center

Large-scale industrial operations including manufacturing, processing, agriculture, storage, distribution, and related services. These areas are characterized by large parcels with specific infrastructure for loading, circulation, and direct access to regional transportation corridors. Industrial Centers vary in intensity but are generally buffered from nearby residential areas. The Port of Morrow's operations anchor the Industrial Center designation.



photo credit: City of Boardman

Parks and Public Facilities

Parks, open space, and public facilities that protect Boardman's natural resources while providing recreation, outdoor access, and civic services. This includes the Columbia River waterfront, the marina, beaches, city parks, trails, powerline easements, and public facilities such as schools, the SAGE Center, and civic buildings. Development is limited to uses that support recreation and public services.

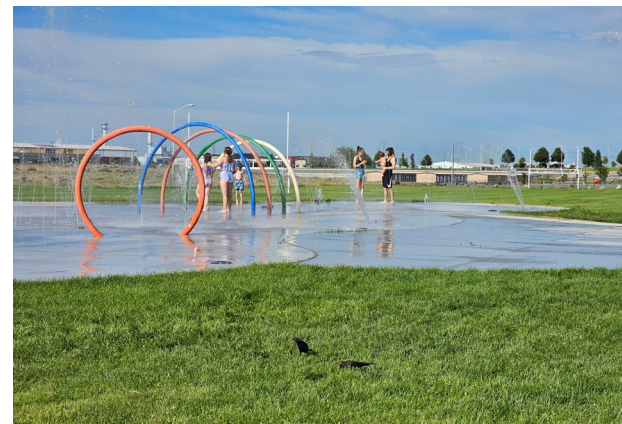


photo credit: City of Boardman

Chapter 1: People



photo credit: Cascadia Partners

Background

Boardman is a young, fast-growing, and increasingly diverse community, and who lives here shapes what meaningful civic participation has to look like. Hispanic and Latino residents make up roughly 70% of the population, about 63% of residents speak a language other than English at home, and nearly one in five households lacks reliable internet access — more than double the statewide rate. In a community like this, the standard tools of public involvement, English-language notices, evening hearings, and web-based comment forms, reach only a fraction of the people whose lives planning decisions affect.

Boardman's recent engagement experience bears this out. In launching this Comprehensive Plan update in 2024, the City formed a Public Advisory Committee and conducted bilingual outreach, and community listening sessions in May 2025 confirmed that language, work schedules, and unfamiliarity with planning processes have long limited participation for many residents. At the same time, local leaders stepped in to support outreach and translation, showing that the foundation for broader engagement is already here to build on.

As Boardman continues to grow, the City is committed to making sure planning decisions reflect the people who live here today and those who will call Boardman home in the future. The goals and policies that follow establish the City's program for getting there.

Applicable Statewide Planning Goals

- Goal 1: Citizen Involvement



photo credit: Cascadia Partners



photo credit: Cascadia Partners

Goals and Policies

Community and Equity

Overview

Statewide Planning Goal 1 requires every city to maintain a citizen involvement program with six elements: a broadly representative citizen involvement committee, two-way communication between residents and decision-makers, opportunities to participate at every phase of planning, technical information in accessible formats, mechanisms for residents to receive responses, and adequate funding for the program. In Boardman, the seven-member Planning Commission serves as the Citizen Involvement Committee, guiding this Comprehensive Plan update and overseeing the City's development regulations.

Meeting those requirements in Boardman means doing more than the minimum. A program built around English-language notices, evening hearings, and online tools would not reach most of the community. Here, bilingual materials and meetings are a baseline rather than an exception, engagement has to work around varying work schedules and uneven internet access, and the City must invest in building civic capacity among residents who have not historically taken part in planning. The goals and policies that follow establish the City's program for accessible, inclusive, and culturally responsive engagement across all phases of land use planning.

Goal 1.1: Establish and maintain a community engagement program that provides all Boardman residents with timely, accessible, and meaningful opportunities to participate in land use planning decisions.

- Policy 1.1.1** The City shall maintain a citizen involvement program that provides residents with regular opportunities to participate in land use planning and policy decisions, including timely notification to affected property owners and public agencies.
- Policy 1.1.2** The City shall ensure that public notices, meeting materials, and planning documents related to land use decisions are written in plain, accessible language and translated in Spanish to the extent staff resources and capacity allow.
- Policy 1.1.3** The City shall use a mix of in-person and online engagement methods to reach residents with varying language abilities, work schedules, and levels of internet access.
- Policy 1.1.4** The City shall maintain adequate staff capacity and budget to support an ongoing public involvement program consistent with the requirements of Oregon Statewide Planning Goal 1.
- Policy 1.1.5** The City shall maintain consistency between the Comprehensive Plan, the Development Code, and other implementing documents to ensure that decisions made through public processes are reflected in adopted regulations.
- Policy 1.1.6** The City shall periodically review and update this Comprehensive Plan to ensure it remains consistent with state requirements, reflects current community priorities, and is grounded in current data and conditions.

Goal 1.2: Ensure that community engagement in land use planning is inclusive, culturally appropriate, and reflective of the full diversity of Boardman's population.

- Policy 1.2.1** The City shall actively work to remove barriers to participation in land use planning, including language, work schedule, transportation, and unfamiliarity with planning processes.
- Policy 1.2.2** The City shall invest in building the civic capacity of community members, with particular emphasis on Boardman's Hispanic and Latino community, to participate meaningfully in land use planning, including supporting outreach leadership.
- Policy 1.2.3** The City shall engage underserved and underrepresented groups to develop engagement strategies that reflect their cultural context and communication preferences.
- Policy 1.2.4** The City shall coordinate with the Department of Land Conservation and Development (DLCD) to access guidance, technical assistance, and resources that support inclusive public involvement.
- Policy 1.2.5** The Planning Commission, which serves as the City's Citizen Involvement Committee (CIC), shall actively seek to reflect the diversity of Boardman's population in its composition, including its racial, ethnic, linguistic, and socioeconomic makeup.
- Policy 1.2.6** The City shall adhere to the land use planning principles and guidelines of the Land Conservation and Development Commission (LCDC) in all planning activities.

Chapter 2:

Development



photo credit: City of Boardman

Background

Boardman is growing quickly, and the pace of that growth is reshaping what the community needs from its land, infrastructure, housing, and economy. Today, Boardman has an estimated 6,150 residents within its Urban Growth Boundary, a 74% increase since 2010 and more than double the population of twenty years ago. Portland State University forecasts that population within the UGB could reach 6,656 by 2045, though two factors suggest that figure significantly understates the growth the city must plan for. First, the 2020 decennial census undercounted Boardman's population; while PSU has since corrected its annual population estimates, the coordinated forecast still carries that undercount forward. Second, the city is experiencing rapid, employment-driven growth that is outpacing historical trends, and at its current trajectory may reach the 2045 forecast before the end of this decade. The Comprehensive Plan must therefore plan for growth that is likely to outpace official projections, even as it meets the City's statutory planning obligations.

This growth is being driven in significant part by the expansion of the Port of Morrow and the rapid rise of hyperscale data center development as a major economic force. As of 2025, Boardman is home to roughly 3,500 workers across approximately 150 businesses. The City's 2026 Economic Opportunities Analysis (EOA) forecasts nearly 2,300 new jobs by 2045, with approximately 33% in the data center sector directly and the remainder in construction, logistics, retail, health care, and other services. This growth is taking place within a broader statewide conversation about data center development. In 2025–2026, the Governor's Data Center Advisory Committee, DLCD, and the Oregon Legislature have been examining the cumulative land use, infrastructure, and energy impacts of data center expansion across Oregon, and the City's planning must be responsive to the state policy direction that emerges from that process.

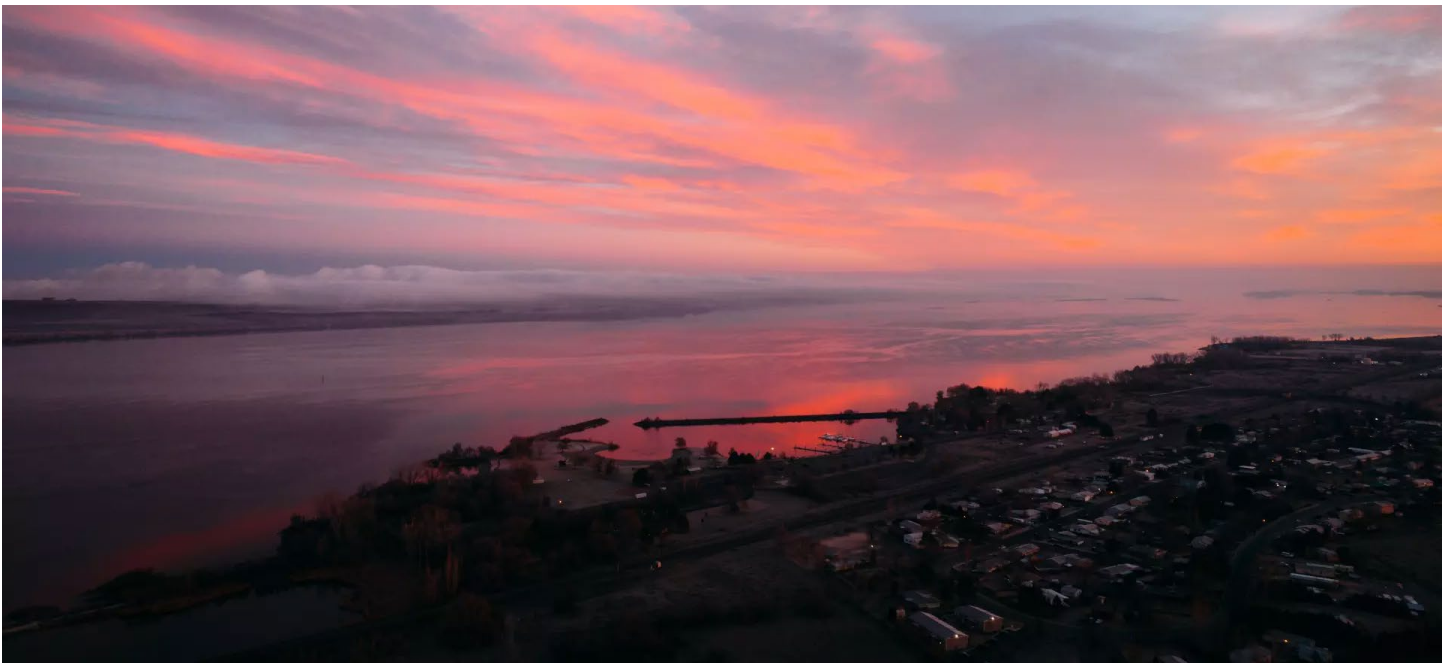


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The Port of Morrow, which employs approximately 8,000 workers across its facilities, remains the largest single driver of industrial land demand in the region. Boardman’s economic strength has not yet translated into a community fully equipped to house and serve its workforce. Jobs substantially outnumber local housing units, with an estimated 1.3 jobs per household, yet roughly 70 to 80% of workers employed in Boardman commute from Hermiston, Umatilla, the Tri-Cities, and other communities. The City’s 2026 Housing Capacity Analysis (HCA) documents a need for 728 net new housing units by 2046 across a full range of types, from single-family homes to multifamily apartments and manufactured homes. Today, 40% of renters are cost-burdened and 18% are severely cost-burdened, and the median home sale price of \$425,000 is affordable only to households earning roughly \$90,000 or more, which is a threshold only about 45% of local ownership households meet.

The employment land picture presents a parallel challenge. The EOA’s Buildable Land Inventory found approximately 337 gross buildable acres in employment zones within the UGB. While this exceeds demand when data centers are excluded, no sites remain large enough for hyperscale data center development and no general industrial sites over 20 acres remain — gaps that constrain business recruitment. The EOA identifies a need for approximately 810 additional gross acres of employment land that cannot be accommodated within the current boundary.

Community input throughout this process reflected a clear desire for a more connected and walkable city with a defined “heart” of Boardman, bringing together gathering places, local businesses, and public amenities that reflects the city’s identity as a community, not just a job hub. The goals and policies that follow turn these conditions into the City’s framework for housing, economic development, and growth management.

Applicable Statewide Planning Goals

- Goal 2: Land Use Planning
- Goal 9: Employment
- Goal 10: Housing
- Goal 14: Urbanization

Goals and Policies

Housing

Overview

Statewide Planning Goal 10 requires cities to plan for and accommodate housing needs across a range of types and affordability levels, and to maintain sufficient buildable residential land over a 20-year planning horizon.

Boardman’s 2026 HCA, prepared in accordance with the Oregon Housing Needs Analysis (OHNA) program and OAR 660 Division 8, establishes the factual basis for housing policy in this plan. The OHNA production target requires 728 net new housing units by 2046, of which approximately 39% are needed for households earning below 60% of Area Median Income (AMI). The HCA projects that 40% of new units will be needed in multifamily structures of five or more units and 20% in middle housing types, a mix that the current housing stock and Development Code have not adequately supported. Boardman’s distinctive local conditions, such as an average household size of 3.3 persons, a poverty rate of approximately 17%, a large agricultural workforce, and a predominantly Hispanic and Latino population, shape the type, size, and affordability of housing the community needs.

The goals and policies that follow establish the City’s commitment to meeting its OHNA production target, removing code barriers to needed housing types, and addressing affordability across all income levels.

Goal 2.1: Maintain an adequate supply of buildable residential land to meet the City’s 20-year housing production target and accommodate the full range of needed housing types.

Policy 2.1.1 The City shall maintain a sufficient supply of buildable residential land within the UGB to meet the 20-year housing production target established by the Oregon Housing Needs Analysis (OHNA) program and shall monitor land supply annually against that target.

Policy 2.1.2 The City shall permit, through Development Code standards and zoning map designations, all needed housing types, including single-family detached homes, middle housing types (duplexes, triplexes, cottage clusters, and townhomes), multifamily apartments, manufactured homes, and government-assisted units.

Policy 2.1.3 The City shall coordinate residential land supply planning with infrastructure capacity, including water, sewer, and transportation, and shall prioritize the extension of services to residential lands in a logical and cost-efficient sequence consistent with the conversion standards for urbanizable lands within the UGB.

Policy 2.1.4 The City shall support infill and redevelopment of underutilized residential land within the UGB as the preferred means of accommodating housing growth before pursuing UGB expansion for residential uses.

Goal 2.2: Ensure that Development Code standards permit and actively support the housing types needed to meet Boardman’s projected demand, with particular emphasis on middle housing, multifamily, and manufactured homes.

- Policy 2.2.1** The City shall adopt and maintain clear and objective Development Code standards for all needed housing types, including accessory dwelling units, duplexes, triplexes, fourplexes, cottage clusters, townhomes, and multifamily structures, consistent with the requirements of ORS 197A.400 and applicable middle housing statutes.
-
- Policy 2.2.2** The City shall ensure that Development Code standards such as lot size minimums, setbacks, height limits, parking requirements, and design standards do not function as unnecessary barriers to the development of needed housing types, particularly middle housing and multifamily units.
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- Policy 2.2.3** The City shall permit manufactured homes on individual lots in residential zones on the same basis as site-built homes, and shall permit manufactured home parks in appropriate residential and mixed-use zones, consistent with state law requirements.
-
- Policy 2.2.4** The City shall permit accessory dwelling units on all lots with a primary residential use, consistent with applicable state law, and shall maintain Development Code standards that facilitate rather than discourage their construction.

Goal 2.3: Address housing affordability across all income levels, with priority attention to households earning below 60% of AMI.

- Policy 2.3.1** The City shall use the OHNA production target income breakdown as the factual basis for housing affordability policy, recognizing that approximately 39% of Boardman’s 20-year housing need is for households earning below 60% of AMI, including extremely low-income households earning below 30% AMI.
-
- Policy 2.3.2** The City shall actively seek state and federal funding, tax credit programs, and other financing tools to support the development of income-restricted affordable housing in Boardman, and shall work with nonprofit housing developers, the Oregon Housing and Community Services (OHCS), and other partners to bring affordable housing projects to the city.
-
- Policy 2.3.3** The City shall maintain and support existing affordable housing properties and shall work with property owners and OHCS to prevent loss of affordability restrictions on these units.
-
- Policy 2.3.4** The City shall use Development Code tools like density bonuses, reduced parking requirements, and expedited review to reduce barriers to the development of housing affordable to lower-income households.

Goal 2.4: Ensure that housing supply reflects the specific household characteristics of Boardman’s community, including large family sizes, an agricultural workforce, and a predominantly Hispanic and Latino population.

Policy 2.4.1 The City shall ensure that Development Code standards permit and encourage the development of housing units large enough to serve family households.

Policy 2.4.2 The City shall maintain zoning provisions that permit agricultural worker housing and shall work with agricultural employers, farmworker housing nonprofits, and state agencies to support the development of additional farmworker housing units.

Policy 2.4.3 The City shall engage Boardman’s Hispanic and Latino community in the design of housing programs and policies to ensure they reflect the community’s actual needs and preferences.

Goal 2.5: Support housing development that is compatible with neighborhood character, connected to services, and resilient over time.

Policy 2.5.1 The City shall promote residential development in areas that are proximate to schools, parks, commercial services, and transit connections, and shall use zoning and Development Code standards to encourage walkable neighborhood patterns that reduce reliance on automobile travel.

Policy 2.5.2 The City shall ensure that new residential development in all zones meets applicable clear and objective design standards that maintain neighborhood compatibility and quality while not functioning as barriers to needed housing types.

Policy 2.5.3 The City shall encourage the rehabilitation and maintenance of the existing housing stock and shall allow lawfully established residential uses made non-conforming by updated zoning to continue, be maintained, and transition to conforming uses through clear conversion pathways.

Policy 2.5.4 The City shall ensure that housing policies and economic development policies are mutually supportive, recognizing that adequate workforce housing across a range of types and price points is a prerequisite for employer recruitment and retention, as documented in the adopted EOA.



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photo credit: City of Boardman

Economic Development and Employment

Overview

Statewide Planning Goal 9 requires cities to maintain an adequate supply of land for economic activities and to conduct an Economic Opportunities Analysis reconciling employment land supply with projected 20-year demand.

Boardman's 2026 EOA documents a significant land supply challenge. The EOA projects approximately 2,300 new jobs by 2045, with 65% in industrial uses and 35% in commercial uses. The Buildable Land Inventory found approximately 337 gross buildable acres in employment zones which is sufficient for general commercial and industrial demand, but with no sites large enough for hyperscale data centers and no general industrial sites over 20 acres. The EOA identifies a need for approximately 810 additional gross acres, including approximately 625 acres for data center development, that will require a UGB expansion to provide.

The goals and policies that follow establish the City's approach to maintaining adequate employment land supply, supporting infill and redevelopment, and ensuring that land use designations and Development Code standards support the full range of industries the community depends on.

Goal 2.6: Maintain an adequate supply of employment land to meet the City’s 20-year economic development needs and support a diverse and resilient local economy.

- Policy 2.6.1** The City shall maintain a current inventory of buildable employment land within the UGB, monitor supply against the 20-year employment land forecast established in the adopted EOA, and take action to address deficiencies when monitoring indicates that supply is insufficient to meet projected demand.
-
- Policy 2.6.2** The City shall pursue a UGB expansion to provide the industrial and commercial land supply identified in the adopted EOA, including sites adequate in size and configuration to accommodate hyperscale data center development, general manufacturing, food processing, warehousing, and other target industries.
-
- Policy 2.6.3** The City shall protect large industrial sites brought into the UGB for their identified industrial use and shall ensure that Comprehensive Plan designations and Development Code standards for these sites comply with the requirements of Oregon Statewide Planning Goal 9 and its administrative rules, including limitations on alternative uses of large-lot industrial land.
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- Policy 2.6.4** The City shall coordinate capital improvement planning and the Transportation System Plan with employment land planning to ensure that infrastructure investments prioritize the sequencing and servicing of key employment subareas and sites.
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- Policy 2.6.5** The City shall work with the Port of Morrow to support development and retention of industrial uses on employment lands within and adjacent to the UGB, and shall ensure that land use designations, zone standards, and permitting processes support the Port’s role as a regional economic driver.

Goal 2.7: Support infill, redevelopment, and intensification of existing employment areas to maximize the productivity of land already within the UGB.

- Policy 2.7.1** The City shall encourage infill, redevelopment, and adaptive reuse of underutilized or obsolete properties in existing commercial and industrial zones as a complement and/or substitute for UGB expansion for employment uses.
-
- Policy 2.7.2** The City shall identify opportunity sites within existing employment areas that are suitable for public-private catalyst projects and shall explore financing tools such as Tax Increment Financing, the Columbia River Enterprise Zone, and other incentive programs to bridge feasibility gaps and support desired development outcomes.
-
- Policy 2.7.3** The City shall maintain Oregon Prospector listings and other site marketing materials to ensure that available employment land and buildings are accurately represented to site selectors and prospective businesses, and shall highlight the benefits of the Enterprise Zone and Urban Renewal districts in all relevant outreach.

Goal 2.8: Ensure that Comprehensive Plan designations, Development Code standards, and permitting processes support the full range of commercial and industrial uses the community depends on and position Boardman competitively for target industries.

- Policy 2.8.1** The City shall ensure that Comprehensive Plan land use designations and Development Code zoning standards permit the mix of uses anticipated in existing and future employment areas, and shall update designations and standards when they no longer reflect the City's economic development vision or when they present unnecessary barriers to needed development.
- Policy 2.8.2** The City shall adopt clear definitions, use permissions, and development standards in the Development Code for data centers and data center campuses consistent with the site characteristics and operational requirements identified in the adopted EOA.
- Policy 2.8.3** The City shall maintain clear, objective, and predictable development regulations for industrial and commercial uses and shall review and streamline permitting processes on a regular basis to reduce cost and time burdens on businesses and employers.
- Policy 2.8.4** The City shall coordinate with the Port of Morrow, GEODC, Business Oregon, the Boardman Chamber of Commerce, Morrow County, and other economic development partners to support business retention, expansion, and recruitment, with particular attention to the City's target industries as identified in the adopted EOA.

Goal 2.9: Support a diverse, resilient, and locally serving economy that expands access to jobs, services, and economic opportunity for Boardman residents.

- Policy 2.9.1** The City shall support the growth of locally serving commercial uses like retail, dining, health care, and personal services by maintaining adequate commercial land supply, encouraging development at key commercial nodes, and using the Development Code to promote a walkable, mixed-use city center.
- Policy 2.9.2** The City shall support small business development by facilitating connections between business owners and property owners, promoting incubator and flex space opportunities, and referring businesses to programs and partners that provide technical assistance, micro-lending, and workforce training.
- Policy 2.9.3** The City shall support connections between local employers, Boardman public schools, Blue Mountain Community College, and state workforce training programs to develop the skilled workforce that existing and future industries require.
- Policy 2.9.4** The City shall recognize that adequate workforce housing across a range of types and price points is a prerequisite for economic growth and employer recruitment, and shall ensure that housing and economic development policies are mutually supportive.
- Policy 2.9.5** The City shall recognize access to child care as a foundational component of workforce participation and economic opportunity, and shall periodically review the Development Code to identify and remove unnecessary local barriers to the development of licensed family child care homes and child care centers.



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Land Use and Urbanization

Overview

Statewide Planning Goals 2 and 14 together establish Oregon’s framework for growth management. Goal 2 requires land use decisions to be grounded in a factual basis, coordinated across jurisdictions, and implemented through consistent regulations. Goal 14 requires cities to manage growth within Urban Growth Boundaries, demonstrate a 20-year land supply adequate for all needs, and plan for an orderly transition from rural to urban uses.

Boardman’s Comprehensive Plan was first adopted in 1975 and acknowledged by the state in 1978. The 2026 update is the first comprehensive revision in over 20 years and grounded in the findings of updated technical analyses such as the EOA (2026), HCA (2026), among others. Those studies confirm that the current UGB contains sufficient residential land supply to meet the City’s 20-year housing needs, but does not contain sufficient supply of employment land, and that a UGB expansion for employment uses is the most likely mechanism for closing that gap. Boardman manages its UGB in coordination with Morrow County under a Joint Management Agreement. A significant share of land within the UGB but outside the city limits is currently subject to county zoning that permits rural-density development, including parcelization at densities as low as one dwelling unit per acre. Development at these densities is difficult to reurbanize and can foreclose the efficient extension of urban services, undermining the City’s ability to accommodate future growth at planned urban densities. Aligning the management of urbanizable land, both within the UGB and in areas needed for future expansion, with the City’s long-term land needs is a central concern.

The goals and policies that follow establish the City’s framework for maintaining a sound factual basis for land use decisions, managing land supply and growth within the UGB, coordinating the expansions that growth will require, and directing development toward a more compact and connected city.

Goal 2.10: Maintain a land use planning process and policy framework grounded in current data and community priorities, implemented through a consistent and regularly updated Comprehensive Plan and Development Code.

- Policy 2.10.1** The City shall ensure that all land use decisions are grounded in a factual basis, including current demographic data, buildable land inventories, and the findings of the adopted EOA, HCA, Transportation System Plan, Parks Master Plan, and other supporting technical studies.
- Policy 2.10.2** The City shall maintain consistency between this Comprehensive Plan, the Development Code, the Comprehensive Plan Map, and the Zoning Map, and shall update these documents in a coordinated manner to ensure that adopted policies are reflected in implementing regulations.
- Policy 2.10.3** The City shall periodically review and update this Comprehensive Plan and its supporting technical studies to ensure they remain consistent with state requirements, reflect current community priorities, and provide an accurate factual basis for land use decisions.
- Policy 2.10.4** The City shall plan for a city center that serves as Boardman's civic and commercial heart and shall use the Development Code and land use designations to support investment in this area.
- Policy 2.10.5** The City shall maintain clear and objective development regulations that provide predictability for property owners, applicants, and the public, and shall review and update the Development Code on a regular basis to remove barriers to needed development and ensure alignment with current Comprehensive Plan policy.

Goal 2.11: Manage the Urban Growth Boundary to meet 20-year land needs, prioritizing infill and logical service extension within the existing boundary before pursuing expansion.

- Policy 2.11.1** The City shall encourage orderly conversion of urbanizable lands within the UGB in a pattern that assures the economical extension of municipal services, prioritizing lands adjacent to existing development and infrastructure before converting lands at the fringe of the UGB.
- Policy 2.11.2** The City shall manage growth so that urban development is served by water, sewer, transportation, and other public facilities before or concurrent with development, and shall not approve conversion of urbanizable lands within the UGB where the extension of services is not feasible within a reasonable timeframe.
- Policy 2.11.3** The City shall avoid sprawl and leap-frog development by encouraging infill and compact development within existing urban areas before converting urbanizable lands within the UGB .
- Policy 2.11.4** The City shall use the Comprehensive Plan Map, Zoning Map, and Development Code to direct growth to areas where services can be efficiently extended, where development is compatible with adjacent land uses, and where public investment in infrastructure can be maximized.
- Policy 2.11.5** The City shall maintain a current inventory of buildable land within the UGB, monitor supply against 20-year needs as established in the adopted EOA and HCA, and shall initiate UGB amendment proceedings when the inventory indicates that supply is insufficient to meet projected demand.

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- Policy 2.11.6** The City shall encourage infill and redevelopment of underutilized land within the UGB as the preferred means of accommodating growth before pursuing UGB expansion for residential or commercial uses where feasible.
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- Policy 2.11.7** The City shall work with Morrow County to maintain and amend the Urban Growth Boundary consistent with the Joint Management Agreement, and shall seek to update that agreement, as opportunities allow, to reflect the findings of the adopted EOA and HCA and the land supply needs documented in this Comprehensive Plan update.
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- Policy 2.11.8** The City shall coordinate with the Port of Morrow, Oregon Department of Land Conservation and Development, Oregon Department of Transportation, and other state and regional agencies on land use decisions and UGB planning processes that affect areas of shared jurisdiction or regional significance.
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- Policy 2.11.9** The City shall maintain Comprehensive Plan Map designations for all urbanizable land within the UGB that identify the intended urban use of each area so land divisions, infrastructure planning, and eventual annexation are guided by the use for which each area is ultimately planned.
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- Policy 2.11.10** The City shall require, as conditions of annexation for urbanizable lands within the UGB, that: (a) the land is contiguous with existing city limits; (b) municipal water, sewer, and transportation facilities are available or can be extended concurrent with development; (c) the proposed development is consistent with the Comprehensive Plan Map designation for the area; and (d) the annexation supports the orderly and efficient extension of urban services consistent with the sequencing priorities of this plan.
-
- Policy 2.11.11** The City shall not extend municipal water service to urbanizable lands within the UGB without concurrent provision of or a binding commitment to municipal sewer service, to mitigate groundwater contamination concerns as well as partial infrastructure investment that would entrench development patterns inconsistent with planned urban densities.
-
- Policy 2.11.12** The City may provide wholesale treated water to a delivery point outside city limits, through intergovernmental agreement with Morrow County or other public entities, to address groundwater contamination within the Lower Umatilla Basin Groundwater Management Area. Such provision shall not constitute an extension of municipal water service or waive the City's annexation or service-extension requirements.
-
- Policy 2.11.13** The City shall seek to assume land use and land division authority and responsibility for lands within the Urban Growth Boundary but outside the city limits in coordination with Morrow County and through an updated Joint Management Agreement, in order to prevent rural-density development that would foreclose planned urban use and density.
-
- Policy 2.11.14** The City shall designate the West Glenn neighborhood on the Comprehensive Plan Map for commercial use with residential as an ancillary use, recognizing the area's established commercial character and trucking-related operations, and shall apply Development Code standards at annexation that accommodate existing commercial uses while permitting continued residential occupancy.
-

Goal 2.12: Plan ahead for the Urban Growth Boundary expansions that Boardman’s projected residential and employment growth will require, including through the designation of urban reserves, and sequence those expansions to protect resource lands and ensure efficient provision of public services.

Policy 2.12.1 The City shall pursue a UGB expansion for employment lands consistent with the findings of the adopted EOA, which identifies a need for approximately 810 additional gross acres that cannot be accommodated within the current boundary.

Policy 2.12.2 The City shall evaluate residential UGB expansion needs on a periodic basis using the OHNA production target and current buildable land inventory as the primary measures of sufficiency, and shall initiate residential UGB expansion proceedings when the inventory of buildable residential land is insufficient to accommodate the remaining 20-year production target.

Policy 2.12.3 In evaluating and sequencing UGB expansions for either employment or residential uses, the City shall give preference to lands that minimize impacts to productive agricultural lands, are contiguous with existing development, can be efficiently served by existing or planned infrastructure, and are consistent with the land use designations and transition standards of this Comprehensive Plan.

Policy 2.12.4 The City shall ensure that UGB amendments are supported by an adequate factual basis, including updated population and employment forecasts, buildable land inventories, infrastructure capacity analysis, and findings of consistency with Oregon Statewide Planning Goals and applicable administrative rules.

Policy 2.12.5 The City shall ensure that large industrial and employment lands brought into the UGB through expansion are designated for their identified use and protected consistent with the requirements of Oregon Statewide Planning Goal 9 and its administrative rules, including limitations on alternative uses of large-lot industrial land.

Policy 2.12.6 The City shall work with Morrow County to establish urban reserves outside the Urban Growth Boundary to identify lands suitable for orderly and efficient transition to urban use over the long term for both employment and residential purposes.

Policy 2.12.7 The City shall pursue urban reserve designation as a means of protecting lands needed for future urbanization from rural-density development and parcelization that would foreclose their efficient transition to urban use, and shall coordinate with Morrow County so that county zoning applied to designated urban reserve lands supports, rather than undermines, future urban development.

Policy 2.12.8 In identifying and prioritizing urban reserve lands, the City shall apply the criteria in Policy 2.12.3 and give preference to lands consistent with the employment and residential land needs documented in the adopted EOA and HCA, including lands in proximity to and served by the Port of Morrow.

Goal 2.13: Ensure that land use and urbanization decisions reflect the community’s vision for a more compact, connected, and livable Boardman.

Policy 2.13.1 The City shall use land use designations, zoning standards, and infrastructure investments to promote a growth pattern that strengthens Boardman’s city center, supports walkable neighborhoods, and reduces the dispersed, disconnected development pattern that has characterized much of the city’s growth.

Policy 2.13.2 The City shall ensure that urbanizable lands designated for residential use on the Comprehensive Plan Map are zoned at annexation to permit the density and housing types needed to meet the OHNA production target, including middle housing and multifamily.

Policy 2.13.3 The City shall require community engagement and planning prior to the annexation of large land areas or significant UGB expansions to ensure that growth decisions reflect the community’s vision and are informed by current residents.



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Chapter 3:

Services



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Background

Boardman's service and infrastructure needs are being reshaped by the same forces driving its housing and employment growth: a rising resident population, a large in-commuting workforce, and a steady stream of visitors drawn to the Columbia River and the Port of Morrow. The systems that serve daily life in Boardman, like parks and recreation, water and sewer, streets and sidewalks, transit and freight, were largely designed for a smaller and more static community. Keeping pace with growth, closing service gaps, and planning the next generation of facilities is the central challenge this chapter addresses.

The past two years have brought the most significant modernization of Boardman's service and facility planning in more than two decades. The City and the Boardman Park & Recreation District adopted Boardman's first-ever Parks Master Plan in 2025, and the City adopted a new Transportation System Plan the same year, co-adopted by Morrow County in early 2026 to apply across the Urban Growth Boundary. Building on these, several focused efforts are now underway, including a refinement of the Main Street Interchange Area Management Plan (IAMP), a Source Water Protection Plan funded by the Oregon Health Authority, and updates to the City's Water System Master Plan and Water Management and Conservation Plan. Public facilities policy remains grounded in the City's 2015 Water System Master Plan (WSMP) and 2021 Wastewater Facilities Plan (WWFP), with the Source Water Protection Plan, the WSMP and Water Management and Conservation Plan updates, wastewater improvements, and the Main Street IAMP Refinement now updating portions of that foundation.



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Parks and Recreation

The City oversees eleven park sites totaling roughly 51 acres, less than a third of it developed, while the Park & Recreation District manages the city's major waterfront parks, campground, pool, and recreation center, most of which is on leased land. The Parks Master Plan documents strong assets in waterfront access, disc golf, and a splash pad, alongside clear deficiencies: too few soccer and sports fields, limited trail mileage, undersupplied shade and restrooms, and significant walkable-access gaps in south and northeast Boardman, where many lower-income and family households live. The community has consistently asked for cleaner and safer parks, culturally inclusive and bilingual features, better connections across I-84 and the railroad, and more gathering spaces suited to Boardman's hot, windy climate.

Public Facilities and Infrastructure

Boardman provides municipal water, sanitary sewer, and storm drainage within its Urban Growth Boundary, and coordinates with the Port of Morrow, special districts, and private providers for other services. The City's drinking water is drawn from horizontal collector wells near the Columbia River; the City is permitted to pump up to 23 million gallons per day, supplying both the community and, by contract, Port of Morrow industries. Recent investments have substantially strengthened this system, including a new collector well, booster pump station, and storage reservoir that allow the City to pump its full water right. Building on that foundation, the City is updating its Water System Master Plan and Water Management and Conservation Plan and preparing a Source Water Protection Plan to safeguard its groundwater supply.

Parts of the Urban Growth Boundary and adjacent areas lie within the Lower Umatilla Basin Groundwater Management Area (LGWMA), designated by the Oregon Department of Environmental Quality in the mid-1990s, where nitrate contamination from decades of on-site septic systems and agricultural activity has compromised private well water quality. Morrow County has declared the situation an emergency and is pursuing plans to deliver clean drinking water to affected areas. The City is working with the County to determine how it can contribute to that effort through the provision of wholesale treated water, a regional public health response that is distinct from the City's standard framework for extending municipal services through annexation.

On the wastewater side, the City completed a major expansion of its treatment lagoon and lift stations and is now advancing further improvements, including a collection system study, headworks and septage-receiving upgrades, and biosolids removal, to keep pace with demand. The City manages its stormwater system together with streets as a single drainage and right-of-way network, and continues to invest in stormwater improvements as the city grows. Beyond these utilities, the City provides police protection and coordinates with the Boardman Fire Rescue District for fire and emergency services; here too, facilities must keep pace with growth, and a new police station is among those being planned.

Transportation

Boardman's street network reflects its history as a small highway community now growing rapidly on both sides of I-84. The TSP documents a system that remains relatively safe overall but faces mounting pressure at key intersections, particularly along Main Street and near the I-84 interchanges, as traffic from residential growth and Port activity increases. Several large infill parcels in south Boardman have limited access, and some areas are served by unpaved or substandard roads. Gaps in sidewalks and bike facilities limit safe walking and biking, and crossing I-84 and the rail corridor remains a barrier between neighborhoods. The City is actively advancing street and sidewalk improvements to begin closing these gaps, and freight, rail, and marine systems remain essential to the local economy and require continued protection and coordination.

Applicable Statewide Planning Goals

- Goal 8: Recreational Needs
- Goal 11: Public Facilities and Services
- Goal 12: Transportation

Goals and Policies

Parks and Recreation

Overview

Statewide Planning Goal 8 requires cities to plan for the recreational needs of residents and visitors and to provide for the siting of necessary recreational facilities. Boardman's 2025 Parks Master Plan, prepared jointly by the City and the Boardman Park & Recreation District, establishes the factual basis for the policies below.

A defining feature of that basis is that Boardman must serve far more people than its resident count. Its weighted weekday service population, including in-commuting workers and temporary lodging guests, was about 6,890 in 2024 and is projected to reach 10,450 by 2035, so demand for parks and recreation outstrips what residential population alone would suggest. Against that demand, the Master Plan sets a level-of-service target of 15 acres of developed parkland per 1,000 weighted service population and documents the system's principal gaps: undersupplied sports fields, limited trail connectivity, walkable-access deficits in south and northeast Boardman, and the need for shade, restrooms, and culturally inclusive amenities that reflect Boardman's predominantly Hispanic and Latino, family-oriented community.

The goals and policies that follow adopt the vision and goal framework of the Parks Master Plan and commit the City to an inclusive, accessible, and well-connected park system that keeps pace with growth.



photo credit: City of Boardman

Goal 3.1: Create an inclusive and accessible park system that ensures all residents, regardless of age, ability, background, or income, have access to safe, well-maintained parks and recreational opportunities.

- Policy 3.1.1** The City shall implement the Boardman Parks Master Plan as the guiding framework for park acquisition, development, and improvement, and shall maintain a level-of-service target of at least 15 acres of developed parkland per 1,000 weighted service population.
- Policy 3.1.2** The City shall prioritize closing walkable park-access gaps in underserved areas, particularly south and northeast Boardman, with the goal that all residents live within a 10-minute walk of a developed park.
- Policy 3.1.3** The City shall ensure that parks and recreational facilities meet applicable accessibility standards, including ADA-compliant routes, restrooms, play areas, and water access, and shall incorporate universal and inclusive design in new and upgraded facilities.
- Policy 3.1.4** The City shall provide culturally inclusive park features, including bilingual signage and wayfinding, and shall engage Boardman’s Hispanic and Latino community and other underrepresented groups in the design of parks and recreation programs.

Goal 3.2: Enhance recreation and active lifestyles by expanding diverse, year-round recreational opportunities that support physical activity, wellness, and enjoyment for all ages.

- Policy 3.2.1** The City shall work to address documented facility deficiencies identified in the Parks Master Plan, including soccer and diamond fields, sport courts, a skatepark, inclusive and toddler play areas, and expanded trail mileage.
- Policy 3.2.2** The City shall expand and connect Boardman’s trail network toward the Master Plan target of 4 to 10 miles, creating looped connections between neighborhoods, schools, civic spaces, and the Columbia River waterfront.
- Policy 3.2.3** The City shall coordinate with the Boardman Park & Recreation District to support year-round indoor and outdoor recreation, including waterfront access, camping capacity, and recreation center facilities that serve residents, workers, and visitors.
- Policy 3.2.4** The City shall provide shade, tree canopy, drinking water, and climate-adaptive design in parks and public spaces to ensure comfort and usability in Boardman’s hot, windy climate.

Goal 3.3: Strengthen community engagement and partnerships by building strong relationships with residents, organizations, and businesses to support parks and recreation.

- Policy 3.3.1** The City shall maintain and strengthen its partnership with the Boardman Park & Recreation District to coordinate planning, investment, and management across the two providers’ complementary systems.
- Policy 3.3.2** The City shall pursue partnerships with the Port of Morrow, the school district, employers, and community organizations to expand recreational access, shared use of facilities, and cultural and interpretive programming.

Goal 3.4: Support economic growth, tourism, and workforce development by leveraging parks to strengthen Boardman's economy, attract visitors, and create opportunity.

Policy 3.4.1 The City shall support the role of Boardman's waterfront parks, campground, and trails as regional recreation destinations that attract visitors and support local businesses, and shall coordinate recreation planning with economic development and tourism efforts.

Policy 3.4.2 The City shall recognize the recreational needs of Boardman's large in-commuting and temporary workforce, including after-hours access, lighting, and flexible facilities that serve workers seeking nearby activities after long shifts.

Goal 3.5: Improve park infrastructure, safety, and connectivity by investing in well-maintained, safe, and connected parks.

Policy 3.5.1 The City shall improve safe access to parks through sidewalk infill, lighting, improved crossings of I-84, the railroad, and truck corridors, and multilingual wayfinding that links parks, schools, neighborhoods, and the waterfront.

Policy 3.5.2 The City shall maintain parks to consistent safety, ADA, and design standards, and shall implement proactive maintenance practices that keep facilities clean, safe, and reliable as the system grows.

Goal 3.6: Ensure fiscal responsibility and long-term sustainability by securing diverse funding sources and prioritizing cost-effective investments.

Policy 3.6.1 The City shall establish a Parks System Development Charge so that new development contributes its proportionate share of the cost of park facilities needed to serve growth, supported by a methodology study.

Policy 3.6.2 The City shall modernize parkland and trail dedication standards so that new development dedicates usable, well-located parkland and trail corridors, prioritizing land dedication with fee-in-lieu used only where sites are unsuitable, and shall establish a Parkland and Trail Acquisition Fund to assemble larger, more functional sites.

Policy 3.6.3 The City shall pursue grants, partnerships, and other diverse funding sources to develop and maintain the park system, and shall phase improvements through a Capital Improvement Plan that prioritizes projects by community benefit, equity, safety, and readiness.

Goal 3.7: Preserve Boardman's history, culture, and community identity by integrating historical, cultural, and community elements into parks and programming.

Policy 3.7.1 The City shall protect existing and future parkland for permanent public use through formal dedication, recreation easements, deed restrictions, and Parks and Open Space zoning.

Policy 3.7.2 The City shall integrate public art, cultural interpretation, and storytelling into parks, including Indigenous and Old Boardman history, to celebrate the community's heritage, diversity, and identity.



photo credit: City of Boardman

Public Facilities, Infrastructure, and Transportation

Overview

Statewide Planning Goal 11 requires a timely, orderly, and efficient arrangement of public facilities and services as a framework for development, and Goal 12 requires a safe, convenient, and economic transportation system. In practice the two are inseparable: water, sewer, stormwater, and streets form a single interdependent system whose location, timing, and capacity together determine where and how the city grows. This section treats them as one framework rather than as separate utilities.

The factual basis spans documents of different vintages. Transportation policy is grounded in the 2025 Transportation System Plan, adopted as a technical element of this Comprehensive Plan and carried forward here through its six goals (Safety, Mobility, Accessibility and Connectivity, Community Focused, Sustainability, and Strategic Investment). Public facilities policy remains grounded in the City's 2015 Water System Master Plan (WSMP) and 2021 Wastewater Facilities Plan (WWFP), with the Source Water Protection Plan, the WSMP and Water Management and Conservation Plan updates, wastewater improvements, and the Main Street IAMP Refinement now updating portions of that foundation.

The goals and policies that follow take a systems approach: they coordinate infrastructure and transportation investment around a shared growth framework, steward existing assets, advance safety and connectivity for all users and modes, serve the whole community equitably, protect natural and cultural resources, and fund the system responsibly over time.

Goal 3.8: Plan, extend, and time public facilities and the transportation system together as one coordinated framework that guides where and how Boardman grows.

- Policy 3.8.1** The City shall assure the orderly provision of urban services to lands within the Urban Growth Boundary as they urbanize, requiring that urban development be served by full urban services provided before or concurrent with development.
-
- Policy 3.8.2** The City shall prioritize development on land already served by utilities and the street network, discourage inefficient or premature development that cannot be adequately served, and promote efficient use of urban and urbanizable land within the UGB.
-
- Policy 3.8.3** The City shall coordinate the timing and sequencing of water, sewer, stormwater, and street extensions with one another and with the conversion of urbanizable land within the UGB, so that investments in one system reinforce rather than outpace the others.
-
- Policy 3.8.4** The City shall ensure that land use decisions account for their impacts on existing and planned public facilities and transportation facilities, consistent with the Transportation Planning Rule, and shall protect the function of facilities identified in the TSP and the Public Facilities Plan.
-
- Policy 3.8.5** The City shall coordinate the provision of public services and transportation improvements with annexation, and shall maintain and periodically update long-range master plans for its water, sewer, storm drainage, and transportation systems to keep them consistent with current growth.
-
- Policy 3.8.6** The City shall maintain an adequate supply of commercial and industrial land that is serviceable by water, sewer, storm drainage, and transportation infrastructure, consistent with state law and the findings of the adopted Economic Opportunities Analysis.

Goal 3.9: Preserve, maintain, and make the most of Boardman's existing infrastructure and transportation assets before building new ones.

- Policy 3.9.1** The City shall preserve and maintain its existing water, sewer, stormwater, and transportation assets as a first-priority investment, monitoring their condition and financing regular, proactive maintenance rather than deferring repairs until failure.
-
- Policy 3.9.2** The City shall identify capacity constraints across the transportation system and develop projects and strategies to address them, such as intersection improvements and alternative multimodal connections, prioritizing solutions that make fuller use of existing facilities.
-
- Policy 3.9.3** The City shall complete and implement the Main Street Interchange Area Management Plan Refinement in coordination with ODOT to protect the long-term safety and function of the Main Street and I-84 interchange as traffic from residential growth and Port activity increases.
-
- Policy 3.9.4** The City shall maintain utility and transportation design standards and construction specifications to allow for safe, orderly, and coordinated development, and shall comply with applicable state and federal regulations for utility and transportation systems, as part of the Boardman Public Works Standards.

Goal 3.10: Improve the safety, connectivity, and completeness of the multimodal transportation network for users of all ages, abilities, and modes.

Policy 3.10.1 The City shall address known safety issues at locations with a history of fatal or severe-injury crashes, and shall identify and prioritize transportation improvements that provide safe access for all users regardless of age, ability, or mode of transportation.

Policy 3.10.2 The City shall manage vehicular access to key transportation corridors consistent with engineering standards and access management principles, while maintaining reasonable access to adjacent land uses.

Policy 3.10.3 The City shall require a well-connected street network as development occurs, including the extension and improvement of local streets to City standards, to support efficient urban development and travel between parts of the community, with particular attention to large infill parcels in south Boardman that currently have limited access and to areas served by unpaved or substandard roads.

Policy 3.10.4 The City shall provide new multimodal connections to and from Boardman's neighborhoods, schools, parks, transit stops, employment centers, and other key destinations, and shall address existing walking, biking, and rolling gaps in the network.

Policy 3.10.5 The City shall include bikeways and sidewalks on all new arterials and collectors within the UGB except limited-access freeways, retrofit existing streets on a prioritized schedule, and give maintenance of bikeways and pedestrian facilities equal priority to motor vehicle facilities, consistent with state design guidelines.

Policy 3.10.6 The City shall increase multimodal connectivity across I-84 and the rail corridor to reduce the barriers these facilities create between the north and south sides of the community.

Policy 3.10.7 The City shall support local and regional transit services through coordination with Morrow County Public Transit, operating as The Loop, and other providers, including the advancement of transit stop amenities and service hubs.

Goal 3.11: Provide facilities and a transportation system that serve the whole community equitably, with particular attention to underserved and vulnerable populations.

Policy 3.11.1 The City shall ensure that the transportation system provides multimodal access for underserved and vulnerable populations, including lower-income neighborhoods and transportation-disadvantaged residents, to schools, parks, employment centers, commercial centers, health and social services, and other essential destinations.

Policy 3.11.2 The City shall plan and locate public facilities and services to support a livable, fully connected community, and shall strengthen economic opportunities through the development of new transportation and infrastructure investments.

Policy 3.11.3 The City shall promote coordination among the City, the Port of Morrow, special districts, and other partners to make the most effective use of public facilities serving the planning area, and shall continue to work with the Boardman Fire Rescue District in its provision of fire protection services.

Policy 3.11.4 The City shall plan for police facilities and services that keep pace with growth, and shall coordinate with the Boardman Fire Rescue District and other partners to maintain adequate public safety services as the community expands.

Goal 3.12: Protect Boardman’s water supply, natural and cultural resources, and environmental quality as the system grows.

Policy 3.12.1 The City shall protect and enhance the quality and quantity of its drinking water supply by establishing wellhead protection measures, working with landowners and managers to protect water sources, implementing its Source Water Protection Plan, and adhering to applicable permitting requirements for new development and infrastructure.

Policy 3.12.2 The City shall plan for and establish standards for storm drainage detention and management as an environmental service, encouraging natural stormwater management techniques such as drainage swales, landscaping, retention ponds, and natural drainage ways where feasible, and shall minimize adverse impacts from construction-related erosion and sedimentation.

Policy 3.12.3 The City shall assure adequate provision for solid waste collection and disposal for the City and Urban Growth Boundary, whether provided by private contractors or public entities.

Policy 3.12.4 The City shall consider alternative transportation facility designs in constrained areas to avoid or minimize impacts to natural and cultural resources.

Policy 3.12.5 The City shall coordinate water system capacity planning with land use and economic development decisions, ensuring that projected demands from residential growth and large industrial users are evaluated together and that the City’s ability to serve its resident population is not compromised by commitments to industrial water supply.

Policy 3.12.6 The City shall work with Morrow County and other partners to provide wholesale treated water to areas outside city limits affected by groundwater contamination within the Lower Umatilla Basin Groundwater Management Area, under terms that protect system capacity and do not waive the City’s annexation or service-extension requirements.

Goal 3.13: Fund and invest in public facilities and the transportation system strategically and sustainably, so that growth pays its fair share and the system remains affordable over time.

Policy 3.13.1 The City shall fund and maintain its water, sewer, stormwater, and transportation systems through a stable, diverse mix of System Development Charges, utility rates, and user fees that equitably allocate costs to users, and shall prioritize investments through the Capital Improvement Plan.

Policy 3.13.2 The City shall require new development to contribute its proportionate share of the cost of the facilities and transportation improvements needed to serve it, and shall keep its System Development Charges current with actual costs.

Policy 3.13.3 The City shall pursue grants and collaborate with partnering agencies, including but not limited to ODOT, Morrow County, the Port of Morrow, and the Oregon Health Authority, to creatively fund infrastructure and transportation improvements and supporting programs.

Chapter 4:

Nature



photo credit: City of Boardman

Background

Boardman's identity is inseparable from the Columbia River. The river supplies the city's drinking water, anchors its parks and waterfront, carries the freight that drives its economy, and shapes the natural systems that make the community livable. It is also a reminder of how much the land can change: the original townsite now lies beneath Lake Umatilla, relocated to higher ground in the 1960s when the John Day Dam was built. That history continues to shape Boardman's cultural identity and its relationship to the land and water around it.

The land around Boardman is working land. Irrigated agriculture, the industries of the Port of Morrow, and a growing role as a center for energy generation and data centers all draw on the same natural systems the community depends on, such as its water, its airshed, and the open, windswept landscape of the Columbia Plateau. In some areas, those systems are already under stress; groundwater quality within the Lower Umatilla Basin Groundwater Management Area has been degraded by decades of agricultural activity and on-site septic use. As Boardman grows, the central challenge this chapter addresses is sustaining those resources while the demands placed on them increase.

That challenge is sharpened by a changing climate. Boardman's arid, windy setting has always meant hot summers, blowing dust, and a dependence on the river and groundwater, but those conditions are intensifying. Hotter and more frequent extreme-heat events, persistent drought, and wildfire in the surrounding landscape are emerging as the community's most significant natural hazards. This is a marked shift from earlier decades, when river flooding had been largely controlled and few other hazards were recognized. Protecting natural resources and building resilience to these hazards are two sides of the same effort to keep Boardman healthy, safe, and prepared for the future.

This chapter is organized into two sections. The first, Natural Resources and Environment, addresses the protection of Boardman's natural resources and the quality of its air, water, and land. The second, Climate Change and Natural Hazards, addresses the community's resilience to natural hazards and its commitment to conserving energy.

Applicable Statewide Planning Goals

- Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces
- Goal 6: Air, Water, and Land Resources Quality
- Goal 7: Areas Subject to Natural Hazards
- Goal 13: Energy Conservation

Goals and Policies

Natural Resources and Environment

Overview

Statewide Planning Goal 5 requires cities to inventory significant natural resources and adopt programs to protect them, and Goal 6 requires the maintenance and improvement of air, water, and land quality. In Boardman, these resources center on the Columbia River and its corridor: riparian areas, wetlands, fish and wildlife habitat, the groundwater that supplies the city’s drinking water, aggregate resources, open space, and cultural areas.

Two developments since the last plan are reflected here. The State adopted new Goal 5 rules addressing cultural areas (OAR 660-023-0210) that strengthen coordination with tribes around archaeological and culturally significant sites. And the City’s responsibilities under Goal 6, together with the Clean Water Act, call for continued attention to the water quality of the Columbia River, including protection of streamside vegetation and bank conditions. The goals and policies that follow retain the City’s acknowledged Goal 5 resource inventory and protections (factual basis documented in Appendix 4-A), strengthen its support for fish and wildlife habitat and water quality, and align its cultural resource protections with current state law.

- Goal 4.1: Protect, maintain, and where appropriate enhance Boardman’s significant natural resources, including the Columbia River corridor, riparian areas, wetlands, fish and wildlife habitat, groundwater, aggregate resources, and open space.**
- Policy 4.1.1**

The City shall continue to protect the Goal 5 resources inventoried in Appendix 4-A through ongoing identification and development review consistent with applicable regulations.
- Policy 4.1.2**

The City shall protect riparian corridors along the Columbia River and any other fish-bearing waters, using the safe harbor methodology as the basis for identifying corridor boundaries.
- Policy 4.1.3**

The City shall protect fish and wildlife habitat along the Columbia River, recognizing the value of riparian areas for shade, bank stability, and water quality, and shall draw on the Oregon Conservation Strategy, the Oregon Statewide Wildlife Action Plan, and technical assistance from the Oregon Department of Fish and Wildlife.
- Policy 4.1.4**

The City shall protect significant wetlands and, as resources permit, complete and adopt a Local Wetlands Inventory. In the interim, the City shall rely on the National Wetlands Inventory and the State’s wetland notification process.
- Policy 4.1.5**

The City shall protect the quality and quantity of its groundwater and drinking-water supply, including wellhead protection and implementation of its Source Water Protection Plan, coordinating with developers and the State.

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- Policy 4.1.6** The City shall coordinate with Morrow County and the Port of Morrow to address aggregate resources if future UGB expansion encompasses areas with identified deposits.
-
- Policy 4.1.7** The City shall work with Morrow County, the Port of Morrow, Boardman Park and Recreation District, the Bonneville Power Administration, and the U.S. Army Corps of Engineers to preserve and support the Columbia River Heritage Trail.
-
- Policy 4.1.8** The City shall protect and enhance significant open space, including the Columbia River waterfront, in coordination with the U.S. Army Corps of Engineers, the Boardman Park & Recreation District, the Port of Morrow, and other partners.
-

Goal 4.2: Honor and protect Boardman’s cultural areas and archaeological resources in coordination with the Confederated Tribes of the Umatilla Indian Reservation and other tribes with ancestral connections to the area.

- Policy 4.2.1** The City shall continue to work with the CTUIR Cultural Resources Protection Program, and with other tribes identified by the State, to identify and protect cultural areas and archaeological sites.
-
- Policy 4.2.2** The City shall notify tribes when a proposed development could affect a known or suspected archaeological site or culturally significant landscape feature, and when considering an Urban Growth Boundary expansion, and shall use tribal responses to inform recommendations to applicants.
-
- Policy 4.2.3** The City shall include information about applicable state archaeological laws and permit requirements, including coordination with the State Historic Preservation Office (SHPO), on its development permit applications, and shall maintain a review procedure for development that may disturb archaeological sites.
-

Goal 4.3: Maintain and improve the quality of Boardman’s air, water, and land resources as the community grows.

- Policy 4.3.1** The City shall require development to comply with applicable city, county, state, and federal environmental standards, including air quality regulations administered by the Oregon Department of Environmental Quality (DEQ).
-
- Policy 4.3.2** The City shall support the water quality of the Columbia River, including any applicable load allocations assigned by the Oregon Department of Environmental Quality (DEQ), through the protection and restoration of streamside vegetation and bank conditions, stormwater management, and erosion control during development.
-
- Policy 4.3.3** The City shall manage stormwater as an environmental service, encouraging natural stormwater management techniques and minimizing water quality impacts from development.
-
- Policy 4.3.4** The City shall preserve and wisely manage its natural and built environments, and shall encourage development techniques that protect air, water, and land quality and reduce dust and erosion.
-
- Policy 4.3.5** The City shall coordinate with Morrow County and state agencies to monitor groundwater quality within the Lower Umatilla Basin Groundwater Management Area and shall consider groundwater conditions in land use decisions affecting areas served by private wells.
-

Climate Change and Natural Hazards

Overview

Statewide Planning Goal 7 requires cities to protect people and property from natural hazards, and Goal 13 requires that land use and development conserve energy. Boardman addresses them together because the same arid, windy climate that drives the community’s hazards also shapes how it uses energy, and because the region’s role as a center of energy generation and consumption makes conservation a natural companion to resilience.

The City’s understanding of its hazard exposure has changed significantly since the last plan, which concluded that Boardman faced no significant natural hazards. Through the 2024 Morrow County Multi-Jurisdictional Natural Hazards Mitigation Plan (NHMP), prepared with the County, its cities, and state and federal partners, the City now has a current, climate-informed picture of the risks it faces, including drought, wildfire, windstorm, extreme heat, and, to a lesser degree, flood and other hazards. Extreme heat stands out as the hazard most directly relevant to daily life and growth in Boardman, falling hardest on older adults, outdoor workers, and residents without air conditioning.

Energy conservation is addressed in this chapter as a complement to hazard resilience. Boardman sits within a regional hub of energy generation and large energy users, and the choices the City makes about how it grows, including how compactly it develops, how people travel, and how efficiently its buildings and public facilities operate, all influence how much energy the community consumes. The goals and policies that follow commit the City to reducing hazard risk and conserving energy as it grows.

Goal 4.4: Protect people and property from natural hazards by aligning the City’s planning and development with the adopted Morrow County Multi-Jurisdictional Natural Hazards Mitigation Plan.**

- Policy 4.4.1** The City shall maintain the Morrow County Multi-Jurisdictional Natural Hazards Mitigation Plan (NHMP) as the City’s natural hazards mitigation strategy, implement the mitigation actions identified in that plan for the City of Boardman, and participate in future updates of the plan.
- Policy 4.4.2** The City shall consider natural hazard risk, including flood, wildfire, extreme heat, windstorm, and drought, in its land use decisions and in the location and design of public facilities, and shall consider measures to avoid or mitigate undue risk to people and property.
- Policy 4.4.3** The City shall maintain its participation in the National Flood Insurance Program (NFIP) and apply its floodplain regulations to development in mapped flood hazard areas, recognizing that while regulation of the Columbia River has reduced flood risk, localized flood hazards remain.
- Policy 4.4.4** The City shall coordinate with Morrow County, the Boardman Fire Rescue District, the Oregon Department of Forestry, and other partners to reduce wildfire risk in and around the community, including vegetation management in parks, trails, and the wildland-urban interface.

Policy 4.4.5 The City shall reduce the community’s exposure to extreme heat by incorporating shade, tree canopy, cooling features, and heat-resilient design into parks, public spaces, and development, with particular attention to older adults, outdoor workers, and other residents most vulnerable to heat.

Policy 4.4.6 The City shall manage wind-blown dust and erosion by encouraging the stabilization and revegetation of disturbed and undeveloped land and by applying appropriate erosion and sediment control standards to development.

Policy 4.4.7 The City shall provide hazard information and emergency preparedness outreach in English and shall seek to make such materials accessible in Spanish, recognizing the needs of Boardman’s predominantly Latino, family-oriented community and other vulnerable populations.

Goal 4.5: Conserve energy and resources, and ensure that large energy- and water-intensive development supports, rather than strains, the community’s long-term resilience.

Policy 4.5.1 The City shall promote compact, walkable development patterns that locate higher-density housing near schools, parks, shopping, and transit, reducing energy consumed in travel.

Policy 4.5.2 The City shall support alternatives to automobile travel, including the bikeways, sidewalks, and multimodal connections identified in the Transportation System Plan, as a means of conserving energy.

Policy 4.5.3 The City shall encourage energy-efficient building design, site planning, and development practices, and shall support the use of renewable energy, including solar, where appropriate.

Policy 4.5.4 The City shall support energy and water efficiency in its own facilities and operations, including its water and wastewater systems, and shall consider energy and operating cost in the design of public infrastructure.

Policy 4.5.5 The City recognizes that the Boardman area has become a regional center for data centers and other large energy- and water-intensive industrial uses, and that this growth brings both economic opportunity and new pressure on the community’s water supply, energy infrastructure, and natural resources. The City shall plan for these uses deliberately, so that they strengthen rather than strain the community’s long-term resilience.

Policy 4.5.6 The City shall coordinate with the Port of Morrow, Morrow County, utility providers, and the State to understand and plan for the individual and cumulative water and energy demands of large industrial users within and adjacent to the UGB, and to ensure that the City’s own drinking-water supply, groundwater resources, and residents’ utility service are protected as a first priority.

Policy 4.5.7 The City shall evaluate clear and objective siting and development standards for data centers and other high-intensity water and energy users, which may address water-efficient cooling, on-site or contracted renewable energy, stormwater and waste heat management, noise, backup-generator emissions, and buffering from residential areas.

Policy 4.5.8 The City shall encourage large energy users to meet their demand with new clean energy resources, to participate in applicable large-load tariff programs established under state law, and to contribute to the resilience of the regional energy and water systems they rely on, so that the costs of growth are not shifted onto Boardman’s households and existing businesses.

Appendix

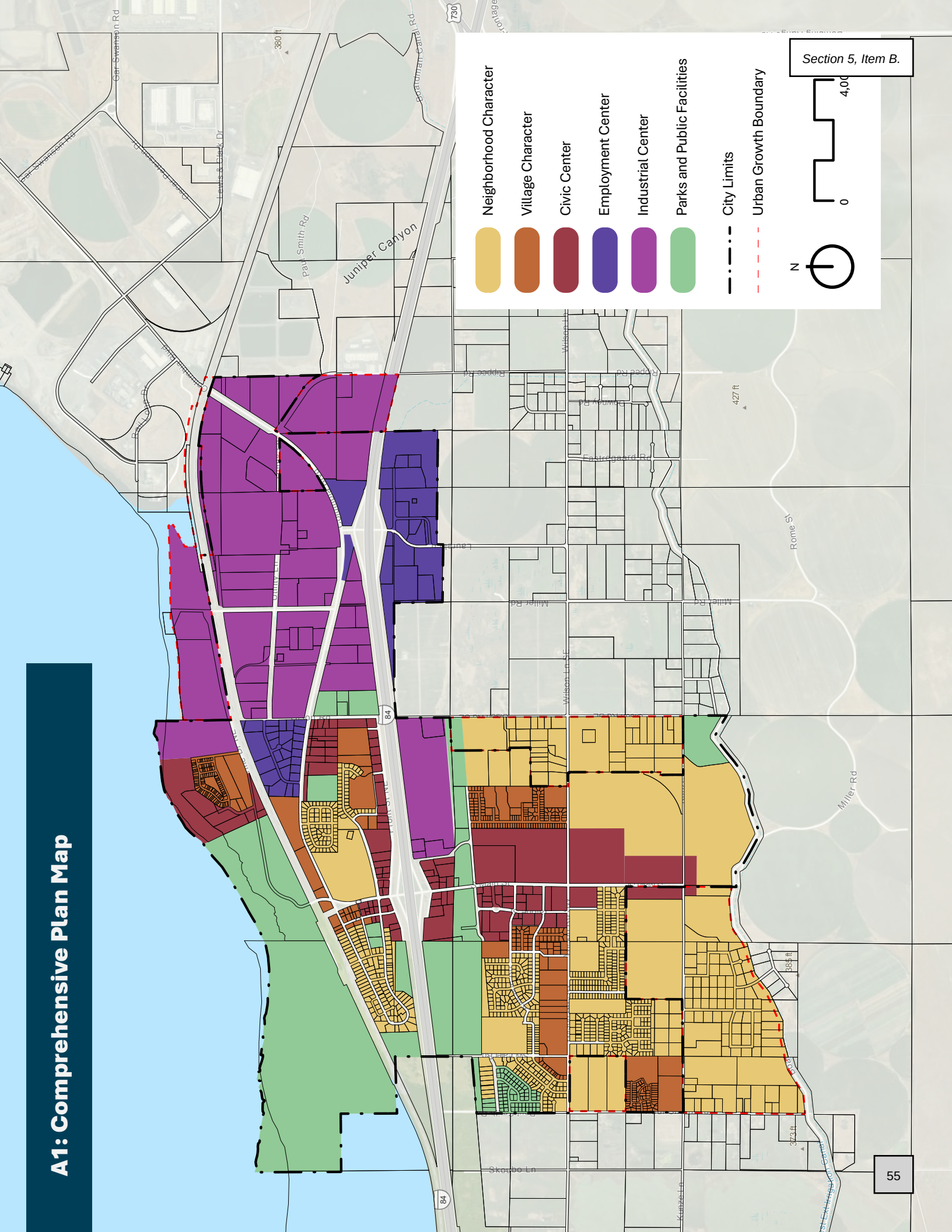
A1: Comprehensive Plan Map

A2: Reference

A3: Goal 5 Factual Base

A4: Amendment History

A1: Comprehensive Plan Map



A2: Reference

Document

2026 Parks Master Plan

2026 Economic Opportunities Analysis

2026 Housing Capacity Analysis

2025 Transportation System Plan

2025 Morrow County Multi-Jurisdictional Natural Hazards Mitigation Plan

2009 Main Street IAMP

2023 North Urban Renewal Plan

2022 Port of Morrow IAMP

2022 Morrow County Coordinated Human Services Transportation Plan; 2021 Hermiston-Boardman Connector/Boardman-Port of Morrow Circular; 2018 Morrow County/Umatilla County Transit Development Strategies

2021 Wastewater Facilities Plan

2015 Water System Master Plan

2013 West Urban Renewal Plan

2009 Central Urban Renewal Plan

2009 Urban Renewal Agency

2002 Downtown Development Plan

Ordinance/Resolution

Ordinance 5-2026

Ordinance 3-2026

Forthcoming

Ordinance 10-2025

Resolution 19-2025

Ordinance 5-2009

Ordinance 2-2023

Ordinance 2-2022

Resolution 18-2024

Resolution 23-2026

Resolution 23-2026

Ordinance 10-2013

Ordinance 2-2009

Ordinance 1-2009

Resolution 18-2002

A3: Goal 5 Factual Base

This appendix is an acknowledged part of the Boardman Comprehensive Plan. It documents the City's inventory of Statewide Planning Goal 5 resources, carried forward from the previously acknowledged Comprehensive Plan. The inventory should be read together with the goals and policies of Chapter 4: Nature.

Goal 5 Resource Categories

Statewide Planning Goal 5 (OAR 660-023) identifies fifteen categories of natural, scenic, historic, and open space resources. Categories 1–12 are subject to inventory under OAR 660-023-0030; historic resources, open space, and scenic views and sites may be inventoried at local option. The City's findings for each category follow.

1. Riparian corridors — The only riparian areas within the City and UGB are located along the Columbia River. The City identifies riparian corridors using the Goal 5 safe harbor methodology of OAR 660-023-0090(5), under which: streams with average annual flow greater than 1,000 cubic feet per second (cfs) carry a 75-foot corridor from top of bank; lakes and fish-bearing streams with average annual flow less than 1,000 cfs carry a 50-foot corridor; where the corridor includes a significant wetland, the corridor is measured from the upland edge of the wetland; and where the top of bank is not clearly defined, the standard ESEE process of OAR 660-023-0030 applies. Riparian areas provide a buffer between upland uses and the river, protect and enhance water quality, prevent erosion, moderate flood flows, and provide fish and in-stream habitat. The Development Code (Natural Resources provisions) implements these standards, with the resource depicted on the Natural Resources Map and a corresponding overlay on the Zoning Map.

2. Wetlands — Per OAR 660-023-0100, wetlands are areas inundated or saturated by surface or ground water at a frequency and duration sufficient to support hydrophytic vegetation. Significant wetlands within the planning area occur primarily within the federally managed Umatilla National Wildlife Refuge and along the Columbia River; wetlands on federal lands are administered by the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service and reviewed for compliance with federal regulations. The City has not completed a Local Wetlands Inventory (LWI). In the interim, the City relies on the National Wetlands Inventory, the 1992 Wellhead Protection Delineation Study (incorporated by reference), and the State's wetland notification process. As resources allow, the City will complete an LWI in compliance with OAR 660-023-0100 and OAR 141-086 and adopt the findings into this Comprehensive Plan.

3. Wildlife habitat — Per OAR 660-023-0110, the City applies the safe harbor standard under which "wildlife" does not include fish and significant wildlife habitat is limited to sites meeting the conditions of OAR 660-023-0110(4) (a)–(e). The Umatilla National Wildlife Refuge along the west side of the City, straddling Interstate 84, is low-lying marshland with year-round standing water that provides habitat for aquatic species, waterfowl, and other wildlife and functions as a natural buffer between the freeway and residential development. The Columbia River shoreline provides fish and wildlife habitat within the City and UGB.

4. Federal Wild and Scenic Rivers — Per OAR 660-023-0120, no waterways within the City or UGB are designated federal Wild and Scenic Rivers. No policies are required.

5. Oregon Scenic Waterways — Per OAR 660-023-0130, the Columbia River along the City's north boundary is not included on the State's list of scenic waterways, nor is it identified under the federal program. No other waterways exist within the UGB. No policies are required.

6. Groundwater resources — Per OAR 660-023-0140, the City’s delineated wellhead protection area does not meet the definition of a significant groundwater resource; however, the City protects this resource through its Development Code (Public Facilities, Stormwater Management, Environmental Performance, and Natural Resources provisions) and in accordance with OAR 340-040. The 1992 Wellhead Protection Delineation Study — reviewed by the Oregon Health Division, DEQ, and the Oregon Water Resources Department and incorporated by reference — delineates the wellhead protection area. The City’s drinking water is drawn from horizontal collector wells adjacent to the Columbia River.

7. Natural areas — Per OAR 660-023-0160, the City contains no resources listed in the Oregon State Register of Natural Heritage Resources. No policies are required.

8. Oregon Recreational Trails — The Columbia River Heritage Trail runs through the City and UGB along the Columbia River and is part of the Lewis and Clark Trail system in Oregon. The trail is located largely on Port of Morrow property and U.S. Army Corps of Engineers land. The City has identified this trail as a Goal 5 resource.

9. Wilderness areas — Per OAR 660-023-0170, no federal or state wilderness areas exist within the City or UGB. No policies are required.

10. Mineral and aggregate deposits — Geologic mapping by the Oregon Department of Geology and Mineral Industries, reviewed by the City, together with the 1992 Wellhead Protection Delineation, identifies crushed and uncrushed aggregate resource sites owned by the Port of Morrow within the City and UGB.

11. Energy resources — Neither the Oregon Department of Energy nor the Oregon Department of Geology and Mineral Industries has identified natural energy resources within the City or UGB. Energy-producing facilities (natural gas-fired co-generation) exist within and near the City and are addressed through other elements of the Comprehensive Plan.

12. Cultural areas — Cultural resource studies conducted with the CTUIR Cultural Resources Protection Program have identified two sites containing Native American resources: site 35MW13, within the UGB on Port of Morrow land, and JDRS 79(1), an abandoned portion of old US Highway 730. With the 2024 adoption of the Goal 5 cultural areas rule (OAR 660-023-0210, effective January 1, 2026), the City coordinates with the CTUIR and other tribes with ancestral connections to the area and follows the rule’s tribal notification and archaeological review requirements (see Chapter 4, Goal 4.2).

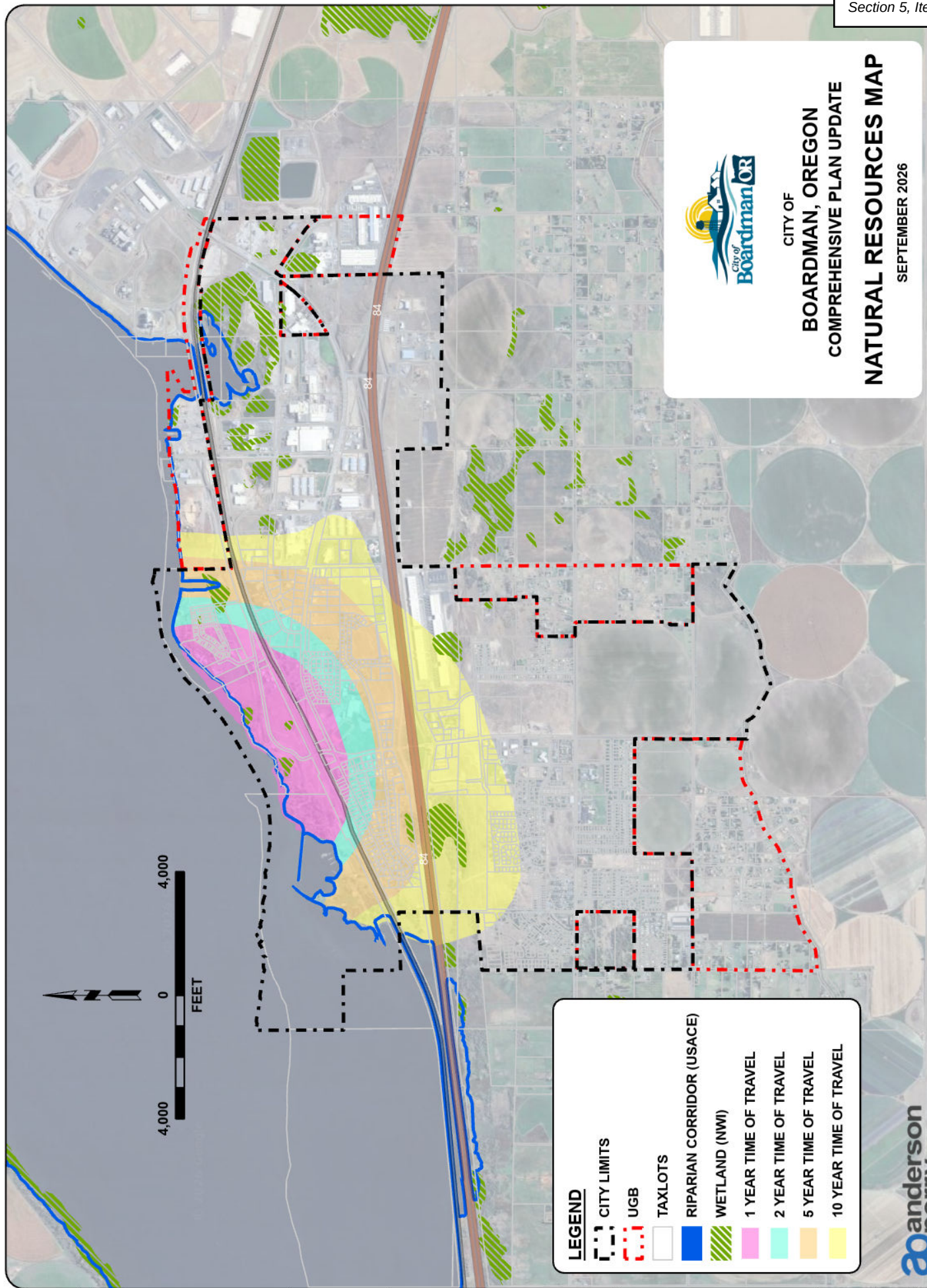
13. Historic resources — Following review with the State Parks Division (Oregon Department of Transportation) and the City, it has been determined that no historic areas, sites, structures, or objects exist within the City or UGB, as the original community was relocated in the 1960s and Old Boardman is inundated by the Columbia River.

14. Open space — Per OAR 660-023-0220, the City’s principal open space is the U.S. Army Corps of Engineers waterfront property along the Columbia River, including the Boardman Marina and park area (approximately 74 acres developed, with additional undeveloped waterfront), together with the Bonneville Power Administration easement and other public lands. The City has not designated additional open space beyond these public ownerships.

15. Scenic views and sites — Given the City’s topography, vegetation, and existing development, the City has determined there are limited scenic views, none of which rise to the level of outstanding or significant. No policies are required.



CITY OF
BOARDMAN, OREGON
COMPREHENSIVE PLAN UPDATE
NATURAL RESOURCES MAP
SEPTEMBER 2026



LEGEND

- CITY LIMITS
- UGB
- TAXLOTS
- RIPARIAN CORRIDOR (USACE)
- WETLAND (NWI)
- 1 YEAR TIME OF TRAVEL
- 2 YEAR TIME OF TRAVEL
- 5 YEAR TIME OF TRAVEL
- 10 YEAR TIME OF TRAVEL

A4: Amendment History

The following table is a log of amendments made to the adopted Boardman Comprehensive Plan.

Ordinance No.	Date	Description



Comprehensive Plan Draft | October 2026

MEMORANDUM

TO: Boardman Planning Commission and Project Advisory Committee

FROM: Jamin Kimmell, Cascadia Partners

DATE: October 8, 2026

PROJECT: Boardman Comprehensive Plan and Development Code Update

RE: Draft Development Code Amendments, Chapters 1–3

This memorandum introduces the draft amendments to Chapters 1 through 3 of the Boardman Code (BDC) for the joint Planning Commission (PC) and Project Advisory Committee (PAC) meeting on October 15, 2026. It summarizes the key changes to the BDC and identifies the policy questions on which PC and PAC input is requested.

How the Draft Chapters Are Presented

An entirely new format is proposed for the BDC. The format is intended to be easier to read, more consistent, and easier to navigate to find information. Draft amendments are generally shown in legislative format: added text is underlined in red, and deleted text is struck through in red. Chapter 2 and Chapters 3.0 through 3.2 are almost entirely new, so they are shown *without amendment marks* for ease of reading.

There are notes inserted into the document to guide the PC and PAC in understanding the intent of the changes and identifying key policy questions:

Commentary: These notes explain what is proposed to change and why.

Policy Question: These notes identify policy questions for the PC/PAC. The consultant team seeks input on these questions.

Summary of Key Changes

The amendments are proposed to achieve one of the following three goals:

- Implement the vision, goals, and policies of the draft Comprehensive Plan
- Comply with state law, primarily associated with regulation of housing
- Improve the organization, format, and usability of the code

Here is a summary of the major changes to each chapter of the BDC:

- **Chapter 1 - Introduction.** Updates the definitions. New Chapter 1.3 consolidates the rules of measurement, and new Chapter 1.4 replaces individually defined uses with broader use categories.
- **Chapter 2 - Zoning Regulations.** Establishes the new zoning districts and replaces the district-by-district chapters with consolidated tables of uses and development standards. Chapter 2.6 consolidates standards for specific uses in one chapter.
- **Chapter 3 - Design Standards.** Chapters 3.1 and 3.2 are residential and non-residential design standards related to site and building design. They are generally consistent with the intent and scope of existing design standards in the BDC but have been modified to meet the state requirement for clear and objective standards applied to housing. Chapters 3.3 through 3.9 are generally similar to the current standards for access, landscaping, parking and public facilities, but modified to be clear and objective if applied to housing.

Key Policy Questions for PC and PAC

The consultant team requests the PC and PAC provide input on the following policy questions. Additional policy questions are included in the document. These are the most important questions for input on this draft.

1. **Allowed uses in residential zones (Sections 2.1.200 and 2.6.610).** Middle housing, including quadplexes, cottage clusters and townhouses, would be permitted in all residential zones. Small shops, cafes and offices would be permitted on collector and arterial streets. *Are these changes consistent with land use and housing goals for residential areas in the Comprehensive Plan?*
2. **Allowed uses in non-residential zones (Section 2.1.400).** Housing would be permitted in commercial zones only in mixed-use development. Drive-throughs and gas stations would be prohibited in the Downtown Mixed-Use (DMU) zone. Data centers would require a conditional use permit. *Do these limits balance needs for commercial and residential land, support a walkable downtown area, and apply appropriate limitations on higher impact uses?*
3. **Residential development standards (Section 2.2.200).** The draft adds a minimum and maximum density and a maximum floor area ratio. Minimum lot sizes are proposed to reduce from approximately 6,000–10,000 to 1,500–10,000 square feet. The Village Residential (VR) zone would allow 50 feet in height, stepping down near lower-density zones. *Do these standards balance the goal to encourage housing options and affordability, while maintaining compatibility with existing neighborhoods?*
4. **Parking (Section 3.6.300).** The minimum number of parking spaces for middle housing and multi-unit housing is proposed to reduce from two spaces per unit to one. Detached dwellings remain at two. Developments in the DMU zone could receive parking reductions for on-street and shared parking. *Is one space per unit appropriate, and should the DMU zone require less parking to encourage high density, mixed-use development?*

5. **Residential design standards (Sections 3.1.400 to 3.1.600).** Many of these design standards are in the BDC today, but they are not written in a clear and objective manner. In addition to making the standards clear and objective, the amendments propose some new standards:
 - **Garages and driveways:** A garage door may extend closer to the street than the living area, or up to 5 feet ahead of it if there is a covered porch. Garages and driveway parking may cover no more than 50% of the street frontage.
 - **Street-facing windows on single-unit dwellings.** Windows or doors must cover 15% of one street-facing façade and 10% of the others. No window requirements currently apply to single-unit dwellings.
 - **Cottage cluster housing:** New standards are proposed to ensure that cottage cluster housing is designed to be compatible with single-unit dwellings. These include common courtyards, parking layout and screening, and orientation of cottage units.
6. **Non-residential design standards (Sections 3.2.300 to 3.2.500).** Some new design standards are proposed to ensure high-quality design and make commercial areas more pedestrian-friendly:
 - **Entry orientation.** Buildings within 40 feet of a street need a main entrance facing the street or a plaza. Today this applies only in the City Center Sub District, which was never mapped, and in the Light Industrial District.
 - **Parking location.** No parking or circulation is allowed between the building and the street in commercial zones. Parking within 20 feet of the street may cover no more than 60% of the frontage.
 - **Large-format developments.** The site must be laid out as blocks, with building pads fronting streets and parking in interior courts. Corner buildings need a main entrance within 40 feet of the corner. An interior "shopping street" is allowed if it has on-street parking, 8-foot sidewalks and pedestrian lighting.
 - **Window area.** Every building elevation needs 30% windows. Ground floors facing a street need 60% in DMU; 40% in CC, RC, PF and POS; and 30% for commercial uses in EMP and IND. Today display windows are one optional feature among 10.
7. **Use-specific standards (Sections 2.6.600 to 2.6.680).** New standards are proposed address unique issues with drive-through facilities, data centers and food cart pods. *Do these standards address these issues effectively? Are there impacts of these uses that are not addressed by the standards?*

Next Steps

Chapters 1-3 will be revised based on input from the PC/PAC and further coordination with City departments. Draft amendments to Chapters 4 and 5 of the BDC will be presented at a future meeting. Public hearings to consider adoption of the complete BDC will follow. Adoption of the new BDC will be coordinated with adoption of the Comprehensive Plan.



BOARDMAN DEVELOPMENT CODE

Chapter 1 Introduction

Subchapters

Chapter 1.0 How to Use the Development Code

Chapter 1.1 General Administration

Chapter 1.2 Definitions

Chapter 1.3 Measurement Rules

Chapter 1.4 Use Categories

Chapter **1.31.5** Enforcement



Commentary: Chapter 1 of the BDC is proposed to be reorganized and expanded. All definitions have been updated to be consistent with amendments to other chapters, remove unused terms, and improve clarity. Rules of measurement are consolidated in one place in Chapter 1.3. A new system of use categories is proposed to replace defined terms for specific uses. These use categories offer more specific guidance for how to classify uses, while also reducing the number of listed uses.

Chapter 1.0 How to Use the Development Code

Welcome to the Boardman Development Code. This is a comprehensive land use and development code that governs all of the land within the incorporated limits of Boardman. The five chapters of the code are used together to review land use applications. They are organized as follows:

Chapter 1. In addition to this brief introduction, Chapter 1 provides definitions for selected terms and information on the legal construct of the code. It also explains the City’s authority to enforce the Development Code, the rules for measuring the standards in this Code, and the use categories used to classify land uses.

Chapter 2. Every parcel, lot, and tract of land within the City’s incorporated boundaries is also within a “land use ~~district~~zone”. (~~Land use districts~~Zones are shown on the City’s official zoning map.) Chapter 2 identifies the land uses that are permitted within each ~~district~~zone, and the standards that apply to each type of land use (e.g., lot standards, setbacks, and use-specific design standards), and establishes the overlay zones that apply in addition to the base zone. As required by state law, the zones ~~or “land use districts”~~ conform to the Boardman Comprehensive Plan. The ~~districts~~zones reserve land for planned land uses, provide compatibility between different uses, and implement planned housing densities.

Chapter 3. The design standards contained in Chapter 3 apply throughout the City. They are used in preparing development plans, and reviewing applications, to ensure compliance with City standards for building orientation and design, access and circulation, landscaping, street trees, fences and walls, parking and loading, public facilities, surface water management, housing densities, and sensitive lands and stormwater management.

Chapter 4. Chapter 4 provides all of the application requirements and procedures for obtaining permits required by this code. Four types of permit procedures are covered: Type I (non-discretionary, “ministerial” decision); Type II (discretionary, “administrative” decision); Type III (discretionary, administrative decision with public hearing); and Type IV (“legislative” decision by City Council).

Chapter 5. Chapter 5 provides standards and procedures for variances and non-conforming situations (i.e., existing uses or developments that do not comply with the code). This code cannot provide standards to fit every potential development situation. The City's varied geography, and complexities of land development, require flexibility. Chapter 5 provides that flexibility, while maintaining the purposes and intent of the code.

~~**Chapter 6.** Chapter 6 contains map amendments that have been approved by administrative or legislative action. The District (zoning) map Zoning map found within Chapter 6 is the official designated zoning map for the City of Boardman.~~

Commentary: Minor administrative edits are proposed to Chapter 1.1 for clarity and consistency.

Chapter 1.1 General Administration

Sections

- 1.1.100 Severability**
- 1.1.200 Compliance and Scope**
- 1.1.300 Consistency With Plan and Laws**
- 1.1.400 Use of a Development**
- 1.1.500 Pre-Existing Approvals**
- 1.1.600 Building Permit and Certificate of Occupancy**
- 1.1.700 Official Action**

1.1.100 Severability

The provisions of this title are severable. If any section, sentence, clause or phrase of this title is adjudged to be invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portion of this title.

1.1.200 Compliance and Scope

- A. Compliance with the Provisions in the Development Code.** Land and structures may be used or developed by construction, reconstruction, alteration, occupancy, use or otherwise, only as this Development Code (“Code”) or any amendment thereto permits. No plat shall be recorded or no building permit shall be issued without compliance with the provisions of this Code.
- B. Obligation by Successor.** The requirements of this Code apply to the owner(s) of record, persons undertaking the development or the use of land, and to those persons’ successors in interest.

- C. Most Restrictive Regulations Apply.** Where this Code imposes greater restrictions than those imposed or required by other rules or regulations, the most restrictive or that imposing the higher standard shall govern.
- D. Variances.** Variances shall be governed by the provisions of ~~Chapter 5-1~~. **[INSERT REF]**
- E. Transfer of Development Standards Prohibited.** No lot area, yard or other open space or off-street parking or loading area which is required by this Code for one use shall be a required lot area, yard or other open space or off-street parking or loading area for another use, except as otherwise specifically allowed by this Code.

1.1.300 Consistency With Plan and Laws

Each development and use application and other procedure initiated under this Code shall be consistent with the adopted comprehensive plan of the City of Boardman as implemented by this Code, and with applicable state and federal laws and regulations. All provisions of this Code shall be construed in conformity with the adopted comprehensive plan.

1.1.400 Use of a Development

A development shall be used only for a lawful use. A lawful use of a development is one that is permitted by this Code (including non-conforming uses, subject to ~~Chapter 5-2~~ **[INSERT REF]**), and is not prohibited by law.

1.1.500 Pre-Existing Approvals

- A. Legality of Pre-Existing Approvals.** Developments, including subdivisions, projects requiring development review or site design review approval, or other development applications for which approvals were granted prior to the effective date of this Code, may occur pursuant to such approvals; except that modifications to development approvals shall comply with Chapter 4.6 - Modifications to Approved Plans and Conditions of Approval.
- B. Subsequent Development Applications.** All development proposals and applications received by the City Manager after the adoption of this Code shall be subject to review for conformance with the standards under this Code or as otherwise provided by state law.

1.1.600 Building Permit and Certificate of Occupancy

- A. Building Permit.** A building permit shall not be issued until the City Manager or their designee has issued a development permit in accordance with the provisions of Chapter ~~5 - Administration of Land Use and Development Review~~ 4 Applications and Review Procedures, or otherwise found that a development permit is not required.
- B. Certificate of Occupancy Required.** To ensure completion of a development or use in the manner approved, a development shall not be occupied and a use shall not begin until the ~~building official~~ City Manager or their designee has issued a certificate of occupancy following completion of the work in substantial conformance to the applicable land use and building permits.
- C. Prior to Final Completion.** Prior to the final completion of all work, a certificate of occupancy may be issued for a portion of the structure conditioned upon further work being completed by a date certain.

1.1.700 Official Action

- A. Official Action.** All officials, departments, employees (including contractor-officials), of the City vested with authority to issue permits or grant approvals shall adhere to and require conformance with this Code, and shall issue no permit or grant approval for any development or use which violates or fails to comply with conditions or standards imposed to carry out this Code.
- B. Severability.** Any permit or approval issued or granted in conflict with the provisions of this Code shall be void.
- C. Notice.** The failure of any person to receive mailed notice or failure to post a notice shall not invalidate any actions pursuant to this Code.

Commentary: Amendments proposed to the definitions in the BDC are to:

- Remove unused terms
- Remove terms for specific uses. These are replaced by use categories in Chapter 1.4.
- Organize terms for housing types in one place for ease-of-use
- Add or modify terms to align with new/revised design standards in Chapter 3
- Ensure consistency with state law

Chapter 1.2 Definitions

Abutting. Contiguous or adjoining. It shall include the terms adjacent, adjoining and contiguous.

Access. A way or means of approach to provide pedestrian, bicycle or motor vehicular entrances or exits to a property.

Access Easement. An easement recorded for the purpose of providing vehicle, bicycle, and/or pedestrian access from a public street to a parcel across intervening property under separate ownership from the parcel being provided access.

Access Management. The control of street (or highway) access for the purpose of improving the efficiency, safety and/or operation of the roadway for vehicles; may include prohibiting, closing, or limiting direct vehicle access to a roadway from abutting properties, either with physical barriers (curbs, medians, etc.) or by land dedication or easement. ~~See also, Chapter 3.1, Section 200. See also Section 3.3.200.~~

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

Accessible. Approachable and useable by people with disabilities. Complies with the Americans With Disabilities Act.

~~**Accessory dwelling.** An accessory dwelling is a small, secondary housing unit on a single family lot, usually the size of a studio apartment. See Chapter 2.1, Section 200.B.~~

~~**Accessory Dwelling Unit.** An accessory dwelling is a small, secondary housing unit on a single family lot, usually the size of a studio apartment. See Chapter 2.1, Section 200.B. See definition for Housing Type.~~

Accessory Use/Accessory Structure. Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the residential zones include detached garages, sheds, workshops, green houses and similar structures. ~~See Chapter 2.1, Section 200.J. See Section 2.6.800.~~

Accessway. ~~A walkway or multi-use path within a public right-of-way, tract, or easement that is separate from a street, providing pedestrian and bicycle passage between streets, between blocks, or across a development site. An accessway is not a sidewalk or a multi-use path located within a street right-of-way. See Section 3.7.100(G).~~

Adjacent. Abutting or located directly across a street right-of-way.

Administrative. A discretionary action or permit decision made without a public hearing, but requiring public notification and an opportunity for appeal. ~~See also Chapter 4.1, Section 400.~~ **[INSERT REF]**

Adverse Impact. Negative effect of development that can be measured (e.g., noise, air pollution, vibration, dust, etc.).

Affordable. Means housing affordable to a certain percentage of the population earning a specified level of income and spending no more than 30 percent of their income on housing expenses. For more information, refer to the Federal Department of Housing and Urban Development and the Oregon Department of Housing and Community Services.

Agriculture. ~~As used in this Code, “agriculture” is the same as “farm use”. [See also, ORS 215.203(2)(a).]~~

Alley. A narrow street (16’-20’ right-of-way), usually a thoroughfare through the middle of the block giving access to the rear of lots or buildings. ~~See Chapter 3.4, Section 100.F. See Section 3.7.100(F)~~

Ambient. Something that surrounds, as in the level of light, dust or noise.

Arterial. An arterial street. Arterials form the primary roadway network within a region, providing a continuous road system that distributes traffic between cities, neighborhoods, and districts. Generally, arterials are high-capacity City roadways. ~~See Chapter 3, Access and Circulation. Section 3.7.100(F).~~

Articulate/Articulation. The jointing and interrelating of building spaces through offsets, projections, overhangs, extensions and similar features.

Automobile-dependent use. ~~The use serves motor vehicles and would not exist without them such as vehicle repair, gas station, car wash, auto and truck sales. See Chapter 2.2, Section 180.E.~~

~~**Automobile-Oriented Use.** Automobiles and/or other motor vehicles are an integral part of the use such as drive-in restaurants and banks. See Chapter 2.2, Section 180.E.~~

Bed and Breakfast Inn. Provides accommodations (3 or more rooms) plus breakfast on a daily or weekly basis in an operator- or owner-occupied home ~~that is primarily used for this purpose.~~ This use is operated as a commercial enterprise, ~~encourages and encourages~~ direct bookings from the public, ~~and is intended to provide a major source of income to the proprietors. This use includes inns that operate restaurants offering meals to the general public as well as to overnight guests.~~

Berm. A small rise or hill in a landscape which is intended to buffer or visually screen certain developments, such as parking areas.

Beveled Building Corner. A rounded or flat edge on a building, usually at a street corner; may include an entrance, windows, pillars, or other architectural details and ornamentation.

Bicycle. A vehicle designed to operate on the ground on wheels, propelled solely by human power, upon which a person or persons may ride with two tandem wheels at least 4 inches in diameter. An adult tricycle is considered a bicycle.

Bicycle Facilities. A general term denoting improvements and provisions made to accommodate or encourage bicycling, including parking facilities and all bikeways.

Bikeway. Any road, path, or way that is some manner specifically open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are shared with other transportation modes. The five types of bikeways are:

1. **Multi-use Path.** A paved way (typically 10 to 12-feet wide) that is physically separated from motorized vehicular traffic; typically shared with pedestrians, skaters, and other non-motorized users.
2. **Bike Lane.** A portion of the roadway (typically 4 to 6-foot wide) that has been designated by permanent striping and pavement markings for the exclusive use of bicycles.
3. **Shoulder Bikeway.** The paved shoulder of a roadway that is 4 feet or wider; typically shared with pedestrians in rural areas.
4. **Shared Roadway.** A travel lane that is shared by bicyclists and motor vehicles.
5. **Multi-use Trail.** An unpaved path that accommodates all-terrain bicycles; typically shared with pedestrians.

Block. A parcel of land or group of lots bounded by intersecting streets. ~~See also, Chapter 3.1 See also Section 3.7.100(G).;~~

Bollard. A post of metal, wood or masonry that is used to separate or direct traffic (vehicles, pedestrians and/or bicycles). Bollards are usually decorative, and may contain sidewalk or pathway lighting.

Boulevard. A street with broad open space areas, typically with planted medians. ~~See Chapter 3.4, Section 100.F. See Section 3.7.100(F).~~

~~**Building footprint.** The outline of a building, as measured around its foundation.~~

Building Mass. The aggregate size of a building, or the total height, width, and depth of all its parts.

Building Pad. A vacant building site on a lot with other building sites.

Building Scale. The dimensional relationship of a building and its component parts to other buildings.

Bulkhead. The wall below ground-floor windows on a building (may be differentiated from other walls by using different materials or detailing).

~~**Canopy Line.** Imaginary line around a tree or shrub at a distance from the trunk equivalent to the canopy (leaf and branch) spread.~~

Capacity. Maximum holding or service ability, as used for transportation, utilities, parks and other public facilities.

~~**Cemetery.** Land used or intended to be used for the interment of human or animal remains, including a burial ground, mausoleum, columbarium, or scattering garden, together with accessory structures, roads and grounds. A cemetery does not include a crematorium or funeral home. See ORS Chapter 97.~~

Centerline Radius. The radius of a centerline of a street right-of-way.

~~**Child Care Center.** A child care facility, other than a family child care home, that is certified under ORS 329A.280 when certification is required.~~

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

Collector. Type of street which serves traffic within the commercial, industrial and residential neighborhood areas. Collectors connect local neighborhoods or districts to the arterial network. Collectors are part of the street grid system. ~~See Chapter 3.4, Section 100.F. See Section 3.7.100(F).~~

Commercial. Land use involving buying/selling of goods or services as the primary activity.

Common Area. Land commonly owned to include open space, landscaping or recreation facilities (e.g., typically owned by homeowners associations).

Common Courtyard. A common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian walkways, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.

Common Wall. A wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.

Comprehensive Plan. The Comprehensive Plan for the City of Boardman, comprising plans, maps, policies or reports, or any combination thereof relating to the future economic and physical growth and development pattern or redevelopment of the City.

Conditional use. A use which requires a Conditional Use Permit. ~~See Chapter 4.4:~~
[INSERT REF]

~~Consensus. Agreement or consent among participants.~~

Conservation Easement. ~~An easement that protects identified conservation values of the land, such as wetlands, woodlands, significant trees, floodplains, wildlife habitat, and similar resources. As defined in ORS 271.715(1).~~

Corner Clearance. The distance from an intersection of a public or private street to the nearest driveway or other access connection, measured from the closest edge of the pavement of the intersecting street to the closest edge of the pavement of the connection along the traveled way.

Corner Radius. The radius of a street corner, as measured around the curb or edge of pavement.

Cornice. The projecting horizontal element that tops a wall or flat roof. ~~See Chapter 2.2, Section 160:~~ **[INSERT REF]**

Cottage. A small house that may be used as an accessory dwelling, in conformance with ~~Chapter 2.1, Section 200.B:~~ Section 2.6.470. An individual dwelling unit that is part of a cottage cluster.

Cottage Cluster. See definition for Housing Type.

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.

Courtyard. A court or enclosure adjacent to a building, which usually provides amenities such as gardens, planters, seating, or art.

Cross Access. A service drive providing vehicular access between two or more contiguous sites so that the driver need not enter the public street system.

Curb Cut. A driveway opening where a curb is provided along a street.

~~Deciduous. Tree or shrub that sheds its leaves seasonally.~~

Dedication. The designation of land by its owner for any public use as shown on a ~~subdivision~~ plat or deed. The term may also be used for dedications to a private homeowners association.

Detached Single-Unit. See definition for Housing Type.

Developable. Buildable land, as identified by the City's Comprehensive Plan. Includes both vacant land and land likely to be redeveloped, per ORS 197.295(1).

Development. All improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, grading, and areas devoted to exterior display, storage, or activities. Development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or landscapes.

Discontinued/Abandoned Use. A use that physically vacates the land it was on, cessation of an allowed activity, or use terminated at the end of any lease or contract.

~~See Chapter 5.2:~~ **[INSERT REF]**

Discretionary. Describes a permit action or decision that involves substantial judgment or discretion.

Drive Lane/Travel Lane. An improved (e.g., paved) driving surface for one lane of vehicles.

Driveway. An area that provides vehicular access to a site, except for public and private streets. A driveway begins at the property line and extends into the site. Driveways do not include parking, maneuvering, or circulation areas in parking lots and parking spaces.

Driveway Apron/Approach. The edge of a driveway where it abuts a public way; usually constructed of concrete. ~~See Figure 3.1.200.K. See Section 3.3.300.~~

Drought-Tolerant/Drought-Resistant Plants. Refer to Sunset Western Garden Book (latest edition).

~~Drug Store. Refers to a store where the primary business is filling of doctor-prescribed prescription and the sale of drugs, medical devices and supplies, and non-prescription medicines, but where non-medical products may be sold as well.~~

Duplex. ~~A building with two attached housing units on one lot or parcel. See definition for Housing Type.~~

Dwelling Unit. A “dwelling unit” is a living facility that includes provisions for sleeping, eating, cooking and sanitation, as required by the Uniform Building Code (UBC), for not more than one family household, or a congregate residence for 10 or fewer persons. (See UBC section 205.)

Easement. A right of usage of real property granted by an owner to the public or to specific persons, firms, and corporations.

Elevation. A building face, or scaled drawing of the same, from grade to roof ridgeline.

~~Environmentally Sensitive Areas. See “sensitive lands”.~~

Established Residential Area. An area within the Residential zones that was platted prior to the effective date of a land use or zoning ordinance. ~~See Chapter 2.1, Section 120.F~~ **[INSERT REF]**

Evidence. Application materials, plans, data, testimony and other factual information used to demonstrate compliance or non-compliance with a code standard or criterion.

~~**Facade.** The vertical wall face of a building, or the sum of multiple vertical faces, facing the street.~~

~~**Facade, Front.** All of the wall area shown on the front elevation of the building plans.~~

~~**Family Day Care.** See “child care facilities”. **Family Child Care Home.** A child care facility in a dwelling that is caring for not more than 16 children and is certified under ORS 329A.280 when certification is required or is registered under ORS 329A.330. A family child care home is considered a residential use of property.~~

Fire Apparatus Lane. As defined by the Uniform Fire Code.

Flag Lot. A lot or parcel which has access to a road, street or easement, by means of a narrow strip of lot or easement. ~~See Chapter 2.1, Section 140.~~ **See Section 3.3.300(B)(6).**

~~**Food Cart Pod.** A site on private property that contains one or more food carts and shared amenities. See Section 2.6.680.~~

~~**Frontage.** The dimension of a property line abutting a public or private street. The portion of a lot or parcel that abuts a street.~~

Frontage Street or Road. A minor street that parallels an arterial street in order to provide access to abutting properties and minimize direct access onto the arterial.

Functional Classification. The classification given to streets (e.g., “local/collector/arterial”) by the City’s Transportation System Plan (TSP), by adopted County plans, and the Oregon Department of Transportation.

Ground Cover. A plant material or non-plant material (e.g., mulch, bark chips/dust) that is used to cover bare ground. ~~See also, Chapter 3.2—Landscaping.~~ See also Chapter 3.5 Landscaping, Street Trees, Fences, and Walls.

Habitable Space. Habitable space is any room within a structure designed for living, sleeping, eating, or cooking. This includes spaces like living rooms, bedrooms, kitchens, and dining rooms.

Hammerhead Turnaround. A “T” or “L” shaped area at the end of a dead-end street that allows for vehicles to turn around.

Hardscape. Non-plant landscape materials, including pathways, decorative pavers, benches, drinking fountains, arbors, pergolas, playgrounds, plazas, and similar amenities.

Hard Surfaced. In the context of pedestrian walkways, built with a durable, solid material that provides a firm, stable, and smooth walking surface, which may include concrete, asphalt, or pavers or bricks set in mortar or compacted base.

Heavy Truck Servicing and Repair. Uses engaged in the repair or servicing of industrial, business, or consumer machinery, equipment, products or by-products. This use includes sales, repair, storage, salvage or wrecking of heavy machinery, towing and vehicle storage, auto and truck salvage and wrecking, tire retreading or recapping, and truck stops.

Home Occupation, Home Occupation Site. A small commercial venture which could not necessarily be sustained if it were necessary to lease commercial quarters or which, by the nature of the venture, are appropriate in scale and impact to be operated within a residence. See Chapter 4.9, Section 200: [INSERT REF]

Hospital. ~~Medical centers providing medical or surgical care to patients and offering overnight care. This does not include medical and dental offices, clinics, and laboratories.~~

Household. One or more persons occupying a dwelling unit. The number of persons in a household is not limited by, and shall not be determined by reference to, the familial or nonfamilial relationships among the occupants.

Housing Type. One of the following.

1. **Accessory Dwelling Unit.** An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a primary dwelling.
2. **Cottage Cluster.** A grouping of detached dwelling units on a lot or parcel that share a common courtyard and that each have a small footprint or floor area.
3. **Detached Single-Unit.** A detached structure on a lot or parcel that is comprised of a single dwelling unit and is not a manufactured dwelling. A dwelling unit that is part of a duplex, triplex, fourplex, or cottage cluster, whether attached or detached, is not a single-unit dwelling.

4. **Duplex.** Two dwelling units in any configuration. Both units of a duplex must be built on a single lot or parcel, or located on two child lots created through a middle housing land division.
5. **Manufactured Dwelling.** A manufactured dwelling is one of the following residences: ~~a residential trailer; a mobile home or a manufactured home.~~
 - a. A residential trailer, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962;
 - b. A mobile home, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and 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;
 - c. A manufactured home, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and 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 mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.
6. **Manufactured Dwelling Park.** Four or more units located on one lot allowing manufactured dwellings. Any place where four or more manufactured dwellings 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 space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of the facilities or to offer space free in connection with securing the trade or patronage of such person. Manufactured dwelling park does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the City under an ordinance adopted pursuant to ORS 92.010 to 92.190.
7. **Middle Housing.** Housing that consists of duplexes, triplexes, quadplexes, cottage clusters, or townhouses.
8. **Multi-Unit Housing.** A residential structure containing five or more dwelling units sharing common walls or floors and ceilings, built on a single lot or parcel.

9. **Quadplex.** Four dwelling units in any configuration. All four units must be built on a single lot or parcel, or located on four child lots created through a middle housing land division.
10. **Townhouse.** A dwelling unit constructed in a row of 2 or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.
11. **Triplex.** Three dwelling units in any configuration. All three units must be built on a single lot or parcel, or located on three child lots created through a middle housing land division.

In instances where a development can meet the definition of more than one housing type, the applicant shall specify the housing type on the development application.

Human-Scale Design/Development. Site and building design elements that are dimensionally related to pedestrians, such as: small building spaces with individual entrances (e.g., as is typical of downtown and main street developments); larger buildings which have articulation and detailing to break up large masses; narrower streets with tree canopies; smaller parking areas or parking areas broken up into small components with landscaping; and pedestrian amenities, such as sidewalks, plazas, outdoor seating, lighting, weather protection (e.g., awnings or canopies), and similar features. These features are all generally smaller in scale than those which are primarily intended to accommodate automobile traffic.

Impervious Surface. Development which does not allow for water infiltration into the ground (e.g., pavement, roofs, etc.).

Incidental and Subordinate to. A use or portion of a development that is secondary to, and less apparent, than the primary use or other portion of the development.

~~Infill: A dwelling that is proposed on land that is zoned for residential use where at least 75% of the abutting parcels have a dwelling, but not counting any parcel that is too small for a residence and any parcel that is large enough that it can be divided into four or more lots. These standards also apply where a home is removed to make way for a new house, manufactured home duplex and attached house. These standards do not apply to a dwelling that is proposed on land that is large enough that it can be divided into four or more lots.~~

~~**Kennel.** Any premises or building in which four (4) or more dogs or cats at least four (4) months of age are kept for board, propagation or sale.~~

Land Division. The process of dividing land to create parcels or lots.

Land Use. The main activity that occurs on a piece of land, or the structure in which the activity occurs (e.g., residential, commercial, mixed use, industrial, open space, recreation, street rights-of-way, vacant, etc.).

~~**Land Use District.** As used in this code, a land use district is the same as a zone district.~~

Landing. A level part of a staircase, as at the end of a flight of stairs.

Landscaping. Any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses, and may include structural features such as walkways, fences, benches, plazas, works of art, reflective pools, fountains or the like.

Landscaping also includes irrigation systems, mulches, topsoil, and re-vegetation or the preservation, protection and replacement of existing trees.

Lane, Mid-Block Lane. A narrow, limited use roadway facility usually used to access a limited number of dwelling units. Similar to an alley in design. ~~See Chapter 2.1, Section 140-A.~~ **[INSERT REF]**

Legislative. A legislative action or decision is the making of law, as opposed to the application of existing law to a particular use (e.g., adoption of, or amendment to, a comprehensive plan or development regulation). ~~See Chapter 4.1, Section 600.~~ **[INSERT REF]**

Level of Service (LOS). For transportation, a standard of a street's carrying capacity, based upon prevailing roadway, traffic and traffic control conditions during a given time period. The Level of Service range, from LOS A (free flow) to LOS F (forced flow) describes operational conditions within a traffic stream and their perception by motorists/passengers. Level of Service is normally measured for the peak traffic hour, at intersections (signalized or unsignalized) or street segments (between signalized intersections).

~~**Light manufacture.** Light manufacturing operations (e.g., electronic equipment, printing, bindery, furniture, and similar goods). See Chapter 2, Section 4.110.~~

~~**Light Manufacturing.** See Section 2.6.620 Light Manufacturing.~~

~~**Liquor Store.** A store which sells alcoholic beverages for consumption elsewhere and is licensed by the Oregon Liquor Control Commission. This may include dining or other establishments which also allow sales for off-premises consumption~~

Livestock. Domestic animal types customarily raised or kept on farms.

Local Improvement District (LID). A small public district formed for the purpose of carrying out local improvements (paving of streets, construction of storm sewers, development of a park, etc.). Property owners within the LID are assessed for the cost of the improvements in accordance with ORS 223.387-223.485. ~~See also Chapter 3.4 Section 100.~~ See also Section 3.7.100.

Local Street. A street used primarily for access to abutting property(ies).

Lot/Lot or Parcel. A lot is a unit of land that is created by a subdivision of land (ORS 92.010(3)). See also, Chapter 4.3. ~~A lawfully established unit of land, as defined in ORS 92.010. Lot may also be used generically to refer to units of land created through partitions.~~

Lot, Corner. Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred and thirty five (135) degrees.

Lot Line Adjustment. The adjustment of a property line by the relocation of a common line where no additional lots are created. This development code also defines the consolidation of lots (i.e., resulting in fewer lots) as a lot line adjustment.

~~**Lot, Parent/Lot, Child.** Parent lot means a lot of record or a lot in a middle housing land division which is developed, or proposed to be developed, with two or more middle housing units, and which may therefore be further divided to allow individual ownership of each dwelling unit. Child lot refers to the unit(s) of land created from a parent lot. A child lot created through a middle housing land division is also referred to as a middle housing lot. Only one dwelling unit is permitted on each resulting middle housing lot.~~

Main/Primary Entry/Entrance. A main entrance is the entrance, or entrances, to a building that most pedestrians are expected to use. Generally, smaller buildings have one main entrance. The main entrance may also be the widest entrance of those provided for use by pedestrians. In multi-tenant buildings, main entrances open directly into the building's lobby or principal interior ground level circulation space. When a multi-tenant building does not have a lobby or common interior circulation space, each tenant's outside entrance is a main entrance. Buildings may also have main entrances opening directly into a reception or sales area, a courtyard, or plaza.

Maneuvering Area/Aisle. The driving area in a parking lot where motor vehicles are able to turn around and access parking spaces.

Manufactured Dwelling. ~~A manufactured dwelling is one of the following residences: a residential trailer; a mobile home or a manufactured home. See definition for Housing Type.~~

Manufactured Dwelling Park. See [definition for Housing Type](#).

~~**Manufactured Home.** A manufactured home is a transportable single family dwelling constructed after 1976.~~

~~**Manufactured Structure.** A manufactured structure includes the following residence types: a recreational vehicle, residential trailer constructed prior to 1962, a mobile home constructed between 1962 and 1976, or a manufactured home constructed after 1976. For the purposes of this Code, Manufactured Structure also includes structures built and installed as temporary classrooms or to other non-residential uses.~~

Medical Marijuana Dispensary or Facility. A facility which dispenses medical marijuana, meeting the requirements set by the Oregon Health Authority and being registered to do business with the Office of the Secretary of State.

Medical Marijuana Grow Facility. A facility which grows medical marijuana as allowed under Oregon Revised Statute and as regulated by the Oregon Health Authority.

Micro-Generation. Micro-Generation is characterized by the generation of electrical or thermal energy from wind, solar, or geothermal sources, where the energy generated is used primarily by a use on the same site. Examples include roof mounted and ground mounted solar energy systems, small wind energy systems, and ground source heat pumps. Facilities generating energy primarily for off-site use or sale are classified as Utility Facilities, Major. See also, Utility Facilities, Basic.

Middle Housing. See definition for Housing Type.

Middle Housing Land Division. An expedited land division of a lot or parcel on which middle housing is developed or proposed.

Ministerial. A routine governmental action or decision that involves little or no discretion. ~~The issuance of a building permit is such an action. Approval of a Type I Development Review is such an action. See also, Chapter 4.1 Section 400.~~ **[INSERT REF]**

Mitigation. To avoid, rectify, repair, or compensate for negative impacts which result from other actions (e.g., improvements to a street may be required to mitigate for transportation impacts resulting from development.”)

~~**Mixed-Use Building/Development/Horizontal/Vertical.** See Chapter 2.2, Section 480.A.~~

Mixed Use Development. Development in which multiple land uses are mixed within a single building or site, such as residential units over commercial space, also known as vertical mixed-use development, or multiple buildings on a site that include a mix of uses, also known as horizontal mixed-use development.

Mobile Food Vendor. A vehicle, trailer, cart, or similar mobile unit from which food or beverages are prepared and sold to the public. Mobile Food Vendors are classified within the Eating and Drinking Establishment use category. See also, Eating and Drinking Establishment.

~~**Mobile Home.** A Mobile Home is a portable residence constructed between 1962 and 1976.~~

~~**Mobile Home Park.** Four or more units located on one lot allowing recreational vehicles, residential trailers, mobile homes, manufactured homes, or recreational structures.~~

~~**Multi-family housing.** Housing that provides more than three dwellings on an individual lot (e.g., multi-plexes, apartments, condominiums, etc.). See Chapter 2.1, Section 200F.~~

Multi-Unit Housing. ~~See definition for Housing Type.~~

Multi-Use Pathway. Pathways for pedestrian and bicycle use. ~~See Chapter 3.1, Section 300-A.4. See Chapter 3.4.~~

Natural Hazard. Natural areas that can cause dangerous or difficult development situations, such as steep slopes, unstable soils, landslides, flood areas.

~~Natural Resource Areas/Natural Resources. Same as Sensitive Lands, per Chapter 3.7.~~

Natural Resource Area. ~~Land within the Flood Plain Overlay Zone under Chapter 2.5, and wetlands and other natural resources shown on the Natural Resources Map of the Boardman Comprehensive Plan.~~

Neighborhood. A geographic area lived in by neighbors and usually having distinguishing character.

~~Neighborhood Commercial. Small scale commercial uses allowed within the residential/neighborhood commercial district. See Chapter 2.1, Section 200-K.~~

Neighborhood-Scale Design. Site and building design elements that are dimensionally related to housing and pedestrians, such as narrower streets with tree canopies, smaller parking areas, lower building heights (as compared to downtown areas) and similar neighborhood characteristics. These features are generally smaller in scale than those, which are primarily intended to accommodate automobile traffic.

Non-Conforming Use/Non-Conforming Development. A land use/structure that exists which would not be permitted by the regulations imposed by the code, but was lawful at the time it was established. ~~See Chapter 5.2: [INSERT REF]~~

~~Non-Native Invasive Plants. See current Oregon State University Extension Service Bulletin for your area.~~

Occupiable Space. ~~A room or enclosed space designed for regular human occupancy. This includes spaces where people congregate for activities, work, or educational purposes, and that are equipped with the necessary life safety features like egress, heat, light, and ventilation. It excludes spaces primarily intended for other purposes, such as storage or equipment rooms.~~

Off-Street Parking. All off-street areas designed, used, required or intended to be used for the parking of motor vehicles. Off-street parking areas shall conform to the requirements of ~~Chapter 3.3: Chapter 3.6.~~

On-Street Parking. Parking in the street right-of-way, typically in parking lanes or bays. Parking may be “parallel” or “angled” in relation to the edge of the right-of-way or curb. ~~See also, Chapter 3.3: See also Chapter 3.6.~~

Open Space (Common/Private/Active/Passive). Land within a development which has been dedicated in common to the ownership within the development or to the public specifically for the purpose of providing places for recreation, conservation or other open space uses.

Orientation. To cause to face toward a particular point of reference (e.g., “A building oriented to the street”).

~~**Outdoor commercial use.** A use supporting a commercial activity which provides goods or services, either wholesale or retail, where the amount of site area used for outdoor storage of materials or display of merchandise exceeds the total floor area of all buildings on the site. Examples of outdoor commercial uses include automobile sales or services, nurseries, lumber yards and equipment rental businesses.~~

Overlay Zone. Overlay zones provide regulations that address specific subjects that may be applicable in more than one land use zone. See also ~~Chapter 2.6.~~ **[INSERT REF]**

Parcel. A unit of land that is created by a partitioning of land (ORS 92.010(6)). ~~See also, Chapter 4.3.~~ **[INSERT REF]**

Parking Lot Perimeter. The boundary of a parking lot area which usually contains a landscaped buffer area.

~~**Parking vs. Storage.** Parking is the area used for leaving motor vehicles for a temporary time up to 72 hours unless permitted as parking for longer by other municipal codes. Storage is to place or leave in a location for maintenance, repair, sale, rental, or future use.~~

Partition. To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. (See also, ORS 92.010(8)).

~~**Pathway/Walkway/Access Way.** See Chapter 3.1, Section 3.A. See Chapter 3.4. As defined in this code, a pathway or multi-use pathway may be used to satisfy the requirements for “accessways” in the Transportation Planning Rule. (OAR 660-012-045.)~~

Pedestrian Amenity(ies). Pedestrian areas and objects that serve as places for socializing and enjoyment of the City’s downtown/main street. Examples include benches or public art or sculpture. ~~See Chapter 2.2, Section 170. See Section 3.2.600.~~

Pedestrian Facilities. A general term denoting improvements and provisions made to accommodate or encourage walking, including sidewalks, accessways, crosswalks, ramps, paths and trails.

~~**Pharmacy.** A place where drugs and medicines are prepared and dispensed by a licensed pharmacist. A pharmacy may also be a drug store.~~

Pier. Exterior vertical building elements that frame each side of a building or its ground-floor windows (usually decorative).

Planter Strip or Tree Cut-Out. An area for street trees and other plantings within the public right-of-way, usually between the street and a sidewalk.

Plat. A map of a subdivision, prepared as specified in ORS 92.080, and recorded with the Morrow County Assessor's Office. All plats shall also conform to ~~Chapter 4.3--Land Divisions.~~ **[INSERT REF]**

Plaza. A public square or extra-wide sidewalk (e.g., as on a street corner) that allows for special events, outdoor seating, sidewalk sales, and similar pedestrian activity. ~~See Chapter 2.2, Section 170.~~ See Section 3.2.600.

Pocket Park. A small park, usually less than one-half acre.

Primary. The largest or most substantial element on the property, as in "primary" use, residence, entrance, etc. All other similar elements are secondary in size or importance.

Property Line: Front, Rear, Interior Side, Street Side. Legal borders of a lot or parcel of land. See Figure 2.1.130.

Public Facilities. Public and private transportation facilities and utilities. ~~See Chapter 3.4.~~ See Chapter 3.7.

Public improvements. Development of public facilities. ~~See Chapter 3.4.~~ See Chapter 3.7.

Quadplex. See definition for Housing Type.

Quasi-Judicial. Refers to an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this Code to an application for development of a specific site, and usually involves a public hearing. ~~See Chapter 4.1, Section 500.~~ **[INSERT REF]**

Recreational Vehicle. A vacation trailer or other vehicular or portable unit ~~(boat, all-terrain vehicle ("ATV"), non-commercial watercraft)~~ which is either self-propelled or towed or is carried by a motor vehicle, which is intended for human occupancy, and which is designated primarily for vacation or recreation purposes or temporary residential use.

Recreational Vehicle Park. A commercial use providing space and facilities for motor homes or other recreational vehicles for recreational use or transient lodging. There is no minimum required stay in a recreational vehicle park. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included as Recreational Vehicle Parks. See also Manufactured Dwelling Park.

Residence. Same as "dwelling".

Residential Care Home/Residential Care Facility. ~~Residential treatment or training homes or adult foster homes licensed by the State of Oregon. See Chapter 2.1, Section 200.G.~~

Residential Caretaker Unit. A dwelling unit for caretakers living on-site in the RC, EMP or IND zone, as provided in Section 2.6.540. The unit must be served by water and sanitary sewage and conform with other applicable building standards. ~~See Chapter 2.3, Section 160.B. See Section 2.6.540.~~

Residential Facility. ~~A residential care or residential training facility, as those terms are defined in ORS 443.400, that provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.~~

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

Residential Trailer. ~~A portable residence constructed prior to 1962.~~

Residential Treatment Facility, Residential Treatment Home. ~~A residential treatment facility is a facility that provides, for six or more individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence, residential care and treatment in one or more buildings on contiguous properties, as defined in ORS 443.400. A residential treatment home provides the same care and treatment for five or fewer individuals. A residential treatment facility and a residential treatment home are allowed as provided in ORS 197A.385 and Section 2.6.510.~~

Reviewing Body. ~~The person or group who is assigned to make decisions on land use reviews, whether initially or on appeal. Reviewing Body includes the City Planner or their designee, City Manager, Hearings Officer, Planning Commission, or the City Council.~~

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

Right-Of-Way. Land that is owned ~~in fee simple~~ by the public, usually for transportation facilities.

Roof Pitch. The slope of a roof, usually described as a ratio (e.g., 1 foot of rise per 2 feet of horizontal distance, or 1/2).

Roof-Top Garden. A garden on a building terrace, or at top of a building with a flat roof (usually on a portion of a roof).

School, Post-Secondary. ~~Schools, Post-Secondary includes institutions of higher learning offering courses of general or specialized study leading to a degree or occupational certification. Post-secondary schools tend to occupy campus like settings or multiple parcels. Examples include universities, colleges, community colleges, vocational and trade schools, nursing and medical schools not accessory to a Healthcare Center, and seminaries. Typical accessory uses include offices, student housing, food service, athletic and assembly facilities, and parking. See also, School, Primary and Secondary and Group Living.~~

School, Primary and Secondary. ~~Schools, Primary and Secondary includes public and private schools, secular or parochial, at the primary, elementary, middle, junior high, or high school level. Typical accessory uses include offices, athletic and assembly facilities, food service, child care, and parking. See also, School, Post-Secondary.~~

Senior housing. ~~Housing designated and/or managed for persons over the age of 55. (Specific age restrictions vary.)~~

Sensitive Lands. ~~Wetlands, significant trees, steep slopes, flood plains and other natural resource areas designated for protection or conservation by the Comprehensive Plan.~~

Setback. The distance between a building (or other feature of development) and a property line. Minimum and maximum setbacks may be required for front, side and rear yards.

Shared Driveway. When land uses on two or more lots or parcels share one driveway. An easement or tract (owned in common) may be created for this purpose.

Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (daytime versus nighttime primary uses). ~~See Chapter 3.3, Section 300.C.4. See Section 3.6.300(B).~~

Shipping Container. A standardized, reusable container designed for the efficient and secure transportation of goods across different modes of transport.

Shipping Container Reuse. The practice of taking decommissioned shipping containers, those no longer suitable for international transport, and giving them a new life as something else. Within the Boardman Development Code, they can be used for storage purposes within the Residential Use Zone and for primary and accessory uses within the Commercial and Industrial use zones.

Single-Family Attached Housing (Townhomes). ~~Two or more single family dwellings with common end-walls. See also, Chapter 2.1, Section 110 and Section 200.~~

Single-Family Detached House. ~~A single family dwelling that does not share a wall with any other building. See also Chapter 2.1, Section 110.~~

~~**Single-family detached zero-lot line house.** A single family detached house with one side yard setback equal to “0”. See also, Chapter 2.1, Section 110 and Section 200.~~

~~**Single Room Occupancy (SRO).** A residential development with no fewer than four attached or detached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant but require that the occupant share sanitary or food preparation facilities with other units in the occupancy.~~

Site. A property (or group of adjacent parcels or lots under the same ownership) that is subject to a permit application under this Code.

~~**Site Area.** The total area of a development site calculated after subtracting any required or planned dedication of public rights-of-way and/or designation of private rights-of-way.~~

Site Design Review. A discretionary review that applies to all developments in the City, except those specifically listed under Development Review. Site Design review ensures compliance with the basic development standards of the ~~land use district zone~~, as well as more detailed design standards and public improvement requirements in Chapters 2 and 3, Development Review - ~~See Chapter 4.2.~~ **[INSERT REF]**

Specific Area Plan. Describes in more detail the type of development planned for a specific area than is typically found in a comprehensive plan, zone map, or public facilities plan. ~~See Chapter 2.5.~~

Standards and Criteria. Standards are code requirements. Criteria are the elements required to comply with a particular standard.

Steep Slopes. Slopes greater than 25 percent.

Storefront Character. The character expressed by buildings placed close to the street with ground-floor display windows, weather protection (e.g., awnings or canopies), corner building entrances or recessed street-front entries, and similar features.

Storm Water Facility. A detention and/or retention pond, swale, or other surface water feature that provides storage during high-rainfall events and/or water quality treatment.

Street/road. A public or private way for travel by vehicles, bicycles and pedestrians, that meets the City standards in ~~Chapter 3.4, Section 100.~~ Section 3.7.100.

Street access. Safe and efficient passage for pedestrians and vehicles to circulate through a connected street system. ~~See Chapter 3.1, Section 200.~~ See Section 3.7.100(G).

Street Connectivity. The number of street connections within a specific geographic area. Higher levels of connectivity provide for more direct transportation routes and better dispersion of traffic, resulting in less traffic on individual streets and potentially slower speeds through neighborhoods.

Street Furniture/Furnishings. Benches, lighting, bicycle racks, drinking fountains, mail boxes, kiosks, and similar pedestrian amenities located within a street right-of-way. ~~See also, Chapter 2.2, Section 170. See also Section 3.2.600.~~

Street Stub. A temporary street ending; i.e., where the street will be extended through adjacent property in the future, as those properties develop. Not a permanent street-end or dead-end street.

Street Tree. A tree planted in a street right-of-way within a planter strip or tree cut-out.

Subdivision. To divide land into four or more lots within a single calendar year. (ORS 92.010(13).)

~~Surface water management. Definition to be developed in Chapter 3.5.~~

Swale. A type of storm water facility. Usually a broad, shallow depression with plants that filter and process contaminants.

Tangent. Meeting a curve or surface in a single point.

Terrace. A porch or promenade supported by columns, or a flat roof or other platform on a building.

Topographical Constraint. Where existing slopes prevent conformance with a Code standard.

Townhouse. See definition for Housing Type.

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 any commonly owned property attributed to the townhouse project shall be prorated based on the square footage of development sharing the property.

Tract: Private/Public. A piece of land set aside in a separate area for dedication to the public, a homeowner's association, or other entity (e.g., for open space, recreation facilities, ~~sensitive lands~~natural resource areas, etc.).

Transportation Facilities and Improvements. The physical improvements used to move people and goods from one place to another; i.e., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc. Transportation improvements include the following:

- a. Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.
- b. Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

- c. Projects specifically identified in the City's adopted Transportation System Plan as not requiring further land use review and approval.
- d. Landscaping as part of a transportation facility.
- e. Emergency measures necessary for the safety and protection of property.
- f. Construction of a street or road as part of an approved subdivision or partition.
- g. Construction, reconstruction, or widening of highways, roads or bridges, or other transportation projects that are not designated improvements in the Transportation System Plan.
- h. Construction, reconstruction, or widening of highways, roads or bridges, or other transportation projects that are not designed and constructed as part of an approved subdivision or partition.

Transportation Facilities and Improvements in subsections g. and h. require a Conditional Use Permit (CU) under ~~Section 4.4.400D~~. **[INSERT REF]**

Transportation Mode. The method of transportation (e.g., automobile, bus, walking, bicycling, etc.)

Triplex. ~~A building with three attached housing units on one lot or parcel. See definition for Housing Type.~~

Vacate Plat/Street. To abandon a subdivision or street right-of-way. For example, vacation of a public right-of-way that is not needed or cannot be used for a street or other public purpose. A plat may be vacated, returning the property to an undivided condition.

Variance. An administrative or quasi-judicial decision to lessen or otherwise modify the requirements of this Code. ~~See Chapter 5.1.~~ **[INSERT REF]**

Vision Clearance Area. ~~The shaded area as shown on the following figure is the Vision Clearance Area. This area is regulated and further described in section 3.1.200N of the code. The Vision Clearance Area is shown in Figure 3.3.500.A and regulated by Section 3.3.500.~~ This standard applies to driveways, streets, alleyways and railways.

Wetland. ~~A land areas where water is the dominant factor determining the nature of soil development and the types of plant and animal communities. It is defined more specifically by the Federal Clean Water Act (Section 404) and Oregon Administrative Rules (OAR 141-85-010). For more information, contact the Oregon Division of State Lands. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. See ORS 196.800.~~

Window Hood. An architectural detail placed above a window, used as an accent.

~~**Wireless Communication Equipment.** Includes cell towers, antennae, monopoles, and related facilities used for radio signal transmission and receiving.~~

Yard. The area defined by setbacks (i.e., between the setback line and respective property line).

Zero-Lot Line House. ~~Single-unit family~~ Detached single-unit dwelling home that is not subject to side yard setbacks on one side of a typical lot. ~~See Chapter 2.1, Section 200-A. See Section 2.6.420.~~

Zone. An area within the urban growth boundary designated on the Zoning Map, in which the use of land is limited to the uses allowed by that zone. Zones are established in Chapter 2. A unit of land within a zone may also be designated with one or more overlay zones. See also Overlay Zone.

Commentary: Chapter 1.3 is a new addition to the BDC. This chapter puts all rules about how certain dimensions are measured in one place. These rules are spread across the zoning chapters today and sometimes repeat themselves. New measurement rules are proposed for floor area and landscape/outdoor/open space area to align with new or revised standards in Chapter 2 and 3.

Chapter 1.3 Measurement Rules

Sections

- 1.3.100 Purpose and Applicability**
- 1.3.200 Measuring Lot Dimensions**
- 1.3.300 Measuring Setbacks**
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1.3.100 Purpose and Applicability

- A. Purpose.** This chapter states how the measurements and calculations used throughout this Code are made. Stating them once, in one place, avoids the conflicting formulations that arise when a measurement rule is repeated in several chapters.
- B. Applicability.** Where a standard in this Code is expressed as a dimension, area, percentage, height or density, it is measured or calculated as provided in this chapter, unless that standard expressly provides otherwise.

1.3.200 Measuring Lot Dimensions

- A. **Lot Area.** The total surface area, measured horizontally, within the lot lines of a lot.
- B. **Lot Depth.** The average distance measured from the front lot line to the rear lot line.
- C. **Lot Width.** Lot width is the horizontal distance between the side lot lines, measured at the front lot line. Where the front lot line is curved, lot width is measured along the chord of the front lot line.

1.3.300 Measuring Setbacks

- A. **General.** A setback is the distance between a building, or other feature of development, and a property line. Setbacks are measured from the face of the building, excluding porches, to the respective property line. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line.
- B. **Application.** Setback standards apply to primary structures and to accessory structures.
- C. **Permitted Projections into Setbacks.** The following architectural features may encroach into a required setback:
 - 1. **Eaves, chimneys, bay windows, overhangs and similar architectural features.** May encroach not more than 3 feet.
 - 2. **Porches, decks and similar structures not exceeding 36 inches in height.** May encroach not more than 6 feet, subject to the front setback standards of the applicable zone.
 - 3. Walls and fences may be placed on property lines, subject to the standards in Section 3.5.400 Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 3.3.500.

1.3.400 Measuring Building Height

- A. **Method of Measurement.** Building height is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof.
- B. **Reference Datum.** The reference datum is whichever of the following yields the greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building, when that sidewalk or ground surface is not more than 10 feet above the lowest grade; or
 2. An elevation 10 feet higher than the lowest grade, when the sidewalk or ground surface described in paragraph (1) is more than 10 feet above the lowest grade.
- C. **Stepped or Terraced Buildings.** The height of a stepped or terraced building is the maximum height of any segment of the building.
- D. **Exceptions.** The following are not counted in maximum building height:
1. **Minor projections.** Chimneys, vents, flag poles and similar items three feet or less in width may extend not more than five feet above the height limit.
 2. **Solar panels.** Roof-mounted solar panels are excluded from height calculations.
 3. **Rooftop mechanical and stairwell enclosures.** On a building of more than three floors, rooftop mechanical equipment and stairwell enclosures set back at least 15 feet from any street-facing roof edge may extend not more than 16 feet above the height limit for elevator equipment, or not more than 10 feet for other mechanical equipment covering not more than 10 percent of the roof area.
 4. **Features not for human occupancy.** Bell towers, steeples, roof equipment and similar features not for human occupancy are excluded.

1.3.500 Measuring Lot Coverage

- A. **Lot Coverage.** Lot coverage is the area of a lot covered by buildings and structures, expressed as a percentage of total lot area. Lot coverage includes open structures such as pole barns, and building features such as patio covers, roofed porches and decks. Lot coverage does not include eaves. Impervious paving is not lot coverage.
- B. **Height Threshold.** Lot coverage includes a building or structure with a surface more than 36 inches above finished grade.

1.3.600 Measuring Floor Area

- A. **Floor Area.** Floor area is measured for each floor from the exterior faces of a building. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking. A stairwell is counted as floor area on one level only. Floor area does not include: an area where the elevation of the floor is 4 feet or more below the adjacent right-of-way, measured at the property line; a basement, meaning a portion of a building where at least 50 percent of the total combined area of the basement walls is below grade; an area where the ceiling height is less than 6 feet 8 inches; roof area, including roof top parking; roof top mechanical equipment; a roofed outdoor living area structurally attached to the building, unless enclosed by walls more than 42 inches in height for 75 percent or more of its perimeter; or a covered carport.
- B. **Ground Floor Area.** Ground floor area is the floor area of the lowest story of a building at or above finished grade, measured as provided in subsection (A).
- C. **Floor Area Ratio.** Floor area ratio is the amount of floor area of a building or structure in relation to the amount of site area, expressed as a ratio of X:1, where X is the floor area permitted for each square foot of site area. Floor area ratio is calculated by dividing the total floor area of all buildings on a site by the total site area, and the maximum floor area ratio applies cumulatively to all buildings on a site. Floor area ratio does not include floor area for required long term bicycle parking that is not located in a dwelling unit, indoor common area used to meet a required outdoor area standard, or an accessory structure less than 15 feet in height and less than 200 square feet.

1.3.700 Measuring Density

- A. **Density.** Density is the number of dwelling units in relation to a specified area of land. Land devoted to street right-of-way is not included.
- B. **Net Acre.** A net acre is 43,560 square feet of net site area. Net site area is the site area less constrained lands. Site area is the total area of a development site after subtracting any required or planned dedication of public rights-of-way or designation of private rights-of-way. An applicant may classify the following as constrained land: lands protected under a statewide land use planning goal; land with slopes of 25 percent or greater; land within a utility easement; and, for multi-unit housing on a site where an existing dwelling unit is retained, the building footprint and required setbacks for that unit.

1.3.800 Measuring Landscape Area, Required Outdoor Area and Usable Open Space

- A. Landscape Area.** Landscape area is measured as the area of the site meeting the landscaping standards of Chapter 3.5, expressed as a percentage of total site area.
- B. Required Outdoor Area.** Site area covered by enclosed buildings or used for vehicle parking and circulation is not counted as required outdoor area or usable open space. The areas that count toward the required outdoor area are:
1. Areas planted with vegetation, including natural areas and existing trees;
 2. Private open space, including balconies attached to individual dwelling units;
 3. Pedestrian hardscape; and
 4. Usable open space meeting subsection (C).
- C. Usable Open Space.** Where usable open space is required, it must include one or more of the following:
1. Outdoor recreation area surfaced with lawn, groundcover, gravel, or hard surface. The area must be contiguous and able to fit a 10-foot by 10-foot square;
 2. Balconies, terraces, and rooftop decks with seating areas that are available for use by all residents;
 3. Tree grove, such as a stand of existing mature trees, within an area of maintained ground cover;
 4. Turf or grass play fields;
 5. Children's play structure or play area;
 6. Sports courts;
 7. Swimming or wading pool or hot tub;
 8. Walking fitness course;
 9. Natural area with benches;
 10. Gardening area with at least 50 square feet of planting area; or
 11. Shared indoor recreation or community space, as provided in subsection (D).

- D. Indoor Recreation and Community Space.** Where a standard in this Code allows part of the required usable open space to be provided as shared indoor recreation or community space, the eligible spaces are community rooms, including exercise, entertainment, cooking or dining, or meeting facilities; day care facilities; support services offices or facilities; and occupational facilities, such as shared remote or live-work facilities. Indoor common areas that are not recreational or community spaces, such as lobbies, hallways, laundry facilities, storage rooms, and vehicle or bicycle facilities, do not qualify.
- E. Enclosure.** A required outdoor area may be covered, such as by a covered patio or gazebo, but may not be fully enclosed except as provided in subsection (D). A covered outdoor area is subject to the applicable setback standards.

1.3.900 Measuring Windows and Doors

- A. Standard.** The minimum amount of window and door area required is stated in the applicable design standards.
- B. Qualifying Features.** Windows and pedestrian entrance doors may be used to meet the standard, as provided in subsections (C) and (D).
- C. Window Area.** Window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Windows into storage areas, mechanical and utility areas, and garbage and recycling areas do not qualify.
- D. Door Area.** Door area is the area of the portion of an entrance door, other than a garage door, that moves, and does not include the frame. For multi-unit housing, doors that provide access to dwelling units, whether shared or individual access, and doors that provide access to community spaces qualify; all other doors, such as doors into storage or mechanical areas, do not qualify.

Commentary: Chapter 1.4 is a new addition to the BDC. The current code defines use types with a simple definition. This can make it challenging for staff to classify a specific use if the characteristics of that use differ from the definition. Additionally, the set of uses that are defined is not comprehensive, so it is unclear for staff how some uses should be regulated.

These use categories are defined more broadly by their characteristics, rather than by specific uses (e.g. “Commercial Outdoor Recreation” vs. “mini golf” or “Eating and Drinking Establishments” vs. “Restaurants”). Examples of specific uses within each category are provided, but other uses may be permitted if they have similar characteristics.

In some cases, use categories more clearly differentiate between uses that are similar but have different impacts. For example, “Quick Vehicle Servicing” encompasses gas stations and oil change shops, but not heavier automotive repair.

The benefits of use categories are:

- Clearer guidelines for staff to classify a proposed use
- Less ambiguity because every zone addresses how every use category is regulated
- Consistent terms for use categories used throughout the BDC

Keep in mind that defining a use category in Chapter 1 does not address whether the use is permitted in a zone. That is addressed in Chapter 2.

Chapter 1.4 Use Categories

Sections

- 1.4.100 Purpose**
- 1.4.200 Classification of Uses**
- 1.4.300 Household Living**
- 1.4.310 Group Living**
- 1.4.400 Commercial Outdoor Recreation**
- 1.4.410 Commercial Parking**
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- 1.4.430 Eating and Drinking Establishments**
- 1.4.435 Lodging**
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- 1.4.460 Quick Vehicle Servicing**
- 1.4.470 Retail Sales and Service**
- 1.4.475 Medical Marijuana Business**
- 1.4.480 Self-Service Storage**

- 1.4.490 Vehicle Repair**
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- 1.4.520 Manufacturing and Production**
- 1.4.530 Warehouse and Freight Movement**
- 1.4.540 Waste-Related**
- 1.4.550 Wholesale Sales**
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- 1.4.610 Child Care**
- 1.4.620 Healthcare**
- 1.4.630 Parks and Open Areas**
- 1.4.640 Religious Institutions**
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- 1.4.700 Basic Utilities**
- 1.4.710 Major Utility Facilities**
- 1.4.720 Transportation Facilities**
- 1.4.730 Wireless Communication Facilities**
- 1.4.800 Agriculture**
- 1.4.810 Mining**
- 1.4.820 Detention Facilities**

1.4.100 Purpose

- A. Purpose.** This subchapter classifies land uses and activities into use categories on the basis of common functional, product, or physical characteristics. The use categories provide the basis for assigning uses to zones. Whether a use category is allowed in a particular zone is stated in Chapter 2.1.
- B. Relationship to Definitions.** This subchapter describes use categories. Chapter 1.2 defines individual terms. Where a term used in a category description is defined in Chapter 1.2, that definition governs.
- C. Category Names.** The names of use categories are capitalized throughout this Code.

1.4.200 Classification of Uses

- A. Assignment to a Category.** A use is assigned to the category whose Characteristics subsection describes the use. Where the Characteristics subsections of two or more categories describe the use, the Exceptions subsections govern.

- B. Housing Types.** Where a development meets the definition of more than one housing type, the applicant shall specify the housing type on the development application. The City shall not reclassify a housing type specified by the applicant where the development meets the definition of that type.
- C. Considerations.** Except as provided in subsection (B), the City may consider the following in assigning a use to a category:
1. The description of the activity in relation to the Characteristics subsection of each category;
 2. The floor area and site area devoted to each activity;
 3. The relative amount of sales from each activity;
 4. The number of employees engaged in each activity; and
 5. Whether the activity would be found independent of the other activities on the site.
- D. Developments with More Than One Primary Use.** Where all primary uses of a development are in one category, the development is classified in that category. Where the primary uses are in different categories, each primary use is classified in its own category and is subject to the regulations for that category.
- E. Accessory Uses.** An accessory use is permitted in conjunction with the primary use unless this Code states otherwise. Unless this Code states otherwise, an accessory use is subject to the same regulations as the primary use. Accessory uses commonly found in a category are listed in the Accessory Uses subsection of that category.
- F. Examples.** The Examples subsection of each category lists examples of uses included in the category. The names are generic. They are based on the common meaning of the term and not on what a particular use calls itself.
- G. Uses Not Listed.** A use that is not described by any category in this subchapter is determined under Section 2.1.100(G) and (H).

1.4.300 Household Living

- A. Characteristics.** Household Living is the residential occupancy of a dwelling unit by one or more persons. A dwelling unit contains independent living facilities for sleeping, cooking, and sanitation for the exclusive use of its occupants. Tenancy is arranged for a continuous period of 30 days or more.

- B. Accessory Uses.** Accessory uses commonly found are recreational activities, the keeping of household pets, hobbies, and parking for the occupants. An accessory dwelling unit, a home occupation, and a family child care home caring for not more than 16 children are accessory uses subject to the standards of Chapter 2.6.
- C. Examples.** Household Living includes the following housing types, each as defined in Chapter 1.2: detached single-unit dwelling; duplex; triplex; quadplex; cottage cluster; townhouse; multi-unit housing; accessory dwelling unit; manufactured home; and manufactured dwelling park. Household Living also includes a residential home.
- D. Exceptions.**
1. Occupancy where tenancy is arranged for a continuous period of less than 30 days is not Household Living. It is classified as Lodging under Section 1.4.435, or as Community Service under Section 1.4.600 where the use is a shelter.
 2. Occupancy of a dwelling unit in which the occupants share sanitary or food preparation facilities is classified as Group Living under Section 1.4.310.
 3. Occupancy in which residents receive care, treatment, or training as a condition of tenancy is classified as Group Living under Section 1.4.310, except that a residential home remains Household Living.
 4. A dwelling for a farmworker is classified as Household Living. Multiunit housing for farmworkers is classified as Household Living.

1.4.310 Group Living

- A. Characteristics.** Group Living is the residential occupancy of a structure by a group of persons who share sanitary or food preparation facilities, or who receive care, treatment, or training as a condition of tenancy. Tenancy is arranged for a continuous period of 30 days or more. Group Living structures do not contain a dwelling unit for the exclusive use of each occupant.
- B. Accessory Uses.** Accessory uses commonly found are common eating areas, recreational facilities, offices for staff, parking for occupants and staff, and a family child care home caring for not more than 16 children.
- C. Examples.** Group Living includes the following, each as defined in Chapter 1.2: single room occupancy housing; residential facility; residential treatment facility and residential treatment home; dormitory; fraternity and sorority; and nursing and convalescent home.
- D. Exceptions.**
1. A residential home is classified as Household Living under Section 1.4.300.

2. Occupancy where tenancy is arranged for a continuous period of less than 30 days is not Group Living. It is classified as Lodging under Section 1.4.435, or as Community Service under Section 1.4.600 where the use is a shelter.
3. A facility for persons under judicial detention who are supervised by peace officers is classified as Detention Facilities under Section 1.4.820.
4. A hospital and a use providing overnight medical care are classified as Healthcare under Section 1.4.620.

1.4.400 Commercial Outdoor Recreation

- A. **Characteristics.** Commercial Outdoor Recreation uses provide continuous recreation or entertainment activities to paying participants or spectators. The activities take place primarily outdoors. The use may occupy several structures arranged together in an outdoor setting. The activities are available during posted business hours rather than only on scheduled event dates.
- B. **Accessory Uses.** Accessory uses commonly found are concessions, eating and drinking establishments, equipment rental, parking, maintenance facilities, and a residential caretaker unit where permitted by the base zone.
- C. **Examples.** Examples include amusement parks, water parks, golf driving ranges, miniature golf courses, batting cages, go-kart tracks, outdoor paintball and archery courses, outdoor shooting ranges, and marinas.
- D. **Exceptions.**
 1. Golf courses are classified as Parks and Open Areas.
 2. A use that draws large numbers of people to periodic events, rather than on a continuous basis, is classified as Major Event Assembly.
 3. Recreation and entertainment activities conducted primarily indoors are classified as Retail Sales and Service.
 4. A campground and a recreational vehicle park are classified as Lodging under Section 1.4.435.
 5. A recreation facility that is accessory to a primary use on the same site is accessory to that use.

1.4.410 Commercial Parking

- A. **Characteristics.** Commercial Parking facilities provide vehicle parking that is not accessory to a specific use on the same site. A fee may or may not be charged. A facility that provides both accessory parking for a use on the site and parking for people not connected to that use is classified as Commercial Parking.
- B. **Accessory Uses.** Accessory uses commonly found are attendant booths, leasing and security offices, and electric vehicle charging equipment. In a parking structure only, accessory uses may also include car washing and vehicle repair that serve vehicles parked in the structure.
- C. **Examples.** Examples include short-term and long-term fee parking lots and structures, shared parking lots serving a commercial district, and commuter or shuttle parking lots.
- D. **Exceptions.**
1. Parking that is accessory to a primary use on the same site is not classified as Commercial Parking. This is so even if the operator leases the facility to the primary use or charges a fee to the individuals who park in it.
 2. A parking facility that is accessory to a use, and that charges the public to park for occasional nearby events, is not classified as Commercial Parking.
 3. A public transit park-and-ride facility is classified as Community Service.
 4. Storage of vehicles that are not in regular operation, including towing and impound yards, is classified as Industrial Service.
 5. A full-serve or mini-serve gas station is always classified as a primary use in the Quick Vehicle Servicing category rather than as an accessory use, even when it is located in a parking facility.
 6. Parking that serves a passenger terminal on the same site is accessory to the terminal, which is classified as Transportation Facilities.

1.4.420 Drive-Through Facilities

- A. **Characteristics.** A Drive-Through Facility is designed to allow a driver to remain in the vehicle before and during a transaction or service. The facility includes the drive-up window, kiosk, or service lane and the associated driveways, queuing lanes, and waiting areas. A Drive-Through Facility is classified in this category whether the use it serves is a primary use or an accessory use. Drive-Through Facilities are subject to Section 2.6.600.

- B. Accessory Uses.** Accessory uses commonly found are menu boards, order boxes, canopies, pay stations, call boxes, and pedestrian walkways serving the facility.
- C. Examples.** Examples include drive-up windows and lanes serving an eating and drinking establishment, coffee kiosk, bank, pharmacy, or dry cleaner; automatic teller machines with a drive-up lane; and drive-in theaters.
- D. Exceptions.**
 - 1. A full-serve or mini-serve gas station, car wash, or quick lubrication facility is classified as Quick Vehicle Servicing. A gas station is always classified as a primary use in the Quick Vehicle Servicing category rather than as an accessory use, even when it is in conjunction with other uses.
 - 2. A loading dock, refuse enclosure, or gate serving a use where no transaction occurs with the driver in the vehicle is not a Drive-Through Facility.
 - 3. An electric vehicle charger intended for use while the vehicle is parked in a parking space is not a Drive-Through Facility.
 - 4. A queuing lane serving a Commercial Parking facility is accessory to that facility.

1.4.430 Eating and Drinking Establishments

- A. Characteristics.** Eating and Drinking Establishments prepare and sell food or beverages for consumption on or off the premises. Customers order and pay on the site. Seating may be indoors, outdoors, or absent.
- B. Accessory Uses.** Accessory uses commonly found are outdoor seating areas, live entertainment, catering, retail sale of packaged food and beverages, and parking.
- C. Examples.** Examples include restaurants, cafes, delicatessens, coffee shops, sandwich shops, taverns, bars, brewpubs, tasting rooms, and mobile food vendors.
- D. Exceptions.**
 - 1. A brewery, distillery, winery, or bakery where production is the primary activity is classified as Manufacturing and Production. A tasting room or retail counter accessory to that production is accessory to the Manufacturing and Production use.
 - 2. A drive-up window or lane serving an eating and drinking establishment is classified in the Drive-Through Facilities category and is subject to Section 2.6.600.
 - 3. A full-serve or mini-serve gas station in conjunction with an eating and drinking establishment is always classified as a primary use in the Quick Vehicle Servicing category rather than as an accessory use.

4. Food service that is accessory to a use in another category, including a cafeteria serving employees, students, or patients, is accessory to that use.
5. Transient lodging with an average length of stay of less than 30 days is classified as Retail Sales and Service. Food and beverage service accessory to that lodging is accessory to the lodging.
6. An eating and drinking establishment that is part of a truck stop is accessory to the truck stop, which is classified as Industrial Service.
7. Charitable meal service and food distribution operated by a public or nonprofit agency is classified as Community Service.
8. A food cart pod is classified as Eating and Drinking Establishments and is subject to Section 2.6.680.

1.4.435 Lodging

- A. **Characteristics.** Lodging uses provide overnight accommodations to transient guests. Tenancy is arranged for a continuous period of less than 30 days. Guest rooms or spaces are rented, and the operator provides the accommodation as a commercial service.
- B. **Accessory Uses.** Accessory uses commonly found are offices, eating and drinking establishments serving guests, meeting and banquet rooms, recreational facilities, laundry facilities, retail sales to guests, parking, and a residential caretaker unit where permitted by the base zone.
- C. **Examples.** Examples include hotels, motels, bed and breakfast inns, hostels, recreational vehicle parks, and campgrounds.
- D. **Exceptions.**
 1. Occupancy where tenancy is arranged for a continuous period of 30 days or more is classified as Household Living under Section 1.4.300 or as Group Living under Section 1.4.310.
 2. A shelter operated by a public or nonprofit entity, where no individual lease is executed, is classified as Community Service under Section 1.4.600.
 3. A manufactured dwelling park and a mobile home park are classified as Household Living under Section 1.4.300.
 4. A guest room accessory to a dwelling, where the dwelling remains occupied as a residence, is an accessory use under Section 1.4.300(B).

1.4.440 Major Event Assembly

- A. **Characteristics.** Major Event Assembly uses draw large numbers of people to specific scheduled events or shows. Activities are generally of a spectator nature. Attendance occurs on event dates rather than continuously. A Major Event Assembly use has a permanent seating or standing capacity of [INSERT VALUE] persons or more, or 20,000 square feet or more of total event area.
- B. **Accessory Uses.** Accessory uses commonly found are eating and drinking establishments, concessions, merchandise sales, offices, ticketing areas, parking, and maintenance facilities.
- C. **Examples.** Examples include stadiums, sports arenas, auditoriums, concert halls, exhibition and meeting facilities, fairgrounds, rodeo grounds, and race tracks for motor vehicles, horses, or dogs.
- D. **Exceptions.**
1. Exhibition and meeting areas with less than 20,000 square feet of total event area are classified as Retail Sales and Service.
 2. A banquet hall that is part of a hotel or an eating and drinking establishment is accessory to that use.
 3. Theaters are classified as Retail Sales and Service. A drive-in theater is classified in the Drive-Through Facilities category.
 4. A use that provides continuous outdoor recreation or entertainment during posted business hours is classified as Commercial Outdoor Recreation.
 5. A use that provides continuous indoor recreation or entertainment is classified as Retail Sales and Service.
 6. An assembly facility that is accessory to a school, religious institution, or community service use on the same site is accessory to that use.

1.4.450 Office

- A. **Characteristics.** Office uses are conducted in an office setting and provide business, government, professional, financial, technical, or design services. Goods are not manufactured, stored, or displayed for sale on the site, except as an accessory activity. Employees are present at the site during posted business hours.
- B. **Accessory Uses.** Accessory uses commonly found are cafeterias, conference rooms, employee health and fitness facilities, records storage, and parking.

- C. Examples.** Examples include professional services such as lawyers, accountants, engineers, architects, landscape architects, and management consultants; business services such as headquarters offices, sales offices, temporary staffing agencies, and call centers; financial services such as banks, lenders, brokerages, insurance agents, real estate agents, and property managers; government administrative offices and utility business offices; and drafting, graphic design, and software development services where no equipment or material is stored on the site.
- D. Exceptions.**
1. An office that is part of and located with a firm in another category is accessory to that firm's primary activity. A headquarters office in conjunction with or adjacent to a primary use in another category is part of that other category.
 2. A contractor or other firm that performs services off the site is classified as Office if equipment and materials are not stored on the site and fabrication or similar work is not carried on at the site. Otherwise the firm is classified as Industrial Service.
 3. A facility whose primary activity is the operation of computing, data storage, or network equipment is classified as Data Center.
 4. A use that provides medical or surgical care with overnight patient stay or emergency service is classified as Healthcare. A practitioner's office or clinic with no overnight patient stay is classified in this category.
 5. A research and development laboratory is classified as Industrial Service.
 6. A drive-up window or lane serving an office, including a branch bank, is classified in the Drive-Through Facilities category. Drive-Through Facilities must be a permitted use in the zone to be allowed in conjunction with an Office use.
 7. Radio and television studios are classified in this category.

1.4.460 Quick Vehicle Servicing

- A. Characteristics.** Quick Vehicle Servicing uses provide fuel, cleaning, or short-duration service directly to motor vehicles. The driver generally remains on the site while the service is performed. The development includes a pump island, wash bay, service bay, or similar facility where the service occurs. Full-serve and mini-serve gas stations are always classified as a primary use in this category rather than as an accessory use, even when they are in conjunction with other uses.
- B. Accessory Uses.** Accessory uses commonly found are convenience retail sales, air and water stations, vacuum equipment, tire sales and mounting, and minor vehicle repair.

- C. Examples.** Examples include full-serve and mini-serve gas stations, unattended card-key fueling stations, electric vehicle charging stations designed for the driver to wait on the site, car washes, and quick lubrication and quick oil change facilities.
- D. Exceptions.**
1. Truck stops are classified as Industrial Service. Eating and drinking establishments, lodging, and other services that are part of a truck stop are accessory to the truck stop.
 2. Fueling or charging facilities for vehicles that belong to a specific use, and that are on the site where those vehicles are kept, are accessory to that use.
 3. An electric vehicle charger intended for use while the vehicle is parked in a parking space is not a Quick Vehicle Servicing use.
 4. Repair or service of a consumer motor vehicle where the customer does not wait on the site is classified as Vehicle Repair.
 5. Repair and service of industrial vehicles and equipment and of heavy trucks are classified as Industrial Service.
 6. A drive-up window or lane serving a use other than vehicle servicing is classified in the Drive-Through Facilities category.

1.4.470 Retail Sales and Service

- A. Characteristics.** Retail Sales and Service firms sell, lease, or rent new or used products to the general public. They may also provide personal services, indoor entertainment, or repair of consumer and business goods. Customers come to the site to buy the product or to receive the service.
- B. Accessory Uses.** Accessory uses commonly found are offices, storage of goods, manufacture or repackaging of goods for on-site sale, outdoor display areas, and parking.
- C. Examples.** Examples include uses from the four subgroups listed below.
1. **Sales-oriented.** Stores selling, leasing, or renting consumer, home, and business goods, including clothing, electronics, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvement products, household goods, jewelry, pet supplies, pharmaceuticals, plants, printed material, and stationery; food sales and farmers markets; retail plant nurseries and garden centers; and sales or leasing of consumer vehicles, including passenger vehicles, motorcycles, boats, recreational vehicles, and light and medium trucks.

2. **Service-oriented.** Branch banks; laundromats and dry cleaners; photographic studios; photocopy and quick printing services; hair, nail, tanning, and personal care services; funeral homes, mortuaries, and crematoriums; veterinary clinics and animal hospitals; kennels limited to boarding, with no breeding; animal grooming; business, martial arts, and other trade schools; and dance and music instruction.
3. **Entertainment-oriented.** Indoor recreation and entertainment such as bowling alleys, skating rinks, game arcades, pool halls, indoor firing ranges, health clubs, and gyms; private lodges, private clubs, and membership clubs; and theaters.
4. **Repair-oriented.** Repair of televisions, computers, bicycles, clocks, watches, shoes, firearms, appliances, and office equipment; photo and laundry drop-off; tailoring; locksmithing; and upholstery.

D. Exceptions.

1. Establishments that prepare and sell food or beverages, including restaurants, cafes, taverns, and bars, are classified as Eating and Drinking Establishments.
2. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.
3. Sales, rental, or leasing of heavy trucks and equipment is classified as Wholesale Sales.
4. Sales of landscape materials, including bark chips and compost, are classified as Industrial Service.
5. Repair and service of consumer motor vehicles, motorcycles, boats, recreational vehicles, and light and medium trucks are classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and of heavy trucks, towing and vehicle storage, and vehicle wrecking and salvage are classified as Industrial Service.
6. A full-serve or mini-serve gas station, car wash, or quick lubrication facility is classified as Quick Vehicle Servicing. A gas station is always classified as a primary use rather than as an accessory use, even when it is in conjunction with a retail use.
7. Eating and drinking establishments, lodging, and other services that are part of a truck stop are accessory to the truck stop, which is classified as Industrial Service.
8. Plant nurseries that grow plants primarily for wholesale sale are classified as Agriculture. Plant nurseries and garden centers oriented to retail sales are classified in this category.

9. A trade school where industrial vehicles and equipment, including heavy trucks, are operated is classified as Industrial Service.
10. An institution of higher learning offering courses of general or specialized study leading to a degree is classified as Schools. Business and trade schools are classified in this category.
11. Private lodges, clubs, and private or commercial athletic or health clubs are classified in this category. A community facility with membership provisions that is open to the general public to join at any time is classified as Community Service.
12. Lodging with no minimum length of stay that is operated by a public or nonprofit agency as a mass, outdoor, or short-term shelter is classified as Community Service.
13. Uses where tenancy is arranged for a continuous period of 30 days or more are residential and are classified as Household Living under Section 1.4.300 or as Group Living under Section 1.4.310.
14. Overnight accommodations to transient guests, where tenancy is arranged for a continuous period of less than 30 days, are classified as Lodging under Section 1.4.435.
15. Where a kennel is limited to boarding, with no breeding, the applicant may choose to classify the use as Retail Sales and Service or as Agriculture.
16. Care that includes overnight patient stay or emergency service is classified as Healthcare.

1.4.475 Medical Marijuana Business

- A. **Characteristics.** Medical Marijuana Business uses dispense medical marijuana, or grow medical marijuana, under a registration or license issued by the Oregon Health Authority. Activity occurs indoors, or outdoors where screened and ventilated as required by Section 2.6.640.
- B. **Accessory Uses.** Accessory uses commonly found are offices, secure storage, security facilities, and off-street parking.
- C. **Examples.** Examples include a medical marijuana dispensary or facility and a medical marijuana grow facility, each as defined in Chapter 1.2.
- D. **Exceptions.**
 1. Processing and extraction of cannabis and medical marijuana are classified as Manufacturing and Production.

2. Sale of goods that do not include marijuana is classified as Retail Sales and Service.

1.4.480 Self-Service Storage

- A. **Characteristics.** Self-Service Storage uses provide separate storage areas for individual or business tenants. Each storage area is designed to allow private access by the tenant for storing or removing personal property. The tenant, not an employee, is the primary mover of the goods.
- B. **Accessory Uses.** Accessory uses commonly found are a leasing and security office, parking, and a residential caretaker unit where permitted by the base zone. Use of a storage area for sales, service, repair, or manufacturing is not accessory to a Self-Service Storage use. Rental of trucks or equipment is not accessory to a Self-Service Storage use.
- C. **Examples.** Examples include single-story and multistory facilities that provide individual storage areas for rent. These uses are also called miniwarehouses.
- D. **Exceptions.**
 1. A transfer and storage business with no individual storage areas, or where employees are the primary movers of the goods to be stored or transferred, is classified as Warehouse and Freight Movement. Miniwarehouses are classified in this category.
 2. Storage of vehicles where the storage is not accessory to another use on the same site, including towing and impound yards, is classified as Industrial Service.
 3. Storage of goods that is accessory to a primary use on the same site is accessory to that use.

1.4.490 Vehicle Repair

- A. **Characteristics.** Vehicle Repair firms service and repair passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles. The customer generally does not wait on the site while the service or repair is performed. Work occurs in a service bay or an enclosed building.
- B. **Accessory Uses.** Accessory uses commonly found are offices, sales of parts, and storage of vehicles awaiting or following service.

C. Examples. Examples include vehicle repair garages, transmission and muffler shops, auto body and paint shops, alignment shops, auto upholstery shops, auto detailing, and tire sales and mounting.

D. Exceptions.

1. Repair and service of industrial vehicles and equipment and of heavy trucks, towing and vehicle storage, and vehicle wrecking and salvage are classified as Industrial Service.
2. Service where the driver waits on the site, including fueling, car washing, and quick lubrication, is classified as Quick Vehicle Servicing.
3. Vehicle repair in a parking structure that serves only vehicles parked in that structure is accessory to the Commercial Parking use.
4. Sales or leasing of consumer vehicles is classified as Retail Sales and Service. Repair that is accessory to a vehicle sales use on the same site is accessory to that use.

1.4.500 Data Center

A. Characteristics. Data Center uses operate computing, data storage, and network equipment as the primary activity on the site. That equipment, and the electrical, cooling, fire suppression, and security systems serving it, occupy most of the floor area. A Data Center has a connected electrical load of 5 megawatts or more. A Data Center also has cooling infrastructure dedicated to the equipment, such as chillers, cooling towers, evaporative cooling units, or dedicated air handling units. Data Center uses typically employ few people relative to their floor area and have substantial electrical and cooling demands, and for that reason are classified separately from Office.

B. Accessory Uses. Accessory uses commonly found are offices, network operations centers, security facilities, electrical switchgear and substations serving the facility, backup generators and fuel storage for those generators, water storage and cooling water treatment, staging and warehouse areas, and parking.

C. Examples. Examples include data centers, server farms, co-location facilities, hosting and cloud computing facilities, and cryptocurrency mining facilities.

D. Exceptions.

1. A server room, network closet, or computer equipment area that is accessory to a primary use in another category is accessory to that use.
2. An office where employees use computers to provide services to customers or clients is classified as Office.

3. Generation of electrical or thermal energy on the site primarily for off-site use or sale is classified as Major Utility Facilities.
4. An electrical substation, switchyard, or energy storage facility serving only the Data Center on the same site is accessory to the Data Center.
5. Manufacture or assembly of computing or network equipment is classified as Manufacturing and Production.

1.4.510 Industrial Service

- A. **Characteristics.** Industrial Service firms repair or service industrial, business, or consumer machinery, equipment, products, or by-products. A firm that services consumer goods does so mainly by providing centralized service for separate retail outlets. Contractors, building maintenance firms, and similar firms perform their services off the site and store equipment or materials on the site. Few customers, and especially few members of the general public, come to the site.
- B. **Accessory Uses.** Accessory uses commonly found are offices, parking, outdoor storage, rail spur or lead lines, and docks.
- C. **Examples.** Examples include welding shops; machine shops; tool repair; electric motor repair; repair of scientific and professional instruments; sales, repair, storage, salvage, or wrecking of heavy machinery, metal, and building materials; sales of landscape materials, including bark chips and compost; towing and vehicle storage; auto and truck salvage and wrecking yards; heavy truck servicing and repair; tire retreading and recapping; truck stops; building, heating, plumbing, and electrical contractors; trade schools where industrial vehicles and equipment, including heavy trucks, are operated; exterminators; janitorial and building maintenance services; fuel oil distributors; solid fuel yards; research and development laboratories; drydocks and the repair or dismantling of ships and barges; laundry, dry cleaning, and carpet cleaning plants; and photofinishing laboratories.
- D. **Exceptions.**
 1. Repair and service of consumer motor vehicles, motorcycles, boats, recreational vehicles, and light and medium trucks are classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and of heavy trucks, towing and vehicle storage, and vehicle wrecking and salvage are classified in this category.
 2. Recycling operations that receive, store, sort, or process post-consumer material from others are classified as Waste-Related. A recycling drop-off station that is accessory to a retail use is accessory to that use.

3. Printing, publishing, and lithography are classified as Manufacturing and Production.
4. A contractor or other firm that performs services off the site is classified as Office if equipment and materials are not stored on the site and fabrication or similar work is not carried on at the site.
5. Eating and drinking establishments, lodging, and other services that are part of a truck stop are accessory to the truck stop.
6. Manufacturing, processing, fabrication, packaging, or assembly of goods is classified as Manufacturing and Production.
7. A firm whose primary activity is the storage or movement of goods for others is classified as Warehouse and Freight Movement.
8. Service where the driver waits on the site, including fueling, car washing, and quick lubrication, is classified as Quick Vehicle Servicing.

1.4.520 Manufacturing and Production

- A. Characteristics.** Manufacturing and Production firms manufacture, process, fabricate, package, or assemble goods. Natural, synthetic, raw, secondary, or partially completed materials may be used. Products are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on the site. Where goods are sold on the site, those sales are a subordinate part of the firm's activity. Relatively few customers come to the site. Manufacturing and Production in commercial zones is also subject to Section 2.6.620.
- B. Accessory Uses.** Accessory uses commonly found are offices, cafeterias, employee recreation facilities, warehouses, storage yards, rail spur or lead lines, docks, repair facilities, truck fleet parking, tasting rooms and retail sale of goods produced on the site, parking, and a residential caretaker unit where permitted by the base zone.

C. Examples. Examples include processing of food and related products; commercial bakeries; catering establishments; breweries, distilleries, and wineries; production of animal feed; weaving and production of textiles and apparel; lumber mills, pulp and paper mills, and other wood products manufacturing; woodworking, including cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone, glass, or paper materials or products; printing, publishing, and lithography; concrete batching and asphalt mixing; production or fabrication of metals and metal products, including enameling and galvanizing; manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, and electrical items; ship and barge building; oil module production; production of prefabricated structures, including manufactured dwellings; sign making; and processing and extraction of cannabis and medical marijuana.

D. Exceptions.

1. Manufacture of goods sold primarily on the site and to the general public is classified as Retail Sales and Service.
2. Repair or servicing of machinery, equipment, products, or by-products is classified as Industrial Service.
3. Manufacture or production of goods from composting organic material received from others is classified as Waste-Related.
4. Generation of electrical or thermal energy primarily for off-site use or sale is classified as Major Utility Facilities.
5. Micro-generation that serves a use on the same site is classified as Basic Utilities.
6. Extraction of mineral or aggregate resources from the ground is classified as Mining. Crushing, washing, and batching of material extracted on the same site is accessory to the Mining use.
7. A solid waste incinerator that generates energy from waste received from others is classified as Waste-Related.
8. A facility whose primary activity is the operation of computing, data storage, or network equipment is classified as Data Center.
9. Raising, producing, or keeping plants or animals is classified as Agriculture. Processing of animal or plant products, including milk, and feed lots are classified in this category.

1.4.530 Warehouse and Freight Movement

- A. **Characteristics.** Warehouse and Freight Movement firms store or move goods for themselves or for other firms. Employees are the primary movers of the goods. Goods are generally delivered to other firms or to the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.
- B. **Accessory Uses.** Accessory uses commonly found are offices, truck fleet parking and maintenance areas, rail spur or lead lines, docks, repackaging of goods, and parking.
- C. **Examples.** Examples include separate warehouses used by retail stores; household moving and general freight storage; cold storage plants, including frozen food lockers; storage of weapons and ammunition; wholesale distribution centers; truck, marine, and air freight terminals; barge loading and transloading facilities; rail yards used for car switching, assembling trains, or transferring goods between transportation modes; grain terminals; parcel services; post office distribution facilities; bus barns and vehicle maintenance facilities; and the stockpiling of sand, gravel, and other aggregate materials.
- D. **Exceptions.**
1. Miniwarehouses are classified as Self-Service Storage. A transfer and storage business with no individual storage areas, or where employees are the primary movers of the goods to be stored or transferred, is classified in this category.
 2. Uses that transfer or store solid or liquid waste are classified as Waste-Related.
 3. Storage of goods that is accessory to a primary use on the same site is accessory to that use.
 4. A firm that emphasizes on-site sales or order taking, with a display area, is classified as Wholesale Sales.
 5. A firm whose primary activity is the sale of products to the general public is classified as Retail Sales and Service.
 6. Storage of vehicles where the storage is not accessory to another use on the same site is classified as Industrial Service.

1.4.540 Waste-Related

- A. **Characteristics.** Waste-Related uses receive solid or liquid waste from others for disposal on the site or for transfer to another location. Waste-Related uses also collect sanitary waste, produce goods or energy from the biological decomposition of organic material, or receive, store, sort, and distribute post-consumer recyclable material. Waste-Related uses also include uses that receive hazardous waste from others and are subject to state hazardous waste management rules.
- B. **Accessory Uses.** Accessory uses commonly found are offices, scale houses, equipment storage and maintenance, and repackaging and transshipment of by-products.
- C. **Examples.** Examples include waste transfer stations, waste composting facilities, recycling operations and material recovery facilities, effluent disposal facilities for industrial waste, portable sanitary collection equipment storage and pumping, and solid waste incinerators that generate energy from waste received from others.
- D. **Exceptions.**
1. Disposal of clean fill is a fill and is not a Waste-Related use.
 2. Infrastructure services that must be located in or near the area where the service is provided in order to function are classified as Basic Utilities. Examples include sewer pipes, pump stations, and collection stations that serve a development.
 3. Water treatment plants and sewage treatment plants are classified as Major Utility Facilities.
 4. Generation of electrical or thermal energy primarily for off-site use or sale, other than from waste received from others, is classified as Major Utility Facilities.
 5. Micro-generation that serves a use on the same site is classified as Basic Utilities.
 6. A recycling drop-off station that is accessory to a retail use is accessory to that use.
 7. Repair or servicing of machinery or equipment, and vehicle wrecking and salvage, are classified as Industrial Service.
 8. Waste collection or handling that is accessory to a primary use on the same site is accessory to that use.

1.4.550 Wholesale Sales

- A. Characteristics.** Wholesale Sales firms sell, lease, or rent products primarily intended for industrial, institutional, or commercial businesses. The firm emphasizes on-site sales or order taking and often includes a display area. The firm may or may not be open to the general public. Sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on the site or delivered to the customer.
- B. Accessory Uses.** Accessory uses commonly found are offices, product repair, warehouses, minor fabrication services, repackaging of goods, and parking.
- C. Examples.** Examples include sale or rental of machinery, equipment, heavy trucks, building materials, lumber, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; agricultural equipment and supply dealers; livestock auctions; mail order houses; and wholesalers of food, clothing, auto parts, building hardware, and office supplies.
- D. Exceptions.**
1. A firm that engages primarily in sales to the general public is classified as Retail Sales and Service. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified in this category.
 2. Sales, rental, or leasing of heavy trucks and equipment is classified in this category rather than as Retail Sales and Service.
 3. A firm that sells on a membership basis and admits any member of the general public who chooses to join is classified as Retail Sales and Service.
 4. A firm that is primarily storing goods, with little on-site business activity, is classified as Warehouse and Freight Movement.
 5. Wholesale plant nurseries are classified as Agriculture.
 6. Repair or servicing of machinery or equipment as the primary activity is classified as Industrial Service.

1.4.600 Community Service

- A. Characteristics.** Community Service uses are of a public, nonprofit, or charitable nature and provide a local service to people of the community. The service is provided on the site, or employees are present at the site on a regular basis. The service is ongoing rather than limited to special events. A community center or facility with membership provisions is a Community Service use only if it is open to the general public to join at any time. A Community Service use may provide mass, outdoor, or short-term shelter with no minimum length of stay when the shelter is operated by a public or nonprofit agency. A Community Service use may also provide counseling, education, or training of a public, nonprofit, or charitable nature.
- B. Accessory Uses.** Accessory uses commonly found are offices, meeting areas, food preparation and service areas, health and hygiene facilities, therapy areas, child care, athletic facilities, and parking.
- C. Examples.** Examples include libraries, museums, senior centers, community centers, publicly owned swimming pools, youth club facilities, hospices, social service facilities, treatment centers for drug and alcohol conditions that do not provide overnight care, vocational training for persons with disabling conditions, mass shelters, outdoor shelters, and short-term shelters operated by a public or nonprofit agency, charitable meal service and food distribution centers, and public transit park-and-ride facilities.
- D. Exceptions.**
1. Private lodges, clubs, and private or commercial athletic or health clubs are classified as Retail Sales and Service. A commercial museum is classified as Retail Sales and Service.
 2. Parks, open areas, and cemeteries are classified as Parks and Open Areas.
 3. Uses where tenancy is arranged for a continuous period of 30 days or more are residential and are classified as Household Living under Section 1.4.300 or as Group Living under Section 1.4.310.
 4. Transient lodging with an average length of stay of less than 30 days is classified as Retail Sales and Service. Lodging with no minimum length of stay that is operated by a public or nonprofit agency as a mass, outdoor, or short-term shelter is classified in this category.
 5. Public safety facilities, including police, fire, and ambulance stations, are classified as Basic Utilities.
 6. A government administrative office where the public is not received for a direct service is classified as Office.

7. A public transit park-and-ride facility is classified in this category rather than as Commercial Parking or as Transportation Facilities.
8. Care that includes overnight patient stay or emergency service is classified as Healthcare.
9. Day or evening care of two or more children outside the children's homes for a fee is classified as Child Care.
10. A school is classified as Schools. A religious institution is classified as Religious Institutions.

1.4.610 Child Care

- A. **Characteristics.** Child Care uses provide day or evening care of two or more children outside the children's homes for a fee. Child Care also includes daytime care of teenagers or adults who need assistance or supervision. Care is provided for periods of less than 24 hours, and no overnight stay occurs.
- B. **Accessory Uses.** Accessory uses commonly found are offices, indoor and outdoor play areas, food preparation areas, and parking.
- C. **Examples.** Examples include child care centers, preschools, nursery schools, before-school and after-school programs, and adult day care programs.
- D. **Exceptions.**
 1. A family child care home caring for not more than 16 children in a dwelling is a residential accessory use and is not classified in this category. A family child care home is an accessory use under Section 1.4.300(B).
 2. Care given by a parent, guardian, or relative of the children, or by a babysitter, is not a Child Care use.
 3. Child care that is accessory to a school, religious institution, community service use, or employer on the same site is accessory to that use.
 4. A facility providing state-mandated basic education is classified as Schools. Preschools are classified in this category.
 5. Care that includes overnight patient stay or emergency service is classified as Healthcare.

1.4.620 Healthcare

- A. Characteristics.** Healthcare uses provide medical or surgical care to patients. A Healthcare use offers overnight patient stay, emergency service, or both. Healthcare uses tend to occupy campus settings or multiple parcels.
- B. Accessory Uses.** Accessory uses commonly found are outpatient clinics, offices, laboratories, pharmacies, teaching facilities, meeting areas, cafeterias, helicopter landing facilities, maintenance facilities, parking, and housing for staff, trainees, or patient families.
- C. Examples.** Examples include hospitals, acute care centers, medical complexes that include a hospital, freestanding emergency facilities, inpatient surgical centers, and inpatient rehabilitation and psychiatric hospitals.
- D. Exceptions.**
1. A practitioner's office or clinic that provides care where patients are not kept overnight, and that provides no emergency service, is classified as Office. This includes medical and dental offices, outpatient clinics, urgent care facilities, dialysis centers, and physical therapy centers.
 2. A use that provides exclusive care and planned treatment or training for psychiatric, alcohol, or drug conditions, where patients are residents of the program, is classified as Group Living under Section 1.4.310.
 3. A medical, dental, or diagnostic laboratory that is not on the site of a Healthcare use is classified as Office.
 4. A research and development laboratory is classified as Industrial Service.
 5. A veterinary clinic or animal hospital is classified as Retail Sales and Service.
 6. A hospice or social service facility that does not provide medical or surgical care is classified as Community Service.
 7. A nursing or convalescent home, and other residential care where tenancy is arranged for a continuous period of 30 days or more, are classified as Group Living under Section 1.4.310.

1.4.630 Parks and Open Areas

- A. **Characteristics.** Parks and Open Areas are lands used for natural areas, vegetative landscaping, outdoor recreation, community gardens, public squares, or the interment of human or animal remains. Lands in this category have few structures. Access is generally free of charge, or a fee is charged only for the use of a specific facility. Cemeteries are Parks and Open Areas.
- B. **Accessory Uses.** Accessory uses commonly found are restrooms, clubhouses, maintenance and storage buildings, concessions, columbaria and mausolea within a cemetery, parking, and a residential caretaker unit where permitted by the base zone.
- C. **Examples.** Examples include public parks, playgrounds, athletic fields and courts, swimming pools, golf courses, cemeteries, public squares and plazas, recreational trails, botanical gardens, boat launching areas, nature preserves, and community gardens.
- D. **Exceptions.**
1. On-site mitigation is not a Parks and Open Areas use.
 2. Commercial recreation or entertainment activities conducted continuously for a fee, other than a golf course, are classified as Commercial Outdoor Recreation. Golf courses are classified in this category.
 3. A use that draws large numbers of people to periodic events, rather than on a continuous basis, is classified as Major Event Assembly.
 4. A crematorium or funeral home is classified as Retail Sales and Service.
 5. Raising, producing, or keeping plants or animals as a farm use, other than a community garden, is classified as Agriculture.
 6. Open space or a recreation facility that is accessory to a primary use on the same site is accessory to that use.

1.4.640 Religious Institutions

- A. **Characteristics.** Religious Institutions primarily provide meeting areas for religious activities.

- B. Accessory Uses.** Accessory uses commonly found are religious education facilities, food service, charitable meal service and food distribution, child care, assembly and social halls, cemeteries, residences for clergy, congregate housing such as convents, and parking. A religious institution may allow overnight living in vehicles as provided by ORS 203.082.
- C. Examples.** Examples include churches, temples, synagogues, mosques, and other places of worship.
- D. Exceptions.**
1. A school operated by a religious institution is classified as Schools.
 2. Day or evening care of two or more children outside the children's homes for a fee, where the care is not accessory to religious activities on the same site, is classified as Child Care.
 3. A cemetery that is not accessory to a religious institution on the same or an abutting site is classified as Parks and Open Areas.
 4. A meeting hall that is rented to the general public for events is classified as Major Event Assembly if the total event area is 20,000 square feet or more, and as Retail Sales and Service if the total event area is less than 20,000 square feet.
 5. A shelter operated by a public or nonprofit agency with no minimum length of stay is classified as Community Service.

1.4.650 Schools

- A. Characteristics.** Schools provide state-mandated basic education at the primary, elementary, middle, junior high, or high school level. Schools also include institutions of higher learning that offer courses of general or specialized study leading to a degree and that are accredited by a recognized accrediting agency. Schools may be public or private and secular or parochial. Schools tend to occupy campus settings or multiple parcels.
- B. Accessory Uses.** Accessory uses commonly found are offices, play areas, cafeterias, recreational and athletic facilities, athletic fields, auditoriums, laboratories, before-school and after-school child care, student and faculty housing, meal programs and food distribution for students and families, maintenance facilities, and parking.
- C. Examples.** Examples include public and private daytime schools, boarding schools, universities, colleges, community colleges, nursing and medical schools not accessory to a Healthcare use, and seminaries.
- D. Exceptions.**

1. Business and trade schools are classified as Retail Sales and Service.
2. A trade school where industrial vehicles and equipment, including heavy trucks, are operated is classified as Industrial Service.
3. Preschools are classified as Child Care.
4. Dance, music, martial arts, and similar instruction offered to the general public is classified as Retail Sales and Service.
5. Student housing that is not on a school site is classified as Household Living under Section 1.4.300 or as Group Living under Section 1.4.310.
6. A stadium or auditorium open to the general public for scheduled events, with a permanent seating or standing capacity of [INSERT VALUE] persons or more, is classified as Major Event Assembly.

1.4.700 Basic Utilities

- A. **Characteristics.** Basic Utilities are infrastructure services that must be located in or near the area where the service is provided in order to function. Basic Utilities convey, distribute, store, or measure a service rather than treat it or generate it for sale. Except for public safety facilities, Basic Utilities generally do not have regular employees at the site. The service may be publicly or privately provided. All public safety facilities are Basic Utilities.
- B. **Accessory Uses.** Accessory uses commonly found are parking; control, monitoring, data, and transmission equipment; equipment and material storage; and holding cells within a police station.
- C. **Examples.** Examples include water and sewer pump stations; sewage collection and conveyance systems; local electrical substations and distribution lines; water towers, reservoirs, and water distribution lines; water quality and flow control facilities; stormwater facilities and conveyance systems; telephone exchanges; micro-generation; and public safety facilities, including fire stations, police stations, ambulance stations, and emergency communication broadcast facilities.
- D. **Exceptions.**
 1. Infrastructure that serves a regional or system-wide area, rather than the immediate vicinity, is classified as Major Utility Facilities. Water treatment plants, sewage treatment plants, regional transmission lines, and regional pipelines are classified as Major Utility Facilities.
 2. Generation of electrical or thermal energy primarily for off-site use or sale is classified as Major Utility Facilities. Micro-generation that serves a use on the same site is classified in this category.

3. A service where people are generally present, other than a public safety facility, is classified as Community Service or as Office.
4. A utility business office where employees or customers are generally present is classified as Office.
5. Bus barns and vehicle maintenance facilities are classified as Warehouse and Freight Movement.
6. A wireless communication facility that is not a public safety facility is classified as Wireless Communication Facilities.
7. A solid waste incinerator that generates energy from waste received from others is classified as Waste-Related.
8. Streets and other rights-of-way, transit facilities, passenger terminals, and rail lines are classified as Transportation Facilities.
9. A utility facility that serves only a primary use on the same site is accessory to that use.

1.4.710 Major Utility Facilities

- A. **Characteristics.** Major Utility Facilities are infrastructure services that serve a regional or system-wide area rather than the immediate vicinity. Major Utility Facilities also generate electrical or thermal energy primarily for off-site use or sale, or treat water or wastewater. Infrastructure services that must be located in or near the area where the service is provided in order to function are classified as Basic Utilities.
- B. **Accessory Uses.** Accessory uses commonly found are offices, control and monitoring buildings, switchyards and substations serving the facility, security facilities, equipment and material storage, access roads, and parking.
- C. **Examples.** Examples include utility-scale natural gas, solar, wind, geothermal, and biomass power generation facilities; utility-scale battery energy storage facilities; regional electrical transmission lines and transmission substations; regional gas and oil pipelines; water treatment plants; and sewage treatment plants.
- D. **Exceptions.**
 1. Infrastructure services that must be located in or near the area where the service is provided in order to function are classified as Basic Utilities. Local electrical substations and distribution lines, water and sewer pump stations, water towers and reservoirs, and conveyance systems are Basic Utilities.

2. Micro-generation that serves a use on the same site is classified as Basic Utilities.
3. Electrical generation, switchgear, or energy storage that serves only a primary use on the same site is accessory to that use.
4. Landfills, waste composting, waste transfer, recycling operations, and solid waste incinerators that generate energy from waste received from others are classified as Waste-Related.
5. A utility business office where employees or customers are generally present is classified as Office.
6. Manufacture or assembly of energy generating equipment is classified as Manufacturing and Production.
7. A rail line or a street right-of-way is classified as Transportation Facilities.
8. A wireless communication facility is classified as Wireless Communication Facilities.

1.4.720 Transportation Facilities

- A. **Characteristics.** Transportation Facilities are the physical improvements used to move people and goods from one place to another. This category includes streets and other rights-of-way, transit facilities, passenger terminals, and rail lines. A facility in this category is open to the traveling public or to a transportation operator, and it is not accessory to a specific use on the same site.
- B. **Accessory Uses.** Accessory uses commonly found are sidewalks, bicycle lanes, medians, landscaping, lighting, signs, shelters, waiting areas, ticketing and baggage areas, concessions, offices, freight handling areas, maintenance and fueling facilities, rental car facilities, and parking serving the facility.
- C. **Examples.** Examples include streets, roads, alleys, bridges, sidewalks, pathways, and bicycle lanes; transit stops, shelters, turnarounds, stations, and transit centers; passenger terminals for bus, rail, air, and marine travel; airports, air strips, and helicopter landing facilities; and railroad tracks and lines for the movement of trains.
- D. **Exceptions.**
 1. A public transit park-and-ride facility is classified as Community Service.
 2. A parking facility that is not accessory to a specific use on the same site is classified as Commercial Parking. Parking that serves a passenger terminal on the same site is accessory to the terminal.

3. A railroad lead or spur line that delivers or unloads rail cars at a specific site is accessory to the primary use of that site.
4. A rail yard used for car switching, assembling trains, or transferring goods between transportation modes is classified as Warehouse and Freight Movement.
5. A bus barn or vehicle maintenance facility is classified as Warehouse and Freight Movement.
6. A truck, marine, or air freight terminal is classified as Warehouse and Freight Movement.
7. Regional transmission lines and regional pipelines are classified as Major Utility Facilities.
8. A helicopter landing facility that is accessory to another use is accessory to that use.
9. A driveway, drive aisle, or queuing lane serving a specific use on the same site is accessory to that use.

1.4.730 Wireless Communication Facilities

- A. **Characteristics.** Wireless Communication Facilities include the devices, equipment, machinery, structures, and supporting elements necessary to transmit or receive a wireless signal or message. The facility operates as a discrete unit. Towers may be self-supporting, guyed, or mounted on a pole or a building.
- B. **Accessory Uses.** Accessory uses commonly found are equipment shelters and cabinets, backup generators, fencing, access roads, and parking.
- C. **Examples.** Examples include cell towers, monopoles, lattice towers, antennas, point-to-point microwave facilities, radio and television broadcast towers, small wireless facilities mounted on a pole or a building, and accessory transmitting and receiving equipment.
- D. **Exceptions.**
 1. A receive-only antenna is not classified in this category.
 2. Radio and television studios are classified as Office.
 3. A wireless communication facility that is a public safety facility, including an emergency communication broadcast facility, is classified as Basic Utilities.
 4. A wireless communication facility that serves only a primary use on the same site is accessory to that use.

1.4.800 Agriculture

- E. Characteristics.** Agriculture uses raise, produce, or keep plants or animals. Production occurs outdoors, in greenhouses, or in buildings. Products are generally sold off the site or to wholesale buyers.
- F. Accessory Uses.** Accessory uses commonly found are dwellings for the proprietors and employees of the use, barns and other farm buildings, greenhouses, irrigation facilities, storage and maintenance of farm equipment, animal training, and the seasonal sale of products grown on the site.
- G. Examples.** Examples include farming, truck gardening, orchards, vineyards, hay and grain production, irrigated field crops, forestry and tree farming, dairy farms, breeding or raising of fowl or other animals, stables and riding academies, kennels and other animal boarding places, wholesale plant nurseries, and cultivation of cannabis and medical marijuana.
- H. Exceptions.**
1. Processing of animal or plant products, including milk, and feed lots are classified as Manufacturing and Production. Processing and extraction of cannabis and medical marijuana are classified as Manufacturing and Production.
 2. Livestock auctions are classified as Wholesale Sales.
 3. Plant nurseries and garden centers oriented to retail sales are classified as Retail Sales and Service. Wholesale plant nurseries are classified in this category.
 4. A medical marijuana dispensary or facility and a medical marijuana grow facility are classified as Medical Marijuana Business.
 5. Where a kennel is limited to boarding, with no breeding, the applicant may choose to classify the use as Agriculture or as Retail Sales and Service.
 6. Land used for grazing that is not part of a farm or ranch is classified as Parks and Open Areas.
 7. Continuation of an existing farm use is subject to Section 2.6.650.

1.4.810 Mining

- A. Characteristics.** Mining uses extract mineral or aggregate resources from the ground for off-site use.

- B. Accessory Uses.** Accessory uses commonly found are storage, sorting, stockpiling, and transfer off the site of the mined material; crushing, washing, and batching of material extracted on the same site; scale houses; offices; and equipment storage and maintenance.
- C. Examples.** Examples include quarrying and dredging for sand, gravel, and other aggregate materials; mining; and oil, gas, and geothermal drilling.
- D. Exceptions.**
1. Processing of material that was not extracted on the same site, including concrete batching and asphalt mixing, is classified as Manufacturing and Production.
 2. Stockpiling of sand, gravel, or other aggregate material that was not extracted on the same site is classified as Warehouse and Freight Movement.
 3. Grading or excavation as part of an approved development on the site is not a Mining use.

1.4.820 Detention Facilities

- A. Characteristics.** Detention Facilities provide for the judicially required detention or incarceration of persons. Persons detained are under 24-hour supervision by peace officers, except when on approved leave.
- B. Accessory Uses.** Accessory uses commonly found are offices, kitchens and dining areas, recreational facilities, health care facilities for those detained, workshops, and parking.
- C. Examples.** Examples include prisons, jails, juvenile detention facilities, and detention-diversion facilities.
- D. Exceptions.**
1. A program providing a transitional living experience for former offenders, where residents are not supervised by peace officers, is classified as Group Living under Section 1.4.310.
 2. A use providing psychiatric, alcohol, or drug treatment where residents are not under judicial detention is classified as Group Living under Section 1.4.310 or as Healthcare under Section 1.4.620.

Commentary: Minor administrative edits are proposed to the enforcement chapter for clarify and consistency.

Chapter ~~1.31.5~~ Enforcement

Sections

1.5.100	Provisions of this Code Declared to be Minimum Requirements
1.5.200	Violation of Code Prohibited
1.5.300	Penalty
1.5.400	Complaints Regarding Violations
1.5.500	Inspection and Right of Entry
1.5.600	Abatement of Violations
1.5.700	Stop-Order Hearing

~~1.3.100~~**1.5.100** Provisions of this Code Declared to be Minimum Requirements

- A. Minimum Requirements Intended.** In their interpretation and application, the provisions of this Code shall be held to be minimum requirements, adopted for the protection of the public health, safety, and general welfare
- B. Most Restrictive Requirements Apply.** When the requirements of this Code vary from other provisions of this Code or with other applicable standards, the most restrictive or that imposing the highest standard shall govern.

~~1.3.200~~**1.5.200** Violation of Code Prohibited

No person shall erect, construct, alter, maintain or use any building or structure or shall use, divide or transfer any land in violation of this Code or any amendment thereto.

~~1.3.300~~1.5.300 Penalty

- A. Class D Violations.** A violation of this Code shall constitute a Class D violation as defined in Chapter 153 of the Oregon Revised Statutes or as hereafter amended and the fine for such a violation shall be set forth in Chapter 153 of the Oregon Revised Statutes for a Class D violation as presently defined or as hereafter amended.
- B. Each Violation a Separate Infraction.** Each violation of a separate provision of this Code shall constitute a separate infraction, and each day that a violation of this Code is committed or permitted to continue shall constitute a separate infraction.
- C. Abatement of Violation Required.** A finding of a violation of this Code shall not relieve the responsible party of the duty to abate the violation. The penalties imposed by this section are in addition to and not in lieu of any remedies available to the City.
- D. Responsible Party.** If a provision of this Code is violated by a firm or corporation, the officer or officers, or person or persons responsible for the violation shall be subject to the penalties imposed by this section.

~~1.3.400~~1.5.400 Complaints Regarding Violations

- A. Filing Written Complaint.** Whenever a violation of this Code occurs, or is alleged to have occurred, any person may file a signed, written complaint.
- B. File Complaint with City Manager.** Such complaints, stating fully the causes and basis thereof, shall be filed with the City Manager. The City Manager or their designee shall properly record such complaints, investigate and take action thereon as provided by this Code.

~~1.3.500~~1.5.500 Inspection and Right of Entry

[customize this section, as necessary, with assistance of the City attorney]

~~1.3.600~~1.5.600 Abatement of Violations

Any development or use which occurs contrary to the provisions of this Code or contrary to any permit or approval issued or granted under this Code is unlawful, and may be abated by appropriate proceedings.

~~1.3.700~~1.5.700 Stop-Order Hearing

- A. Stop Order Issued.** Whenever any work is being done in violation of the provisions of the Code or a condition of any permit or other approval granted pursuant hereto, the City Manager or their designee may order the work stopped by notice in writing served on persons engaged in doing such work or causing such work to be done. All work under the permit or approval shall cease until it is authorized to continue.
- B. Stop Order Hearing.** The City Manager shall schedule a hearing if requested on the stop order for the earliest practicable date, but not more than 30 days after the effectiveness of any required notice. At the discretion of the City Manager such hearing shall be either of the following:
1. Part of a hearing on revocation of the underlying development approval; or
 2. Solely to determine whether a violation has occurred. The City Manager shall hold this hearing and shall make written findings as to the violation within 30 days of issuing the stop-work order. Upon a finding of no violation, the Planning Commission shall require the issuance of a resume work order. Upon finding a violation, the stop order shall continue to be effective until the violating party furnishes sufficient proof to the Planning Commission that the violation has been abated. The Planning Commission decision is subject to review under ~~Chapter 4.1.~~ **INSERT REF** 500 - Type III (Public Hearing) Procedure.



BOARDMAN DEVELOPMENT CODE

Chapter 2 Zoning Regulations

Subchapters

Chapter 2.0 Zone Administration

Chapter 2.1 Allowed Uses

Chapter 2.2 Lot and Development Standards

Chapter 2.3 Overlay Zones

Chapter 2.4 BPA Transmission Easement

Chapter 2.5 Flood Plain Overlay Zone

Chapter 2.6 Use-Specific Standards



Commentary: Chapter 2 of the BDC is proposed to be reorganized to be more clear, user-friendly, and easier to maintain for staff. The current BDC includes separate chapters for every zone district. This leads to redundancy and unnecessary complexity.

The Chapter 2 is organized around the type of regulation, then presents how that regulation varies by zone. For example, permitted uses are now centralized in two tables rather than nearly a dozen separate tables for each zone.

Additionally, Chapter 2 implements the new zoning districts. The zoning districts implement the broader land use goals and policies of the new comprehensive plan.

Important: Nearly all of Chapter 2 is new text. For readability, the text is not shown as red underline. The new language is consistent with the intent of certain existing standards but must be amended to integrate into the new structure and terms of Chapter 2. Two exceptions are Chapter 2.4 and 2.5. These sections are largely the same text as the current BDC but are renumbered.

Chapter 2.0 Zone Administration

Sections

- 2.0.100 Purpose**
- 2.0.200 Classification of Zoning Districts**
- 2.0.300 Zoning Map**
- 2.0.400 Determination of Zoning District Boundaries**
- 2.0.500 Activities Not Requiring Land Use Review**
- 2.0.600 Master Planned Developments**

2.0.100 Purpose

Chapter 2.0 establishes zoning districts consistent with the City of Boardman Comprehensive Plan. Every unit of land (parcel, lot, and tract, and right-of-way) within the city limits of the City of Boardman is designated with a zoning district or “zone,” and may also be designated with one or more overlay zones. The use of land is limited to the uses allowed by the applicable zone(s).

Policy Question: This section describes the purpose of each zone. Do these descriptions align with the vision and goals of each land use designation in the Comprehensive Plan? Would you revise or add anything to these statements to capture the intent of the zone(s)?

2.0.200 Classification of Zoning Districts

Zoning designations are as depicted on the City of Boardman Zoning Map. The City Clerk maintains official copies of the Zoning Map and Comprehensive Plan. Where a conflict between documents arises, the Comprehensive Plan shall govern, unless superseded by state law.

A. Residential Zones. Residential zoning districts are intended to accommodate a mix of residential uses at planned densities, consistent with the housing needs of the city; and promote the livability, stability, and improvement of the City of Boardman's neighborhoods. Uses allowed in the residential zones are stated in Chapter 2.1 and development standards in Chapter 2.2. The residential zones provide for the orderly expansion and improvement of neighborhoods based on the following principles:

1. Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum lot areas.
2. Accommodate a range of housing needs, including owner-occupied and rental housing.
3. Provide for compatible building and site design at an appropriate neighborhood scale.
4. Reduce reliance on the automobile for neighborhood travel and provide options for walking and bicycling. Provide direct and convenient access to schools, parks and neighborhood services.
5. The following summarizes the purpose of each residential zone.
 - a. The **Neighborhood Residential (NR)** zone permits residential uses at the lowest intensities, between 3 and 9 dwelling units per net acre. Permitted residential uses include detached single-unit dwellings, duplexes, triplexes, quadplexes, cottage clusters, townhouses, manufactured homes on individual lots, manufactured home parks, residential homes, single room occupancy, and accessory dwelling units. Community services such as churches and schools are permitted.

- b. The **Compact Residential (CR)** zone** permits residential uses at medium intensities, between 6 and 18 dwelling units per net acre. The CR zone is intended to create, maintain, and promote neighborhoods and allow a broad range of housing types. Some non-residential community service uses are allowed, but overall the character is one of residential neighborhoods. Permitted residential uses include detached single-unit dwellings, duplexes, triplexes, quadplexes, cottage clusters, townhouses, manufactured homes on individual lots, manufactured home parks, residential homes, single room occupancy, and accessory dwelling units.
 - c. The **Village Residential (VR)** zone** permits residential uses at higher intensities, at a minimum density of 9 dwelling units per net acre and no maximum density. The VR zone is intended to create and maintain higher density residential neighborhoods that support Boardman’s growth and blend a range of housing types with a limited mix of neighborhood-scale commercial and institutional uses. Permitted residential uses include detached single-unit dwellings, duplexes, triplexes, quadplexes, cottage clusters, townhouses, multi-unit dwellings, manufactured homes on individual lots, manufactured home parks, residential homes, residential facilities, single room occupancy, and accessory dwelling units.
- B. Commercial Zones.** Commercial zoning districts are intended to allow for a variety of commercial, retail, civic, and light manufacturing uses, and mixed-use developments with housing. Three commercial zoning districts provide for a full range of commercial land uses within the city. Different development and design standards apply to specific types of development based on the physical context. Uses allowed in the commercial zones are stated in Chapter 2.1 and development standards in Chapter 2.2. The commercial zones provide for the orderly creation and expansion of commercial districts based on the following principles:

 - 1. Effective and efficient use of land and urban services;
 - 2. Direct commercial and retail development to a concentrated and localized area;
 - 3. Provide a mix of uses which provides a destination within the community and encourages walking over driving;
 - 4. Create connection with the balance of the community by directing connected transportation routes to commercial areas of the city;
 - 5. Provide for additional service employment opportunities in proximity, and with direct connections to housing; and
 - 6. Facilitate compatibility between dissimilar land uses.
 - 7. The following summarizes the purpose of each commercial zone.

- a. The **Community Commercial (CC)** zone permits a range of commercial, retail, mixed-used development with housing, and civic uses to allow for a variety of uses that are intended to primarily serve the local community. Automobile-oriented uses are limited to maintain a pedestrian-oriented character of this district.
- b. The **Downtown Mixed-Use (DMU)** zone permits a range of commercial, retail, mixed use development with housing, and civic uses that promote a concentrated and centralized commercial center to serve as the “heart” of the community. Design standards emphasizing detailed, human-scaled design and promoting flexibility in architectural design apply.
- c. The **Regional Commercial (RC)** zone permits heavier and more automobile-oriented commercial uses and light industrial uses along portions of the I-84 corridor and at specific nodes to accommodate the development of facilities catering to the traveling public.

C. Industrial/Employment Zones. Industrial zoning districts are intended to accommodate a mix of intensive and less intensive uses engaged in manufacturing, processing, warehousing, distribution, and similar activities, as well as complementary uses to serve employees. Industrial zoning districts are intended to segregate incompatible developments from other districts, while providing a high-quality environment for businesses and employees. Uses allowed in the industrial zones are stated in Chapter 2.1 and development standards in Chapter 2.2. The industrial zones provide for the orderly development of industrial districts based on the following principles:

- 1. Provide for efficient use of land and public services;
- 2. Provide transportation options for employees and customers;
- 3. Locate business services close to major employment centers;
- 4. Ensure compatibility between industrial uses and nearby commercial and residential areas;
- 5. Offer a range of parcel sizes and locations for industrial site selection;
- 6. Avoid encroachment by incompatible uses;
- 7. Provide appropriate design standards to accommodate a range of industrial users, in conformance with the Comprehensive Plan.
- 8. The following summarizes the purpose of each industrial zone.
 - a. The **Industrial (IND)** zone permits a wide range of light and heavy industrial land uses and limited public and institutional uses to support the development of a high quality environment for businesses and employees.

- b. The **Employment (EMP)** zone permits a range of light manufacturing, industrial-office uses, automobile-oriented commercial uses (e.g., lodging, restaurants, auto-oriented retail), and similar uses which are not appropriate in downtown or main street areas.

D. Parks and Public Facilities Zones. Uses allowed in the parks and public facilities zones are stated in Chapter 2.1 and development standards in Chapter 2.2. Land within the Bonneville Power Administration (BPA) transmission line easement is also subject to Chapter 2.4.

1. The following summarizes the purpose of each parks and public facilities zone.
 - a. The Public Facilities (PF) zone permits public and semi-public uses including, but not limited to, schools, government offices, libraries, community centers, churches, transportation facilities, utilities, and other public facilities.
 - b. The Parks and Open Space (POS) zone provides for the use, protection, preservation, conservation, and enhancement of parks, natural areas, and similar areas in a manner that meets community needs for a wide range of passive or active recreational uses consistent with the adopted City of Boardman Parks Master Plan.

2.0.300 Zoning Map

- A. Consistency with the Zoning Map.** The boundaries of each of the zoning districts contained within this chapter shall coincide with the zoning district boundaries identified on the City's official zoning map, retained by the City Clerk. Said map by this reference is made a part of this Land Development Code. A certified print of the adopted zoning map, and any map amendments, shall be maintained by the City.
- B. Applicability of Zoning Requirements.** Each lot, tract and parcel of land or portion thereof within the zoning district boundaries as designated and marked on the zoning map, is classified, zoned and limited to the uses as hereinafter specified and defined for the applicable district classification.
- C. Zoning Map Amendments.** All amendments to the City zoning map shall be made in accordance with the provisions of Chapter 4.7.
 1. Copies of all map amendments shall be dated with the effective date of the ordinance adopting the map amendment, and shall be maintained without change, together with the adopting documents, on file at the City; and

2. The City shall make available for public inspection an up-to-date copy of the revised zoning map, so that it accurately portrays changes of zone boundaries or classification.

2.0.400 Determination of Zoning District Boundaries

- A. Zoning District Boundaries.** Where due to the scale, lack of scale, lack of detail or illegibility of the City zoning district map, or due to any other reason, there is uncertainty, contradiction or conflict as to the intended location of district boundary lines, the boundary lines shall be determined by the City Manager in accordance with the following:
1. Boundaries indicated as approximately following the center lines of streets, highways, railroad tracks or alleys shall be constructed to follow such center lines;
 2. Boundaries indicated as approximately following the boundaries of a parcel, lot, or tract shall be construed as following such boundaries;
 3. Boundaries indicated as approximately following a City boundary, or the Urban Growth Boundary, shall be constructed as following said boundary;
 4. Boundaries indicated as approximately following river, stream and/or drainage channels or basins shall be constructed as following river, stream and/or drainage channels or basins, as applicable; and
 5. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same zoning district designation that is applicable to lands abutting the vacated area. In cases where the right-of-way formerly served as a zoning district boundary, the lands formerly within the vacated right-of-way shall be allocated proportionately between the subject zoning districts.

2.0.500 Activities Not Requiring Land Use Review

- A. Exempt Activities.** The following activities are allowed in every zone and do not require a land use permit under this Code:
1. Normal operation, maintenance, repair and replacement of an existing public facility or utility facility with a current franchise agreement or right-of-way license, including a street, sidewalk, water line, sewer line, storm drainage facility, or electric, gas, or telecommunication facility.

2. Installation of a public facility improvement or a utility facility with a current franchise agreement or right-of-way license within an existing public right-of-way or public utility easement, including the undergrounding of existing facilities consistent with the Boardman Public Works Standards.

B. Other Permits Not Affected. An activity exempt under this Section remains subject to a building permit, a right-of-way or encroachment permit, and the public facility design and construction standards of Chapter 3.7 and the adopted Boardman Public Works Standards.

2.0.600 Master Planned Developments

- A. Procedures and Criteria.** A master plan is prepared, reviewed and approved under the procedures and criteria of Chapter 4.5. Following approval of a master plan, a land division follows Chapter 4.3 and development follows the site design review procedures of Chapter 4.2.
- B. Optional Master Planned Development.** An applicant may seek approval of a master planned development under Chapter 4.5 in any zone and on a site of any size.

Commentary: Chapter 2.1 defines the uses allowed in each zone. There are two key elements of the use regulations:

- Use tables classify whether each use category is permitted, permitted with limitations, requires a conditional use permit, or is prohibited.
- Use limitations address if a use category is allowed, but subject to special conditions, standards, or criteria in that zone.

Chapter 2.1 Allowed Uses

Sections

- 2.1.100 General Provisions**
- 2.1.200 Use Table — Residential Zones**
- 2.1.300 Use Limitations — Residential Zones**
- 2.1.400 Use Table — Non-Residential Zones**
- 2.1.500 Use Limitations — Non-Residential Zones**

2.1.100 General Provisions

- A. Purpose.** This subchapter states which uses are allowed in each zone, and the limitations that apply to particular uses in particular zones.
- B. Use Tables.** Table 2.1.200 states the use categories allowed in the residential zones and Table 2.1.400 states the use categories allowed in the non-residential zones. Both tables list every use category. Use categories are described in Chapter 1.4. A use is allowed in a zone only as provided in the applicable table.
- C. Designations.** The tables use the following designations:
 - 1. P — Permitted.** The use category is allowed outright, subject to the development standards of this Code.

2. **L — Limited.** The use category is allowed subject to the numbered limitation stated in Section 2.1.300 or Section 2.1.500. A limitation applies only in the zones named in it.
 3. **CU — Conditional Use.** The use category requires a Conditional Use Permit under Chapter 4.4.
 4. **X — Not Permitted.** The use category is not allowed.
- D. Combined Designations.** A cell containing two designations separated by a slash means that part of the use category carries the first designation and part carries the second. The numbered limitation stated in sections 2.1.300 or 2.1.500 states which part carries which designation. Where a table cell reads P/CU, the category is permitted except for the uses the limitation makes conditional.
- E. Use-Specific Standards.** Where the Use-Specific Standards column cites a section of Chapter 2.6, the use is subject to the standards of that section, whether the use is designated P, L or CU in that zone.
- F. More than One Use.** Uses allowed individually are also allowed in combination with one another, in the same structure or on the same site, provided all applicable development standards and building code requirements are met. Section 1.4.200(D) states how a development with more than one primary use is classified.
- G. Uses Not Listed.** A use not listed in Table 2.1.200 or Table 2.1.400 is not allowed, except as provided in subsection (H).
- H. Similar Use Determination.** A use not listed may be allowed where the City Manager determines it is similar to a listed use. A similar use determination is made under the procedures in Chapter 4.8 Code Interpretations. A use determined to be similar to a listed use is subject to the same permissions, limitations and use-specific standards as that use.
- I. Accessory Uses and Structures.**
1. A use identified as permitted in a zone is permitted in that zone both as a primary use and as an accessory use.
 2. Accessory uses and structures customarily incidental and subordinate to a permitted primary use are allowed, subject to Section 2.6.800 Accessory Uses and Structures.
 3. An accessory use or structure shall not be established on a lot before, or in the absence of, a permitted primary use.

- J. Outdoor Uses and Unenclosed Activities.** Notwithstanding Table 2.1.200 and Table 2.1.400, a use that occurs primarily outside a permitted building requires a Conditional Use Permit under Chapter 4.4. This subsection does not apply to an allowed accessory use. Outdoor activities that are generally accessory to a site's primary use include outdoor dining areas, drive-through facilities, automatic teller machines, kiosks and similar uses.

Policy Question: The use regulations for residential zones are proposed to be amended to implement the goals of the Comprehensive Plan and comply with state law. These changes were presented to the PC/PAC at the July 30, 2026 meeting. Here is a summary:

- “Middle housing” types such as quadplexes, cottage clusters, and townhouses are proposed to be permitted in all residential zones.
- Certain commercial uses are proposed to be permitted in residential zones if they are a smaller scale and meet operational standards. See uses marked as L[1] and Section 2.6.610.

Do you agree that allowing these uses is consistent with the housing, livability, and transportation goals of the Comprehensive Plan? Are you concerned about any impacts of allowing these uses that is not addressed by Use-Specific Standards (Chapter 2.6) or the design standards of Chapter 3?

2.1.200 Use Table — Residential Zones

Table 2.1.200 Uses Allowed in Residential Zones

Use Category	NR	CR	VR	Use-Specific Standards
RESIDENTIAL CATEGORIES				
Household Living				
Detached Single-Unit Dwelling	P	P	P	—
Duplex	P	P	P	2.6.400
Triplex	P	P	P	2.6.430
Quadplex	P	P	P	2.6.430
Cottage Cluster	P	P	P	2.6.440
Townhouse	P	P	P	2.6.450
Multi-Unit Housing	X	X	P	2.6.460
Accessory Dwelling Unit	P	P	P	2.6.470
Manufactured Home	P	P	P	2.6.410
Manufactured Dwelling Park	P	P	P	2.6.480
Residential Home	P	P	P	2.6.510
Group Living				
Single Room Occupancy Housing	P	P	P	2.6.500
Residential Facility	X	X	P	2.6.510
Residential Treatment Facility or Home	P	P	P	2.6.510
COMMERCIAL CATEGORIES				

Use Category	NR	CR	VR	Use-Specific Standards
Commercial Outdoor Recreation	X	X	X	—
Commercial Parking	X	X	X	—
Drive-Through Facilities	X	X	X	—
Eating and Drinking Establishments	L [1]	L [1]	L [1]	2.6.610
Lodging	CU [2]	CU [2]	CU [2]	2.6.520
Major Event Assembly	X	X	X	—
Office	CU [3]	CU [3]	CU [3]	2.6.700
Quick Vehicle Servicing	X	X	X	—
Retail Sales and Service	L [1]	L [1]	L [1]	2.6.610
Medical Marijuana Business	X	X	X	—
Self-Service Storage	X	X	X	—
Vehicle Repair	X	X	X	—
INDUSTRIAL CATEGORIES				
Data Center	X	X	X	—
Industrial Service	X	X	X	—
Manufacturing and Production	X	X	X	—
Warehouse and Freight Movement	X	X	X	—
Waste-Related	X	X	X	—
Wholesale Sales	X	X	X	—
INSTITUTIONAL CATEGORIES				
Community Service	P/CU [4]	P/CU [4]	P/CU [4]	2.6.700
Child Care	L [1]	L [1]	L [1]	2.6.610
Healthcare	X	X	X	—
Parks and Open Areas	P/CU [5]	P/CU [5]	P/CU [5]	2.6.700
Religious Institutions	P	P	P	2.6.700
Schools	CU [6]	CU [6]	CU [6]	2.6.700
UTILITY AND TRANSPORTATION CATEGORIES				
Basic Utilities	P	P	P	—
Major Utility Facilities	X	X	X	—
Transportation Facilities	P [8]	P [8]	P [8]	—

Use Category	NR	CR	VR	Use-Specific Standards
Wireless Communication Facilities	P	P	P	—
OTHER CATEGORIES				
Agriculture	L [7]	L [7]	L [7]	2.6.650
Mining	X	X	X	—
Detention Facilities	X	X	X	—

2.1.300 Use Limitations — Residential Zones

A. Use Limitations – Residential Zones. A bracketed number in Table 2.1.200 refers to a numbered limitation stated below. A limitation may exclude a named use from an otherwise permitted use category, condition a named use within a permitted use category, or limit the scope of a conditional or limited use.

- 1. Child Care, Eating and Drinking Establishments and Retail Sales and Service in the NR, CR and VR Zones.** Limited to neighborhood-serving retail and service uses, and subject to Section 2.6.610 Commercial Uses in Residential Zones. A private lodge, private club or membership club lawfully existing on the effective date of this Section is also permitted in the NR, CR and VR Zones and may be expanded. Section 2.6.610 does not apply to such a use.
- 2. Lodging in the NR, CR and VR Zones.** Limited to a bed and breakfast inn, subject to Section 2.6.520, and, in the VR Zone only, a recreational vehicle park. A bed and breakfast inn and a recreational vehicle park each require a Conditional Use Permit under Chapter 4.4. All other Lodging uses not permitted.
- 3. Office in the NR, CR and VR Zones.** Office is limited to a government administrative office and a utility business office and requires a Conditional Use Permit under Chapter 4.4.
- 4. Community Service in the NR, CR and VR Zones.** A shelter operated by a public or nonprofit agency is permitted. All other Community Service uses require a Conditional Use Permit under Chapter 4.4.
- 5. Parks and Open Areas – Cemeteries in the NR, CR, and VR Zones.** A cemetery, and the interment of human or animal remains, requires a Conditional Use Permit under Chapter 4.4. All other Parks and Open Areas uses are permitted in each of those zones. A columbarium or mausoleum within a cemetery is accessory to the cemetery. A cemetery accessory to a religious institution on the same or an abutting site is accessory to that institution.

- 6. Schools in the NR, CR, and VR Zones.** Schools is limited to a school providing state-mandated basic education at the primary, elementary, middle, junior high or high school level.
- 7. Agriculture in the NR, CR and VR Zones.** Limited to the continuation of a farm use lawfully existing on the effective date of this Section, as provided in Section 2.6.650 Continuation of Existing Farm Uses. No new farm use is allowed in the NR, CR or VR Zones.
- 8. Transportation Facilities.** Limited to transportation improvements identified in or consistent with the adopted Transportation System Plan and Interchange Area Management Plans and located within a right-of-way or other property controlled by a public agency or a transportation operator.

Policy Question: The use regulations for nonresidential zones are proposed to be amended to implement the goals of the Comprehensive Plan. These changes were presented to the PC/PAC at the July 30, 2026 meeting. Here is a summary of key changes:

- Housing would be allowed only as part of a mixed-use development in non-residential zones. This is intended to prevent commercial land from being consumed by housing development.
- Automobile-oriented uses would be generally prohibited in the DMU zone. This area is planned for a future pedestrian-oriented downtown district. These uses can conflict with a pedestrian-oriented area. The specific use categories that would be prohibited are Drive-Through Facilities and Quick Vehicle Servicing.
- Automotive sales would be prohibited in the DMU and CC zone. This is intended to preserve these areas for commercial uses that are less land-intensive and meet the basic, daily needs of local residents.
- Data centers are only permitted with a conditional use permit in the EMP and IND zone.

Do you agree that these use regulations are consistent with the goals of the Comprehensive Plan? Are you concerned about any impacts of these uses that is not addressed by Use-Specific Standards (Chapter 2.6) or the designs standards of Chapter 3?

2.1.400 Use Table — Non-Residential Zones

Table 2.1.400 Uses Allowed in Non-Residential Zones

Use Category	DMU	CC	RC	EMP	IND	PF	POS	Use-Specific Standards
RESIDENTIAL CATEGORIES								
Household Living								
Detached Single-Unit Dwelling	X	X	X	X	X	X	X	—
Duplex	X	X	X	X	X	X	X	—
Triplex	X	X	X	X	X	X	X	—
Quadplex	L [1]	L [1]	L [1]	X	X	X	X	2.6.430; 2.6.660
Cottage Cluster	X	X	X	X	X	X	X	—
Townhouse	L [1]	L [1]	L [1]	X	X	X	X	2.6.450; 2.6.660
Multi-Unit Housing	L [1]	L [1]	L [1]	X	X	X	X	2.6.460; 2.6.660

Use Category	DMU	CC	RC	EMP	IND	PF	POS	Use-Specific Standards
Accessory Dwelling Unit	X	X	X	X	X	X	X	—
Manufactured Home	X	X	X	X	X	X	X	—
Manufactured Dwelling Park	X	X	X	X	X	X	X	—
Residential Home	X	X	X	X	X	X	X	—
Group Living								
Single Room Occupancy Housing	L [1]	L [1]	L [1]	X	X	X	X	—
Residential Facility	P	P	P	X	X	X	X	2.6.510
Residential Treatment Facility or Home	P	P	P	X	X	X	X	2.6.510
COMMERCIAL CATEGORIES								
Commercial Outdoor Recreation	X	X	CU	CU	X	CU	CU	—
Commercial Parking	X	P	P	P	X	CU	CU	—
Drive-Through Facilities	X	P	P	P	P	X	X	2.6.600
Eating and Drinking Establishments	P	P	P	P	L [2]	L [3]	L [3]	2.6.680
Lodging	L [4]	L [4]	P	X	X	X	X	2.6.520
Major Event Assembly	P	P	P	X	X	CU	CU	—
Office	P	P	P	P	L [5]	L [6]	X	2.6.700
Quick Vehicle Servicing	X	P	P	P	P	X	X	2.6.600
Retail Sales and Service	L [7]	L [7]	P	P	L [8]	X	X	—
Medical Marijuana Business	X	CU [9]	CU [9]	X	X	X	X	2.6.640
Self-Service Storage	X	X	P	P	X	X	X	—
Vehicle Repair	X	X	P	P	X	X	X	—
INDUSTRIAL CATEGORIES								

Use Category	DMU	CC	RC	EMP	IND	PF	POS	Use-Specific Standards
Data Center	X	X	X	CU	CU	X	X	—
Industrial Service	X	X	P	P	P	X	X	—
Manufacturing and Production	X	X	L [10]	L [10]	P/CU [16]	X	X	2.6.620
Warehouse and Freight Movement	X	X	P	P	P	X	X	—
Waste-Related	X	X	X	X	L [17]	X	X	—
Wholesale Sales	X	X	P	P	P	X	X	—
INSTITUTIONAL CATEGORIES								
Community Service	P	P	P	X	X	P	CU	2.6.700
Child Care	P	P	P	P	X	P	X	—
Healthcare	P	P	P	X	X	P	X	2.6.700
Parks and Open Areas	L [11]	L [11]	L [11]	L [11]	L [11]	L/CU [11]	L/CU [11]	2.6.700
Religious Institutions	P	P	P	X	X	P	X	2.6.700
Schools	L/CU [12]	L/CU [12]	L/CU [12]	L/CU [12]	L/CU [12]	P	X	2.6.700
UTILITY AND TRANSPORTATION CATEGORIES								
Basic Utilities	P	P	P	P	P	P	P	—
Major Utility Facilities	X	X	CU	CU	P	P	X	—
Transportation Facilities	P [14]	P [14]	P [14]	P [14]	P [14]	P [14]	P [14]	—
Wireless Communication Facilities	P	P	P	P	P	P	P	—
OTHER CATEGORIES								
Agriculture	X	X	L [13]	X	L [15]	X	X	2.6.650
Mining	X	X	X	X	X	X	X	—
Detention Facilities	X	X	X	X	X	X	X	—

2.1.500 Use Limitations — Non-Residential Zones

- A. Use Limitations – Non-Residential Zones.** A bracketed number in Table 2.1.400 refers to a numbered limitation stated below. A limitation may exclude a named use from an otherwise permitted use category, condition a named use within a permitted use category, or limit the scope of a conditional or limited use.
- 1. Residential Uses in the DMU, CC and RC Zones.** A quadplex, townhouse, multi-unit housing, and single room occupancy housing are permitted only as part of a mixed-use development meeting Section 2.6.660 Residential Uses in Commercial Zones.
 - 2. Eating and Drinking Establishments in the IND Zone.** Limited to eating and drinking establishments that are integral to a primary industrial use on the same site, such as an establishment serving the employees and customers of that use.
 - 3. Eating and Drinking Establishments in the PF and POS Zones.** Limited to mobile food vendors that hold the permits and licenses required by the City, or that operate as part of an approved special event.
 - 4. Lodging in the DMU and CC Zones.** A recreational vehicle park and a campground are not permitted. All other Lodging uses are permitted.
 - 5. Office in the IND Zone.** Office is limited to offices that are integral to a primary industrial use.
 - 6. Office in the PF Zone.** Office is limited to a government administrative office and a utility business office, and is permitted.
 - 7. Retail Sales and Service in the DMU and CC Zones.** The sale or leasing of consumer vehicles, including passenger vehicles, motorcycles, boats, recreational vehicles, and light and medium trucks, is not permitted. All other Retail Sales and Service uses are permitted.
 - 8. Retail Sales and Service in the IND Zone.** Limited to small-scale retail and service commercial uses occupying not more than 10 percent of the building's total floor area, for the general use of industrial-use employees and customers.
 - 9. Medical Marijuana Business in the CC and RC Zones.** In the CC Zone, Medical Marijuana Business is limited to a medical marijuana dispensary or facility. In the RC Zone, a medical marijuana dispensary or facility and a medical marijuana grow facility are each allowed, provided that a dispensary or facility and a grow facility shall not be located on the same parcel. Each use requires a Conditional Use Permit under Chapter 4.4 and is subject to Section 2.6.640.

- 10. Manufacturing and Production in the RC and EMP Zones.** Limited to light manufacturing and production, as provided in Section 2.6.620 Light Manufacturing.
- 11. Parks and Open Areas in all Non-Residential Zones.** A cemetery, and the interment of human or animal remains, requires a Conditional Use Permit under Chapter 4.4 in the PF and POS Zones, and is not permitted in the DMU, CC, RC, EMP or IND Zones. All other Parks and Open Areas uses are permitted in each of those zones. A columbarium or mausoleum within a cemetery is accessory to the cemetery. A cemetery accessory to a religious institution on the same or an abutting site is accessory to that institution under Section 1.4.640(B).
- 12. Schools in the DMU, CC, RC, EMP and IND Zones.** Schools are limited to a school providing state-mandated basic education at the primary, elementary, middle, junior high or high school level. An institution of higher learning is permitted in the PF Zone only. A business or trade school is classified as Retail Sales and Service under Section 1.4.470, and a trade school where industrial vehicles and equipment, including heavy trucks, are operated is classified as Industrial Service under Section 1.4.510.
- 13. Agriculture in the RC Zone.** Limited to the continuation of a farm use lawfully existing on the effective date of this Section, as provided in Section 2.6.650 Continuation of Existing Farm Uses. No new farm use is allowed in the RC Zones.
- 14. Transportation Facilities.** Limited to transportation improvements identified in or consistent with the adopted Transportation System Plan and Interchange Area Management Plans and located within a right-of-way or other property controlled by a public agency or a transportation operator.
- 15. Agriculture in the IND Zone.** Limited to crop production, the land application of process water, and the continuation of a farm use under Section 2.6.650 Continuation of Existing Farm Uses.
- 16. Manufacturing and Production in the IND Zone.** Slaughterhouses, meat packing plants, feed lots, and animal dipping operations require a Conditional Use Permit under Chapter 4.4. All other Manufacturing and Production uses are permitted.
- 17. Waste-Related in the IND Zone.** Sanitary landfills, limited-use landfills, and facilities that receive hazardous waste from others for treatment, storage, or disposal are not permitted. All other Waste-Related uses are permitted.

Commentary: Similar to Chapter 2.1, this chapter reorganizes key lot and development standards in a simpler structure. All standards are consolidated into two tables (residential and non-residential zones). Key changes are proposed to development standards to implement the goals for the Comprehensive Plan to support compact and more affordable development options. See the Policy Questions below for summaries of these changes.

Chapter 2.2 Lot and Development Standards

Sections

- 2.2.100 Purpose and Applicability**
- 2.2.200 Development Standards — Residential Zones**
- 2.2.300 Additional Development Standards — Residential Zones**
- 2.2.400 Development Standards — Non-Residential Zones**
- 2.2.500 Additional Development Standards — Non-Residential Zones**

2.2.100 Purpose and Applicability

- A. Purpose.** This subchapter states the lot and development standards that apply in each zone.
- B. Applicability.** The standards in Table 2.2.200 apply in the residential zones. The standards in Table 2.2.400 apply in the non-residential zones. A standard may be modified only as provided in the notes to Table 2.2.200 and Table 2.2.400, under Chapter 5.0 Exceptions to Code Standards, or under Chapter 5.1 Variances.
- C. Measurement.** Every dimension, area, percentage, height and density in this subchapter is measured or calculated as provided in Chapter 1.3 Measurement Rules.
- D. Design Standards.** Standards for access, circulation, site and building design, parking, landscaping, fences and screening, and public improvements are in Chapter 3.

Policy Question: Development standards for residential zones are proposed to be amended to support compact, higher density housing in more places. This is intended to implement the housing goals of the Comprehensive Plan and respond to the needs and issues identified in the Housing Capacity Analysis. These changes were presented at the PC/PAC meeting on July 30, 2026. Here is a summary of key changes:

- **Minimum density:** A new minimum density standard is proposed. The purpose of this standard is to prevent housing developments that use land inefficiently or do not meet key housing needs intended for that zone. The standards are set to continue to support a range of housing types in each zone.
- **Maximum density:** A new maximum density standard is proposed. The purpose of this standard is to prevent densities that would contrast too sharply with existing neighborhoods in Boardman, while still allowing for homes on smaller lots and middle housing types in each zone.
- **Maximum floor area ratio (FAR):** A new maximum FAR standard is proposed. The purpose of this standard is to allow multi-unit buildings to be sited nearby single-unit dwellings, while preventing very large buildings that are not compatible in scale with single-unit dwellings.
- **Minimum lot area:** Minimum lot area is proposed to be reduced from about 6,000-10,000 square feet to a range of 1,500-10,000 square feet. The standard varies by zone and housing type. This allows for homes on smaller lots and middle housing to be feasible. These housing types can be lower cost and affordable to a wider range of households. The new maximum density standard works in concert with a reduced minimum lot size. For example, an entire subdivision could not be built to the minimum lot size in some zones. This allows more flexibility for developers to design housing products to fit the market but prevents incompatible overall densities.
- **Maximum height in VR zone.** The VR zone is intended to support high density residential development. The current multi-family subdistrict (which VR replaces) allows only three stories. The proposed VR zone would allow up to 50 feet (equivalent to four stories). However, any portion of a building within 25 feet of a lower density zone must “step down” to 35 feet.

Do you agree that these changes are consistent with the housing and land use goals of the Comprehensive Plan? Are you concerned about any impacts these changes that are not addressed by Use-Specific Standards (Chapter 2.6) or the designs standards of Chapter 3?

2.2.200 Development Standards — Residential Zones

Table 2.2.200 provides the development standards that apply in residential zones.

Table 2.2.200 Development Standards, Residential Zones

Standard	NR	CR	VR
DENSITY (units per net acre)			
Minimum density [1]	3	6	9
Maximum density	9 [2]	18 [2]	—
MAXIMUM FAR (floor area ratio)			
Detached single-unit; manufactured dwelling on an individual lot	0.7	0.8	0.9
Duplex	0.8	0.9	1.0
Triplex; Quadplex	0.9	1.0	1.1
Townhouse	1.2	1.3	1.4
Multi-Unit Housing	—	—	1.7
Non-Residential Uses	1.2	1.3	1.7
MINIMUM LOT AREA (square feet) [3]			
Detached single-unit; duplex; manufactured dwelling on an individual lot	5,000	3,500	3,500
Triplex; Quadplex	10,000	7,000	7,000
Townhouse	2,500	2,000	1,500
Multi-Unit Housing	—	—	10,000
Cottage Cluster	10,000	10,000	10,000
Manufactured Dwelling Park	1 acre	1 acre	1 acre
Non-Residential Uses	5,000	5,000	5,000
MINIMUM LOT WIDTH (feet) [4]			
Detached single-unit; duplex; manufactured dwelling on an individual lot	50	40	40
Triplex; Quadplex	50	50	50
Townhouse	25	20	15
Multi-Unit Housing	—	—	60
Cottage Cluster	70	70	60

Standard	NR	CR	VR
Manufactured Dwelling Park	100	100	100
Non-Residential Uses	50	50	50
MINIMUM SETBACKS (feet) [5]			
Front yard	15 ft	10 ft	10 ft
Front yard — garage or carport entrance	20 ft	20 ft	20 ft
Rear yard	15 ft	15 ft	15 ft
Rear yard — garage or carport, alley access	6 ft	6 ft	6 ft
Side yard — interior [6]	5 ft	5 ft	5 ft
Side yard — street corner [10]	15 ft	10 ft	5 ft
HEIGHT, LOT COVERAGE, LANDSCAPE AND OUTDOOR AREA			
Maximum height	30/35 ft [7]	30/35 ft [7]	50 ft [8]
Maximum lot coverage	40%	60%	75%
Minimum landscape area	20%	20%	10%
Minimum required outdoor area	15%	15%	15%

2.2.300 Additional Development Standards — Residential Zones

A. Additional Development Standards – Residential Zones. A bracketed number in Table 2.2.200 refers to a numbered standard stated below.

- 1. Minimum Density.** Minimum density applies to a land division, and to development of a vacant lot, on a site larger than 2 acres. It does not apply to an addition, a replacement dwelling, or one dwelling on an existing lot. An application subject to minimum density must meet the standard as follows:
 - a.** Meet minimum density by constructing enough units on the lot;
 - b.** Meet minimum density by dividing the lot; or
 - c.** Demonstrate the potential for future partitioning, subdividing or development of the lot in accordance with the requirements of the Development Code. Plans must demonstrate how the lot can be divided in the future in conformance with minimum lot area and minimum density requirements. Proposed lot lines and development must not preclude extension of planned public facilities, and in conformance with applicable public works standards.

- 2. Maximum Density in NR and CR Zones.** Maximum density does not apply to:
 - a. Accessory dwelling units and duplexes.
 - b. Triplexes, quadplexes, townhouses, or cottage cluster developments on a lot that was lawfully created before [effective date] and is not proposed as part of an application that includes other land. Maximum density applies where a triplex, quadplex, townhouse, or cottage cluster development is proposed as part of a subdivision, partition, Master Planned Development, or any application that includes two or more contiguous lots or parcels on the same development site; in that case maximum density is calculated for the development site as a whole rather than for each resulting lot.
- 3. Lot Area Averaging.** In a subdivision or partition, the minimum lot area of the zone may be met as an average of all lots created. An individual lot may be smaller than the minimum lot area of the zone, provided that:
 - a. The average area of all lots created equals or exceeds the minimum lot area of the zone;
 - b. The development meets the minimum and maximum density of the zone; and
 - c. Each lot meets the minimum lot width of the zone, unless the lot is exempt under subsection (A)(4).
- 4. Minimum Lot Width — Flag Lots and Mid-Block Lanes.** A flag lot or a lot served by a mid-block lane is exempt from the minimum lot width standard of the applicable zone. Flag lots and mid-block lanes are subject to Section 3.3.300.B.6.
- 5. Existing Development in the Sunridge Terrace Subdivision (CR Zone).** A lot, dwelling or accessory structure lawfully established in the Sunridge Terrace Subdivision before the effective date of this ordinance is deemed to comply with the setback and building separation standards of the CR zone.
- 6. Interior Side Yard for Townhouses.** No interior side yard is required along the lot line between attached townhouses.
- 7. Maximum Height in NR and CR Zones.** Maximum height shall be no more than 35 feet for gabled roofs; 30 foot for flat roofs or 2 ½ stories high, whichever is greater.
- 8. Height Step-Down in the VR Zone.** On the portion of a VR-zoned site within 25 feet of a site zoned NR or CR, the maximum height is 35 feet. A site whose property line abuts an NR or CR zone for less than 5 feet is exempt from this standard.

- 9. Vision Clearance.** On a corner lot, the vision clearance standards of Section 3.3.500 apply in addition to the setbacks of Table 2.2.200.

Policy Question: The proposed changes to development standards in non-residential zones are intended to support compact, pedestrian-oriented development in commercial zones and a wide range of industrial formats in the EMP and IND zones. Here is a summary of the key changes:

- **Maximum setback in DMU, CC, and RC zones:** A maximum setback requires that buildings be placed closer to the street. This creates a more pedestrian-friendly environment by making it more convenient to access the building and more visually interesting to walk by it. A larger setback of 20 feet is allowed in the CC and RC zones to allow more flexibility than the DMU zone. This standard would still require parking lots to generally be placed to the side or rear of buildings.
- **Maximum height in DMU and CC zones:** A maximum height of 50 feet is proposed in order to encourage mixed-use buildings. The current BDC generally limits heights in commercial zones to 35 feet. Mixed-use buildings are unlikely to be economically feasible if constrained to 35 feet.

Do you agree that these changes are consistent with the housing and land use goals of the Comprehensive Plan? Are you concerned about any impacts these changes that are not addressed by Use-Specific Standards (Chapter 2.6) or the designs standards of Chapter 3?

2.2.400 Development Standards — Non-Residential Zones

Table 2.2.400 provides the development standards that apply in non-residential zones.

Table 2.2.400 Development Standards, Non-Residential Zones

Standard	DMU	CC	RC	EMP	IND	PF	POS
DENSITY (units per net acre)							
Minimum density [1]	15	15	15	—	—	—	—
SETBACKS (feet)							
Front yard — minimum	—	—	—	15 ft	20 ft	20 ft	20 ft
Front yard — maximum [2]	5 ft	20 ft	20 ft	—	—	—	—
Rear yard — minimum	—	—	—	— [3]	— [4]	10 ft	10 ft
Rear yard — alley access	8 ft	8 ft	8 ft	— [3]	— [4]	—	—
Side yard — interior	—	—	—	— [3]	— [4]	10 ft	10 ft
Side yard — street corner	—	20 ft	20 ft	20 ft	—	20 ft	20 ft
HEIGHT, LOT COVERAGE, AND LANDSCAPE AREA							
Maximum height	50 ft	50 ft	35 ft [5]	35 ft [6]	35 ft [6]	35 ft	35 ft
Maximum lot coverage	—	85%	85%	80%	80%	—	—

Standard	DMU	CC	RC	EMP	IND	PF	POS
Minimum landscape area	5%	10%	10%	15%	15%	15%	15%

2.2.500 Additional Development Standards — Non-Residential Zones

A. Additional Development Standards – Non-Residential Zones. The paragraphs listed below contain exceptions and clarifications to the development standards and correspond with the footnote numbers from Table 2.2.400.

- 1. Minimum Density in the DMU, CC, and RC Zones.** Minimum density applies to any mixed use development that includes residential units. Applications for development must meet the standard as follows:
 - a. Meet minimum density by constructing enough units on the lot;
 - b. Meet minimum density by dividing the lot; or
 - c. Demonstrate the potential for future partitioning, subdividing or development of the lot in accordance with the requirements of the Development Code. Plans must demonstrate how the lot can be divided in the future in conformance with minimum lot area and minimum density requirements. Proposed lot lines and development must not preclude extension of planned public facilities, and in conformance with applicable public works standards.
- 2. Maximum Front Yard Setback in the DMU, CC and RC Zones.** At least 50 percent of the building façade facing the front lot line shall be located at or nearer to the front lot line than the maximum front yard setback. The area between the building façade and the front lot line shall be improved as a pedestrian plaza, outdoor seating or dining area, or landscaping meeting Chapter 3.5.
- 3. Rear and Side Setbacks in the EMP Zone.** No rear or side setback is required, except that development — including buildings, parking, outdoor storage and industrial activities — shall be set back at least 20 feet at the rear and 15 feet at the side from a residential zone.
- 4. Rear and Side Setbacks in the IND Zone.** No rear or side setback is required, except that industrial development — including buildings, parking, outdoor storage and industrial activities — shall be set back at least 40 feet from a residential zone and 20 feet from any other non-industrial zone, the latter increasing one foot for every foot of building height over 30 feet.

- 5. Additional Height for Housing in the RC Zone.** The maximum height in the RC Zone may be increased by 10 feet where dwelling units are provided above the ground floor. The increase applies only to the portion of the building that contains dwelling units.
- 6. Additional Height in the IND and EMP Zones.** The allowable building height may be increased to 45 feet when approved as part of a Conditional Use Permit. The development approval may require additional setbacks, stepping down of building elevations, visual buffering, screening or other measures to provide a height transition between industrial development and adjacent non-industrial development. Smoke stacks, cranes, roof equipment, grain elevators, storage silos and other similar features necessary to the industrial operation may not exceed 55 feet in height without approval of a Conditional Use Permit.

Commentary: Chapter 2.3 is a new addition to the BDC. The purpose of the chapter is to clarify the relationship between overlay and base zones. The only overlay zone proposed is the Flood Plain Overlay. This chapter establishes the foundation for additional overlay zones if they are proposed in the future.

Chapter 2.3 Overlay Zones

Sections

- 2.3.100 Purpose**
- 2.3.200 Applicability**
- 2.3.300 Conflict with Base Zone Standards**

2.3.100 Purpose

Overlay zones apply standards to land that has characteristics warranting regulation in addition to the standards of the base zone.

2.3.200 Applicability

- A. Base Zone Continues to Apply.** Land within an overlay zone remains subject to the standards of its base zone, except as modified by the overlay zone.
- B. Overlay Zones Established.** The Flood Plain Overlay Zone is established at Chapter 2.5.

2.3.300 Conflict with Base Zone Standards

Where a standard of an overlay zone conflicts with a standard of the base zone, the overlay zone standard controls.

Commentary: Chapter 2.4 incorporates existing standards in the BDC. No edits are proposed. Land in the BPA Transmission Easement is proposed be zoned Parks and Open Space (POS), consistent with the limitations on development of this easement.

Chapter 2.4 BPA Transmission Easement

Sections

[2.4.100 General Provisions](#)

[2.4.200 Development Standards](#)

2.4.100 General Provisions

- A. Applicability.** This section applies to land within the Bonneville Power Administration transmission line easement. It applies in addition to the standards of the zone in which the land is located. Where this section and another standard of this Code conflict, this section controls.
- B. Land Use Agreement Required.** No development approval shall be granted for land within the easement until the applicant has obtained a signed land use agreement from the Bonneville Power Administration.

2.4.200 Development Standards

- A. Structures.** No permanent structure is allowed within the easement. Buildings may be placed on portions of a property outside the easement as part of an overall development that includes land within the easement.
- B. Height.** No foliage or other item within the easement may exceed 12 feet in height.
- C. Setback from Transmission Towers.** All activities shall be set back at least 50 feet from any transmission line tower. Towers shall be protected from traffic and other disturbance to their structural integrity.
- D. Safety.** The following apply within the easement:

- 1. Grounding.** Areas where vehicles are stored or parked for more than two hours shall have grounding mechanisms to prevent static electricity build-up.
 - 2. Utility Facilities.** Utility facilities shall be protected from shock hazards associated with static electricity discharge.
 - 3. Combustible Materials.** No combustible material shall be stored within the easement unless the land use agreement expressly allows it.
- E. Driveways and Parking Areas.** Driveways and parking areas within the easement may be compacted and maintained gravel where approved by the Bonneville Power Administration. Driveway approaches and all areas abutting a public street shall be hard surfaced to prevent gravel encroachment onto the street.

Commentary: Chapter 2.5 incorporates existing standards in the BDC. No edits are proposed at this time. However, the Department of Land Conservation and Development (DLCD) has recently published a new model code for flood plain regulations. This model code implements new FEMA requirements. City staff plan to update Chapter 2.5 to align with these new state and federal requirements in the future.

Chapter 2.5 Flood Plain Overlay Zone

Sections

2.5.100	Authorization, Findings, Purpose, and Objectives
2.5.200	Definitions
2.5.300	General Provisions
2.5.400	Administration
2.5.500	Variance Procedure
2.5.600	Provisions for Flood Hazard Reduction
2.5.700	Wellhead Protection Provisions (Reserved)

2.5.100 Authorization, Findings, Purpose, and Objectives

A. Authorization. The State of Oregon has in the Oregon Constitution, Article XI Section 2 delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry in accordance with the approved Boardman Charter of 1985.

B. Findings of Fact.

1. The flood hazard areas of the City of Boardman are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

2. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

C. Statement of Purpose. It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. To protect human life and health;
2. To minimize expenditure of public money and costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and,
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

D. Methods of Reducing Flood Losses. In order to accomplish its purposes, this ordinance includes methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage; and

5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

2.5.200 Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

“Appeal” means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

“Area of Shallow Flooding” means a designated AO, or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

“Area of Special Flood Hazard” means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

“Base Flood” means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood.” Designation on maps always includes the letters A or V.

“Basement” means any area of the building having its floor subgrade (below ground level) on all sides.

“Breakaway Wall” means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

“Coastal High Hazard Area” means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1-V30, VE or V.

“Critical Facility” means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

“Development” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

“Elevated Building” means for insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

“Existing Manufactured Home Park or Subdivision” means a manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

“Expansion to an Existing Manufactured Home Park or Subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood Insurance Rate Map (FIRM)” means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“Flood Insurance Study” means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

“Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 2.5.600(B)(1)(b).

“Manufactured Home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

“Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“New Construction” means structures for which the “start of construction” commenced on or after the effective date of this ordinance.

“New Manufactured Home Park or Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

“Recreational Vehicle” means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

“Start of Construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

“Substantial Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial Improvement” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

“Variance” means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

“Water Dependent” means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

2.5.300 General Provisions

- A. Lands to Which This Ordinance Applies.** This ordinance shall apply to all areas of special flood hazards within the jurisdiction of City of Boardman.

- B. Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for the City of Boardman,” dated December 18, 2007, with accompanying Flood Insurance Maps are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at Boardman City Hall. The best available information for flood hazard area identification as outlined in Section 2.5.400(C)(2) shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized under Section 2.5.400(C)(2).
- C. Penalties for Noncompliance.** No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements may be issued a citation for a Class D Violation, in accordance with ORS chapter 153, for each day in violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Boardman from taking such other lawful action as is necessary to prevent or remedy any violation.
- D. Abrogation and Greater Restrictions.** This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- E. Interpretation.** In the interpretation and application of this ordinance, all provisions shall be:
1. Considered as minimum requirements;
 2. Liberally construed in favor of the governing body; and,
 3. Deemed neither to limit or repeal any other powers granted under State statutes.

- F. Warning and Disclaimer of Liability.** The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of city, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

2.5.400 Administration

A. Establishment of Development Permit.

- 1. Development Permit Required.** A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 2.5.300(B). The permit shall be for all structures including manufactured homes, as set forth in the “DEFINITIONS,” and for all development including fill and other activities, also as set forth in the “DEFINITIONS.”
- 2. Application for Development Permit.** Application for a development permit shall be made on forms furnished by the Community Development or Planning Department and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
 - a.** Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
 - b.** Elevation in relation to mean sea level to which any structure has been floodproofed;
 - c.** Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 2.5.600(B)(2); and
 - d.** Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

B. Designation of the City Manager or Their Designee as a Local Administrator. The City Manager or their designee is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

C. Duties and Responsibilities of the City Manager or Their Designee as a Local Administrator. Duties of the City manager or their designee shall include, but not be limited to:

1. Permit Review.

- a. Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b. Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.
- c. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 2.5.600(D)(1) are met.

2. Use of Other Base Flood Data (In A and V Zones).

- a. When base flood elevation data has not been provided (A and V Zones) in accordance with Section 2.5.300(B), BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the city manager or their designee shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 2.5.600(B), SPECIFIC STANDARDS, and Section 2.5.600(D), FLOODWAYS.
- b. In a letter dated September 6, 2007, from the United States Army Corps of Engineers, Engineering and Construction Division, “the calculated 1% chance exceedance stage at river mile 270.3 based on most recent data available to USACE is 269.7 NGVD (National Geodetic Vertical Datum)”.
- c. Qualified survey information showing elevations above 269.7 feet NGVD or 273.01 feet NAVD (North American Vertical Datum) will be considered by the city to begin the amendment process to amend the Federal Emergency Management Agency FIRM (flood insurance rate map) to reflect specific data and remove the area from the Zone A flood zone.

3. Information to Be Obtained and Maintained.

- a. Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or required as in Section 2.5.400(C)(2), obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b. For all new or substantially improved floodproofed structures where base flood elevation data is provided through the Flood Insurance Study, FIRM, or as required in Section 2.5.400(C)(2):
 - i. Verify and record the actual elevation (in relation to mean seal level), and
 - ii. Maintain the floodproofing certifications required in Section 2.5.400(A)(2)(c).
- c. Maintain for public inspection all records pertaining to the provisions of this ordinance.

4. Alteration of Watercourses.

- a. Notify adjacent communities and the Department of Land Conservation and Development prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 2.5.500.

2.5.500 Variance Procedure

A. Appeal Board.

- 1. The Boardman City Council shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- 2. The Boardman City Council shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the City of Boardman in the enforcement or administration of this ordinance.

3. Those aggrieved by the decision of the Boardman City Council, or any taxpayer, may appeal such decision to the Morrow County District Court.
4. In passing upon such applications, the Boardman City Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Development Code Chapter, and:
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with existing and anticipated development;
 - h. The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
5. Upon consideration of the factors of Section 2.5.500(A)(4) and the purposes of this ordinance, the Boardman City Council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
6. The City Clerk and/or Community Development Department shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

B. Conditions for Variances.

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (a) through (k) in Section 2.5.500(A)(4) have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the Statewide Inventory of Historic Properties, without regard to the procedures set forth in this section.
3. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 2.5.500(A)(4), or conflict with existing local laws or ordinances.
6. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.
7. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except Section 2.5.500(B)(1), and otherwise complies with Sections 2.5.600(A)(1) and 2.5.600(A)(3) of the GENERAL STANDARDS.

8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

2.5.600 Provisions for Flood Hazard Reduction

A. General Standards. In all areas of special flood hazards, the following standards are required:

1. Anchoring

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b. All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

2. AH Zone Drainage. Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

3. Construction Materials and Methods

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

4. Utilities

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,

- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5. Subdivision Proposals

- a. All subdivision proposals shall be consistent with the need to minimize flood damage;
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

6. **Review of Building Permits.** Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (Section 2.5.400(C)(2)), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

- B. Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided (Zones A1-30, AH, and AE) as set forth in Section 2.5.300(B), BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or Section 2.5.400(C)(2), Use of Other Base Flood Data (In A and V Zones), the following provisions are required:**

1. Residential Construction

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot above the base flood elevation.
- b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- ii. The bottom of all openings shall be no higher than one foot above grade.
- iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

2. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated at or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

- a. Be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 2.5.400(C)(3)(b);
- d. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in Section 2.5.600(B)(1)(b);
- e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below.

3. Manufactured Homes.

- a. All manufactured homes to be placed or substantially improved on sites:
 - i. Outside of a manufactured home park or subdivision,
 - ii. In a new manufactured home park or subdivision,
 - iii. In an expansion to an existing manufactured home park or subdivision, or

- iv. In an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as the result of a flood;

shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

- b. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, and AE on the community’s FIRM that are not subject to the above manufactured home provisions be elevated so that either:
 - i. The lowest floor of the manufactured home is elevated one foot above the base flood elevation, or
 - ii. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately designed foundation system to resist flotation, collapse, and lateral movement.

4. Recreational Vehicles. Recreational vehicles placed on sites are required to either:

- a. Be on the site for fewer than 180 consecutive days,
- b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- c. Meet the requirements of Section 2.5.600(B)(3) above and the elevation and anchoring requirements for manufactured homes.

C. Before Regulatory Floodway. In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community’s FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

D. Floodways. Located within areas of special flood hazard established in Section 2.5.300(B) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
2. If Section 2.5.600(D)(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 2.5.600, PROVISIONS FOR FLOOD HAZARD REDUCTION.

E. Standards for Shallow Flooding Areas (AO Zones). Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

1. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest grade adjacent to the building, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified).
2. New construction and substantial improvements of nonresidential structures within AO zones shall either:
 - a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or
 - b. Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in Section 2.5.600(B)(2)(c).
3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
4. Recreational vehicles placed on sites within AO Zones on the community's FIRM either:
 - a. Be on the site for fewer than 180 consecutive days,

- b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- c. Meet the requirements of Section 2.5.600(B)(3) above and the elevation and anchoring requirements for manufactured homes.

F. Coastal High Hazard Areas. Located within areas of special flood hazard established in Section 2.5.300(B) are Coastal High Hazard Areas, designated as Zones V1-V30, VE and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions shall also apply:

1. All new construction and substantial improvements in Zones V1-V30 and VE (V if base flood elevation data is available) shall be elevated on pilings and columns so that:
 - a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level; and
 - b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in and given year (100-year mean recurrence interval);
2. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of (a) and (b) of this Section.
3. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones V1-30, VE, and V, and whether or not such structures contain a basement. The local administrator shall maintain a record of all such information.
4. All new construction shall be located landward of the reach of mean high tide.

- 5.** Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

 - a.** Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
 - b.** The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
- 6.** If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.
- 7.** Prohibit the use of fill for structural support of buildings.
- 8.** Prohibit man-made alteration of sand dunes which would increase potential flood damage.
- 9.** All manufactured homes to be placed or substantially improved within Zones V1-V30, V, and VE on the community's FIRM on sites:

 - a.** Outside of a manufactured home park or subdivision,
 - b.** In a new manufactured home park or subdivision,
 - c.** In an expansion to an existing manufactured home park or subdivision, or

- d. In an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as the result of a flood; meet the standards of paragraphs Section 2.5.600(F)(1) through (8) of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the FIRM meet the requirements of Section 2.5.600(B)(3).
10. Recreational vehicles placed on sites within Zones V1-30, V, and VE on the community’s FIRM either:
 - a. Be on the site for fewer than 180 consecutive days,
 - b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - c. Meet the requirements of Section 2.5.400(A)(1) and paragraphs (F)(1) through (8) of this section.
- G. **Critical Facility.** Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available.

Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

2.5.700 Wellhead Protection Provisions (Reserved)

Commentary: Chapter 2.6 is a combination of existing standards in the BDC, new proposed standards to implement the Comprehensive Plan, and amendments to comply with state law. This chapter consolidates standards specific to certain uses that are currently spread across Chapter 2 of the BDC.

Policy questions are outlined in sections below where new or modified standards are proposed that are not required by state law. Where state law constrains the standards that can be applied, commentary is provided to explain the state requirements.

If no commentary is provided, then the standards in this section are carried forward from existing BDC.

Chapter 2.6 Use-Specific Standards

Sections

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2.6.100 Purpose

Uses regulated in Chapter 2.6 are uses that have distinct operational or physical characteristics and are therefore subject to use-specific standards. These use-specific standards may differ from the development standards established for other uses in the same zone.

2.6.200 Applicability

All uses for which Table 2.1.200 cites a section of this chapter in the Use-Specific Standards column, and uses the City determines to be similar to such uses, are subject to the standards of this chapter. The standards of this chapter supplement the other requirements of this Code. When a dimensional standard for a use regulated by this chapter differs from that of the underlying zone, the standard in this chapter shall apply.

2.6.300 Review Process

The City uses the procedures of Chapter 4.2 Development Review in reviewing proposed uses for compliance with the requirements of this chapter, except where the applicability provision of a section in this chapter specifies a different procedure.

Policy Question: This section implements state requirements for the City to allow duplexes under ORS 197A.420(3). The City must allow detached configurations of a duplex but can set parameters around detached units. The standards proposed under (C)(2) set these parameters.

Should the City set these parameters for allowing a detached duplex? Alternatively, should the rules allow for a detached duplex without these restrictions?

2.6.400 Duplexes

- A. Purpose.** The following provisions are intended to specify unit configuration and conversion standards for duplexes.
- B. Applicability.** The following standards apply where a duplex is proposed in the NR, CR or VR zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]**
- C. Standards.**
 - 1. Maximum Density.** Duplexes are exempt from maximum density requirements.
 - 2. Unit Configuration.** Duplex units may be attached to each other. Duplex units may be detached where:
 - a.** A unit is added to a lot an existing unit that has been in place for at least five years and will be retained; or
 - b.** No more than one detached unit on the lot exceeds 1,200 square feet; or
 - 3. Conversions.** Additions to, or conversions of, an existing detached single-unit dwelling into a duplex is allowed, provided that the addition or conversion does not increase nonconformance with applicable development and design standards, unless increasing nonconformance is otherwise permitted by this Code.

Commentary: State law requires the City to allow manufactured and prefabricated homes on any lot zoned for single-unit dwellings (ORS 197A.432). These homes may not be held to any standard that does not apply to a site-built home, except a thermal envelope (energy efficiency) standard. The current BDC applies extra standards to manufactured homes, such as minimum floor area, roof pitch and siding. We removed these and kept only the thermal envelope standard.

2.6.410 Manufactured Homes on Individual Lots

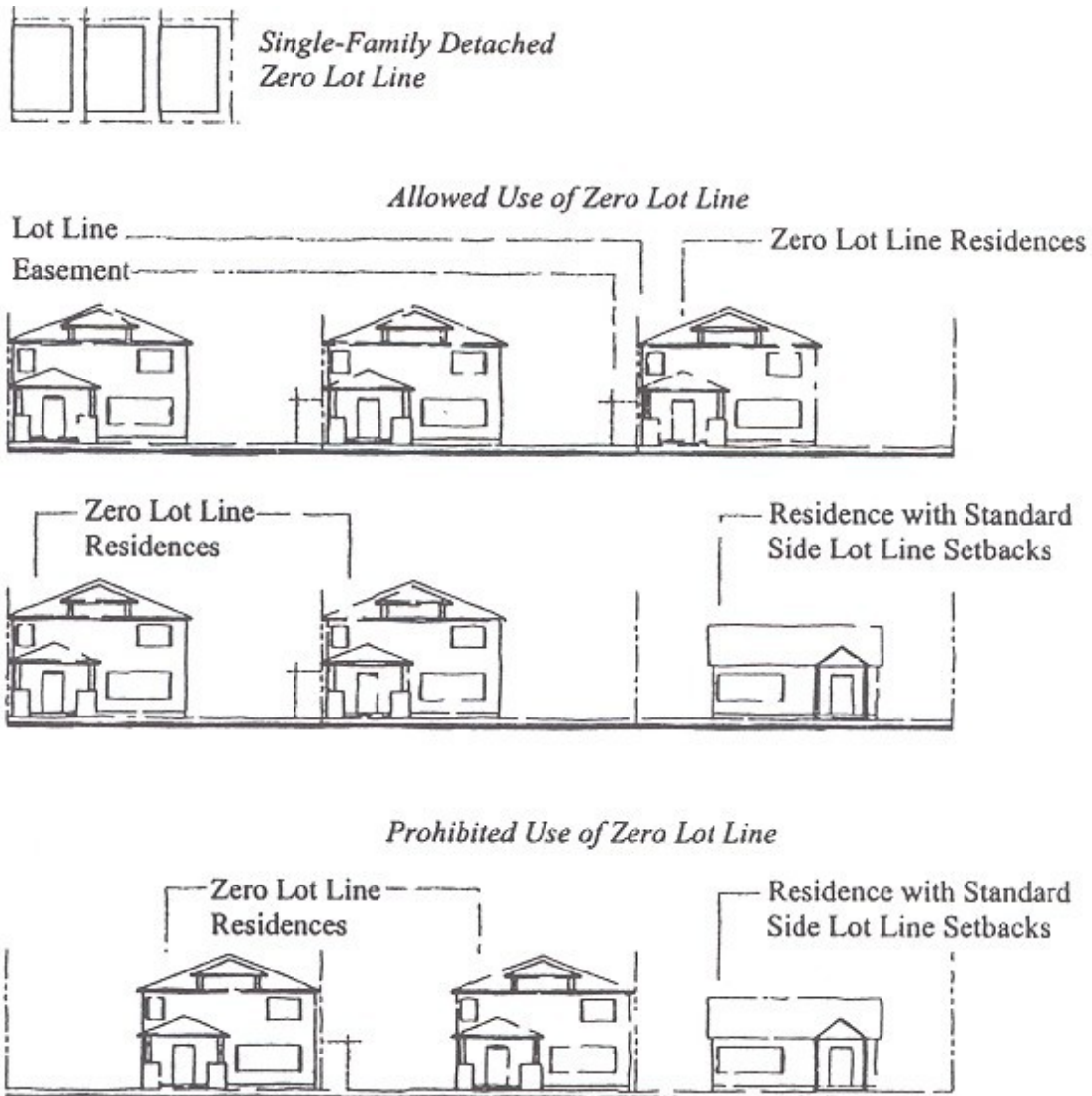
- A. Purpose.** The following provisions state the siting and construction standards that state law allows the City to apply to a manufactured home placed on an individual lot.
- B. Applicability.** The following standards apply where a manufactured home is proposed on an individual lot in the NR, CR or VR zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]**.
- C. Thermal Envelope Standard.** The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the State Building Code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturer’s certification shall not be required.

Commentary: This section carries forward existing standards to allow zero lot line houses. No substantive edits are proposed.

2.6.420 Zero Lot Line Development

- A. Purpose.** The following provisions are intended to promote compatibility and privacy between adjacent buildings and to allow for building maintenance, while permitting development on smaller (i.e., narrower) lots with usable outdoor living area in side-oriented yards.
- B. Applicability.** The following standards apply where a zero-lot line house is proposed in the NR, CR or VR zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]** Except as provided in this section, a zero-lot line house is subject to the same standards as a detached single-unit dwelling, except that a side yard setback is not required on one side of a typical lot, as shown in Figure 2.6.420.A.
- C. Standards.**

- 1. Setbacks Adjacent to Non-Zero Lot Line Development.** When a zero-lot line house shares a side property line with a non-zero lot line development, the zero-lot line building shall be setback from the common property line by a minimum of 10 feet.
- 2. Construction and Maintenance Easement.** Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lot.
- 3. Buffering.** A ground-floor window located along a zero-lot line and facing an abutting lot's yard must comply with at least one of the following:
 - a. Sill height.** The window sill is installed at least 5 feet above the finished floor;
 - b. Orientation.** The window is oriented so its primary sightline does not face the abutting yard (e.g., a bay window with side-facing glazing only); or
 - c. Glazing.** The window is fitted with frosted, obscured, or other permanently translucent glazing.

Figure 2.6.420.A Zero-Lot Line Housing

Policy Question: This section allows for units in a triplex or quadplex to be detached, similar to what is required to be allowed for duplexes. State law does not require the City to allow detached triplexes or quadplexes, however.

Should the City set these parameters for allowing a detached duplex? Alternatively, should the city:

- Prohibit detached units in a triplex or quadplex?
- Allow for a detached units without these restrictions?

2.6.430 Triplexes and Quadplexes

- A. Purpose.** The following provisions are intended to specify unit configuration and conversion standards for triplexes and quadplexes.
- B. Applicability.** The following standards apply where a triplex or quadplex is proposed in the NR, CR or VR zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]**
- C. Standards.**
- 1. Unit Configuration.** The units in a triplex or quadplex may be attached to each other. The units in a triplex or quadplex may be detached where:
 - a.** A unit is added to a lot with an existing unit that has been in place for at least five years and will be retained; or
 - b.** No more than one detached unit on the lot exceeds 1,200 square feet.
 - 2. Conversions.** Additions to, or conversions of, an existing detached single-unit dwelling or duplex into a triplex or quadplex is allowed, provided that the addition or conversion does not increase nonconformance with applicable development and design standards, unless increasing nonconformance is otherwise permitted by this Code.

Policy Question: This section establishes special development standards for cottage clusters. This is a specific housing type that is proven to be attractive housing product, but fits in best with single-unit dwellings if it is designed in a certain way. These standards set parameters on number of units in a cluster, setbacks, building size, and courtyard size. Design standards in Chapter 3 also regulate how cottage units are oriented and parking is designed.

Do these standards strike the right balance of encouraging high-quality, compatible design while allowing flexibility?

2.6.440 Cottage Clusters

- A. Purpose.** The following provisions are intended to enable development of small, clustered dwelling units that share common open space and other amenities.
- B. Applicability.** The following standards apply to new cottage cluster projects in the NR, CR, or VR zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]**
- C. Standards.** Except as provided below, cottage clusters must meet all development standards of the applicable zone.
 - 1. Maximum Cluster Size.** A maximum of eight cottages is permitted within a single cottage cluster (i.e., no more than eight cottages may share a single common courtyard). A cottage cluster project may include more than one cottage cluster and more than one common courtyard.
 - 2. Perimeter Setbacks.** The setbacks applicable to a cottage cluster project are those that apply to a detached single-unit dwelling in the same zone, except that no setback greater than 10 feet shall be required from any lot line of the project.
 - 3. Building Separation.** Cottages shall be separated by a minimum distance of six feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.
 - 4. Average Cottage Footprint.** The average building footprint of cottages within each cluster shall not exceed the following:
 - a. Cottages with height of 15 feet or less: 1,400 square feet.
 - b. Cottages with height over 15 feet: 900 square feet.
 - 5. Average Cottage Size.** The average size of all cottages and community buildings within a cottage cluster shall not exceed 1,400 square feet. The following provisions apply:
 - a. Average cottage size is calculated by dividing the total floor area of all cottages and community buildings within the cluster divided by the number of cottages and community buildings within the cluster.

- b.** An applicant may choose to exclude existing structures retained under subsection (C)(9) from the calculation.
 - c.** For cottage cluster projects with multiple clusters, the average cottage size is calculated for each cluster separately.
- 6. Building Height.** The maximum building height for all structures is 25 feet.
- 7. Size of Common Courtyard.** At least 150 square feet of common courtyard area shall be provided for each cottage within the cluster. The courtyard must meet the other dimensional and design requirements of Section 3.1.800 Cottage Cluster Standards.
- 8. Accessory Structures.** Accessory structures (excluding community buildings) must not exceed 400 square feet in floor area.
- 9. Existing Structures.** On a lot to be used for a cottage cluster project, an existing detached single-unit 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 nonconforming with respect to the requirements of this code.
 - b.** The existing dwelling may be expanded up to the maximum height in subsection (C)(6) or the maximum building footprint in subsection (C)(4); however, existing dwellings that exceed the maximum height or footprint of this code may not be expanded.
 - c.** An applicant may choose to exclude the floor area of the existing dwelling when calculating the average cottage size of a cottage cluster, pursuant to subsection (C)(5).

Policy Question: This section addresses issues unique to townhome design. It limits the number of attached townhomes to ensure buildings are compatible in scale with single-unit dwellings and ensures appropriate maintenance of common areas.

Do these standards strike the right balance of encouraging high-quality, compatible design while allowing flexibility?

2.6.450 Townhomes

- A. Purpose.** The following provisions are intended to promote a compatible building scale where attached single-unit dwellings are proposed, while minimizing the impact of garages along street fronts and creating a streetscape that is conducive to walking, and to ensure the maintenance of commonly owned areas.
- B. Applicability.** The following standards apply to new townhomes in the NR, CR, VR, CC, RC or DMU zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]**
- C. Standards.**
- 1. Building Mass.** Each building shall contain not more than the following number of consecutively attached townhome units: four in the NR zone; six in the CR zone; and eight in the VR zone. In the CC, RC and DMU zones the number of consecutively attached townhome units is not limited.
 - 2. Areas Owned in Common.** Common areas must be maintained by a homeowners association or other legal entity. Such legal entity 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.

Policy Question: The multi-unit housing standards require common open space in these higher density housing developments. They are similar to existing standards in the BDC, but are modified to meet the state requirement of clear and objective standards.

Do these standards strike the right balance of encouraging high-quality, compatible design while allowing flexibility?

2.6.460 Multi-Unit Housing

- A. Purpose.** The following provisions are intended to ensure that multi-unit developments provide outdoor area and usable open space for the residents.

B. Applicability. The following standards apply to new multi-unit housing in the CR, VR, CC, RC or DMU zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]** For the purpose of this section, townhouse style multi-unit housing developments are those in which the units have individual ground floor entries, share one or more common walls with one or more other units, and do not share common floors or ceilings with another unit.

C. Standards.

- 1. Minimum Outdoor Area.** Except as specified in subsection (C)(4), a minimum of 15 percent of the gross site area must be provided as outdoor area meeting the description and standards of Section 1.3.800, Required Outdoor Area and Usable Open Space.
- 2. Minimum Usable Open Space.** For sites over 20,000 square feet in gross site area, a percentage of the required outdoor area must be permanently reserved as shared, usable open space available for use by the residents:
 - a. For sites between 20,000 and 50,000 square feet, at least 25 percent of the required outdoor area must be usable open space.
 - b. For sites 50,000 square feet or larger, at least 50 percent of the required outdoor area must be usable open space.
- 3. Usable Open Space Standards.** The usable open space shall meet the following criteria:
 - a. The usable open space shall contain one or more of the features specified in Chapter 1.3, Required Outdoor Area and Usable Open Space.
 - b. In order to be counted as eligible toward the minimum usable open space area, such areas shall have dimensions of not less than 10 feet.
 - c. Up to 50 percent of the required usable open space may be provided as indoor recreation or community space provided it is accessible to all residents.
- 4. Exceptions.**
 - a. For sites under 20,000 square feet in size, 100 percent of the required outdoor area may be met by a rooftop garden provided it is accessible to all of the residents, or by private open space.
 - b. Sites that are under 20,000 square feet in size and located within one-quarter mile walking distance of a public park that is at least 1 acre in size are exempt from the usable open space requirement. Walking distance is measured along a route utilizing sidewalks or other public pedestrian facilities that are existing or will be constructed with the development.

- c. For townhouse style multi-unit housing, 100 percent of the required usable open space may be provided as private yards for each unit.

Commentary: State law requires cities over 2,500 residents to allow at least one accessory dwelling unit (ADU) with each detached single-unit dwelling (ORS 197A.425). The City may apply reasonable siting and design standards but may not require owner occupancy or additional parking. The current BDC defines “accessory dwelling” but does not list ADUs as a permitted use or say whether they need parking. We propose to allow one ADU per single-unit dwelling in the NR, CR and VR zones, with size, setback and separation standards and no parking or owner-occupancy requirement.

2.6.470 Accessory Dwelling Units

- A. Purpose.** The following provisions are intended to allow accessory dwelling units as an economical means of adding housing choice in developed neighborhoods.
- B. Applicability.** The following standards apply where an accessory dwelling unit is proposed in the NR, CR or VR zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]**
- C. Standards.**
 - 1. One Unit.** A maximum of one accessory dwelling unit is allowed per legal single-unit dwelling (referred to as the primary dwelling). The unit may be in a separate detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).
 - 2. Floor Area.** The maximum floor area for an accessory dwelling unit is 1,000 square feet or 80 percent of the floor area of the primary dwelling, whichever is less. However, the maximum floor area standard does not apply when an entire floor of a primary dwelling (e.g., a basement) is converted to an accessory dwelling unit and the primary dwelling has been on the lot for at least five years. Floor area is measured as provided in Section 1.3.600.
 - 3. Other Standards.** Except as provided below, accessory dwelling units shall meet all development standards (e.g., height, setbacks, lot coverage) that apply to detached single-unit dwellings in the zone. Accessory dwelling units are exempt from design standards.
 - a. Conversion of an existing legal non-conforming structure to an accessory dwelling unit is allowed, provided that the conversion does not increase the non-conformity.
 - b. Maximum density standards do not apply to accessory dwelling units.

- c. Minimum off-street parking standards do not apply to accessory dwelling units.
- d. Detached accessory dwelling units that do not exceed 12 feet in height may be located within 5 feet of an interior side or rear lot line.
- e. A detached accessory dwelling unit shall be separated from the primary dwelling by at least 6 feet.

Commentary: State law requires the City to allow manufactured home parks in zones planned for 6 to 12 units per acre (ORS 197A.436). The City may apply clear and objective standards but may not require a site larger than one acre or prohibit prefabricated homes in a park (ORS 197A.432 and 197A.434). The current BDC allows parks only in the Manufactured Home Park Sub District and applies roof and siding standards in parks under 3 acres. We propose to allow parks on sites of one acre or more in the NR, CR and VR zones. The section keeps the current space, setback and density limits, allows prefabricated homes and RVs, and removes the home design standards.

2.6.480 Manufactured Home Parks

- A. Purpose.** The following provisions are intended to provide for the development of manufactured home parks.
- B. Applicability.** The following standards apply where a manufactured home park is proposed in the NR, CR or VR zone. **[PROCEDURE TYPE — confirm on the Chapter 4 update]** This section also applies to a recorded subdivision developed to manufactured dwelling park standards, as provided in subsection (D).
- C. Standards.** Manufactured home parks are permitted on lots of one (1) acre or larger in the NR, CR and VR zones, subject to compliance with all the following:
 - 1. Permitted Uses and Structures.** The following uses and structures are permitted within a manufactured home park: detached single-unit dwellings, prefabricated dwellings, manufactured homes, recreational vehicles connected to water, sewer and electrical utilities, a manufactured home park manager's office, home occupations, and accessory structures that are necessary for the operation and maintenance of the manufactured home park (e.g., landscape maintenance).
 - 2. Space.** The minimum size pad or space for each home is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide and 40 feet long.

- 3. Setbacks and Building Separation.** The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.
- 4. Utility Connections.** Electric, water and sewer utility connections shall be made to the manufactured home park or individual unit depending on the ownership of the park.
- 5. Development Standards.** Development of manufactured home parks, including placement of manufactured and prefabricated dwellings within a park, shall comply with applicable building codes and state requirements for Mobile Home and Manufactured Dwelling Parks in ORS Chapter 446. The Building Official administers the Oregon Manufactured Dwelling and Park Specialty Code for park construction and the placement of dwellings in a park.
- 6. Perimeter Landscaping.** Where a dwelling is oriented with its back or side yard facing a public street, a landscape buffer at least 10 feet wide shall be provided between the street and the park, with a sight-obscuring fence at least 6 feet tall along the park side of the buffer.
- 7. Recreation Area.** At least 100 square feet of improved recreation area shall be provided for each dwelling space, and not less than 2,500 square feet in total. Each recreation area counted toward this standard shall be at least 30 feet wide. Indoor community space available to all residents may meet up to 50 percent of this standard.
- 8. Guest Parking.** At least one guest parking space shall be provided for every five dwelling spaces, in addition to the parking required by Chapter 3.6.
- 9. Manager's Office.** Each manufactured home park shall include a manager's office.
- 10. Trash and Recycling.** Shared trash and recycling storage shall meet Section 3.1.700.

D. Desert Springs Estates Phase 1 (Bella Vista Estates).

1. **Purpose.** The purpose of establishment of this section is to resolve siting and construction conflicts with the Boardman Development Code due to the original design criteria of a Manufactured Home Park not being aligned with a portion of the park. These conflicts are due to manufactured home park lot sizes, and allowed setbacks, being markedly different than language called for in this chapter of the Development Code. The original design, consistent with today's rules, are primarily contained in the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition and are conflicting with existing code language for lot size and setbacks.
2. **Permitted Uses.**
 - a. Siting of manufactured homes within the subdivided portion, still recorded as Desert Springs Estates Phase 1, owned by the Bella Vista Estates Cooperative Manufactured Home Park. Siting must be in accordance with the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.
 - b. Accessory Structures which do not encroach into dedicated easements or rights-of-way within the Desert Springs Estates Phase 1 subdivision.
 - c. Open Spaces and Playgrounds in accordance with the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.
3. **Setbacks.** Setbacks within the Desert Springs Estates Phase 1 subdivision shall be consistent with Chapter 9 Fire and Life Safety Table 9-A, of the Oregon Manufactured Dwelling and Park Specialty Code – 2002 Edition.
4. **Existing Configuration.** A lot, dwelling or accessory structure lawfully established within the subdivision before the effective date of this ordinance is deemed to comply with subsection (C).

Commentary: State law requires the City to allow single room occupancy (SRO) housing: at least four rented, lockable units that share bathrooms or kitchens (ORS 197A.430). By January 1, 2027, the City must allow up to six SRO units on lots zoned for single-unit dwellings and up to three times the maximum density in zones that allow multi-unit housing. The current BDC does not define or allow SROs. We propose to allow SROs in the residential, CC, RC and DMU zones at these densities.

2.6.500 Single Room Occupancy

- A. **Purpose.** The following provisions are intended to allow single room occupancy housing at the densities the state requires the City to permit, and to set the off-street parking standard for that housing type.

B. Applicability. The following standards apply where single room occupancy housing is proposed in the NR, CR, VR, CC, RC or DMU zone. [PROCEDURE TYPE — confirm on the Chapter 4 update]

C. Standards.

1. Density.

- a. On a lot in a zone that allows detached single-unit dwellings, up to six single room occupancy units are allowed, notwithstanding the maximum density standards of Chapter 2.2.
- b. On a lot in a zone that allows multi-unit housing, single room occupancy housing is allowed at up to three times the maximum density otherwise allowed in the zone.

2. Other Standards. Except as provided above, single room occupancy housing shall meet the development standards of Chapter 2.1 or Chapter 2.2, as applicable, and the design standards for multi-unit housing in Chapter 3.1.

3. Transient Room Tax. Occupancy of a single room occupancy unit for fewer than 30 consecutive days is subject to the transient room tax in Chapter 3.12 of the Boardman Municipal Code.

Commentary: State law requires the City to allow residential homes (licensed care homes for five or fewer residents) in all residential zones under the same standards as a single-unit dwelling (ORS 197.665). Residential facilities (6 to 15 residents) must be permitted wherever multi-unit housing is permitted (ORS 197.667). The current BDC generally complies but uses older terms. We propose to permit residential homes in the NR, CR and VR zones and residential facilities in the VR, CC, RC and DMU zones, where multi-unit housing is allowed.

2.6.510 Residential Homes, Residential Facilities and Residential Treatment Facilities

A. Purpose. The following provisions are intended to implement state and federal laws pertaining to residential care uses. It also states the standards for residential treatment facilities and residential treatment homes.

B. Applicability. The following standards apply where a residential home is proposed in the NR, CR or VR zone, or where a residential facility is proposed in the VR, CC, RC or DMU zone. Residential facilities are not the same as acute care facilities, which are classified as healthcare center uses, and they are not the same as senior housing facilities, which are classified as either multi-unit housing or group living facilities, depending on their characteristics. This section also applies to a residential treatment facility or a residential treatment home. A use subject to ORS 197A.385 is not subject to any provision of this section that would require a conditional use permit, a zone change or a comprehensive plan amendment.

C. Standards.

- 1. Licensing and State Requirements.** Residential homes and residential facilities shall be licensed by the State of Oregon and comply with state requirements, pursuant to ORS 197.660 to 197.667. A residential treatment facility and a residential treatment home shall be licensed by the Oregon Health Authority as required by ORS chapter 443.
- 2. Residential Homes.** Residential homes may provide residential care alone, or in conjunction with treatment or training, for five or fewer individuals who need not be related. Staff required to meet state licensing requirements are not counted in the number of residents and need not be related to each other or the residents. The same Development Code standards that apply to detached single-unit dwellings also apply to residential homes, except where state law supersedes City standards.
- 3. Residential Facilities.** Residential facilities may provide residential care alone, or in conjunction with treatment or training, for between 6 and 15 individuals who need not be related. Staff required to meet state licensing requirements are not counted in the number of residents and need not be related to each other or the residents. The same Development Code standards that apply to multi-unit housing also apply to residential facilities, except where state law supersedes City standards.
- 4. Residential Treatment Facilities and Residential Treatment Homes.** A residential treatment home provides residential treatment for five or fewer individuals who need not be related. A residential treatment facility provides residential treatment for six or more individuals who need not be related. Staff required to meet state licensing requirements are not counted in the number of residents and need not be related to each other or to the residents. The same Development Code standards that apply to a detached single-unit dwelling apply to a residential treatment home, and the same Development Code standards that apply to multi-unit housing apply to a residential treatment facility, except where state law supersedes City standards.

5. **Access.** The access and circulation standards of Chapter 3.3 shall be met.
6. **Parking.** The parking standards of Chapter 3.6 shall be met.
7. **Landscaping.** Residential facilities are required to comply with the landscaping and screening standards of Chapter 3.5. The City may require the installation of a landscape hedge or fence on the property line separating a residential facility from an abutting lot containing a detached single-unit dwelling for the purposes of visual screening and privacy between uses.
8. **Building Design Standards.** Residential facilities are required to comply with the building orientation and design standards for multi-unit housing in Chapter 3.1; except that where a state requirement conflicts with a City standard, the state requirement, not the City standard, shall apply. The building design standards do not apply to residential homes.

2.6.520 Bed and Breakfast Inns

- A. **Purpose.** The purpose of this section is to provide standards for the establishment of a bed and breakfast inn.
- B. **Applicability.** The following standards apply where a bed and breakfast inn is proposed in the NR, CR or VR zone. A bed and breakfast inn requires Conditional Use Permit approval in accordance with Chapter 4.4.
- C. **Standards.**
 1. **Accessory Use.** A bed and breakfast inn must be accessory to a household already occupying the structure as a residence.
 2. **Maximum Size.** The bed and breakfast structure is limited to a maximum of 4 bedrooms for guests and a maximum of 6 guests per night.
 3. **Employees.** The bed and breakfast facility may have up to 2 non-resident employees for the facility.
 4. **Food Service.** Food services may only be provided to overnight guests of the bed and breakfast inn.
 5. **Owner-Occupied.** The bed and breakfast inn shall be owner-occupied and shall maintain the exterior physical characteristics of a detached single-unit dwelling. No separate structures shall be allowed (except for usual residential accessory buildings such as sheds, or detached garages).
 6. **Signs.** Signs must meet the standards in Section 3.9.300 Signs.

- 7. Monitoring.** All bed and breakfast inns must maintain a guest log book. It must include the names and home addresses of guests, guests' license plate numbers if travelling by car, dates of stay and the room number of each guest. The log must be available for inspection by City staff upon request.
- 8. Transient Room Tax.** A bed and breakfast inn is subject to the transient room tax in Chapter 3.12 of the Boardman Municipal Code.

2.6.530 Home Occupations

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

- 3. Employees.** Other than family members residing within the dwelling located on the home occupation site, there shall be no more than one full time equivalent employee at the home occupation site at any given time. As used in this chapter, the term “home occupation site” means the lot on which the home occupation is conducted. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch to other locations.
- 4. Advertising and Signs.** Signs shall comply with Section 3.9.300.
- 5. Vehicles, Parking and Traffic.** One commercially-licensed vehicle associated with the home occupation is allowed at the home occupation site. It shall be of a size that will not encroach onto the public right-of-way, including the sidewalk and planter strip, when parked in the driveway or other location on the home occupation site. There shall be no more than three commercial vehicle deliveries to or from the home occupation site daily. There shall be no commercial vehicle deliveries during the hours of 7 p.m. to 7 a.m. There shall be no more than two client or customer vehicles at any one time and no more than eight per day at the home occupation site or in the right-of-way abutting the lot.
- 6. Business Hours.** There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 8 a.m. to 6 p.m. Monday through Friday subject to all provisions above.
- 7. Prohibited Home Occupation Uses.**

 - a. Any activity that produces radio or TV interference, noise, glare, vibration, smoke or odor beyond allowable levels as determined by local, state or federal standards, or that can be detected beyond the property line, is prohibited.
 - b. Any activity involving on-site retail sales is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music by music teachers, art or craft supplies by arts or crafts instructors, computer software by computer consultants, and similar incidental items for sale by home business are allowed subject to all provisions above.
 - c. Any uses described in this section or uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke or vibration, such as:

 - i. Ambulance service;
 - ii. Animal hospital, veterinary services, kennels or animal boarding;

- iii. Auto and other vehicle repair, including auto painting;
 - iv. Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site.
8. **Enforcement.** The City Manager or their designee may visit and inspect the site of home occupations in accordance with this chapter periodically to insure compliance with all applicable regulations, during normal business hours, and with reasonable notice. Code violations shall be processed in accordance with Chapter 1.5 - Enforcement.

2.6.540 Residential Caretaker Units

- A. **Purpose.** The following provisions are intended to allow on-site residential quarters for a caretaker where continuous on-site presence is necessary to the operation or security of a permitted use.
- B. **Applicability.** The following standards apply where a residential caretaker unit is proposed in the RC, EMP, or IND zone. [PROCEDURE TYPE — confirm on the Chapter 4 update]
- C. **Standards.** One residential caretaker unit shall be permitted for each development, subject to all the following:
- 1. **Utilities.** The unit shall be served with public water and sanitary sewerage disposal, in conformance with Public Works Standards.
 - 2. **Fire and Building Code.** Caretaker units shall be required to meet applicable fire safety and building code requirements.
 - 3. **Setbacks.** The unit shall meet the applicable setback standards of Sections 2.2.400 and 2.2.500.

Policy Question: Drive-throughs are proposed to be permitted in the CC, RC, EMP and IND zones and prohibited in the DMU zone. The current BDC allows a drive-through only as an accessory to a walk-in use, with access from an alley or common driveway. That rule does not address the main problems drive-throughs cause. The proposed standards do: longer stacking lanes keep waiting cars out of the street, a walk-up service area lets people on foot or bike order safely, and spacing between drive-throughs in the CC zone keeps them from clustering along one street.

Do these standards fit Boardman? Are there other issues with drive-throughs the code should address?

2.6.600 Drive-Through Facilities

- A. Purpose.** The standards for drive-through facilities and quick vehicle servicing uses are intended to support pedestrian-oriented site design where drive-through facilities are proposed and limit the negative impact of facilities oriented to vehicles. The standards require buildings to offer points of entry and service that can be directly accessed on foot. They also require that visible, safe, and clearly defined routes are provided on-site for pedestrians and bicyclists. The standards ensure adequate vehicle queuing space and limit locations and spacing of these facilities.
- B. Applicability.** The following standards apply to new developments with drive-through facilities, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility. [PROCEDURE TYPE — confirm on the Chapter 4 update]
- C. Standards.**
- 1. Where Drive-Through Facilities are Limited.**
 - a. New drive-through facilities are prohibited in the DMU zone.
 - b. Existing drive-through facilities in the DMU zone are considered non-conforming uses. Notwithstanding Chapter 5.2 Non-Conforming Uses and Developments, existing drive-through facilities may be rebuilt, expanded, or relocated on the site but must meet the standards in subsections (C)(2) and (C)(3).
 - c. In the CC zone, no new drive-up or drive-through facility is allowed within [INSERT VALUE] linear feet of another drive-through facility, where the existing drive-through facility lawfully existed as of the date of an application for a new drive-through facility.
 - 2. Pedestrian Service Areas.** A development with a drive-through facility must provide at least one walk-up service area that meets the following standards. Examples of a walk-up service area include an indoor service area directly accessible from a public street or an outdoor walk-up service window.

- a. Walk-up service areas must be accessible by customers arriving on foot, using a mobility device, or by bicycle. Customers using a walk-up service area must have the same or better access to goods and services as customers using the drive-through. Quick vehicle servicing uses are exempt from this standard.
- b. If the walk-up service area is limited to an outdoor service window, it must not also be used by vehicles. Walk-up service may be provided by facility staff or by automatic teller-style machines.
- c. Walk-up service areas must be connected to the street by a direct and convenient walkway that meets the standards of Chapter 3.4.

3. Vehicle Service Areas and Stacking Lanes.

- a. All driveway entrances, including stacking lane entrances, must be at least 50 feet from any street intersection. If a drive-through facility has frontage on two streets, the drive-through facilities must receive access from the street with the lower classification.
- b. Vehicle service areas and stacking lanes must not be located between the building and a street lot line. Quick vehicle servicing uses are exempt from this standard.
- c. Stacking lanes must be designed so that they do not prevent access to parking stalls, nor block the public right-of-way. The minimum length of stacking lanes must be as follows:
 - i. **Gasoline Fuel Pumps and Electric Vehicle Chargers.** A minimum of 30 feet of stacking lane is required between the stacking lane entrance and the nearest fuel pump or electric vehicle charger.
 - ii. **Drive-Through Facilities.** A minimum of [INSERT VALUE] feet for a single stacking lane, or [INSERT VALUE] feet per lane when there is more than one stacking lane, is required for all other drive-through facilities. A stacking lane is measured between the lane entrance and the service area.

Policy Question: Small-scale commercial uses, such as shops, services, cafes, offices and child care, are proposed in all residential zones. The current BDC allows them only in the Multi-Family Sub District. Each site must front a collector or arterial street, be at least one-half mile from another commercial site, and have no more than 5,000 square feet of commercial space. The goal is to put daily services within walking distance of more homes.

Do these limits balance access to services with neighborhood compatibility? Should any uses be added or removed from the list?

2.6.610 Commercial Uses in Residential Zones

- A. Purpose.** The following provisions are intended to promote land use compatibility and transition between commercial and residential uses.
- B. Applicability.** The following standards apply to the commercial uses listed in subsection (C)(1) where those uses are permitted in a residential zone by Table 2.1.200. **[PROCEDURE TYPE — confirm on the Chapter 4 update]**
- C. Standards.**
 - 1. Permitted Uses.** Only the following commercial uses are permitted in a residential zone, and only where Table 2.1.200 permits them: retail trade and services, limited to neighborhood-serving retail uses; personal and professional services; eating and drinking establishments; business and professional offices; and child care centers. Residential and commercial uses may be mixed “vertically” — meaning that a residential use is developed above the commercial use (i.e., ground floor retail/office with upper-story apartments, townhomes, or condominiums), or may be mixed “horizontally” — meaning commercial and residential uses both occupy ground floor space. Automobile-oriented uses, as defined in Chapter 1.2, are expressly prohibited.
 - 2. Dispersion of Commercial Development.** A commercial site in a residential zone shall be located no closer than one-half mile from another such site within the City. A “commercial site in a residential zone” means a lot or parcel (or combination of adjacent lots or parcels), zoned NR, CR or VR and containing commercial uses.
 - 3. Location and Access.** Commercial developments in a residential zone shall have frontage onto a collector or arterial street, and shall conform to the standards of Chapter 3.2 Non-Residential Design Standards. Parking shall meet Chapter 3.6.
 - 4. Floor Area Supplemental Standards.** The maximum commercial floor area shall not exceed 5,000 square feet total per commercial site in a residential zone. Floor area is measured as provided in Section 1.3.600. Floor area in residential use is not counted.

2.6.620 Light Manufacturing

- A. Purpose.** The following provisions are intended to protect the pedestrian-friendly character of the City's commercial areas where light manufacturing is permitted alongside retail and service uses.
- B. Applicability.** The following standards apply where a light manufacturing use is proposed in a commercial zone. The standards of this section do not apply to light manufacturing in the IND or EMP zone. [PROCEDURE TYPE — confirm on the Chapter 4 update]
- C. Standards.** Light manufacturing uses shall conform to the following standards.
- 1. Retail or Service Use Required.** Light manufacturing is allowed only when it is in conjunction with a permitted retail or service use and does not exceed 60% of the gross floor area.
 - 2. Location.** The light manufacturing use shall be enclosed within a building, or shall be located within a rear yard not adjacent to a street and screened from public view.
 - 3. Other Requirements.** Any allowed light manufacturing shall be conducted to minimize impacts to surrounding business and services. These shall include the conditions set as follows:
 - a.** Deliveries shall not interfere with normal transportation circulation (vehicular, pedestrian, etc.);
 - b.** Operations shall not produce solid waste volumes in excess of 200% of the average of surrounding businesses' and services;
 - c.** Operations shall not qualify as a hazardous waste generator or small quantity generator as defined by state and federal environmental regulations;
 - d.** Operations shall not create conditions which would qualify as a nuisance or otherwise not be in compliance under other Boardman Municipal Codes; and
 - e.** Shall be compatible with other commercial activities and operations.
 - 4. Existing Uses.** A light manufacturing use lawfully established on the effective date of this ordinance is deemed to comply with subsection (C)(2).

2.6.630 Uses with Significant Noise, Light/Glare, Dust, Vibration, or Traffic Impacts

- A. Purpose.** The following provisions are intended to identify uses whose off-site impacts warrant discretionary review, and to state the criteria by which those impacts are judged significant.
- B. Applicability.** The following defined uses shall require Conditional Use Permit approval, in addition to Development Review or Site Design Review, in any zone in which the use is otherwise permitted.
- C. Standards.**
- 1. Uses with Significant Noise, Light/Glare, Dust and Vibration Impacts.** Uses that are likely to create significant adverse impacts beyond the property line, such as noise, light/glare, dust, or vibration shall require conditional use approval, in conformance with Chapter 4.4. The following criteria shall be used in determining whether the adverse impacts of a use are likely to be “significant”:
 - a. Noise.** The noise level beyond the property line exceeds 55 dBA (24-hour average) on a regular basis. An application for a use that is likely to exceed this level shall include a noise study prepared by a qualified acoustical professional. Enforcement of this standard is governed under police enforcement.
 - b. Light/Glare.** Lighting and/or reflected light from the development exceeds ordinary ambient light and glare levels (i.e., levels typical of the surrounding area).
 - c. Dust and/or Exhaust.** Dust and/or exhaust emissions from the development exceed ambient dust or exhaust levels, or levels that existed prior to development.
 - d. Vibration.** Vibration (e.g., from mechanical equipment) is sustained and exceeds ambient vibration levels (i.e., from adjacent roadways and existing land uses in the surrounding area).
 - 2. Traffic.** Uses which are likely to generate unusually high levels of vehicle traffic due to shipping and receiving. “Unusually high levels of traffic” means that the average number of daily trips on any existing street would increase by 20 percent or more as a result of the development and 100 vehicles per day. The City may require a trip generation letter prepared by a qualified professional prior to deeming a land use application complete, and determining whether the proposed use requires conditional use approval. Applicants may be required to provide a traffic analysis for review by ODOT for developments that increase traffic on state highways.

- 3. Resource Extraction.** Uses such as the operation of mineral and aggregate quarries and similar uses, shall require a Conditional Use Permit unless the applicant pursues approval through the Goal 5 protection process. The applicant shall also be required to prepare a site reclamation plan for review and approval by the City and other affected agencies, prior to commencing resource extraction. The required scope of the reclamation plan shall be identified by the final approval, and shall comply with applicable requirements of State natural resource regulatory agencies.

2.6.640 Medical Marijuana Facilities

- D. Purpose.** The purpose of this section is to limit the off-site effects of medical marijuana dispensaries and grow facilities, including odor, signage and outward evidence of the operation, to separate dispensaries from one another and from areas where children are present, and to ensure that products are secured indoors.
- E. Applicability.** This section applies to a medical marijuana dispensary or facility and to a medical marijuana grow facility. Each use requires a Conditional Use Permit under Chapter 4.4.
- F. Standards.** A medical marijuana dispensary or facility and a medical marijuana grow facility shall comply with all the following:
1. Facilities shall not be sited within Minor Children Safety Areas as defined by Chapter 9.04 of the Boardman Municipal Code.
 2. No on-site consumption of products is permitted.
 3. All facilities must be licensed by the Oregon Health Authority.
 4. The registry identification card and Oregon Health Authority license shall be displayed for public view.
 5. A grow facility must be indoors, or sufficiently screened and ventilated to show no outward signs, or odors, of the grow operation.
 6. A dispensary facility must be indoors, and sufficiently screened and ventilated to show no outward signs, or odors, of any product manufacture for edible marijuana products.
 7. Hours of operation shall be restricted to 8 hours per day and no later than 8:00 PM on weekdays, and no more than 6 hours per day and no later than 6:00 PM on weekends and holidays.
 8. A facility shall not be sited within 1,000 feet of another marijuana dispensary.

9. A medical marijuana dispensary and a medical marijuana grow facility shall not be located on the same parcel.
10. Signs shall be limited to 100 square feet per building face of the facility, with no more than two faces signed. Other sign requirements are in the Boardman Municipal Code.
11. No outdoor storage of products is permitted.
12. Facilities shall meet the other applicable conditional use criteria of Chapter 4.4.

Commentary: This section lets existing farm uses continue on land rezoned from the Future Urban Sub District to the NR, CR, RC or IND zone. Without it, these farms would become nonconforming uses. The allowance ends after 18 consecutive months without farm use. A land division for a purpose other than housing must create lots of at least 10 acres and record a shadow plat, so the land can still develop at urban densities later.

2.6.650 Continuation of Existing Farm Uses

- A. Purpose.** The following provisions allow farm uses lawfully established before the effective date of this ordinance to continue on land that is rezoned to a residential, RC or IND zone, together with the structures those uses require. Without this section, such farm uses would be nonconforming uses under Chapter 5.2, which prohibits any additional structure on the lot and terminates the use after twelve months of discontinuance.
- B. Applicability.** This section applies to a lot or parcel in the NR, CR, RC or IND zone that was in farm use on the effective date of this ordinance. A farm use that meets this subsection is a permitted use and is not a nonconforming use under Chapter 5.2.
- C. Standards.**
1. **Continuation of Existing Farm Uses.** The following farm uses may continue on land to which this section applies, but only where the use was lawfully conducted on that land on the effective date of this ordinance:
 - a. Raising, harvesting and selling of crops.
 - b. Feeding, breeding, selling and management of livestock, poultry, fur-bearing animals, or honeybees.
 - c. Selling of products of livestock, poultry, fur-bearing animals, or honeybees.
 - d. Dairying and selling of dairy products.

- e. Preparation and storage of the products raised on such lands for human use and animal use.
 - f. Distribution by marketing or otherwise of products raised on such lands.
 - g. Any other agricultural use, horticultural use, animal husbandry, or any combination thereof.
 - h. Propagation or harvesting of a forest product.
 - i. Public and private conservation areas and structures for the conservation of water, soil, forest or wildlife habitat resources.
 - j. Fish and wildlife management program facilities.
2. **Accessory Uses and Structures.** Accessory buildings and uses customarily incidental to a farm use continued under this section are permitted, including barns, shops, equipment and produce storage buildings, wells and pump houses. A roadside stand located on the same property as the principal use is permitted when it sells only agricultural products produced in the surrounding community. A roadside stand shall meet the access standards of Chapter 3.3 and the parking standards of Chapter 3.6.
3. **Expansion.** A farm use continued under this section may be expanded within the boundaries of the lot or parcel, and new accessory structures may be constructed, subject to the setback and height standards of the applicable zone. The limitations on enlargement and additional structures in Chapter 5.2 do not apply.
4. **Discontinuance.** A farm use continued under this section ceases to be permitted under this section if the land is not in farm use for 18 consecutive months. Land left fallow as part of an ordinary agricultural rotation remains in farm use. When a farm use ceases to be permitted under this section, subsequent use of the land shall conform to the standards of the applicable zone.
5. **Land Division.** A lot or parcel to which this section applies may be divided as follows.
- a. **Division that Creates a Lot or Parcel for Residential Development.** The lot or parcel is subject to the minimum density standard of the applicable zone. The minimum lot area in subsection (C)(5)(b) does not apply.
 - b. Any other division, including a division for a farm use or an agriculture-related use. Each resulting lot or parcel shall be not less than 10 acres, except that a lot or parcel created for a school use shall be not less than 5 acres.

- c. **Shadow Plat Required for a Division Under Subsection (C)(5)(b).** The applicant shall record a legally binding shadow plat dividing the remaining portion or the entire parcel into future urban lots as permitted by the applicable zone, and illustrating the location of future internal roadways and easements. The shadow plat shall follow the land division standards of Chapter 4.3.
 - d. **Purpose of Subsections (C)(5)(b) and (C)(5)(c).** These standards prevent parcelization that would foreclose future development at urban densities. They do not apply to a division for residential development, which is governed instead by the minimum density standard.
- 6. Relationship to Development of the Land.** Nothing in this section limits the right of the owner to develop the land in accordance with the standards of the applicable zone. Division of a lot or parcel to which this section applies is subject to Chapter 4.3.

Policy Question: Housing is proposed to be allowed in the DMU, CC and RC zones only as part of a mixed-use development. This section defines mixed use: commercial space must fill at least 25% of the building's ground floor, but no more than 5,000 square feet is required. The homes may be in the same building or a separate building on the site. The current BDC allows housing in commercial zones only with a conditional use permit, a discretionary review with an uncertain outcome. The proposed standards are clearer and more predictable: applicants know up front what they must build. The goal is to allow housing in commercial areas without using up land needed for jobs and services.

Is 25% of the ground floor, capped at 5,000 square feet, the right amount of commercial space to require?

2.6.660 Residential Uses in Commercial Zones

- A. Purpose.** This section states the minimum non-residential component required for a development to qualify as mixed use where Table 2.1.200 permits a housing type only as part of a mixed-use development.
- B. Applicability.** This section applies to quadplex, townhouse, multi-unit housing and single room occupancy development in the DMU, CC and RC zones.
- C. Standards**
 - 1. Minimum Commercial Floor Area.** A mixed-use development shall devote to commercial use a ground floor area of not less than 25 percent of the total ground floor area of the building, except that not more than 5,000 square feet of commercial floor area shall be required.

2. Location of Commercial Floor Area. The commercial floor area shall be located on the ground floor. Residential dwelling units may be located in the same building as commercial uses or in a separate building.

D. Measurement. Ground floor area is measured in accordance with Chapter 1.3. The 5,000 square foot cap applies to a building whose ground floor area exceeds 20,000 square feet.

Policy Question: Data centers are proposed to require a conditional use permit in the EMP and IND zones. The current BDC has no standards specific to data centers. This new section requires proof of electric, water and wastewater capacity. It also sets standards for cooling water use, backup generator testing, noise and distance from residential zones.

Do these standards address the main effects data centers have on the community and nearby neighbors? What other issues should the code address?

2.6.670 Data Centers

- A. Purpose.** The purpose of this section is to ensure that a data center is served by adequate electrical, water and wastewater capacity, and that its mechanical, electrical and backup power equipment does not create off-site noise effects on adjacent properties.
- B. Applicability.** This section applies to a use classified as a Data Center under Section 1.4.500, and to an expansion that increases connected electrical load by **[INSERT VALUE]** percent or more.
- C. Relationship to Section 2.6.630.** Where this section establishes a standard for a specific effect, that standard applies in place of Section 2.6.630 for that effect. Section 2.6.630 continues to apply to effects not addressed by this section.
- D. Standards.** A data center shall comply with all the following:
- 1. Utility Capacity.** An application shall include written confirmation from the electric service provider and from the City or other water and wastewater utility that capacity is available to serve the projected connected load, water demand and discharge, or identifying the improvements required to serve it.
 - 2. Cooling Method and Water Use.** A data center with projected water consumption at or above **[INSERT VALUE]** gallons per day shall use a closed-loop or dry cooling system. The City may approve an evaporative cooling system where the applicant demonstrates that the City and its water provider can serve the projected demand without reducing service to existing users.

3. **Backup Generator Testing.** Non-emergency generator testing shall occur only between 7:00 a.m. and 6:00 p.m. and shall not exceed [INSERT VALUE] hours per generator per year.
4. **Noise.** Noise from cooling equipment and other continuously operating equipment shall not exceed [INSERT VALUE] dBA at any property line between [INSERT VALUE] and [INSERT VALUE], and shall not exceed [INSERT VALUE] dBA at all other times. An application shall include an acoustical analysis prepared by a qualified professional.
5. **Separation from Residential Zones.** A data center building, generator, cooling tower or electrical substation shall be located at least [INSERT VALUE] feet from land zoned for residential use.

Policy Question: Food cart pods are proposed to be allowed on private property in the DMU, CC, RC and EMP zones. The current BDC treats food carts only as temporary uses. The standards require hard surfacing, setbacks, utility and grease disposal, restrooms, trash receptacles and lighting. Pods with three or more carts must also provide on-site restrooms, covered seating and vendor parking. The goal is to give small food businesses a lower-cost way to open while making pods function like a permanent restaurant site.

Are these the right zones for food cart pods? Are the requirements for pods of three or more carts reasonable, or would they discourage pods?

2.6.680 Food Cart Pods

- A. **Purpose.** The following provisions are intended to allow food cart pods on private property with the sanitation, utility and site improvements that a permanent eating and drinking use needs.
- B. **Applicability.** The following standards apply to a food cart pod in the DMU, CC, RC or EMP zone. Food cart pods are not permitted in other zones or in a special flood hazard area. [PROCEDURE TYPE — confirm on the Chapter 4 update]
- C. **Definitions.** As used in this Section:
 1. **Food cart** means a vehicle that is self-propelled, or that can be pulled or pushed, on which food is prepared, processed or converted, or from which food is sold and dispensed to the consumer.
 2. **Food cart pod** means a site on private property that contains one or more food carts and shared amenities.
- D. **Standards.** A food cart pod shall comply with all the following:

1. **Surfacing.** Each food cart, and all associated parking, loading and maneuvering areas, shall be located on a hard surface such as concrete or asphalt.
2. **Setbacks.** A food cart shall be set back at least 10 feet from a front or street lot line, at least 5 feet from an interior side or rear lot line, and at least 20 feet from a lot line abutting a residential zone. An awning or canopy may project up to 36 inches into a required setback.
3. **Separation.** A food cart shall be at least 5 feet from any structure and from any other food cart.
4. **Utilities.** Water, wastewater and electric service shall be self-contained in each food cart or provided by underground connections, except where the utility provider does not allow an underground connection.
5. **Wastewater and Grease.** The application shall state how wastewater and graywater will be disposed of. Fats, oils and grease shall not enter the City wastewater system, and no discharge other than stormwater shall enter the stormwater system.
6. **Restrooms.** Restrooms meeting state food sanitation rules shall be available to customers during operating hours, on site or within one-quarter mile of the pod. A pod with three or more food carts shall provide restrooms on site.
7. **Seating.** A pod with three or more food carts shall provide covered seating on site. A seating structure may have a roof, floor and railings but no walls, and shall not exceed 200 square feet per food cart or 2,000 square feet per structure.
8. **Trash and Recycling.** At least one trash receptacle and one recycling receptacle shall be provided for every two food carts, within 10 feet of the carts.
9. **Parking.** A pod with three or more food carts shall provide one vendor parking space per food cart, in addition to the parking required by Chapter 3.6.
10. **Lighting.** Outdoor lighting shall be provided and shielded so that no direct light falls on an abutting property.
11. **Signs.** Signs shall comply with Section 3.9.300. Signs painted on a food cart are allowed.

2.6.700 Public and Institutional Uses

- A. Purpose.** The following provisions are intended to control the scale of public and institutional developments and their compatibility with nearby residences.

- B. Applicability.** Public and institutional uses are subject to the following standards where those uses are permitted by Table 2.1.200. [PROCEDURE TYPE — confirm on the Chapter 4 update]
- C. Development Site Area.** The maximum development site area shall be 4 acres, except that this standard shall not apply to parks and open space uses. Larger developments may be approved as a Conditional Use, in accordance with Chapter 4.4 - Conditional Use Permits, or as part of a Master Planned Development, in accordance with Chapter 4.5.

2.6.800 Accessory Uses and Structures

- A. Purpose.** The following provisions are intended to allow structures and uses that are customarily incidental and subordinate to the principal use on a lot, at a scale and location that is compatible with the principal use and with neighboring properties.
- B. Applicability.** The following standards apply to accessory uses and structures in all zones. [PROCEDURE TYPE — confirm on the Chapter 4 update] For standards applicable to accessory dwelling units, see Section 2.6.470.
- C. Standards.** Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in a residential zone include detached garages, sheds, workshops, green houses and similar structures. All accessory structures shall comply with all the following standards:
- 1. Primary Use Required.** An accessory structure shall not be allowed before or without another permitted use (e.g., as listed in Table 2.1.200).
 - 2. Setbacks.**
 - a.** Accessory structures shall meet setbacks identified in Table 2.2.200 unless identified otherwise in subsections (C)(2)(b) through (C)(2)(d) below.
 - b.** Accessory structures of 40 square feet or fewer are allowed to be located in a rear yard or side yard abutting a primary structure. Abutting an accessory structure to a primary structure is allowed provided 6 feet are allowed for emergency access, as measured from the wall nearest the property line of the accessory structure to the property line and no through wall openings (doors, windows, vents, etc.) in the primary structure are obscured or covered by the accessory structure.

- c. Accessory structures of 41-200 square feet or less in size are allowed 1 foot rear yard setback and 1 foot side yard setback when placed in the rear yard of a lot, as long as structural features, such as eaves, do not encroach on adjacent properties.
 - d. Accessory structures shall not be placed within ten (10) feet of any primary structure on the lot or adjacent lots with the exceptions noted in subsections (C)(2)(a) through (C)(2)(c) above.
- 3. **Restrictions.** A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way or a public utility easement, except as provided in subsection (C)(4).
- 4. **Placement in Easement.** Only a portable accessory structure of 200 square feet or less in size may be placed in an easement with the approval of the utilities affected within the easement. Letters of approval from the utility must be submitted to the City for approval of this type of placement.
- 5. **Compliance with Land Division Standards.** The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.
- 6. **Floor Area.** The floor area of the accessory structure shall not exceed 1,200 square feet.
- 7. **Building Height.** The building height of a detached accessory structure shall not exceed 25 feet, as measured in accordance with Chapter 1.3.
- 8. **Design Requirements.** The accessory structure shall be in color and appearance similar to the primary structure. For accessory structures that are up to 200 square feet at least one design criterion will be used; accessory structures 201 to 400 square feet three design criteria will be used; and accessory structures 401 square feet to 1,200 square feet five design criteria will be used.
- 9. **Permits.** Accessory structures over 40 square feet require a Development Review Permit and over 200 square feet will be required to obtain a Building Permit.

2.6.810 Shipping Containers

- A. **Purpose.** The following provisions are intended to limit the visual impact of shipping containers used as accessory structures in residential zones.

- B. Applicability.** The following standards apply where a shipping container is proposed as an accessory structure in the NR, CR or VR zone. [PROCEDURE TYPE — confirm on the Chapter 4 update]
- C. Standards.** Shipping containers can be placed on property in a residential zone only as an accessory structure not for use as an occupiable or habitable structure, subject to all the following:
- 1. Siting.** They shall be sited to limit visibility from the street. The double swing doors shall not be oriented towards the front yard or, on a corner lot, towards the street side yard.
 - 2. Appearance.** They shall be painted a complementary color to the primary structure and cover all markings and logos.
 - 3. Alternative Review.** As an alternative path for approval, an applicant may request discretionary review using the Type II decision process should the proposed unit not conform with the requirements here and elsewhere within the Development Code.



BOARDMAN DEVELOPMENT CODE

Chapter 3 Design Standards

Subchapters

Chapter 3.0 Design Standards Administration (ALL NEW)

Chapter 3.1 Residential Design Standards (ALL NEW)

Chapter 3.2 Non-Residential Design Standards (ALL NEW)

Chapter 3.3 Vehicular Access and Circulation (AMENDED)

Chapter 3.4 Pedestrian Access and Circulation (AMENDED)

Chapter 3.5 Landscaping, Street Trees, Fences, and Walls (AMENDED)

Chapter 3.6 Vehicle and Bicycle Parking and Loading (AMENDED)

Chapter 3.7 Public Facilities Standards (AMENDED)

Chapter 3.8 Stormwater Management (AMENDED)

Chapter 3.9 Other Standards (AMENDED)



Chapter 3.0 Design Standards Administration (ALL NEW)

Sections

3.0.100	Purpose
3.0.200	Applicability
3.0.300	Exceptions

Commentary: Chapter 3.0 is new. It helps applicants and staff find every Chapter 3 standard that applies to a project. Table 3.0.200 lists each permit type and marks the subchapters that apply. Chapter 3 is also reorganized. Vehicle and pedestrian access are now separate subchapters (3.3 and 3.4), and loading moves into parking (3.6).

3.0.100 Purpose

Chapter 3 contains design standards for the built environment. The standards are intended to protect the public health, safety, and welfare through pedestrian-oriented building orientation and design; multimodal accessibility and interconnectivity; and the provision of parking, landscaping, adequate public facilities.

3.0.200 Applicability

Except as specified in Section 3.0.300, the provisions of Chapter 3 apply to permits and approvals granted under this Code, and other City actions, as summarized in Table 3.0.200.

Table 3.0.200 Applicability of Design Standards to Approvals and Permits

LEGEND: Y = the subchapter applies; N = it does not.

¹ If a building exists on the site. ² If a use exists on the site. ³ If residential development is proposed. ⁴ If non-residential development is proposed.

Approval or Permit	3.1 Residential Design Standards	3.2 Non-Residential Design Standards	3.3 Vehicular Access and Circulation	3.4 Pedestrian Access and Circulation	3.5 Landscaping, Street Trees, Fences, and Walls	3.6 Vehicle and Bicycle Parking and Loading	3.7 Public Facilities Standards	3.8 Stormwater Management	3.9 Other Standards
Access Permit (public street)	N	N	Y	N	N	Y	Y	Y	N
Annexation	N	N	N	N	N	N	Y	Y	N
Code Amendment (Chapter 4.7)	Subchapters apply where the amendment affects design standards.								
Comprehensive Plan Amendment	N	N	N	N	N	N	Y	Y	N
Conditional Use Permit (Chapter 4.4)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Development Review (Chapter 4.2)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Land Use District Map Change (Chapter 4.7)	N	N	N	N	N	N	Y	Y	N
Lot Line Adjustment (Chapter 4.3)	Y ¹	Y ¹	Y	Y ¹	Y	Y ²	Y	Y	N
Master Planned Development (Chapter 4.5)	Y ³	Y ⁴	Y	Y	Y	Y	Y	Y	Y
Modification to Approval (Chapter 4.6)	Individual subchapters may apply, depending on the modification requested.								

Approval or Permit	3.1 Residential Design Standards	3.2 Non-Residential Design Standards	3.3 Vehicular Access and Circulation	3.4 Pedestrian Access and Circulation	3.5 Landscaping, Street Trees, Fences, and Walls	3.6 Vehicle and Bicycle Parking and Loading	3.7 Public Facilities Standards	3.8 Stormwater Management	3.9 Other Standards
Non-Conforming Use or Development, Expansion of (Chapter 5.2)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Partition (Chapter 4.3)	Y ¹	Y ¹	Y	Y ¹	Y	Y ²	Y	Y	N
Sign Permit (Chapter 3.9)	N	N	N	N	N	N	N	N	Y
Site Design Review (Chapter 4.2)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Subdivision (Chapter 4.3)	Y ³	Y ⁴	Y	Y	Y	Y ²	Y	Y	N
Temporary Use Permit (Chapter 4.9)	Individual subchapters may apply, depending on the temporary use permit requested.								
Transportation Facilities and Improvements (Chapter 4.4)	N	N	Y	N	Y	Y	Y	Y	N
Tree Removal (Chapter 3.5)	N	N	N	N	Y	N	N	N	N
Variance (Chapter 5.1)	Individual subchapters may apply, depending on the variance requested.								

3.0.300 Exceptions

- A. Restoration or Replacement of a Dwelling Damaged or Destroyed by a Natural or Involuntary Event.** The provisions of Chapter 3 do not apply to applications to restore or replace a dwelling damaged or destroyed by a natural or involuntary event submitted in compliance with **ORS 197.XXX**.
- B. Middle Housing Conversions.** The following chapters do not apply to middle housing that is created through internal conversion of, or addition to, an existing detached single-unit dwelling:
1. Chapter 3.1 Residential Design Standards
 2. Chapter 3.3 Vehicular Access and Circulation
 3. Chapter 3.4 Pedestrian Access and Circulation
 4. Chapter 3.5 Landscaping, Street Trees, Fences and Walls
 5. Chapter 3.6 Vehicle and Bicycle Parking and Loading

Chapter 3.1 Residential Design Standards (ALL NEW)

Sections

3.1.100	Purpose
3.1.200	Applicability
3.1.300	Building and Entry Orientation
3.1.400	Garages, Driveways, and Parking Design
3.1.500	Street-Facing Windows
3.1.600	Building Design
3.1.700	Trash and Recycling Storage
3.1.800	Cottage Cluster Standards

Commentary: Chapter 3.1 is new. Its purpose is to make sure new homes face the street, keep garages from dominating the front, and avoid long blank walls, while giving builders several ways to comply. It replaces current Sections 2.1.170 and 2.1.180. Those sections use judgment-based language and apply some standards to duplexes but not to houses. State law no longer allows either (ORS 197A.400; OAR 660-046). The entry, garage setback and articulation standards are carried forward, but in a more measurable form. The garage width, window, trash screening and cottage cluster standards are new.

3.1.100 Purpose

Chapter 3.1 establishes clear and objective design standards for residential development that support walkable, safe, and functional site and building design. The standards are intended to provide predictable outcomes across a range of housing types while allowing flexibility in site layout and building form. The standards also promote development patterns that support pedestrian access and make efficient use of land and infrastructure. The standards provide for:

- A. Entry orientation and site layout that reinforce the relationship between buildings and the street and support pedestrian use of the site, while facilitating transitions between the public and private realms;

- B. Building features on street-facing façades, such as windows, doors, porches, and other elements, that contribute to an active and visually engaging streetscape;
- C. Garage placement and design that reduces the visual prominence of garages and supports pedestrian-oriented development patterns; and
- D. Unique configurations of certain housing types, such as cottage clusters.

3.1.200 Applicability

- A. **General.** Except as specified in Section 3.0.200 or as otherwise specified in this chapter, Chapter 3.1 applies to all new residential buildings, except accessory dwelling units, including the residential portion of mixed-use developments, and exterior alterations to existing residential buildings. Table 3.1.200.A identifies the sections of this Chapter that apply to each housing type.
- B. **Non-Conforming Development.** In accordance with Section 5.2.200 Non-conforming Development, where an existing development does not conform to these standards, any proposed alterations must not increase the degree to which the development is non-conforming, unless a variance is approved pursuant to Chapter 5.1.
- C. **Adjustments and Variances.** The Review Authority may grant adjustments to Chapter 3.1, pursuant to the criteria of Chapter 5.1 Variances.

Table 3.1.200.A Applicability of Residential Design Standards by Housing Type

Section	Detached Single Unit	Duplex	Triplex or Quadplex	Town-house	Cottage Cluster	Multi-Unit Housing
3.1.300 Building and Entry Orientation	●	●	●	●	— [1]	●
3.1.400 Garages, Driveways, and Parking Areas	●	●	●	●	●	●
3.1.500 Street-Facing Windows	●	●	●	●	● [2]	●
3.1.600 Building Design	—	—	●	●	—	●
3.1.700 Trash and Recycling Storage	—	—	●	●	●	●

3.1.800

Cottage Cluster Standards

Notes:

[1] Cottage cluster housing is subject to the orientation standards of Section 3.1.800 in lieu of Section 3.1.300.

[2] Applies only to cottages within 20 feet of a street lot line.

Commentary: These standards keep the front door of a home visible and easy to reach from the sidewalk. The current code requires entrances “oriented to the street” without saying how to measure it. The main entrance must now be near the front of the house and face the street, a shared open space or a covered porch. Apartment buildings need an entrance within 20 feet of the street.

3.1.300 Building and Entry Orientation

A. Applicability. The building and entry orientation standards apply by housing type as follows:

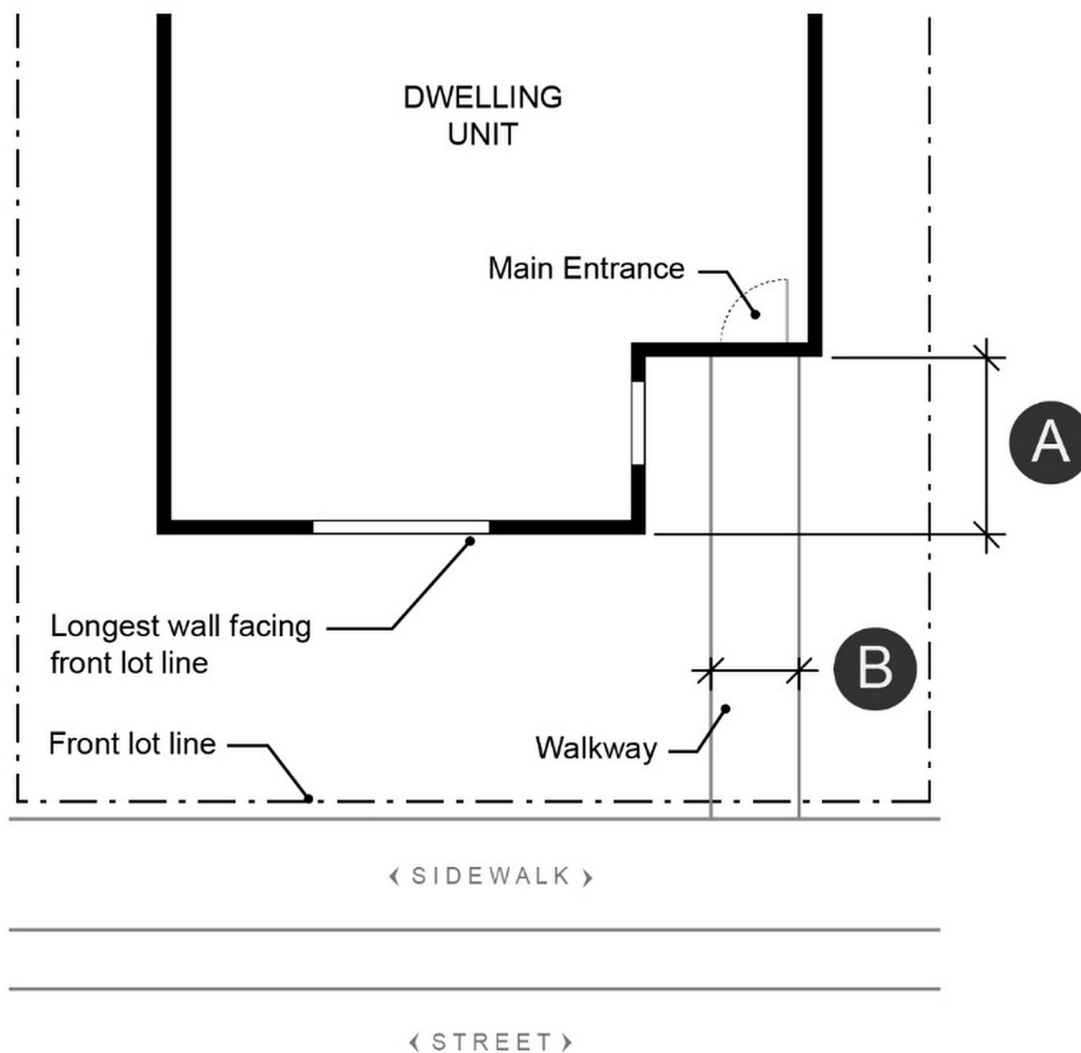
1. Detached single-unit housing, duplexes, triplexes, quadplexes, and townhouses are subject to standard (B).
2. Multi-unit housing is subject to standard (C), except townhouse-style multi-unit housing is subject to standard (B).
3. Cottage cluster housing is not subject to this section.

B. Detached Single-Unit and Middle Housing. At least one main entrance for each residential structure must comply with all the following standards. For townhouses or townhouse-style multi-unit housing, a main entrance to each unit within 40 feet of a public street lot line must comply with these standards.

1. The entrance must:
 - a. Be no more than 8 feet farther from the front lot line than the structure’s longest wall that faces the front lot line.
 - b. Meet at least one of the following:
 - i. Face the street (see Figure 3.1.300.B.a);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 3.1.300.B.b);
 - iii. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 3.1.300.B.c); or

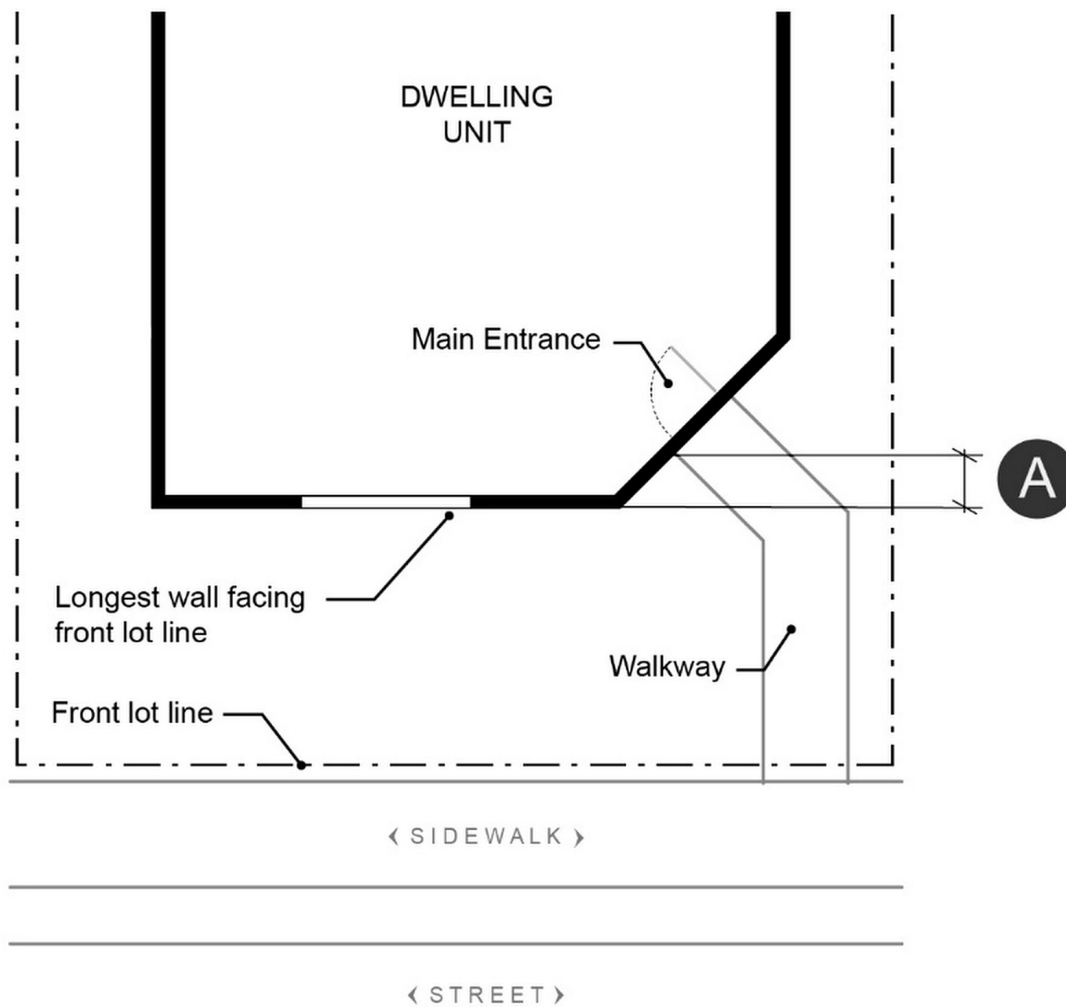
- City of Boardman Development Code | PC/PAC DRAFT 10-8-26

Figure 3.1.300.B.a Main Entrance Facing the Street



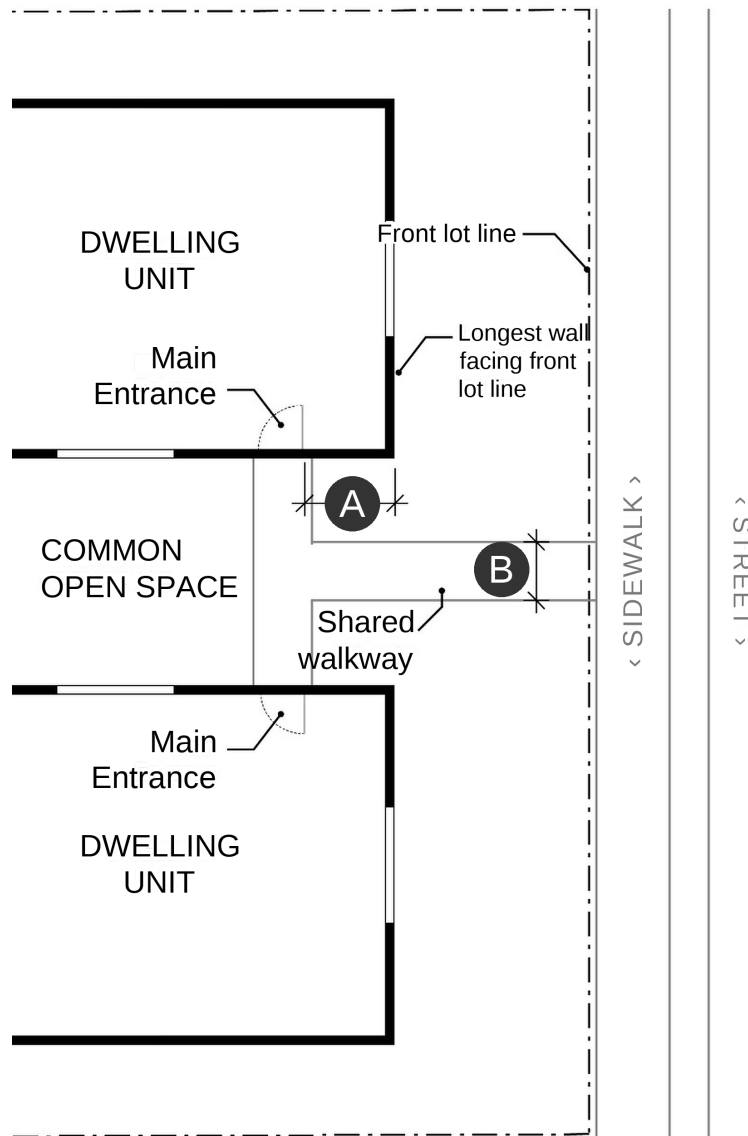
- A** Main entrance no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line
- B** Hard-surfaced walkway, other than a driveway, at least 3 feet wide connecting the main entrance to the sidewalk

Figure 3.1.300.B.b Main Entrance at 45-Degree Angle from the Street



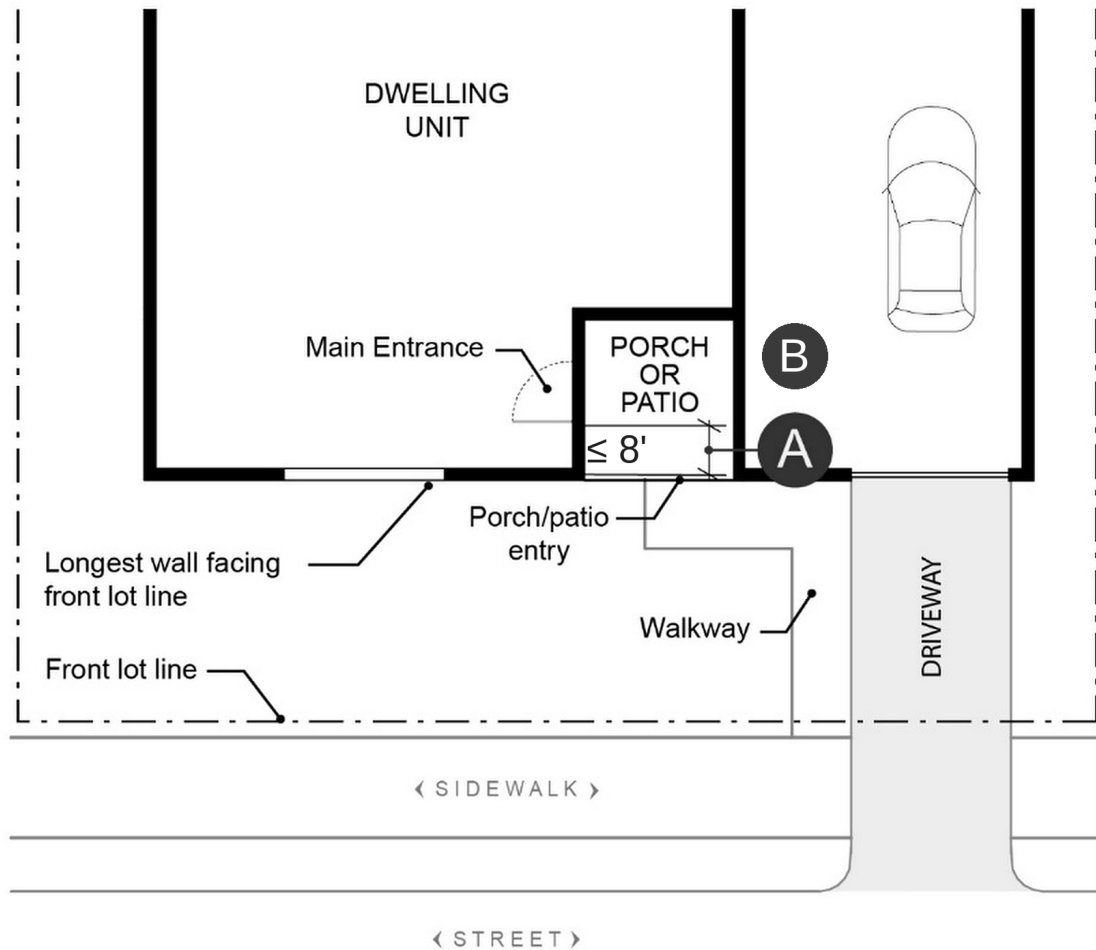
- A** Main entrance no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line

Figure 3.1.300.B.c Main Entrance Facing Common Open Space



- A** Main entrance no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line
- B** Hard-surfaced walkway, other than a driveway, at least 3 feet wide connecting the main entrance to the sidewalk

Figure 3.1.300.B.d Main Entrance Opening onto a Porch



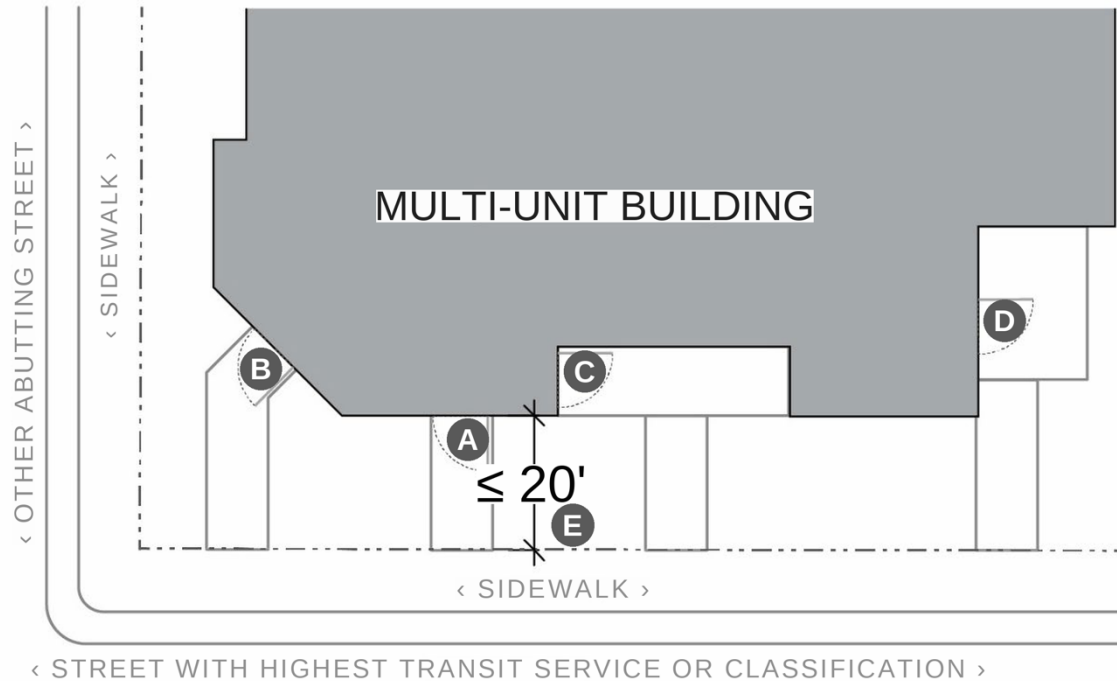
- A** Main entrance no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line
- B** Covered porch or covered patio at least 25 square feet in area with at least one entrance facing the street

C. Multi-Unit Housing. At least one building façade containing a main entrance to a building must be located within 20 feet of a street lot line. (See Figure 3.1.300.C.)

1. The main entrance meeting the standard must:
 - a. Be no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line.
 - b. Meet at least one of the following:
 - i. Face the street;
 - ii. Be at an angle of up to 45 degrees from the street;

- iii. Face a courtyard, provided the courtyard is no less than 15 feet in width and abuts the street; or
 - iv. Open onto a covered porch or covered patio that is at least 25 square feet in area.
 - c. If the site abuts more than one street, the building façade meeting this standard must be located in accordance with the following hierarchy:
 - i. Within 20 feet of the street lot line of the street with the highest classification in the city's adopted Transportation System Plan.
 - ii. In the following circumstances, the applicant may choose the street-facing façade that will contain the main entrance:
 - (1) The abutting streets have equal street classifications; or
 - (2) The highest classification street is an arterial street.
- 2. **Exceptions.** If a site abuts only one street, and the abutting street is an arterial street, a building facade with ground floor dwelling units may be set further back than 20 feet, provided the screening standards in **Section 3.5.200.F** are met.

Figure 3.1.300.C Multi-Unit Entry Orientation



- A** Main entrance facing the street
- B** Main entrance at an angle of up to 45 degrees from the street
- C** Main entrance facing a courtyard that is no less than 15 feet in width and abuts the street
- D** Main entrance opening onto a covered porch or covered patio that is at least 25 square feet in area
- E** Building façade containing a main entrance within 20 feet of a street lot line. Where a site abuts more than one street, the street is selected by street classification (subsection (C)(1)(c))

Policy Question: These standards keep garages from dominating the front of a home, so streets are lined with front doors, windows and yards. The 20-foot garage setback carries forward from existing code. Two standards are new. A garage may not sit in front of the house, except slightly behind a covered porch. Garages and driveway parking may cover no more than half of the lot's street frontage. On a 60-foot lot, that still allows a two-car garage plus a parking pad.

How important is it to Boardman that the front of a new home shows a door and windows more than a garage? Do these limits strike the right balance?

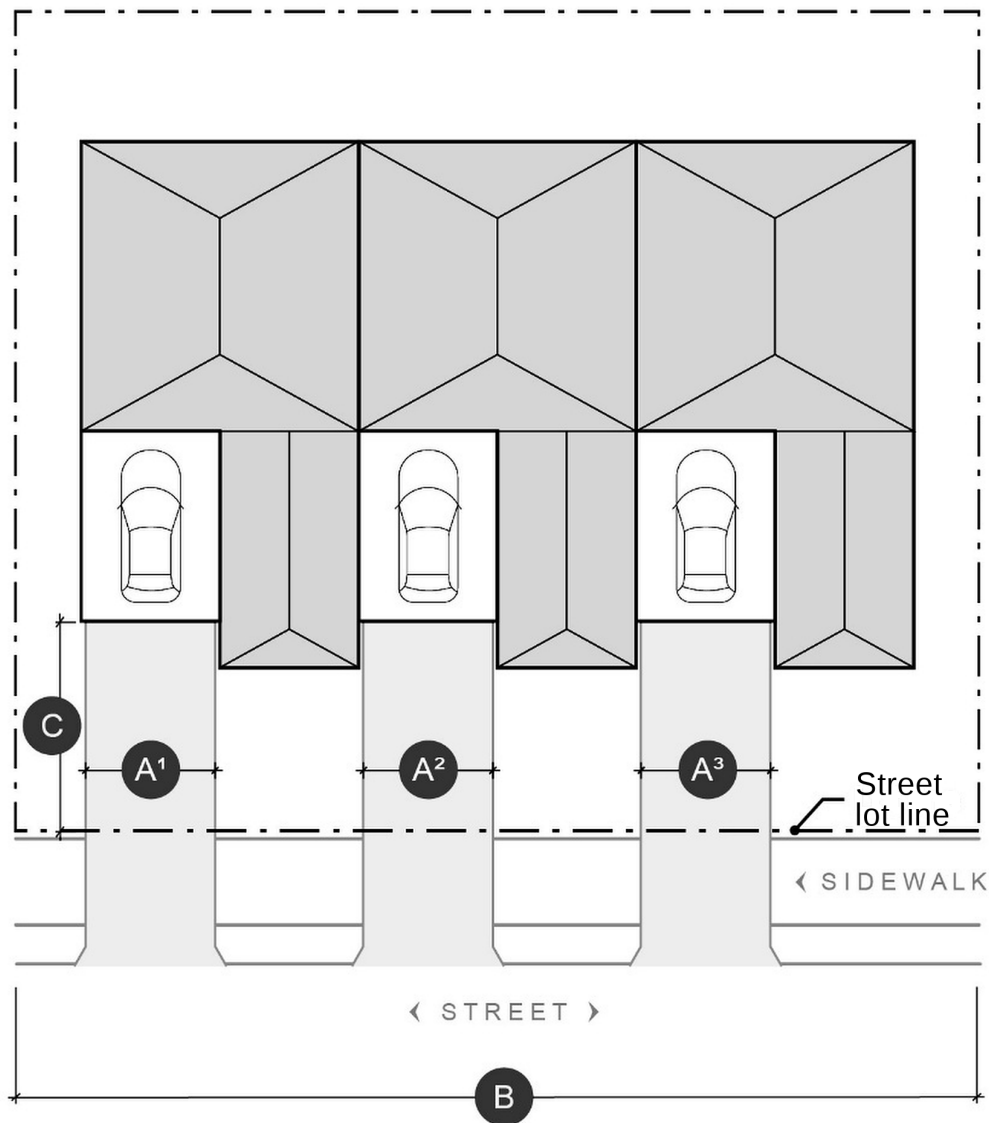
3.1.400 Garages, Driveways, and Parking Design

- A. Applicability.** The garage, driveway, and parking design standards apply to all residential development for which vehicular access to a public street is proposed, except where the standards of a roadway authority other than the City supersede City standards. The standards apply by housing type as follows:
1. All residential development is subject to standard (B).
 2. Detached single-unit housing, duplexes, triplexes and quadplexes are subject to standard ©.
 3. Townhouses are subject to standard (D).
 4. Cottage clusters are subject to standard ©.
 5. Multi-unit housing is subject to standard (F), except townhouse-style multi-unit housing is subject to standard (D).
- B. Garage Placement.** The following standards apply to garages facing a street lot lines other than alley.
1. No garage or carport opening shall be placed closer than 20 feet to a street right-of-way; except where the City approves a reduced setback and parking in front of garages is restricted (for example, as part of an approval for a hillside development or development adjacent to a natural feature).
 2. A garage opening must not be closer to the street lot line than a façade that encloses living area along the same street frontage, except the garage opening may extend up to 5 feet in front of a façade that encloses living area if there is a covered front porch with no horizontal dimension less than 5 feet and the garage entrance does not extend beyond the roof of the porch.
- C. Detached Single-Unit, Duplex, Triplex, and Quadplex.**

- 1. Width of Garages and Off-Street Parking Areas.** The combined width of all garages and outdoor on-site parking and maneuvering areas, as measured at their widest dimension, shall not exceed a total of 50 percent of the street frontage (see Figure 3.1.400.C.a). Walkways abutting a driveway are excluded from this calculation.
- 2. Driveway Approaches.** Driveway approaches must comply with the following:
 - a.** The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the lot line (see Figures 3.1.400.C.b and 3.1.400.C.c). A single driveway approach must not exceed 24 feet in width. For lots with more than one frontage, see subsection (c).
 - b.** Driveway approaches may be separated when located on a local street (see Figure 3.1.400.C.b). If approaches are separated, they must meet the driveway separation standards in Section 3.3.400.C.
 - c.** In addition, lots with more than one frontage must comply with the following:
 - i.** Lots must access the street with the lowest transportation classification for vehicle traffic. For lots abutting an alley that meets the city's standards for width and pavement, access must be taken from the alley (see Figure 3.1.400.C.d).
 - ii.** Lots with frontages only on collectors or arterial streets must meet the access spacing standards of Section 3.3.400. Lots in a new residential land division must also meet Section 3.3.300.B.5, which prohibits direct access from an arterial street.
 - iii.** Triplexes and quadplexes on lots with frontages only on local streets may have either:
 - (1)** Two driveway approaches not exceeding 32 feet in total width on one frontage (see Figure 3.1.400.C.e); or
 - (2)** One maximum 16-foot-wide driveway approach per frontage (see Figure 3.1.400.C.f).
 - d.** One recreational vehicle pad driveway may be provided in addition to the driveway approaches permitted by this subsection.
- 3. Exceptions.** The following exceptions apply:
 - a.** Lots that receive vehicular access from an alley are exempt from the standards in subsections (1) and (2).

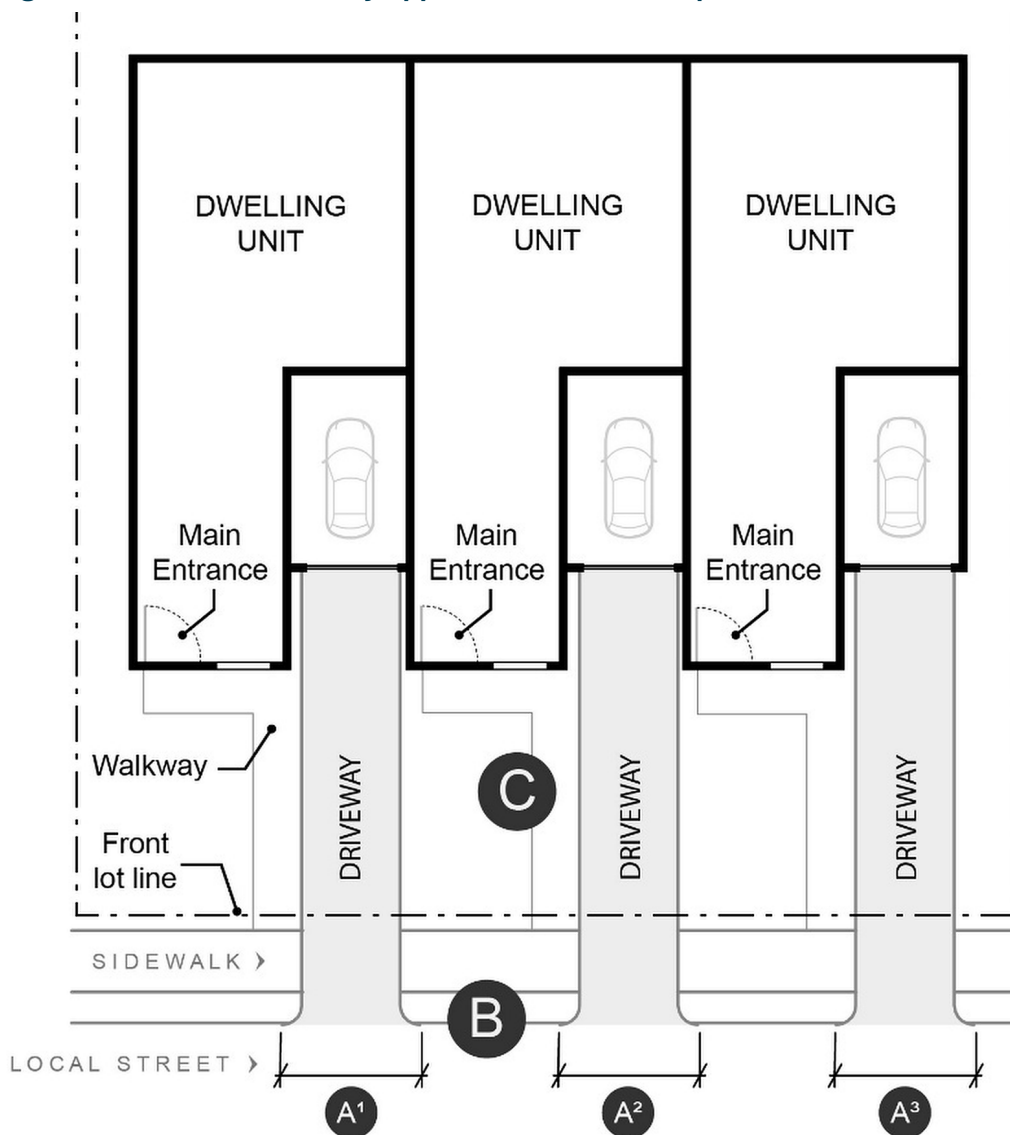
- b.** Garages or off-street parking areas that are separated from the street lot line by a dwelling or that are more than 40 feet from the street lot line are exempt from the standards in subsection (1).

Figure 3.1.400.C.a Width of Garages and Parking Areas



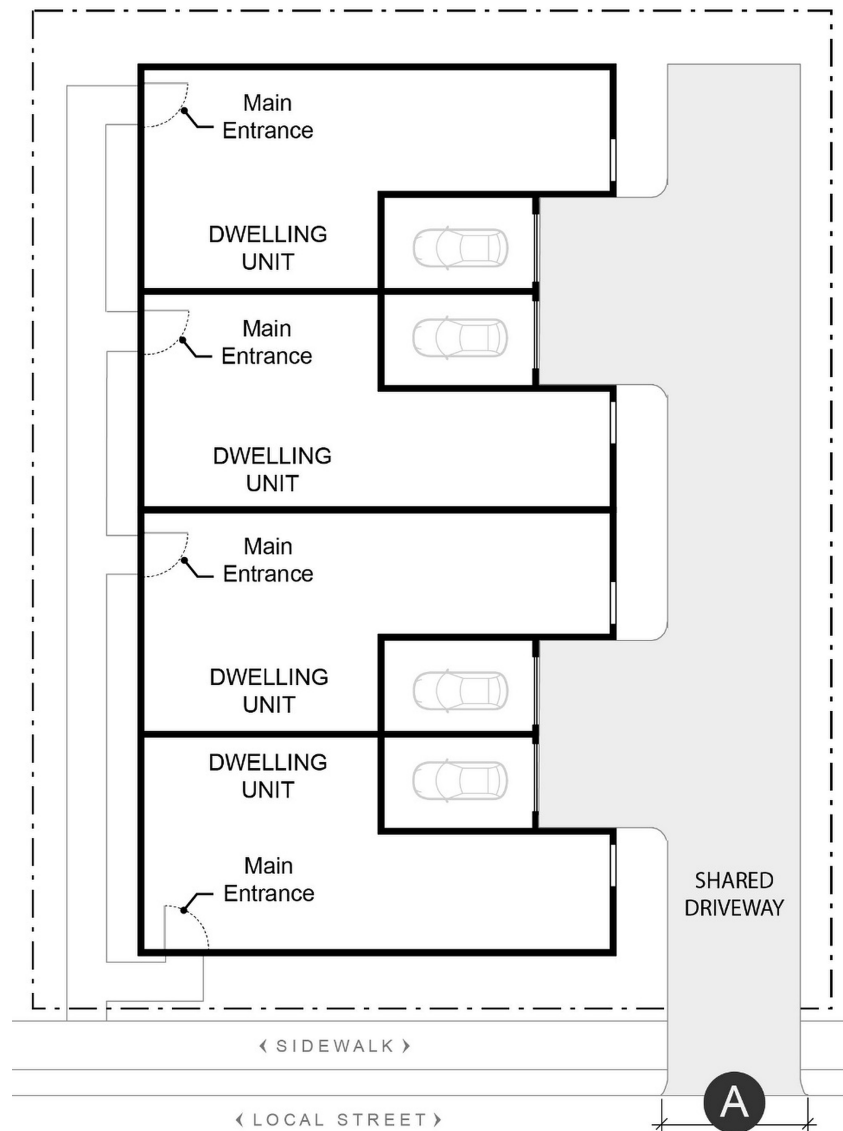
- A** Combined width of all garages and outdoor on-site parking and maneuvering areas, measured at their widest dimension: $(A^1 + A^2 + A^3) \div B \leq 50$ percent
- B** Street frontage
- C** Garage or carport opening no closer than 20 feet to the street right-of-way

Figure 3.1.400.C.b Driveway Approach Width and Separation on a Local Street



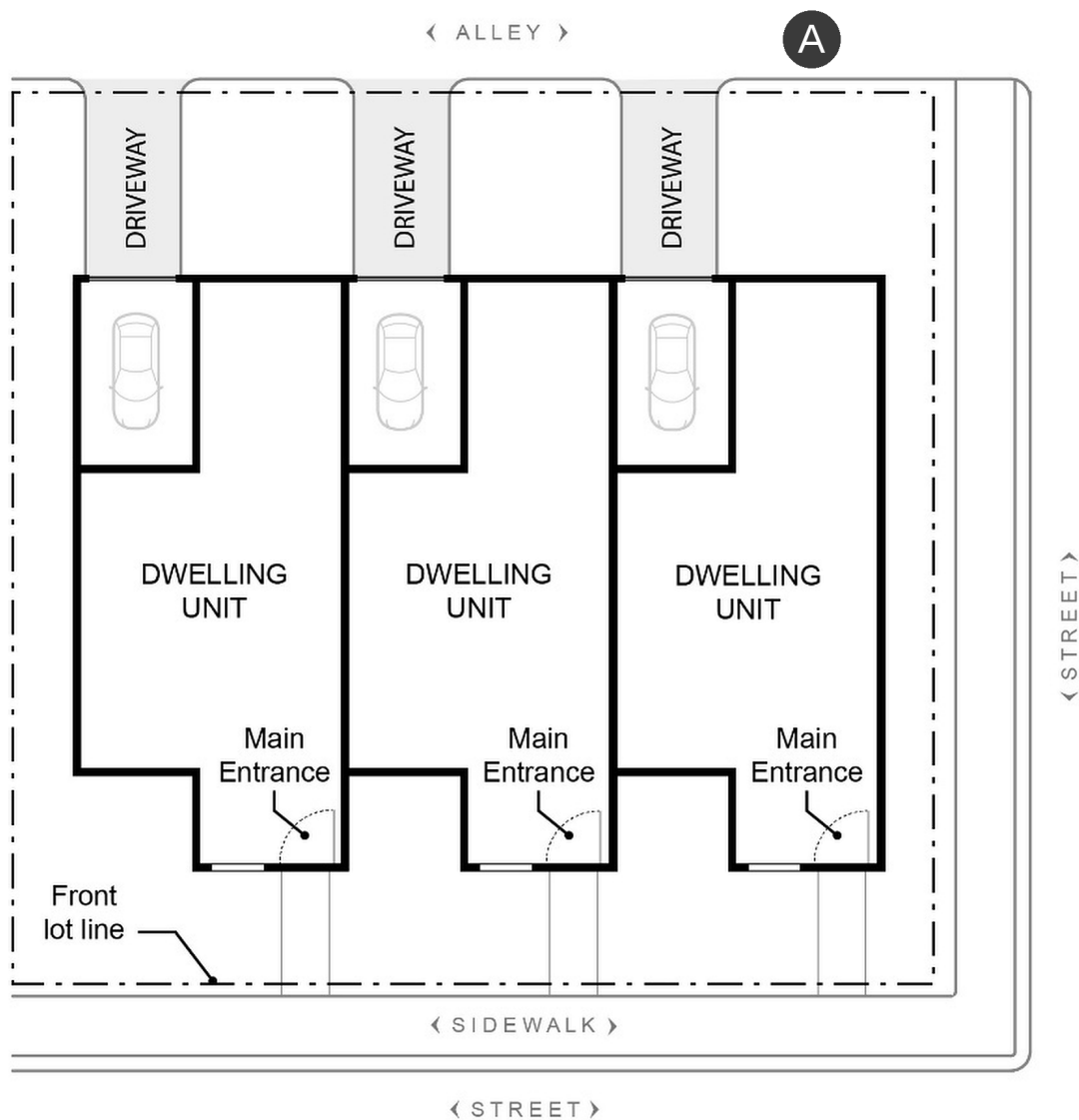
- A** Total width of all driveway approaches, measured at the lot line: $A^1 + A^2 + A^3 \leq 32$ feet per frontage
- B** Driveway approaches on a local street may be separated; separated approaches must meet the driveway separation standards in Section 3.3.400.C
- C** Walkway may abut the driveway

Figure 3.1.400.C.c Driveway Approach Width on a Local Street – Shared Driveway



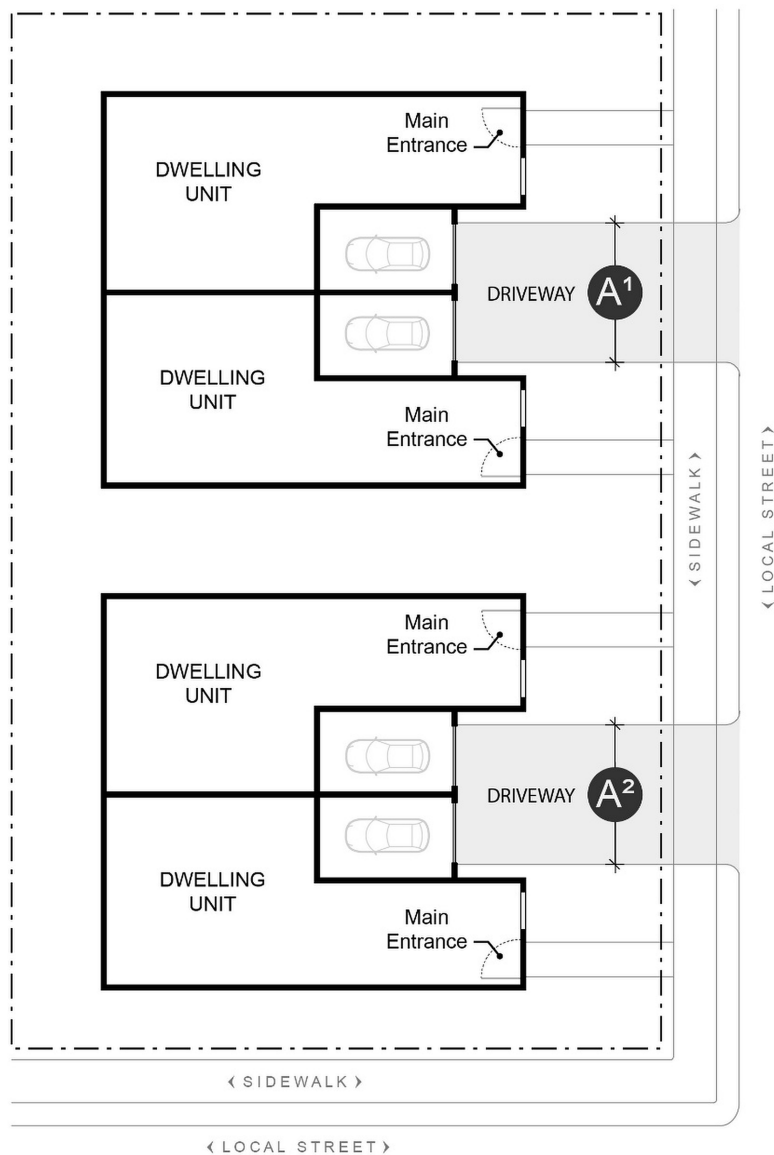
- A** Total width of all driveway approaches, measured at the lot line, not to exceed 32 feet per frontage

Figure 3.1.400.C.d Alley Access



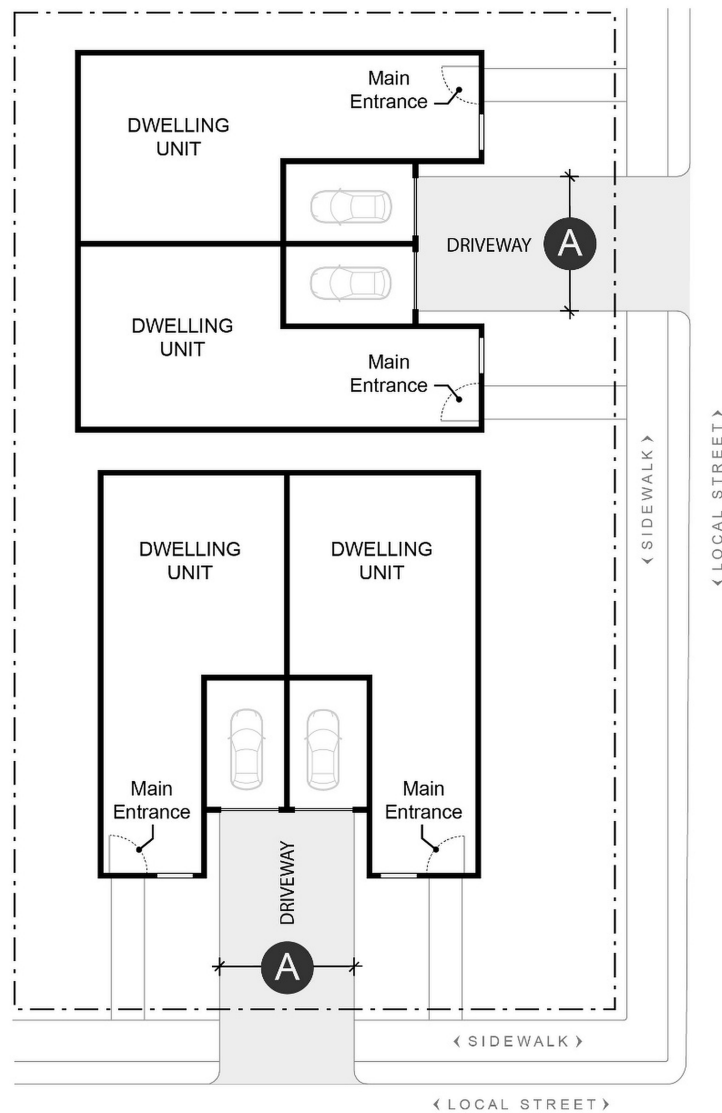
- A** Lot abutting an alley that meets the City's standards for width and pavement: access must be taken from the alley

Figure 3.1.400.C.e Driveway Approaches on One Local Street Frontage



- A** Triplexes and quadplexes on lots with frontage only on local streets: two driveway approaches not exceeding 32 feet in total width on one frontage ($A1 + A2 \leq 32$ feet)

Figure 3.1.400.C.f Driveway Approaches on Two Local Street Frontages



- A** Triplexes and quadplexes on lots with frontage only on local streets: one driveway approach per frontage, maximum 16 feet wide

D. Townhouse.

- 1. Townhouse Lots.** Townhouse lots with frontage on a public street must meet standards in subsection (a) or subsection (b).
 - a.** Where garage entrances, off-street parking areas, or driveways are located between a townhouse and a public street (other than an alley), the following standards shall be met (see Figure 3.1.400.D.a).

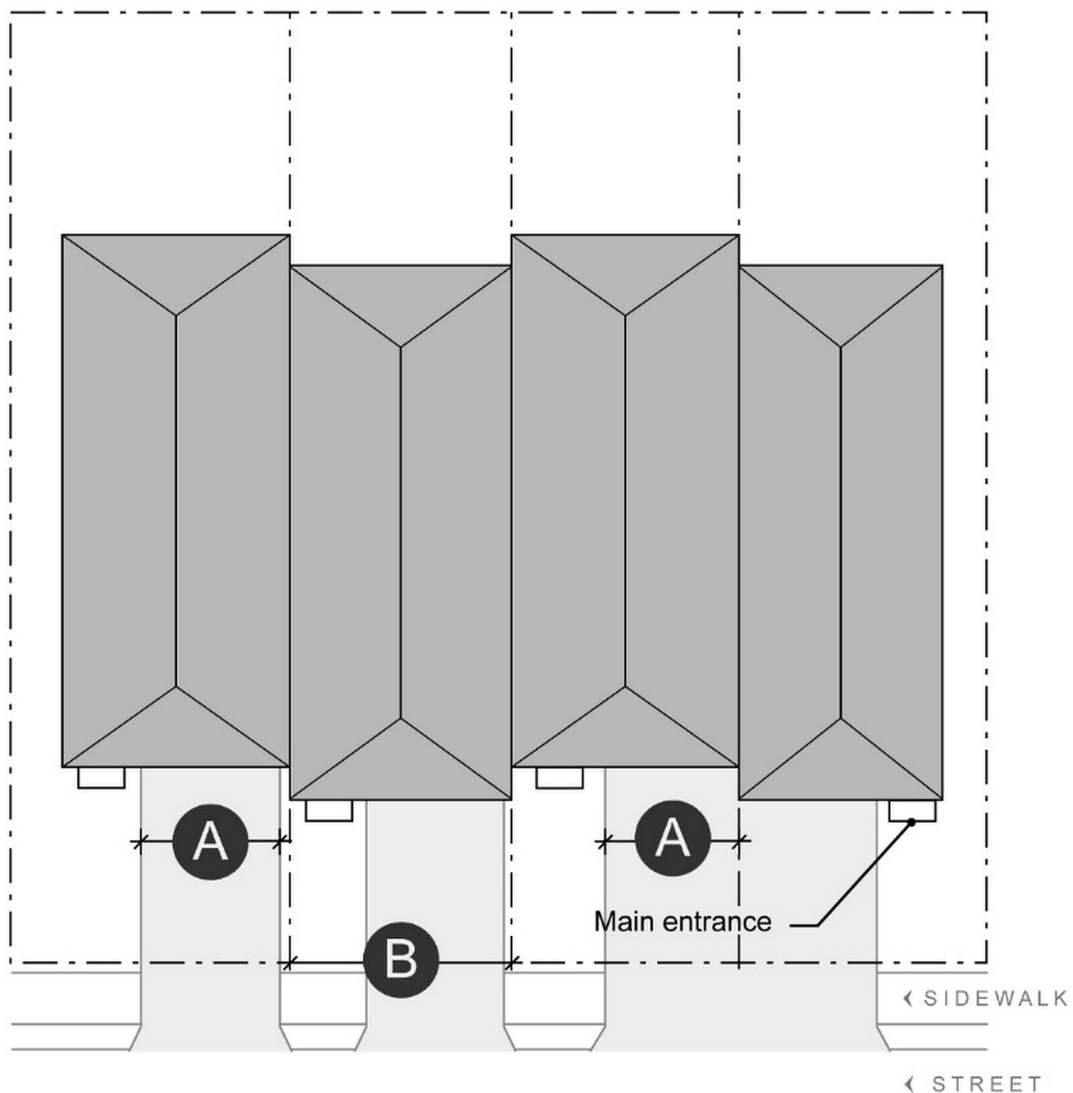
- i. The townhouse lot shall have at least 15 feet of street frontage on a local street.
 - ii. A maximum of one driveway approach is allowed for every townhouse. Driveway approaches or driveways may be shared.
 - iii. On each townhouse lot, the width of the following features shall not exceed 12 feet, or 60 percent of the lot frontage width, whichever is less:
 - (1) Outdoor on-site parking and maneuvering areas; and
 - (2) Garages, as measured from the inside of the garage door frame.
 - iv. This standard does not supersede the driveway separation standards of Section 3.3.400.C.
- b. For all other configurations of driveway access and parking, the following standards shall be met.
- i. 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 3.1.400.D.b.
 - ii. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. See Figure 3.1.400.D.c.
 - iii. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

2. Townhouse-Style Multi-Unit Housing.

- a. Access must be taken from a local street.
- b. A maximum of one driveway approach is allowed for every townhouse style unit. Driveway approaches or driveways may be shared.
- c. Outdoor on-site parking and maneuvering areas shall not exceed 12 feet wide for any unit.
- d. The garage width shall not exceed 12 feet, as measured from the inside of the garage door frame.
- e. This standard does not supersede the driveway separation standards of Section 3.3.400.C.

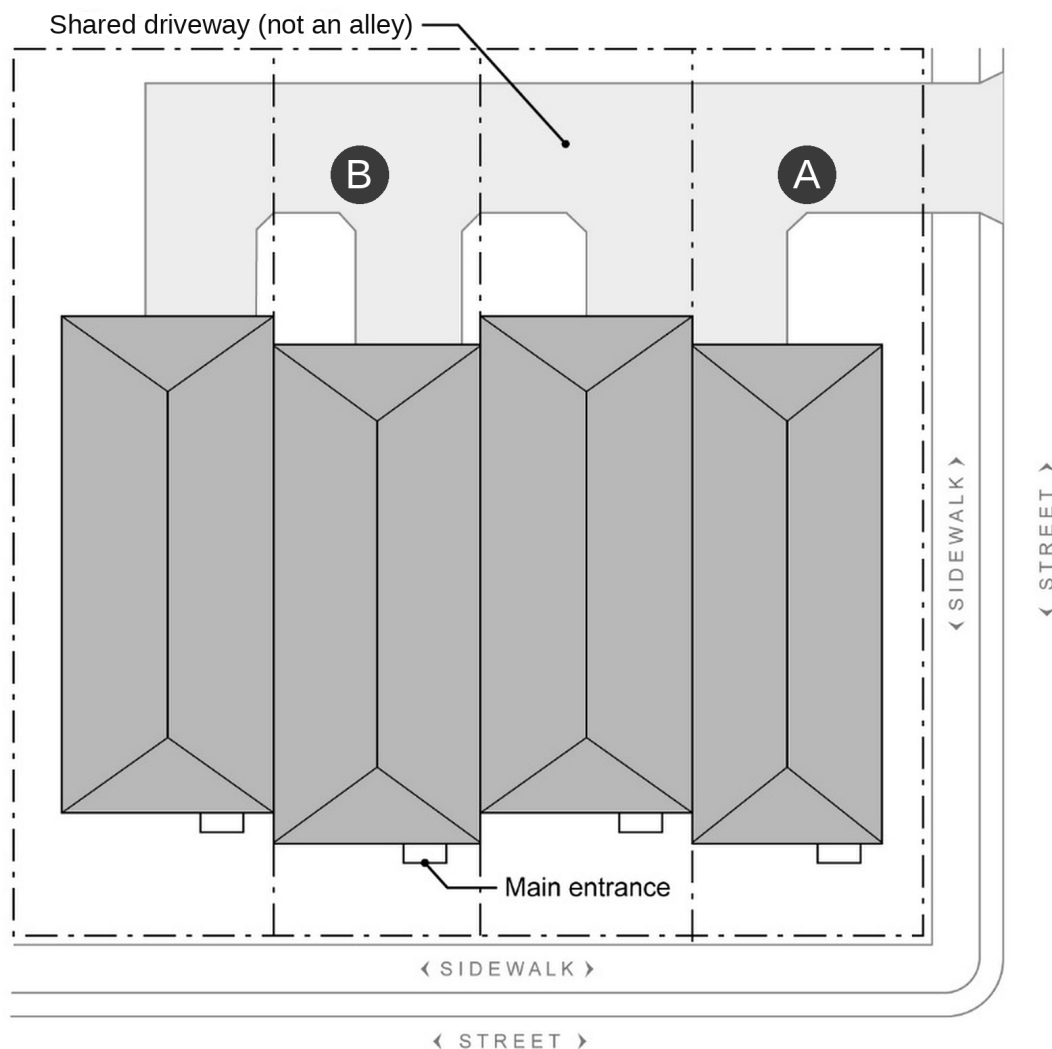
- 3. Exceptions.** Townhouse projects in which vehicular access for all units is exclusively from a rear alley are exempt from these standards.

Figure 3.1.400.D.a Townhouses with Parking in Front Yard



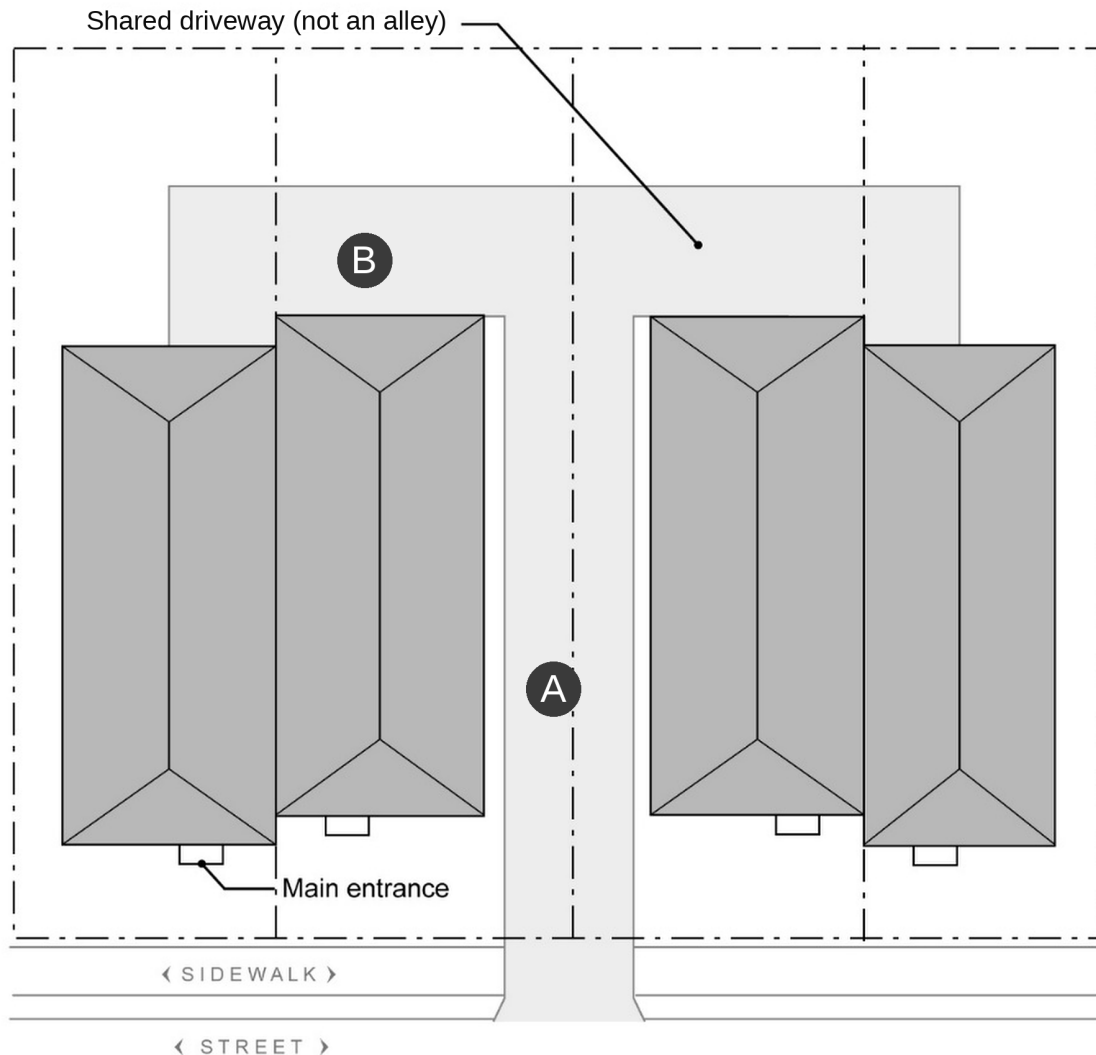
- A** Width of outdoor on-site parking and maneuvering areas, and of garages as measured from the inside of the garage door frame: not to exceed 12 feet or 60 percent of the lot frontage width, whichever is less
- B** At least 15 feet of street frontage on a local street

Figure 3.1.400.D.b Townhouses on Corner Lot with Shared Access



- A** Single driveway approach on the side of the corner lot
- B** Shared driveway with access easements for normal vehicular and emergency access; a shared driveway is not an alley

Figure 3.1.400.D.c Townhouses with Consolidated Access



- A** Access for all lots consolidated into a single driveway
- B** Shared driveway with access easements for normal vehicular and emergency access; a shared driveway is not an alley

E. Cottage Cluster (see Figure 3.1.400.E).

- 1. Clustered Parking.** Off-street parking must be arranged in clusters, subject to the following standards:
 - a.** Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.
 - b.** Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.

- c. Parking clusters must be separated from other spaces by at least 4 feet of landscaping.
- d. Clustered parking areas may be covered.

2. Parking Location.

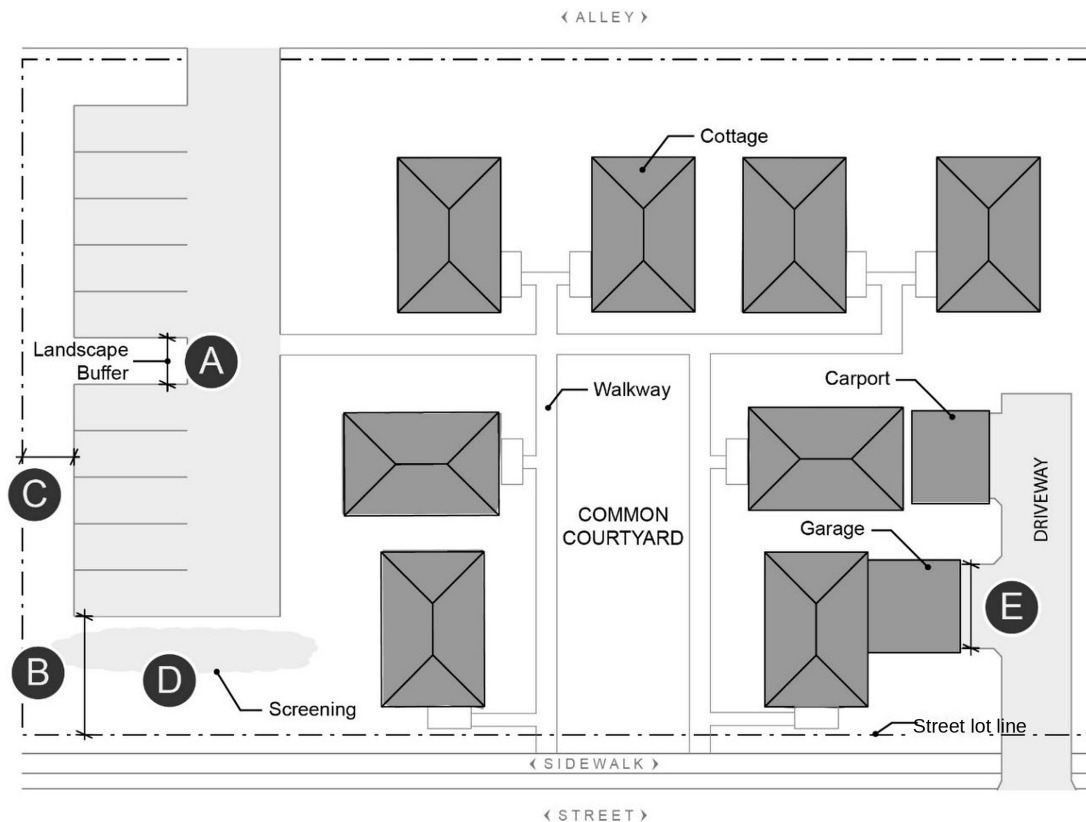
- a. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - i. Within of 20 feet of any street lot line, except alley lot lines; or
 - ii. Between a street lot line and the front façade of cottages located closest to the street lot line. This standard does not apply to alleys.
- b. Off-street parking spaces shall not be located within 10 feet of any other lot line, except alley lot lines. Driveways and drive aisles are permitted within 10 feet of other lot lines.

3. Screening. Landscaping, fencing, or walls at least 3 feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

4. Garages and Carports.

- a. Garages and carports (whether shared or individual) must not abut common courtyards.
- b. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
- c. Individual detached garages must not exceed 400 square feet in floor area.
- d. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

Figure 3.1.400.E Cottage Cluster Parking Design



- A** Parking clusters separated from other spaces by at least 4 feet of landscaping
- B** No off-street parking spaces or vehicle maneuvering areas within 20 feet of any street lot line, except alley lot lines
- C** No off-street parking spaces within 10 feet of any other lot line, except alley lot lines; driveways and drive aisles are permitted
- D** Landscaping, fencing, or walls at least 3 feet tall separating clustered parking areas and parking structures from common courtyards and public streets
- E** Garage doors for attached and detached individual garages not to exceed 20 feet in width

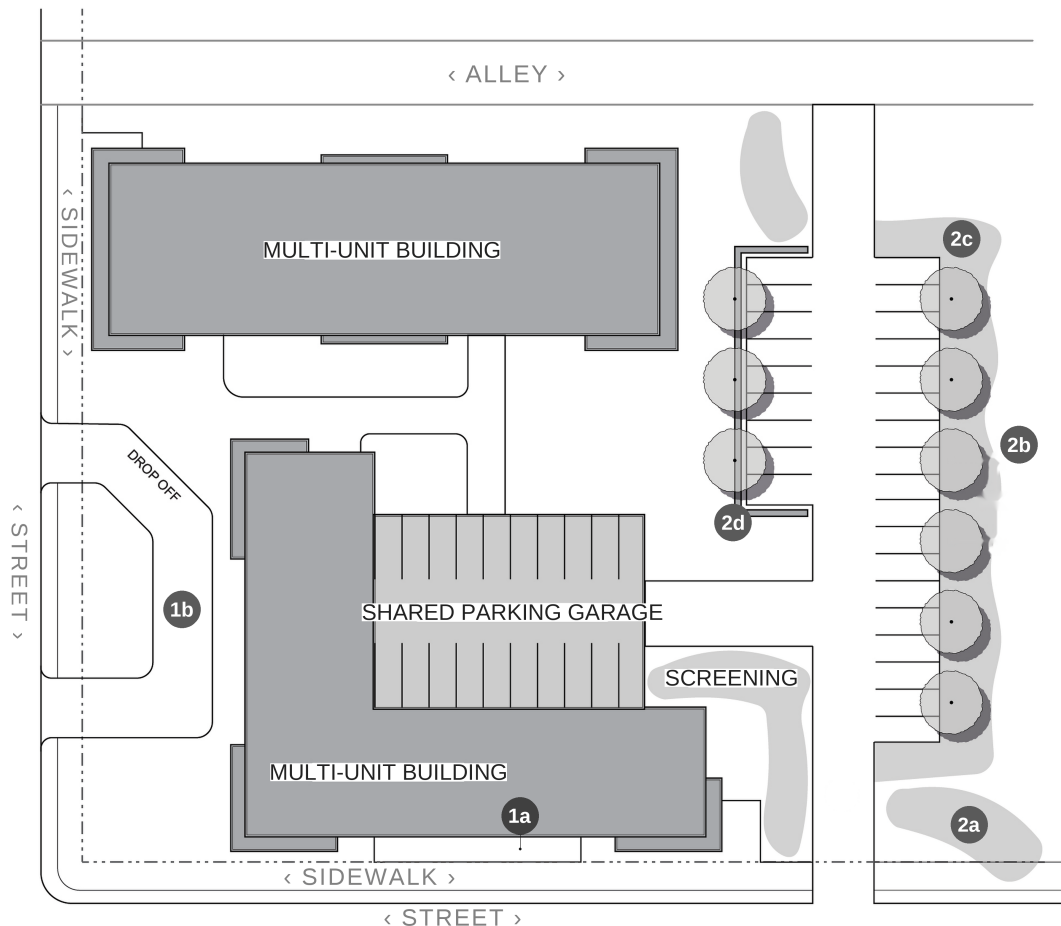
F. Multi-Unit Housing

- 1. Parking Location.** No area between a building and the street lot line (other than an alley) shall be used for vehicle parking or circulation (see Figure 3.1.400.F), except for the following:

- a.** A driveway providing access to a shared parking garage.

- b.** A passenger drop-off or loading zone, provided the main building entrance must connect to an adjacent street by a pedestrian walkway.
- 2. Screening.** Surface parking areas with more than 8 spaces must be screened from view of the street in accordance with Section 3.5.200.E.6.
- 3. Driveway Approaches.**
 - a. Number.** The number of driveway approaches shall be minimized to protect the function, safety, and operation of the street and sidewalk for all users. Shared access may be required in accordance with Section 3.3.300.C.3 to maintain the required access spacing and minimize the number of approaches.
 - b. Width.** Driveway approach width is measured at the lot line.
 - i.** Multi-unit housing with 5 to 7 dwelling units shall have a driveway approach width of at least 20 feet and not more than 24 feet.
 - ii.** Multi-unit housing with 8 or more dwelling units, and off-street parking areas with 16 or more parking spaces, shall have a driveway approach width of at least 24 feet and not more than 30 feet. These dimensions may be increased if the City Manager or designee determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.
- 4.** Additional parking area design and landscaping standards are provided in Chapter 3.6 and Section 3.5.200.E.

Figure 3.1.400.F Multi-Unit Vehicle Access and Parking



- 1a No vehicle parking or circulation between a building and the street lot line (other than an alley)
Exception: passenger drop-off or loading zone, provided the main building entrance connects to an adjacent street by a pedestrian walkway
- 1b
- 2a Evergreen hedge that forms a continuous screen at least 36 inches high within one year of planting
- 2b Parking lot trees: at least one tree for every 4 parking spaces, distributed around the perimeter of the parking area and between parking bays
- 2c Parking lot landscape area planted with a combination of trees, shrubs, and ground cover plants
- 2d Alternative screen: decorative masonry wall, arcade, or trellis at least 30 inches and not more than 42 inches high

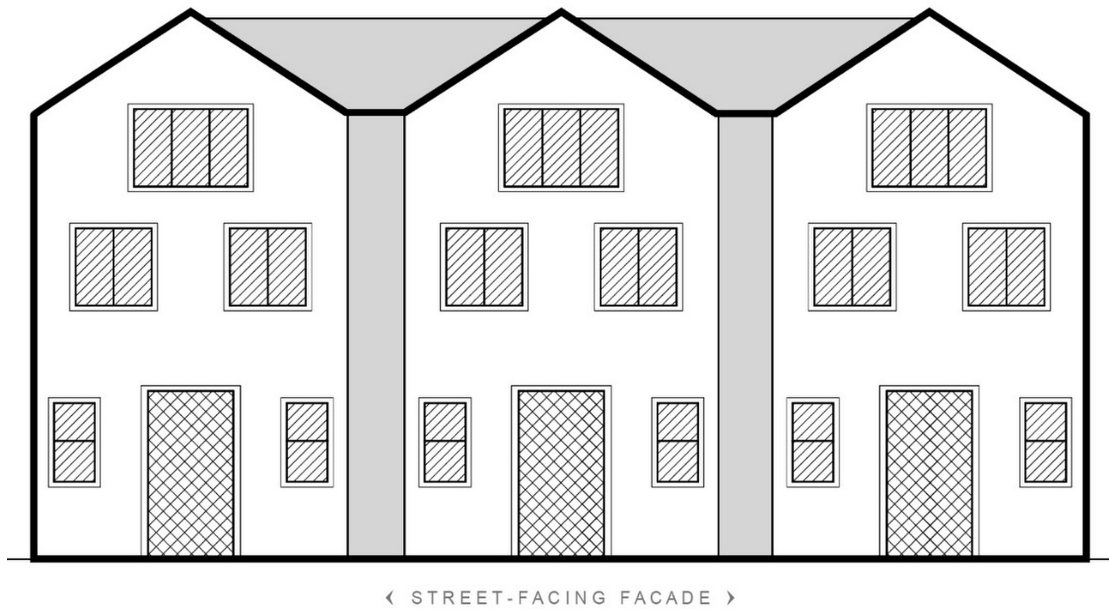
Policy Question: Windows facing the street let residents see the sidewalk and add safety and activity to a block. The current code requires windows or doors along 60% of the front of duplexes, triplexes and apartments, and has no window standard for houses. The new standard is simpler: 15% of a street-facing wall must be windows or doors. It applies to all housing types, so it is new for detached houses.

Should every new home, including detached houses, be required to have a minimum amount of windows facing the street, or only middle housing and apartments as today?

3.1.500 Street-Facing Windows

- A. Applicability.** The window design standards apply to all residential development.
- B. Detached Single-Unit and Middle Housing.** Detached single-unit and middle housing must meet the following standards (see Figure 3.1.500.B). For cottage cluster housing, this applies to cottages within 20 feet of a street lot line.
1. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
 2. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.
- C. Multi-Unit Housing.** A minimum of 15 percent of the area of all street-facing facades must include windows or pedestrian entrance doors.
- D. Exceptions.** The following facades are exempt from these standards:
1. Facades that are more than 40 feet from the street lot line.
 2. Facades facing an alley.
 3. Facades separated from the street lot line by a dwelling or buildable lot.

Figure 3.1.500.B Window and Door Coverage



- ☐ Street-facing façade area used to calculate the minimum percentage of windows or pedestrian entrance doors
-  Qualifying window area: the aggregate area of the glass within each window, including any interior grids, mullions, or transoms (Section 1.3.900.C)
-  Qualifying pedestrian entrance door area: the area of the portion of the door that moves, not including the frame; garage doors do not qualify (Section 1.3.900.D)

Policy Question: These standards break up long, flat walls on larger housing types and add visual interest, while letting builders choose their own style. They apply to triplexes, quadplexes, townhouses and apartments, on walls facing a street or shared open space. A building picks 3 of 8 features that break up the wall, such as a porch, balcony or bay window. It also picks 5 of 13 details, such as eaves, window trim or a change in siding. The current code has similar lists, but applies them to every side of the building and to duplexes, using judgment-based tests.

Some options, such as siding width or a four-color paint scheme, are specific. Does the menu give builders enough choice, or is it too prescriptive for Boardman?

3.1.600 Building Design

- A. Applicability.** The building design standards apply to triplexes, quadplexes, townhouses, and multi-unit housing.
- B. Articulation.** Residential dwelling structures subject to this section must incorporate elements that break up all façades facing streets or commonly accessible open spaces into smaller planes using 3 or more of the elements listed below. Architectural features that meet the standards in this section include the following features:
1. A covered porch with a minimum depth of 5 feet (measured horizontally from the face of the main façade) and a minimum length of 6 feet;
 2. A balcony at least 4 feet deep and 8 feet wide, that is accessible from one interior room;
 3. A bay window at least 6 feet wide, bumped out by at least 2 feet;
 4. A recessed building entry at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide;
 5. A section of the façade, at least 6 feet in width, that is either recessed or bumped out by at least 2 feet deep from the front wall plane;
 6. An offset on the building face of at least 16 inches from one exterior wall to the other;
 7. A gabled dormer at least 4 feet wide and integrated into the roof form;
 8. Roof line offset of at least 2 feet from the top surface of one roof to the top surface of the other; or
 9. Other similar architectural features proposed by the applicant if approved by the Review Authority as part of a Type II review.

C. Detailed Design. Residential dwelling structures subject to this section provide at least 5 of the following elements on any façade facing a street or commonly accessible open space.

1. A recessed building entry at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide
2. Roof eaves on all elevations that project at least 12 inches from the intersection of the roof and the exterior walls;
3. A minimum of 3 gable end brackets (either triangular knee braces or rake brackets), spaced a maximum of 15 feet on center;
4. Roof line offset of at least 2 feet from the top surface of one roof to the top surface of the other;
5. Hip or gambrel roof design with a minimum pitch of 6/12;
6. Siding in gables which differs from the primary siding type (e.g., shingle siding in gable when primary siding is horizontal lap);
7. Fiber-cement horizontal lap siding between 3 and 7 inches wide (the visible portion once installed);
8. Exterior finish materials covering at least 40% of the street-facing façade from one or more of the following: brick, shingles, stone, or stucco;
9. Window trim around all windows with a minimum width of 3 inches and a minimum thickness of $\frac{5}{8}$ inches;
10. Recesses in all windows on a façade facing a street of at least 3 inches as measured horizontally from the face of the façade;
11. Mullions or window grids in all windows on a façade;
12. Horizontal band or barge boards;
13. Color palette including 4 colors. Colors may be paint or intrinsic to the material (e.g., wood, brick, or stone). One main color shall cover at least 40% of the street-facing façade and each of the other colors shall be used on a minimum of 4 square feet; and/or
14. Other similar architectural features proposed by the applicant if approved by the Review Authority as part of a Type II review.

Commentary: This new section keeps shared trash and recycling areas out of view from the street and neighbors. For triplexes and larger housing types, a shared trash area within 20 feet of a street or neighboring home must be screened by a wall, fence or hedge at least 4 feet tall. Containers stored inside a building are exempt.

3.1.700 Trash and Recycling Storage

- A. Applicability.** The trash and recycling storage standards apply to triplexes, quadplexes, townhouses, cottage clusters, and multi-unit housing.
- B. Trash Storage.** Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:
1. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. Except as specified in subsection (3), the screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.
 2. The storage facility must be separated from the street lot line by at least 5 feet.
 3. For lot lines abutting residential properties, the storage facility must either be setback from the lot line by at least 5 feet, or the screen facing the lot line must be at least 6 feet in height.
- C. Exceptions.** Trash and recycling receptacles stored within a building are exempt from these standards.

Policy Question: Cottage clusters are a new housing type in Boardman (Section 2.6.440): small homes grouped around a shared courtyard. These standards make the courtyard the center of the cluster and keep parking at the edge. At least half the cottages must sit close to the courtyard and face it, and the courtyard must be at least 15 feet wide. Parking is grouped in small lots away from the street and the courtyard.

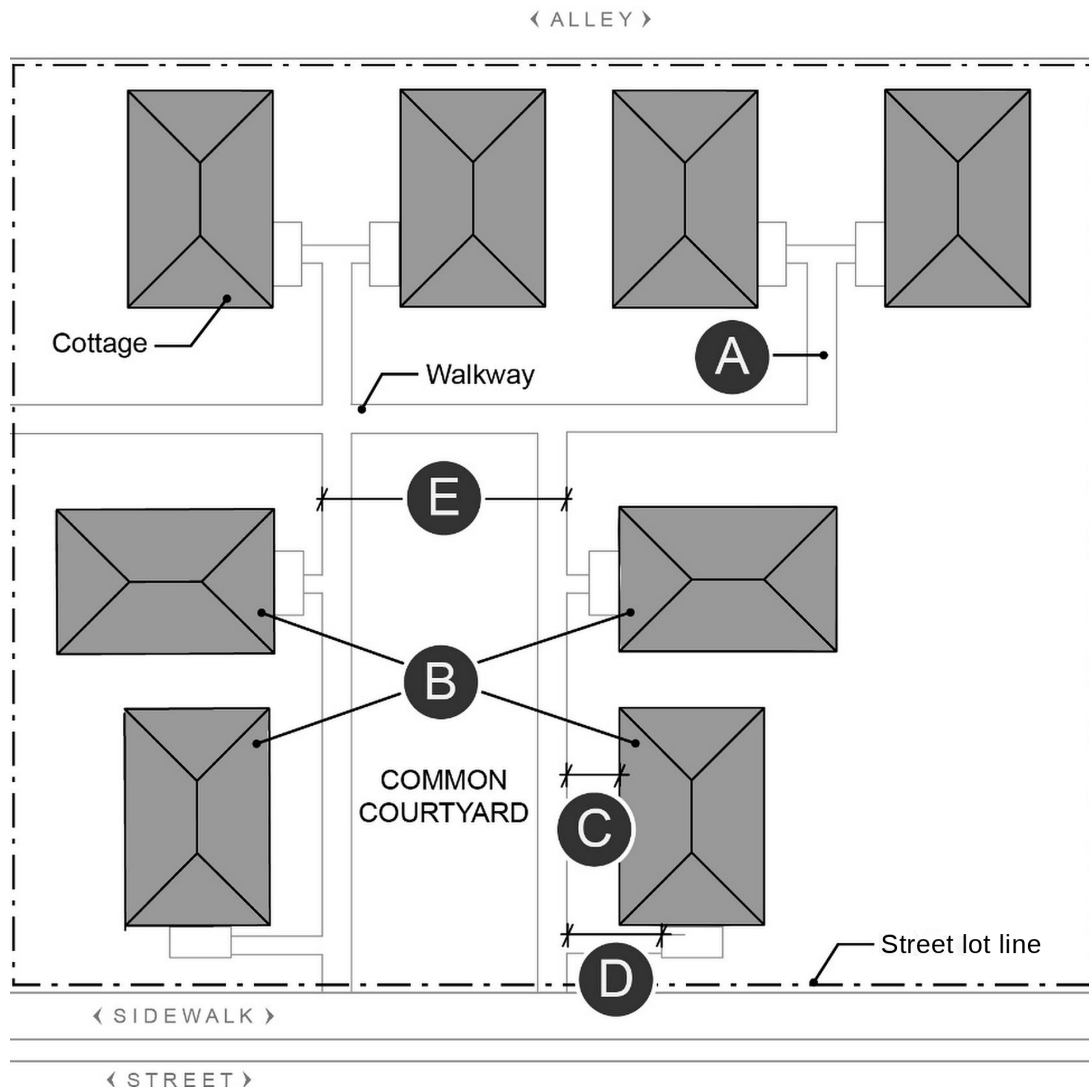
Do these standards produce the kind of cottage cluster Boardman wants? Are any of them too restrictive for builders?

3.1.800 Cottage Cluster Standards

- A. Applicability.** The cottage cluster standards apply only to cottage cluster developments.
- B. Cottage Orientation.**
- 1. Standard.** Cottages must be clustered around a common courtyard as demonstrated by meeting the following standards (see Figure 3.1.800.B):
 - a.** Each cottage within a cluster must have a main entrance that is directly connected to the common courtyard by a pedestrian walkway.
 - b.** A minimum of 50 percent of cottages within a cluster must:
 - i.** Be within 10 feet from the common courtyard, measured from the nearest façade of the cottage to the nearest edge of the common courtyard; and
 - ii.** Have a main entrance that either faces the common courtyard or is no more than 20 feet from the common courtyard.
 - c.** Cottages must abut the common courtyard on at least two sides of the courtyard.
 - 2. Exceptions.** An existing dwelling included within a cottage cluster pursuant to Section 2.6.440.C.9 may be excluded from the calculation of cottages oriented toward the common courtyard at the applicant's option.
- C. Common Courtyard Design Standards.** Each cottage cluster must share a common courtyard that meets the following standards (see Figure 3.1.800.B):
- 1.** The common courtyard must be a single, contiguous piece.
 - 2.** The common courtyard must be a minimum of 15 feet wide at its narrowest dimension and must meet the minimum common courtyard area required by Section 2.6.440.C.7.

- 3.** The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian walkways, 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.
- 4.** Pedestrian walkways must be included in a common courtyard. Walkways that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Pedestrian walkways must connect to the sidewalk in accordance with Section 3.4.200. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Figure 3.1.800.B Cottage Cluster Orientation and Common Courtyard



- A** Main entrance of each cottage directly connected to the common courtyard by a pedestrian walkway
- B** A minimum of 50 percent of cottages within the cluster meet **C** and **D**
- C** Cottage within 10 feet of the common courtyard, measured from the nearest façade of the cottage to the nearest edge of the common courtyard
- D** Main entrance faces the common courtyard or is no more than 20 feet from the common courtyard
- E** Common courtyard a minimum of 15 feet wide at its narrowest dimension

- D. Community Buildings.** Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
1. Each cottage cluster is permitted one community building, which shall count towards the maximum average cottage size required by Section 2.6.440.C.5.
 2. Community buildings shall not include individual storage spaces for residents. Storage areas for shared equipment or supplies are permitted.
 3. If a community building meets the definition of a dwelling unit and has a footprint that exceeds the maximum average footprint in Section 2.6.440.C.4 or would exceed the maximum number of cottages in Section 2.6.440.C.1, a covenant must be recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.
- E. Existing Structures.** On a lot to be used for a cottage cluster project, an existing detached single-unit dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
1. The existing dwelling may be nonconforming with respect to the requirements of this code.
 2. The existing dwelling may be expanded up to the maximum height in Section 2.6.440.C.6 or the maximum average building footprint in Section 2.6.440.C.4; however, existing dwellings that exceed the maximum height or footprint of this code may not be expanded.
 3. An applicant may choose to exclude the floor area of the existing dwelling when calculating the average cottage size of a cottage cluster.

Chapter 3.2 Non-Residential Design Standards (ALL NEW)

Sections

3.2.100	Purpose
3.2.200	Applicability
3.2.300	Entry Orientation and Parking Location
3.2.400	Windows
3.2.500	Building Design
3.2.600	Pedestrian Amenities

Commentary: Chapter 3.2 is new. Its purpose is to ensure high-quality design and make commercial areas more pedestrian-friendly, with standards that tell applicants exactly what is expected. Today, a commercial building picks 5 of 10 general features, such as “changes in building color or texture,” with no minimum size, and must be “appealing and compatible.” The new chapter sets specific requirements for entrances, parking location, windows and building design.

The downtown (DMU) standards go further. During the Comprehensive Plan update, community members asked for a “heart” of Boardman with local businesses and gathering places. The draft Comprehensive Plan calls for a walkable city center around City Hall and Main Street, and the DMU standards are designed to implement it.

3.2.100 Purpose

Chapter 3.2 establishes design standards for non-residential and mixed-use development. The regulations are intended to protect public health, safety, and welfare through standards that promote land use compatibility and livability, while protecting property values and ensuring predictability in the development process. The standards are intended to:

- A. Create and maintain a built environment that is conducive to walking and bicycling
- B. Reduce dependency on the automobile for short trips;
- C. Provide civic space for employees and customers;

- D. Support community safety by strengthening informal oversight of public spaces; and
- E. Create human-scale design

3.2.200 Applicability

- A. General.** Except as otherwise specified below, the following requirements apply to non-residential development, including individual buildings and developments with multiple buildings such as shopping centers, office complexes, business parks, industrial developments, institutional campuses; the non-residential portion of mixed-use developments; and exterior alterations to existing non-residential buildings. Table 3.2.200.A identifies the sections of this Chapter that apply in each zone.
- B. Non-Conforming Development.** In accordance with Section 5.2.200 Non-conforming Development, where an existing development does not conform to these standards, any proposed alterations must not increase the degree to which the development is non-conforming, unless a variance is approved pursuant to Chapter 5.1.
- C. Adjustments and Variances.** The Review Authority may grant adjustments to Chapter 3.2, pursuant to the criteria of Chapter 5.1 Variances.

Table 3.2.200.A Applicability of Non-Residential Design Standards by Zone

Section	DMU	CC	RC	EMP	IND	PF	POS
3.2.300 Building and Entry Orientation	●	●	●	—	—	●	●
3.2.400 Windows	●	●	●	● [1]	● [1]	●	●
3.2.500 Building Design	●	●	●	●	●	●	●
3.2.600 Pedestrian Amenities	● [2]	● [2]	—	—	—	—	—

Notes:

[1] The window design standards apply only to commercial uses in the EMP and IND zones.

[2] The pedestrian amenities standard only applies to new commercial development in DMU and CC zones with more than 5,000 square feet of gross leasable floor area and more than 20,000 square feet of site area.

Policy Question: These standards place buildings near the sidewalk with front doors facing the street, so people on foot can reach a business without crossing a parking lot. Today, this applies only in the City Center Sub District, which was never mapped. The new standard applies in the DMU, CC, RC, PF and POS zones. Parking goes beside or behind the building and may cover no more than 60% of the street frontage.

Sites over 40,000 square feet (about one acre) must be laid out as small blocks, with buildings facing streets and parking behind them. This keeps a large site from becoming one building behind a large parking lot, and leaves room to add buildings over time.

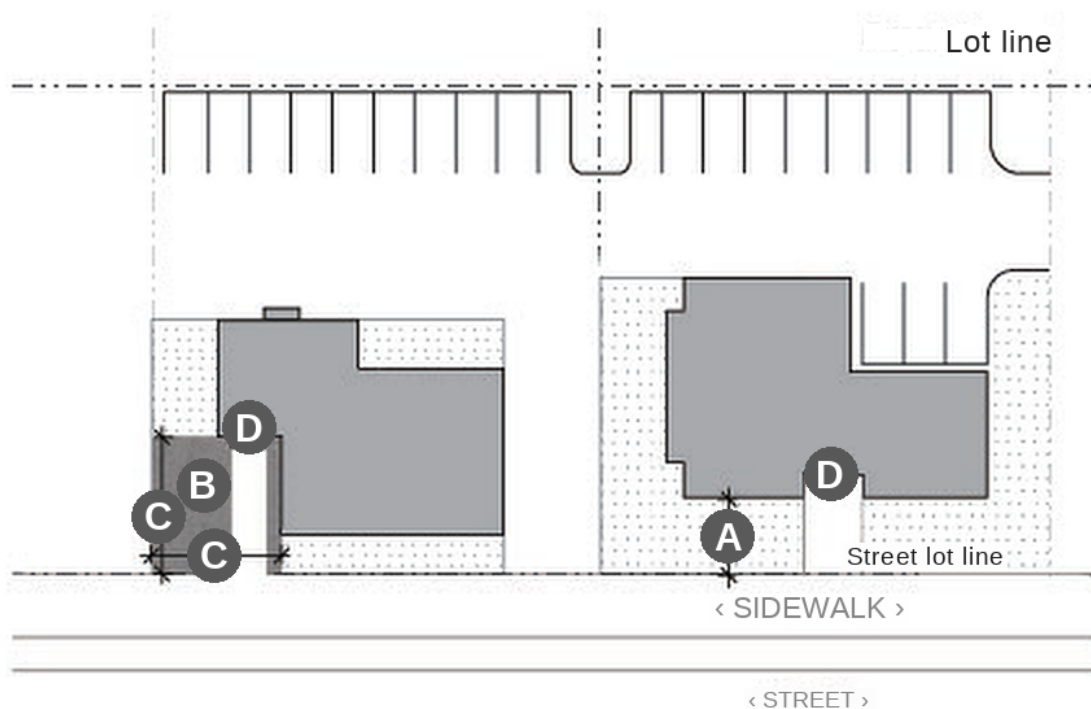
Should parking be required beside or behind buildings in all of these zones, including the RC zone along I-84, which is currently more auto-oriented?

3.2.300 Entry Orientation and Parking Location

- A. Applicability.** The entry orientation and parking location standards in subsections (B) and (C) apply to all non-residential developments in the DMU, CC, RC, PF, and POS zones, except Large-Format Developments are subject to subsection (D) below.
- B. Entry Orientation.** All buildings within 40 feet of a street lot line shall have at least one main entrance (e.g., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) that meets one of the following standards. Development sites with frontage on more than one street must meet the standard in subsection (1) on a street served by transit, when applicable. (See Figure 3.2.300.B.)
1. The main entrance must face an abutting street (i.e., be within 45 degrees of the street property line). A pedestrian walkway must connect the main entrance to the sidewalk in conformance with Section 3.4.300; or
 2. The main entrance must face a plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting the requirements of Section 3.2.600. The plaza or courtyard must be connected to the street by a pedestrian walkway conforming to Section 3.4.300.
- C. Location of Parking and Service Areas. (See Figure 3.2.300.B.)**
1. No area between the street lot line and a building facade may be used for vehicle parking or circulation. Vehicle access is allowed through the setback area if it accesses a parking area or structured parking that does not conflict with this subsection.
 2. Vehicle parking and circulation areas within 20 feet of the street lot line must be limited to no more than 60 percent of the length of the street lot line.
 3. Any areas within 20 feet of the street lot line that are not occupied by a building or vehicle area must be landscaped in accordance with Section 3.5.200 or hardscaped for pedestrian use.

4. Trash storage facilities, ground-level utilities (e.g., utility vaults), and similar obstructions shall not be placed between building entrances and the street(s) to which they are oriented. To the extent practicable, such facilities shall be oriented internally to the block and accessed by alleys or driveways.

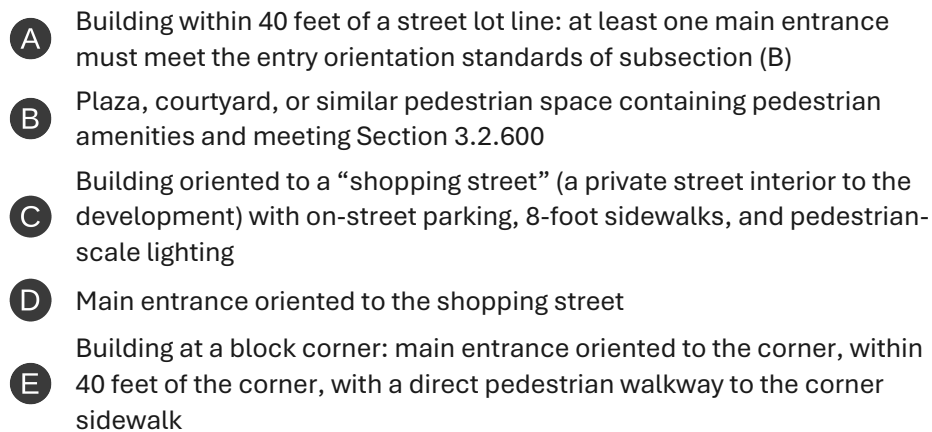
Figure 3.2.300.B Non-Residential Building Orientation



- A** Building within 40 feet of a street lot line: at least one main entrance must meet the entry orientation standards
- B** Plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting Section 3.2.600, connected to the street by a pedestrian walkway
- C** Plaza dimensions: a qualifying plaza has a minimum useable area of 300 square feet (Section 3.2.600.C.2)
- D** Main entrance facing an abutting street (within 45 degrees of the street property line) or facing a plaza, courtyard, or similar pedestrian space

D. Large-Format Developments. Plans for new developments, or any phase thereof, with a total floor plate area (ground floor area of all buildings) greater than 40,000 square feet, and land divisions of sites exceeding 40,000 square feet in the DMU, CC, RC, PF, and POS zones, shall meet all of the following standards in subsections (1) through (7), below. (See Figure 3.2.300.D.)

1. The site plan or tentative subdivision plan, as applicable, shall comply with the street connectivity standards of Section 3.7.100.G. The plan approval shall bind all future phases of the development, if any, to the approved block layout.
2. Except as provided by subsections (5) through (7), below, the site shall be configured to resemble blocks with building pads that have frontage onto improved streets meeting City standards, and shall contain interior parking courts with interconnected pedestrian walkways.
3. Walkways shall connect the street right-of-way to all primary building entrances, and shall connect all primary building entrances to one another, including required pedestrian crossings through interior parking areas, if any, in accordance with Section 3.4.300. The City Planning Official may condition development to provide facilities exceeding those required by Section 3.4.300, including a requirement for lighting, stairways, ramps, and midblock pedestrian access ways (e.g., to break up an otherwise long block) to ensure reasonably safe, direct, and convenient pedestrian circulation.
4. Buildings placed at a block corner shall have a main entrance oriented to the block corner. That entrance shall be located within 40 feet of the corner and shall have a direct and convenient pedestrian walkway connecting to the corner sidewalk.
5. All buildings shall orient to a street, pursuant to subsection (B). Where it is not practical to orient all buildings to streets due to existing parcel configuration or similar site constraints, buildings may orient to a “shopping street” (i.e., a private street interior to the development). The shopping street must provide, at a minimum, on-street parking (parallel or angled parking), 8-foot sidewalks (which shall include a four-foot zone for street trees and furnishings such as benches and other street furniture), and pedestrian-scale lighting.
6. Each building that is proposed as orienting to a shopping street shall comply with the orientation standards of subsection (B) in reference to the shopping street, and shall have at least one main entrance oriented to the shopping street.
7. Where a building fronts both a shopping street and a public street, that building shall contain at least one main entrance oriented to each street; except that an entrance is not required where the public street is not improved with a sidewalk and the City determines that sidewalk improvements to the public street cannot be required as a condition of approval.



Policy Question: Windows make commercial streets more inviting and safer by letting people see goods and activity inside. Today, ground-floor display windows are one optional feature. The new standard requires windows on 30% of each wall, and more on ground floors facing a street: 60% downtown, 40% in the other commercial zones, and 30% for commercial uses in the EMP and IND zones.

Are these window amounts right for commercial buildings outside downtown?

3.2.400 Windows

- A. Applicability.** The window design standards apply to all non-residential development in the DMU, CC, RC, PF, and POS zones and to commercial uses in the IND and EMP zones.
- B. Minimum Percentage — All Elevations.** Each building elevation shall provide not less than 30 percent windows. Ground-level windows provided under subsection (C) count toward the total required for the elevation.
- C. Minimum Percentage — Ground Level.** Ground-level windows shall be provided on each façade that faces a street or a commonly accessible space. The minimum percentage of windows within the portion of the façade between 2 and 8 feet above sidewalk grade is:
1. DMU zone: 60 percent
 2. CC, RC, PF, and POS zone: 40 percent.
 3. IND and EMP zones, for commercial uses only: 30 percent.
- D. Transparency.** Required windows shall be transparent. For the purposes of this Section, transparent means a visible transmittance of at least 0.60. Window and door area is measured as provided in Section 1.3.900. A window shall not be mirrored, frosted, reflective or otherwise treated so as to block visibility into the building.
- E. Window Trim.** Windows shall contain trim, reveals, recesses or similar detailing of not less than 4 inches in width or depth.
- F. Exceptions.**
1. The standards in this section do not apply to zero-lot line or common wall elevations.
 2. The City Planning Official may, as part of a Type II or III review, approve a reduction in the percentage of windows required or may waive the transparency requirements in this section for the following structures and uses:

- a. Parking structures and accessory structures. Where an exception to the window transparency requirement is made for parking garages or similar structures, the building design must incorporate openings or other detailing that resembles the window patterns (rhythm and scale).
 - b. Structures that have multiple facades subject to these standards, provided the standard is met by the façade with the primary entrance.
 - c. Facades that are not visible to the public.
 - d. Healthcare and Major Utility Facilities use categories.
3. The City Planning Official may also approve an exception to the above standards where existing topography makes compliance impractical.

Policy Question: These standards break up long, flat commercial walls so buildings facing the street have visual interest. A wall facing a street must have a 2-foot break at least every 30 feet, or a distinct base, middle and top, such as a different ground-floor material and a cornice. Rooftop and ground equipment must be screened. These replace today's list of 10 optional features.

Downtown buildings must also have storefront features: corner entrances, large display windows, and awnings over the sidewalk. These features support the walkable "heart" of Boardman that the draft Comprehensive Plan calls for around City Hall and Main Street (Policy 2.10.4).

Do the downtown storefront and awning requirements fit the downtown Boardman wants?
Do the standards for other zones go further than the City needs?

3.2.500 Building Design

- A. Applicability.** The building design standards apply to non-residential developments in all non-residential zone districts. Subsections (D) and (E) apply to non-residential developments, or the non-residential portions of a mixed-used development, in the DMU zone.
- B. Façade Design.** All building elevations visible from a street or commonly accessible space must meet one of the following standards to provide for visual interest in elevations.
 - 1. Articulation.** The elevation(s) must have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, as follows:

- a. A “break” for the purposes of this subsection is a change in wall plane of not less than 24 inches in depth. Breaks may include but are not limited to an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.
 - b. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the 24-inch break-in-wall-plane standard.
 - c. Building elevations that do not orient to a street or civic space need not comply with the 24-inch break-in-wall-plane standard but should complement the overall building design.
2. **Base-Middle-Top Design.** The elevation(s) must divide the vertical mass of the building into a base, middle, and top using distinct physical transitions.
- a. **Base:** The ground level of the building must be articulated using at least one of the following elements:
 - i. Materials that are different than upper stories;
 - ii. Awning or canopy line;
 - iii. Molding, belt course or other horizontally articulated transition piece that makes ground floor distinguishable from upper floors; and/or
 - iv. Transom windows.
 - b. **Middle:** The middle of the building must be articulated using at least one of the following elements:
 - i. Recesses or extensions a minimum depth of two feet;
 - ii. Vertically oriented windows; and/or
 - iii. Pilasters that project from the façade.
 - c. **Top:** The top of the building must be articulated using at least one of the following elements:
 - i. Cornice that is a minimum of eight inches tall and projects a minimum of three inches beyond the façade of the façade;
 - ii. Change in material or color;
 - iii. Upper-level setback;

- iv. A roof overhang that is a minimum of eight inches beyond the face of the façade; and/or
- v. Change in roof form.

C. Screening of Mechanical Equipment.

1. **Building Walls.** Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened pursuant to Section 3.5.200.F. Standpipes, meters, vaults, and similar equipment need not be screened, but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.
2. **Rooftops.** Rooftop mechanical units shall be setback or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the City Planning Official may approve painting of mechanical units in lieu of screening; such painting may consist of colors that make the equipment visually subordinate to the building and adjacent buildings, if any.
3. **Ground-Mounted Mechanical Equipment.** Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The City may require additional setbacks and noise attenuating equipment for compatibility with adjacent uses.

D. Detailed Storefront Design in the DMU Zone. All buildings shall contribute to the storefront character and visual relatedness of downtown buildings. This criterion is met by providing all of the following design features listed in subsections (1) through (4), below, along front building elevations (i.e., facing a street).

1. Corner building entrances on corner lots. Alternatively, a building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner.
2. Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
3. Large display windows on the ground floor (non-residential uses only). Display windows shall be framed by bulkheads, piers and a storefront cornice (e.g., a cornice that separates the ground floor from the second story).

4. Decorative cornice at top of building (flat roof) or eaves provided with pitched roof.

E. Weather Protection in the DMU Zone. The following standards apply to ground-level building façades that are located within 10 feet of a street lot line or commonly accessible space.

1. **Minimum Coverage.** Weather protection (e.g., permanent awnings, canopies, overhangs, or other architectural features providing protection from the rain or shade during periods of hot weather) shall be provided over all pedestrian-accessible building entrances, sidewalks, pedestrian accessways, civic spaces, or other pedestrian areas along the length of the ground-level façade. In no case shall the percentage of ground level façade subject to this requirement exceed 50 percent of the ground-level facade. The percentage shall be calculated based on the entire length of the ground-level façade; however, areas that are not pedestrian-accessible (e.g., perimeter landscape areas) are not required to have weather protection.

2. Weather Protection Design.

- a. The weather protection shall project out at least 4 feet from the adjoining wall, and shall comply with applicable building codes. The City Planning Official, through Development Review, may reduce the minimum dimension where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters.
- b. The height of the weather protection shall be between 9 feet and 15 feet above the grade underneath it. If mezzanine or transom windows exist, the shelter shall be below such windows where practical.
- c. Where applicable, weather protection shall be designed to accommodate pedestrian signage (e.g., blade signs), while maintaining required vertical clearance.

Commentary: Pedestrian amenities give people places to sit and gather at in commercial districts. Today, every commercial project must provide one amenity, such as a bench or awning. The new standard applies only to larger new projects in the DMU and CC zones. These must provide 2 to 4 amenities, such as a plaza with seating, a raised planter, a mural or a sculpture.

3.2.600 Pedestrian Amenities

- A. Applicability.** The pedestrian amenities standard applies to new commercial development in the DMU and CC zones with more than 5,000 square feet of gross leasable floor area and more than 20,000 square feet of site area.
- B. Minimum Number.** The development must provide a minimum number of pedestrian amenities as specified in Table 3.2.600.B.

Table 3.2.600.B Minimum Number of Pedestrian Amenities

Gross Floor Area	Number of Amenities
More than 5,000 up to 10,000 sq. ft.	2
More than 10,000 up to 50,000 sq. ft.	3
More than 50,000 sq. ft.	4

- C. Qualifying Features.** Pedestrian amenities must meet one of the following standards to count toward the minimum number required.
1. Hard surfaced areas with scored concrete or modular paving material which are 50 percent wider than required by this code.
 2. A plaza adjacent to, or visible and accessible from, the street with a minimum useable area of 300 square feet. The plaza must be accessible to the public via a public right-of-way or a public access easement. The plaza must include benches or seating that provide at least six linear feet of seating with a surface at least 15 inches deep and between 16 and 24 inches above the grade.
 3. Raised landscape planter a minimum of 18 inches in height and a maximum of 30 inches in height with a minimum horizontal depth of 2 feet that contains living plant material or stormwater swales.

4. A hand-produced work of visual art painted directly upon or permanently affixed to an exterior wall that is a minimum of 8 feet in height not to exceed 30 feet in height and a minimum of 48 square feet in area. A property agreement must be required holding the property owner responsible for the maintenance of the mural. Graffiti and/or UV coating must be provided on the finished mural to provide resistance to weathering and vandalism.
5. A freestanding, permanent, three-dimensional work of original art or sculpture including but not limited to statues, mobiles, or kinetic sculptures. Artwork must have a minimum height of 4 feet and be constructed from durable materials that can withstand environmental conditions including but not limited to bronze, stainless steel, metal alloys, stone, concrete, or fiberglass.

Chapter 3.3 **Vehicular** Access and Circulation (AMENDED)

Sections

- 3.3.100 Purpose**
- 3.3.200 General Provisions**
- 3.3.300 Approach and Driveway Development Standards**
- 3.3.400 Approach Spacing and Separation**
- 3.3.500 Vision Clearance**

Commentary: This chapter sets the rules for driveways and vehicle access so traffic moves safely and applicants know exactly what is required. It reorganizes current Chapter 3.1 and keeps most of the current standards. About half of the current standards rely on staff judgment, such as “may require.” State law does not allow tests like these for housing (ORS 197A.400), so they now apply only to commercial and industrial sites. The chapter also requires paved driveways, bars arterial access for lots in new residential land divisions, adds flag lot standards, and matches driveway spacing to the Transportation System Plan.

Important: Many provisions are shown as removed. However, most of those provisions have been reformulated into new sections below. This is the result of needing to differentiate standards that apply to housing (must be clear and objective) and standards that apply to non-residential development.

3.3.100 Purpose

~~The purpose of this chapter is to help ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. Section 3.3.200 provides standards for vehicular access and circulation. Section 3.3.300 provides standards for pedestrian access and circulation. Standards for transportation improvements are provided in Chapter 3.6.100.~~

~~Intent and Purpose.~~ The ~~intent purpose~~ of this Section is to manage vehicle access to development through a connected street system, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. Access shall be managed to maintain adequate performance standards and to maintain the “functional classification” of roadways as required by the City’s Comprehensive Plan ~~and Transportation System Plan~~. Major roadways, including highways, arterials, and collectors, serve as the primary system for moving people and goods. “Access management” is a primary concern on these roads. Local streets and alleys provide access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. This Section attempts to balance the right of reasonable access to private property with the right of the citizens of the City and the State of Oregon to safe and efficient travel. It also requires developments to construct planned streets (arterials and collectors) and to extend local streets.

To achieve this ~~policy intent purpose~~, state and local roadways have been categorized in the ~~Comprehensive Transportation System~~ Plan by function and classified for access purposes based upon their level of importance and function. (See ~~Chapter Section 3.6.1003.7.100~~.) Regulations have been applied to these roadways for the purpose of reducing traffic accidents, personal injury, and property damage attributable to access systems, and to thereby improve the safety and operation of the roadway network. This will protect the substantial public investment in the existing transportation system and reduce the need for expensive remedial measures. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.

- ~~A. **Applicability.** This ordinance shall apply to all public streets within the City and to all properties that abut these streets.~~
- ~~B. **Access Permit Required.** Access to a public street requires an Access Permit in accordance with the following procedures:~~
- ~~1. **City Street Permits.** Permits for access to City streets shall be subject to review and approval by the City Manager or his/her designee based on the standards contained in this Chapter, and the provisions of Chapter 3.4.100 – Transportation Standards. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval.~~

2. **State Highway Permits.** ~~Permits for access to State highways shall be subject to review and approval by the Oregon Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the City or Morrow County. In that case, the City or County shall determine whether access is granted based on its adopted standards.~~
 3. **County Highway Permits.** ~~Permits for access to County highways shall be subject to review and approval by Morrow County, except where the County has delegated this responsibility to the City, in which case the City shall determine whether access is granted based on adopted County standards.~~
- C. Traffic Study Requirements.** ~~The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 3.6.100-Transportation Standards, and Chapter 4.10~~
- D. Conditions of Approval.** ~~The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. To obtain access to and from off-street parking areas shall not require the driver to back-out onto a public street (except for single-family, two-family, and three-family dwellings).~~
- E. Access Options.** ~~When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods. These methods are “options” to the developer/subdivider, unless one method is specifically required by Chapter 2 (i.e., under “Special Standards for Certain Uses”). A minimum of 10 feet per lane is required:~~
1. **Option 1.** ~~Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.~~
 2. **Option 2.** ~~Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., “shared driveway”). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.~~
 3. **Option 3.** ~~Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Section G, below.~~

4. **Subdivisions Fronting on an Arterial Street.** ~~New residential land divisions fronting on an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints or existing development patterns access may be provided by consolidating front-access driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes).~~
5. **Double-Frontage Lots.** ~~When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. Except for corner lots, the creation of new double-frontage lots shall be prohibited in the Residential District, unless topographic or physical constraints or existing development patterns require the formation of such lots. When double-frontage lots are permitted in the Residential District, a landscape buffer with trees and/or shrubs and ground cover not less than 15 feet wide shall be provided between the back yard fence/wall and the sidewalk or street; maintenance shall be assured by the owner (i.e., through homeowner's association, etc.).~~

Important Cross-References to Other Code Sections: Chapters 2 and 3 may require buildings placed at or near the front property line and driveways and parking areas oriented to the side or rear yard. The City may require the dedication of public right-of-way and construction of a street (e.g., frontage road, alley or other street) when the development impact is proportionate to the need for such a street, and the street is identified by the Comprehensive Plan or an adopted Local Streets Plan. (Please refer to Section 3.4.100 – Transportation Standards.)

- F. **Access Spacing.** Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:
 1. **Local Streets.** The minimum feet of separation on local streets (as measured from the sides of the driveway/street) shall be determined based on the policies and standards contained in Table 3.1.200 G except as provided in subsection 3, below:
 2. **Arterial and Collector Streets.** Access spacing on collector and arterial streets and at controlled intersections (i.e., with four-way stop sign or traffic signal) shall be determined by the policies and standards in Table 3.1.200 G:
 3. **Access to State Highways** shall be subject to the applicable standards and policies contained in the Interstate Highway 84 Corridor Plan. See Table 9A and Table 9 in the Transportation System Plan (TSP):

4. **Special Provisions for All Streets.** ~~Direct street access may be restricted for some land uses, in conformance with the provisions of Chapter 2 – Land Use Districts. For example, access consolidation, shared access, and/or access separation greater than that specified by subsections 1-2, may be required by the permitting agency for the purpose of protecting the function, safety and operation of the street for all users. (See Section ‘I’, below.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.~~
5. **Corner Clearance.** ~~The distance from a street intersection to a driveway or other street access shall meet or exceed the minimum spacing requirements for the street classification in the City’s Transportation System Plan.~~
- G. **Variance.** ~~A variance to vehicle access and circulation standards shall follow procedures in Chapter 5.1.300.A.~~
- H. **Number of Access Points.** ~~For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot; except that two access points may be permitted for two-family and three-family housing on corner lots (i.e., no more than one access per street), subject to the access spacing standards in Section ‘G’, above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with Section I, below, in order to maintain the required access spacing, and minimize the number of access points.~~
- I. **Shared Driveways.** ~~Where feasible, the number of driveway and private street accesses to public streets shall be minimized for commercial and industrial uses by the sharing of driveways between adjoining parcels. The City shall require shared driveways as a condition of land division or site design review for commercial and industrial uses, as applicable, for traffic safety and access management purposes in accordance with the following standards:~~
 1. **Shared Driveways and Frontage Streets** ~~may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. “Stub” means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. “Developable” means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).~~

2. **Access Easements** for the benefit of affected properties shall be recorded for all shared driveways, including pathways, at the time of final plat approval (Chapter 4.3) or as a condition of site development approval (Chapter 4.2):
 3. **Exception.** Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, existing development or similar conditions) prevent extending the street/driveway in the future:
 4. **Cross Access.** Cross access is encouraged, and may be required as a condition of approval between contiguous sites in the Commercial and Industrial Districts and for multi-family housing in the Residential Multi-family Sub District of the Residential District, in order to provide for more direct circulation between sites and uses for pedestrians, bicycles and drivers:
- J. **Driveway Openings.** Driveway openings [or curb cuts] shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

Single family, two-family, and three-family uses shall have a minimum driveway width of 10 feet, and a maximum width of 24 feet, (except that one recreational vehicle pad driveway may be provided in addition to the standard driveway for each lot:

Multiple family uses with 4 to 7 dwelling units shall have a minimum driveway width of 20 feet, and a maximum width of 24 feet:

Multiple family uses with more than 8 dwelling units, and off-street parking areas with 16 or more parking spaces, shall have a minimum driveway width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the City Manager or his/her designee determines that more than two lanes are required based on the number of trips generated or the need for turning lanes:

1. **Access Widths for All Other Uses** shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Chapter 3.3:
2. **Driveway Aprons.** Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown in Figure 3.1-200K. Driveway aprons shall conform to Americans with Disabilities Act (ADA) standards for sidewalks and pathways, which require a continuous route of travel that is a minimum of 3 feet in width, with a cross slope not exceeding 2 percent:

3. **Driveway Approaches.** ~~Driveway approaches shall be designed and located to provide an existing vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes or tapers should be avoided due to the potential for vehicle conflicts.~~
 4. **Loading Area Design.** ~~The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall consider the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.~~
- K. **Fire Access and Parking Area Turn-Around.** ~~A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. For requirements related to cul-de-sacs or dead-end streets, please refer to Section 3.4.100.M.~~
- L. **Vertical Clearances.** ~~Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13'-6" for their entire length and width.~~
- M. **Vision Clearance.** ~~No signs, structures or vegetation in excess of three feet in height shall be placed in "vision clearance areas", as shown in Figure 3.3.200N. This standard applies to the following types of roadways: streets, driveways, alleyways and railways. The minimum vision clearance area may be increased by the City Manager or his/her designee upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). An exception to this standard may be granted by the City Manager or his/her designee to allow utility structures (such as electrical transformers) for necessary services. This exception does not include the installation of utility poles.~~
- N. **Construction.** ~~The following development and maintenance standards shall apply to all driveways and private streets:~~
1. **Surface Options.** ~~Driveways, parking areas, aisles, and turn-arounds may be paved with asphalt, concrete or comparable surfacing, or a durable non-paving material may be used to reduce surface water runoff and protect water quality. Paving surfaces shall be subject to review and approval by the City Manager or his/her designee.~~
 2. **Surface Water Management.** ~~Surface water facilities shall be constructed in conformance with City standards. See Section 3.2 for Landscaping standards or the City's Stormwater Management Standards in Section 3.5.~~

3. ~~**Driveway Aprons.** When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing. (See Section K above.)~~

3.3.200 General Provisions

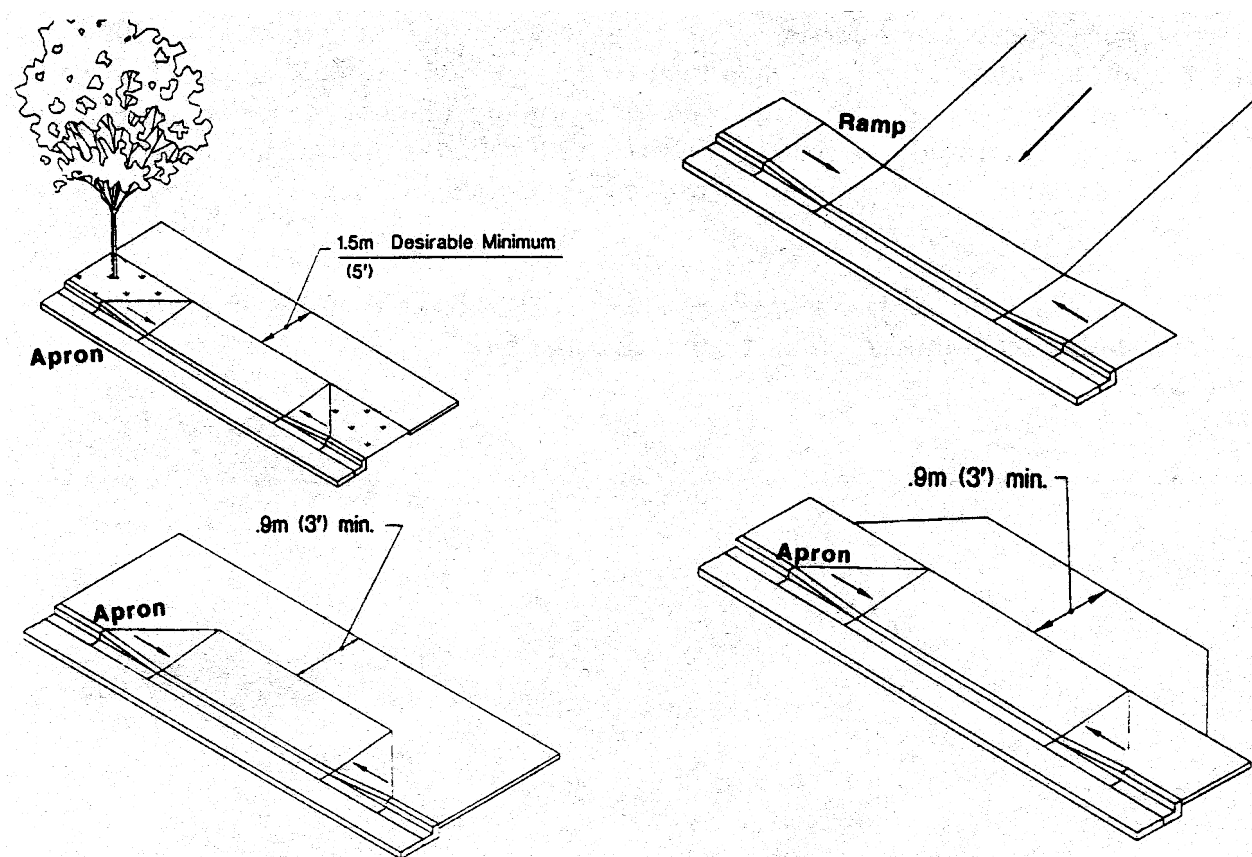
- A. **Applicability.** Chapter 3.3 applies to new development, and to a change of use that requires a new or modified connection to a street. It applies to every connection between a lot and a public street, whether by driveway, private street, or alley, and to the driveways that serve development. Where a roadway authority other than the City has adopted stricter standards for a connection to its street or highway, the roadway authority’s standards control.
- B. **Access Permit Required.** Access to a public street requires an Access Permit.
1. **City Streets.** The City Manager or designee reviews and approves permits for access to City streets based on the standards of this Chapter and Section 3.7.100. An access permit may be issued as a letter to the applicant or attached to a land use decision as a condition of approval.
 2. **County Roads.** Morrow County reviews and approves permits for access to County roads, except where the County has delegated that responsibility to the City, in which case the City decides based on adopted County standards.
 3. **State Highways.** The Oregon Department of Transportation (ODOT) reviews and approves permits for access to State highways, except where ODOT has delegated that responsibility to the City or Morrow County. Where a development requires an ODOT approach permit, the City may approve the development on the condition that the ODOT permit is obtained before construction begins.
- C. **Traffic Impact Study.** A traffic impact study or trip generation letter is required when the thresholds of Section 4.10.200 are met.
- D. **Conditions of Approval.** As a condition of an access permit, the City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other access points, the recording of reciprocal access easements for shared driveways, the development of a frontage street, the installation of traffic control devices, or other mitigation needed for the safe and efficient operation of the street and highway system.

- E. Joint Use Access Easement and Maintenance Agreement.** Where the City approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between the properties, and a joint maintenance agreement defining each owner's maintenance responsibilities. The applicant shall provide a fully executed copy of the agreement to the City for its records. The City is not responsible for maintaining the driveway or resolving disputes between the owners.
- F. Variances.** A variance to the standards of this Chapter follows the procedures of Chapter 5.1.

3.3.300 Approach and Driveway Development Standards

- A. Standards for All Development.** Every driveway approach and driveway shall meet the following standards.
- 1. Spacing.** Approaches shall meet the spacing and separation standards of Section 3.3.400.
 - 2. Vision Clearance.** Approaches shall meet the vision clearance standards of Section 3.3.500.
 - 3. Width.** An approach shall be no wider than 10 feet for each travel lane it serves, except as provided for residential development in Section 3.1.400, and except that a driveway giving direct access to parking spaces shall meet the parking area standards of Chapter 3.6.
 - 4. Driveway Aprons.** Where a sidewalk or walkway runs along the street, a concrete driveway apron shall be installed between the street right-of-way and the driveway, as shown in Figure 3.3.300.A. The apron shall maintain a continuous pedestrian route at least 3 feet wide with a cross slope not exceeding 2 percent, in conformance with the Americans with Disabilities Act (ADA).
 - 5. Surfacing.** Driveways, parking areas, aisles, and turn-arounds shall be paved with asphalt or concrete, or with pervious asphalt, pervious concrete, or permeable pavers. Gravel and other loose aggregate surfaces are not permitted, except for temporary construction driveways under subsection (12). Surface water facilities shall be constructed in conformance with City standards and Chapter 3.8.
 - 6. Vertical Clearance.** Driveways, private streets, aisles, turn-around areas, and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.

7. **Fire Access.** A fire equipment access drive shall be provided to any portion of an exterior wall of the first story of a building that is more than 150 feet from a public street or an approved fire equipment access drive.
8. **Forward Exit.** Parking areas shall be designed so that vehicles enter the street in a forward direction. A driver shall not be required to back onto a public street, except from a driveway serving a detached single-unit dwelling, a duplex, or a triplex.
9. **Acceleration and Deceleration Lanes.** An approach shall not be constructed along an acceleration or deceleration lane or along a tapered portion of a roadway.
10. **Right-of-Way Kept Clear.** Drive-through lanes, vehicle storage and service areas, and other vehicle areas shall be designed so that vehicles do not queue or stand within the public right-of-way.
11. **Culverts and Facilities of Other Agencies.** Where a driveway crosses a drainage ditch or culvert, the developer shall install a culvert that extends under and beyond both edges of the driveway, in accordance with the City's Public Works Standards. Where an approach or driveway crosses a canal, railroad, or other facility under the jurisdiction of another agency, the applicant shall obtain that agency's approval before construction.
12. **Temporary Construction Driveways.** A temporary driveway serving a construction site or staging area shall be paved or graveled to prevent tracking of mud onto paved streets, unless the roadway authority specifies otherwise.

Figure 3.1-200K3.3.300.A Driveway Openings

B. Standards for Residential Development. In addition to subsection (A), residential development shall meet the following standards. Subsection (C) does not apply to residential development.

- 1. Number and Width of Approaches; Garages and Parking.** The number and width of driveway approaches, and the garage, driveway, and parking design standards for each housing type, are in Section 3.1.400.
- 2. Alley Access.** Where a lot abuts an alley or mid-block lane that meets the City's standards for width and pavement, access shall be taken from the alley or lane, and no approach to a public street is permitted.
- 3. Lots With More Than One Frontage.** Access shall be taken from the abutting street with the lowest classification in the Transportation System Plan.

4. **Double-Frontage Lots.** A land division shall not create a double-frontage lot (a lot, other than a corner lot, with frontage on two streets), except where one frontage is on an arterial or collector street and access is taken from the other street. On such a lot, a landscape buffer at least 15 feet wide, planted with trees and with shrubs or ground cover in accordance with Chapter 3.5, shall be provided between the rear or side yard fence or wall and the arterial or collector street, and the owner or a homeowners association shall maintain it.
5. **Land Divisions Abutting an Arterial Street.** In a new residential land division, no lot shall take direct access from an arterial street. A lot that abuts an arterial street shall take access from an alley, from a local or collector street, or, where the lot has no other frontage and no alley is provided, from a shared driveway serving at least two lots.
6. **Flag Lots and Mid-Block Lanes.** A lot that does not abut a public street may take access from a flag lot driveway or a mid-block lane, subject to the following standards:
 - a. **Mid-Block Lanes.** A mid-block lane shall meet the standards for alleys in Section 3.7.100.S.
 - b. **Number of Dwelling Units.** A flag lot driveway shall serve no more than two dwelling units, including accessory dwelling units. A flag lot driveway that meets the fire apparatus access requirements of the Oregon Fire Code may serve up to six dwelling units.
 - c. **Width.** A shared driveway or mid-block lane shall be at least 12 feet and no more than 20 feet wide, except where the Oregon Fire Code requires a greater width.
 - d. **Length.** A shared side driveway shall not exceed 150 feet in length, and a shared rear lane shall not exceed 400 feet in length. The Oregon Fire Code may require a shorter length.
 - e. **Dedication or Easement.** The owner shall dedicate 12 feet of right-of-way or record a 12-foot-wide access easement for the driveway or lane, and the plat shall show the dedication or easement. A driveway or lane serving more than one lot shall have a recorded reciprocal access and maintenance easement benefiting each lot.
 - f. **Obstructions.** No fence, structure, or other obstacle shall be placed within the driveway or lane.
 - g. **Arterial and State Highway Access.** A flag lot shall not be created where it would increase the number of lots that take direct access from a State highway or an arterial street.

- C. Standards for Non-Residential Development.** In addition to subsection (A), non-residential development shall meet the following standards. The City or the roadway authority may apply the provisions of items (4) and (5) as conditions of an access permit or development approval.
- 1. Access Options.** Where vehicle access is required for development (for off-street parking, delivery, service, drive-through facilities, or similar purposes), access shall be provided by one of the following methods. The methods are options to the developer unless one method is specifically required by Chapter 2.
 - a. Option 1.** Access from an existing or proposed alley or mid-block lane. Where a property has access to an alley or lane, direct access to a public street is not permitted.
 - b. Option 2.** Access from a private street or driveway connected to an adjoining property that has direct access to a public street (a shared driveway). A public access easement covering the driveway shall be recorded to assure access to the closest public street for all users of the private street or driveway.
 - c. Option 3.** Access from a public street adjacent to the development parcel, in conformance with the spacing standards of Section 3.3.400. Where practicable, the City may require the owner to close or consolidate an existing access point as a condition of approving a new access.
 - 2. Number of Access Points.** The number of street access points for commercial, industrial, and public and institutional development shall be minimized to protect the function, safety, and operation of the street and sidewalk for all users. Shared access may be required under item (3) to maintain the required access spacing and minimize the number of access points.
 - 3. Shared Driveways and Cross Access.** Where feasible, the number of driveway and private street accesses to public streets shall be minimized by sharing driveways between adjoining parcels. The City shall require shared driveways as a condition of land division or Site Design Review approval, for traffic safety and access management, in accordance with the following:
 - a. Shared Driveways and Frontage Streets** may be required to consolidate access onto a collector or arterial street. Where a shared driveway or frontage street is required, it shall be stubbed to adjacent developable parcels to indicate future extension. “Stub” means that a driveway or street temporarily ends at the property line but may be extended in the future as the adjacent parcel develops. “Developable” means that a parcel is either vacant or is likely to receive additional development through infill or redevelopment.

- b. **Access Easements** for the benefit of the affected properties shall be recorded for all shared driveways, including pathways, at the time of final plat approval (Chapter 4.3) or as a condition of site development approval (Chapter 4.2), together with the maintenance agreement required by Section 3.3.200.E.
 - c. **Exception.** A shared driveway is not required where existing development patterns or physical constraints, such as topography, parcel configuration, or existing development, prevent extending the street or driveway in the future.
 - d. **Cross Access.** Cross access is encouraged, and may be required as a condition of approval, between contiguous sites in the commercial and industrial zones, to provide more direct circulation between sites and uses for pedestrians, bicyclists, and drivers.
4. **Direct Access Restrictions.** Direct street access may be restricted for some land uses, in conformance with Chapter 2. Access consolidation, shared access, or access separation greater than that specified in Section 3.3.400 may be required by the permitting agency to protect the function, safety, and operation of the street for all users. Where no other alternative exists, the permitting agency may allow an access connection along the property line farthest from an intersection; in such cases directional connections (right in and out, right in only, or right out only) may be required.
5. **Loading Area Design.** The design of driveways and on-site maneuvering and loading areas for commercial and industrial development shall consider the anticipated storage length for entering and exiting vehicles, to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

3.3.400 Approach Spacing and Separation

- A. **Access Spacing.** Driveway approaches shall be separated from other approaches and from street intersections in accordance with the following standards.
- 1. **City Streets.** The minimum separation between an approach and another approach or street intersection, measured from the sides of the driveway or street, is stated in Table 3.3.400.A for each street classification.
 - 2. **Controlled Intersections.** At an intersection controlled by a four-way stop or a traffic signal, approach separation is determined by Table 3.3.400.A [for the higher-classification street].

3. **State Highways.** Access to a State highway is subject to ODOT's access management standards (OAR chapter 734, division 51) and the permit requirements of Section 3.3.200.B.3.

Table 3.1-200-G3.3.400.A Minimum Intersection and Approach Spacing Standards

Street Type	Public Street	Private Drive
Arterial	600 feet	300 feet [1]
Collector	300 feet	75 feet
Neighborhood Collector	200 feet	50 feet
Local	150 feet	15 feet

[1] New driveways on arterials are not allowed if shared driveways, cross access, or access from a local street are feasible; if not feasible, the City Engineer may approve a private driveway at their discretion, given safety and operations considerations.

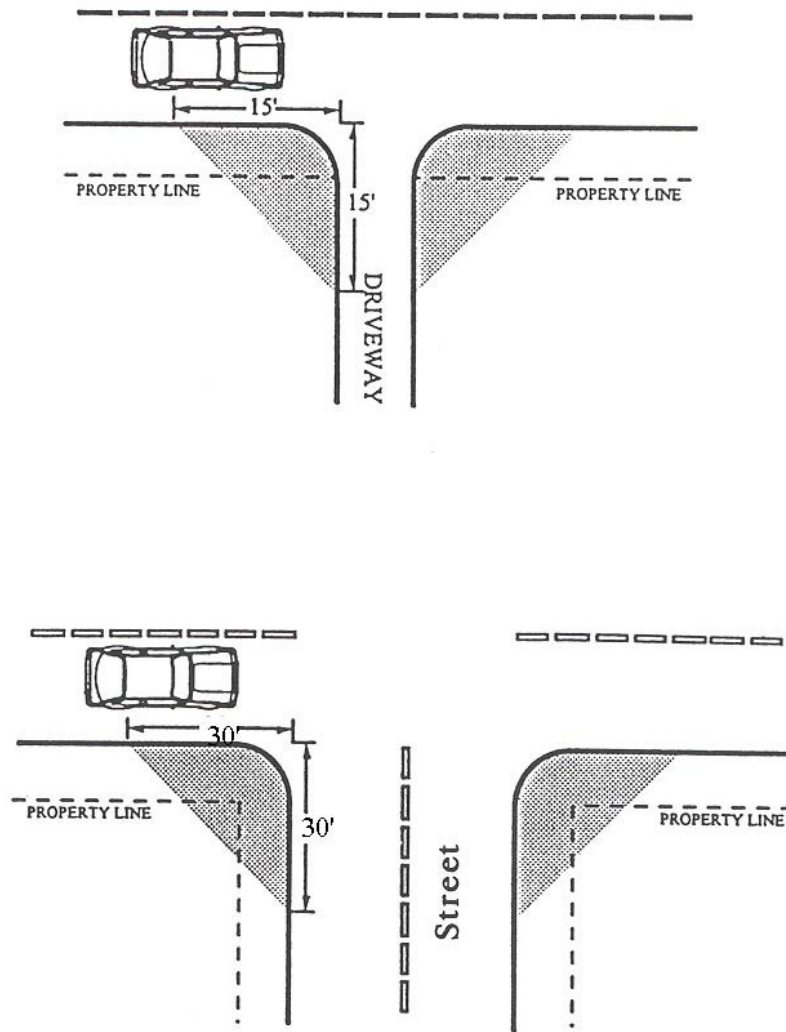
- B. **Corner Clearance.** The distance from a street intersection to an approach shall meet or exceed the separation stated in Table 3.3.400.A for the classification of the street on which the approach is located.
- C. **Separation Between Approaches on Local Streets.** On a local street, the minimum separation between approaches on the same lot and between approaches on abutting lots, and the length of full-height curb required between approaches, are as specified in the City's Public Works Standards.
- D. **Location and Design of Approaches.** An approach shall be located and designed so that a vehicle exiting the driveway has an unobstructed view of the street in both directions, meeting the sight distance standards of the City's Public Works Standards or of the roadway authority.

3.3.500 Vision Clearance

- A. **Standard.** No sign, structure, or vegetation more than 3 feet in height shall be placed within a vision clearance area, as shown in Figure 3.3.500.A. This standard applies at the intersection of a street with another street, a driveway, an alley, or a railroad.
- B. **Utility Structures.** The City Manager or designee may grant an exception to allow a utility structure needed for service, such as an electrical transformer, within a vision clearance area. This exception does not extend to utility poles.

- C. Larger Vision Clearance Areas for Non-Residential Development.** For non-residential development, the City Manager or designee may require a larger vision clearance area upon finding that more sight distance is needed because of traffic speeds, roadway alignment, or similar conditions.

Figure 3.1.200N3.3.500.A Vision Clearance Area



Chapter 3.4 Pedestrian Access and Circulation (AMENDED)

Sections

- 3.4.100 Purpose and Applicability
- 3.4.200 Residential Standards
- 3.4.300 Non-Residential and Mixed-Use Standards

Commentary: These standards give people a direct, paved route on foot from the sidewalk to building entrances. The current code asks for walkways that are “safe, reasonably direct and convenient,” a test state law does not allow for housing (ORS 197A.400). The new standards set walkway widths: 3 feet from a house’s front door to the sidewalk and 5 feet on apartment sites, with raised or separated crossings at driveways. Connections to transit stops are added to match the Transportation System Plan.

Important: Many provisions are shown as removed. However, most of those provisions have been reformulated into new sections below. This is the result of needing to differentiate standards that apply to housing (must be clear and objective) and standards that apply to non-residential development.

- A. Pedestrian Access and Circulation.** To ensure safe, direct and convenient pedestrian circulation, all developments, except single family detached housing (i.e., on individual lots), shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in subsections 1-3, below:
1. **Continuous Pathways.** The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 3.3.200 – Vehicular Access and Circulation, and Chapter 3.6. 100 – Transportation Standards.

2. **Safe, Direct, and Convenient Pathways.** Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:
 - a. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
 - b. Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
 - c. Commercial and Industrial Primary Entrance. For commercial, industrial, mixed use, public, and institutional buildings, the “primary entrance” is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
 - d. Residential Entrance. For residential buildings the “primary entrance” is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the “primary entrance” may be a lobby, courtyard or breezeway which serves as a common entrance for more than one dwelling.
3. **Connections Within Development.** For all developments subject to Site Design Review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.
4. **Street Connectivity.** Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 3.1.200 J. Pathways shall also be provided where cut-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments. Pathways used to comply with these standards shall conform to all of the following criteria:
 - a. Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than 10 feet wide and located within a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;
 - b. If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted;
 - c. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep;

- d. ~~The City may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties;~~
 - e. ~~The City Manager or his/her designee may determine, based upon facts in the record, that a pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this Code prohibit the pathway connection.~~
- B. Design and Construction.** ~~Pathways shall conform to all of the standards in 1-5:~~
- 1. **Vehicle/Pathway Separation.** ~~Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.~~
 - 2. **Housing/Pathway Separation.** ~~Pedestrian pathways shall be separated a minimum of 5 feet from all residential living areas on the ground floor, except at building entrances. Separation is measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Chapter 3.3. No pathway/building separation is required for commercial, industrial, public, or institutional uses.~~
 - 3. **Crosswalks.** ~~Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application.~~
 - 4. **Pathway Surface.** ~~Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least 5 feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 10 feet wide. (See also, Section 3.4.100 – Transportation Standards for public, multi-use pathway standard.)~~
 - 5. **Accessible Routes.** ~~Pathways shall comply with the Americans With Disabilities Act (ADA), which requires accessible routes of travel.~~

3.4.100 Purpose and Applicability

- A. Purpose.** This Section contains standards for pedestrian access, circulation, and connectivity. The standards promote safe, reasonably direct, and convenient options for walking and bicycling and accommodate access to transit. Vehicle access and circulation standards are in Chapter 3.3. Street improvement standards, including sidewalks, are in Chapter 3.7.
- B. Applicability.** Residential development is subject to section 3.4.200. Non-residential and mixed-use development is subject to 3.4.300.

3.4.200 Residential Standards

Residential development shall conform to the following standards, as applicable to the housing type.

- A. Detached Single-Unit, Duplex, Triplex, Quadplex, and Townhouse Housing.** A main entrance shall connect to the sidewalk by a hard-surfaced walkway, other than a driveway, at least 3 feet wide. The walkway may abut the driveway. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
- B. Cottage Cluster Housing.** A walkway meeting the design standards of subsection (D) shall connect the main entrance of each cottage to:
1. The common courtyard;
 2. Shared parking areas;
 3. Community buildings; and
 4. Sidewalks in the abutting public right-of-way. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
- C. Multi-Unit Housing.**
1. **Main Entrance Connection.** A main entrance shall connect to the sidewalk by an accessible walkway meeting subsection (D). Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
 2. **Internal Connections.** A system of walkways meeting subsection (D) shall connect all main entrances on the site and provide connections to abutting sidewalks, parking areas, bicycle parking, and common outdoor areas.

3. **Off-Site Connections.** For sites greater than 50,000 square feet, on-site walkways shall connect to or be stubbed to allow for an extension onto the abutting property where:

- a. There is an existing walkway on the abutting property that is located in a public right-of-way or public access tract or easement;
- b. There is a planned walkway on the abutting property, as identified in the City's adopted Transportation System Plan; or
- c. The abutting property is a public park, a school, or a public transit stop.

D. **Walkway Design.**

1. **Materials and Width.** All walkways shall be hard-surfaced. Except as provided in subsection (A), walkways shall be at least 5 feet in unobstructed width.

- a. Walkway width shall be increased to 8 feet where the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.
- b. Where a walkway leads to 4 or fewer individual unit entries, it may have an unobstructed width of 3 feet, increased to at least 4 feet at turns and curves, provided it meets ADA standards for accessible walkways, including standards for passing spaces and slope.

2. **Crossings with Vehicle Areas.** Where a walkway crosses a driveway, drive aisle, parking area, or loading area, the walkway shall be clearly identifiable through elevation changes, a different paving material, or a similar method. Striping alone does not meet this standard. Elevation changes for crossings shall be at least 4 inches high.

3. **Walkways Adjacent to Vehicle Areas.** Where a walkway is parallel and adjacent to a parking space, driveway, or drive aisle, the walkway shall be a raised path or shall be separated from the vehicle area by a raised curb, bollards, landscaping, or another physical barrier. A raised path shall be at least 4 inches high. Bollards shall be spaced no more than 5 feet on center.

E. **Separation from Dwellings.** Except for the entry walkway required by subsection (A), walkways shall be separated a minimum of 5 feet from ground-floor living areas of dwellings, except at building entrances. Separation is measured from the walkway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with Chapter 3.5.

F. **Residential Land Divisions.** Pedestrian connections within residential land divisions are provided by sidewalks in accordance with Chapter 3.7 and by accessways in accordance with Section 3.7.100.G.

3.4.300 Non-Residential and Mixed-Use Standards

Non-residential and mixed-use development shall conform to all of the following standards.

- A. Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site in conformance with the following standards.
- 1. Connections to the Street.** Every building, except an accessory structure, located within 100 feet of a street lot line shall have a walkway connection between its main entrance(s) and the abutting sidewalk. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line. For sites with frontage on a street served by transit, this standard shall be met on the transit street.
 - a.** The walkway shall not be more than [120] percent of the straight-line distance between the entrance and the street, unless a longer distance is necessary to comply with ADA grade requirements or subsection (b) applies.
 - b.** Where a tree at least 12 inches in diameter at breast height is proposed for preservation, and the tree or its root protection zone would prevent compliance with subsection (a), the walkway may be up to 200 percent of the straight-line distance.
 - 2. Internal Connections.** The walkway system shall connect all main entrances on the site that are more than 20 feet from the street, and shall provide connections to parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities provided under Section 3.2.600.
 - 3. Off-Site Connections.** Where a commercial, office, or institutional use abuts a site that is zoned or developed for multi-unit housing, commercial, office, or institutional uses, on-site walkways shall connect or be stubbed to allow for an extension to the abutting property where there is an existing or planned walkway on the abutting property, or where the abutting property is undeveloped.
- B. Walkway Design.** Walkways required by subsection (A) shall be designed in conformance with the following standards and, where required, shall meet Americans with Disabilities Act (ADA) standards.
- 1. Materials and Width.** Walkways shall be hard-surfaced and at least 6 feet in unobstructed width. Walkway width shall be increased to 8 feet where the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.

2. **Crossings with Vehicle Areas.** Where a walkway crosses a driveway, drive aisle, parking area, or loading area, the walkway shall be clearly identifiable through elevation changes, a different paving material, or a similar method. Striping alone does not meet this standard. Elevation changes for crossings shall be at least 4 inches high.
3. **Walkways Adjacent to Vehicle Areas.** Where a walkway abuts a parking space, or abuts and is parallel to a driveway or drive aisle, the walkway shall be a raised path or shall be separated from the vehicle area by a raised curb, bollards, landscaping, or another physical barrier. A raised path shall be at least 4 inches high. Bollards shall be spaced no more than 5 feet on center.
- C. **Transit Stop Connections.** A continuous walkway meeting the design standards of this Section shall connect the main entrance of each primary building to any existing or planned public transit stop located within 300 feet of that entrance.
- D. **Accessible Routes.** Walkways shall comply with the Americans with Disabilities Act (ADA), which requires accessible routes of travel.

Chapter 3.5 Landscaping, Street Trees, Fences, and Walls **(AMENDED)**

Sections

3.5.100	Purpose
3.5.200	New Landscaping
3.5.300	Street Trees
3.5.400	Fences and Walls

Commentary: This chapter sets the landscaping, street tree and fence requirements for new development, now stated in measurable terms so they can apply to housing. It updates current Chapter 3.2. Judgment-based guidelines remain for commercial and industrial projects only. Street trees come from a City Street Tree List. The City is reviewing street trees with its City Engineer and plans to move fence standards to the Boardman Municipal Code, so both sections may change before adoption.

3.5.100 Purpose

The purpose of this chapter is to promote community health, safety and welfare by protecting natural vegetation, and setting development standards for landscaping, street trees, fences and walls. Together, these elements of the natural and built environment contribute to the visual quality, environmental health and character of the community. Trees provide climate control through shading during summer months and wind screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control surface water drainage and can improve water quality, as compared to paved or built surfaces.

The chapter is organized into the following sections:

Section ~~3.4.200~~ 3.5.200 - New Landscaping sets standards for and requires landscaping of all development sites ~~that require Site Design Review~~. This section also requires buffering for parking and maneuvering areas, and between different ~~land use districts-zones~~. Note that other landscaping standards are provided in Chapter 2 - ~~Land Use Districts, Zones~~, for specific types of development.

Section ~~3.4.300~~ 3.5.300 - Street Trees sets standards for and requires planting of trees along all streets for shading, comfort and aesthetic purposes.

Section ~~3.4.400~~ 3.5.400 - Fences and Walls, sets standards for new fences and walls, including maximum allowable height and materials, to promote security, personal safety, privacy, and aesthetics.

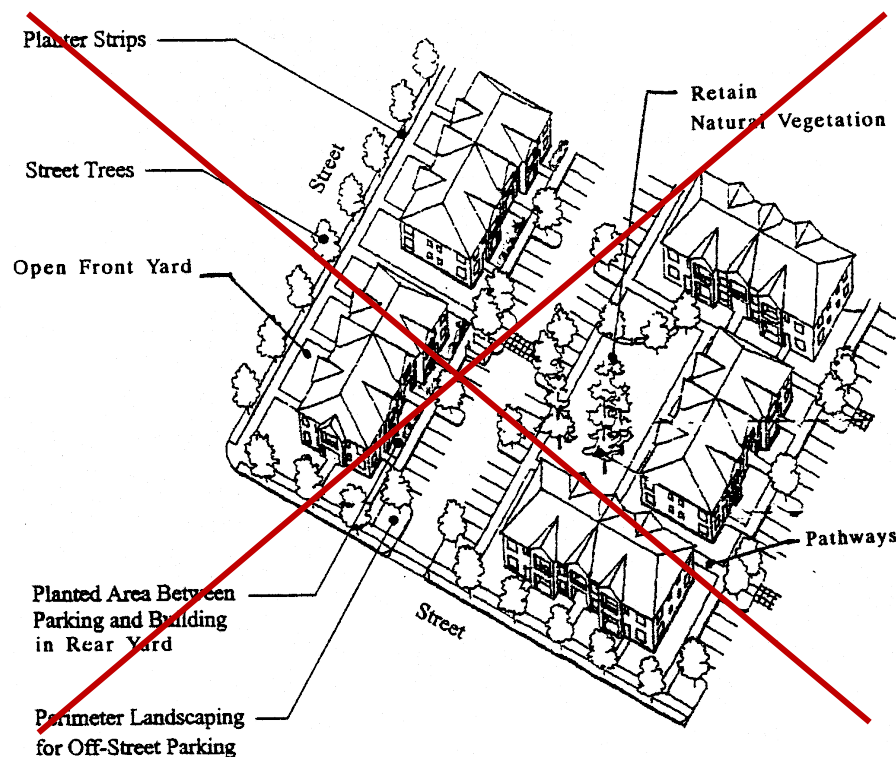
Commentary: Landscaping standards now apply to all new development, including houses. Today they apply only to Site Design Review projects, and City staff report they have not been applied to new houses for a long time. As a result, the Chapter 2 minimum landscape area will now apply to new houses and middle housing. Parking lots need one tree per 8 spaces and screening along the street.

3.5.200 New Landscaping

- A. ~~Applicability. This Section shall apply to all developments requiring Site Design Review, and other developments with required landscaping.~~
- B. ~~**Landscaping Plan Required.** A landscape plan is required. All landscape plans shall conform to the requirements in Chapter 4.2, Section 500.B (Landscape Plans).~~
- C. ~~**Landscape Area Standards.** The minimum percentage of required landscaping equals:~~
- D. ~~**Landscape Materials.** Landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below:~~
 - 1. ~~**Natural Vegetation.** Natural vegetation shall be preserved or planted where practicable.~~
 - 2. ~~**Plant Selection.** A combination of trees, shrubs and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. As necessary, soils shall be amended to allow for healthy plant growth.~~
 - 3. ~~**Hardscape Features** (i.e., patios, decks, plazas, etc.) may cover up to 30 percent of the required landscape area; except in the City Center Sub-District where hardscape features may cover up to 50 percent of the landscape area. Swimming pools, sports courts and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.~~
 - 4. ~~**Non-Plant Ground Covers.** Bark dust, chips, aggregate or other non-plant ground covers may be used, but shall cover no more than 25 percent of the area to be landscaped. "Coverage" is measured based on the size of plants at maturity or after 2 years of growth, whichever comes sooner.~~

5. **Tree Size.** Trees shall have a minimum caliper size of 2 inches or greater when planted.
6. **Ground Cover** Ground cover plants shall be sized and spaced so that they grow together to cover a minimum of 75 percent of the underlying soil within 5 years.
7. **Storm Water Facilities.** Storm water facilities (e.g., detention/retention ponds and swales) shall be landscaped with water tolerant, native plants.

Figure 3.4.200 – Landscape Areas in a Multi-Unit Development (Typical)



- E. **Landscape Design Standards.** All yards, parking lots and required street tree planter strips shall be landscaped in accordance with the provisions of this Chapter (Sections 3.2.100 through 3.2.400). Landscaping shall be installed with development to provide erosion control, visual interest, buffering, privacy, open space and pathway identification, shading and wind buffering, based on the following standards:
 1. **Yard Setback Landscaping.** Landscaping shall satisfy the following criteria:
 - a. Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes;
 - b. Use shrubs and trees as wind breaks, as appropriate;

- ~~c. Define pedestrian pathways and open space areas with landscape materials;~~
 - ~~d. Provide focal points within a development, such as signature trees (i.e., large or unique trees), hedges and flowering plants.~~
 - ~~e. Use trees to provide summer shading within common open space areas, and within front yards when street trees cannot be provided;~~
 - ~~f. Use a combination of plants for year-long color and interest;~~
 - ~~g. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales and detention/retention ponds.~~
2. **Parking Areas.** A minimum of five percent of the combined area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and/or ground cover plants. “Evenly distributed” means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per 4 parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 12 contiguous parking spaces. All landscaped areas shall have minimum dimensions of 4 feet by 4 feet to ensure adequate soil, water, and space for healthy plant growth when used as a modified swale in accordance with detention standards found in the City’s Stormwater Design Standards (Chapter 3.5).
3. **Buffering and Screening Required** – Buffering and screening are required under the following conditions:

- a. **Parking/Maneuvering Area Adjacent to Streets and Drives.** Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a decorative wall (masonry or similar quality material), arcade, trellis, evergreen hedge, or similar screen shall be established parallel to the street or driveway. The required wall or screening shall provide breaks, as necessary, to allow for access to the site and sidewalk by pedestrians via pathways. The design of the wall or screening shall also allow for visual surveillance of the site for security. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number and spacing to provide the required screening within one year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or other ground cover. All walls shall be maintained in good condition, or otherwise replaced by the owner.
 - b. **Parking/Maneuvering Area Adjacent to Building.** Where a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a raised pathway, plaza, or landscaped buffer no less than 3 feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles. When parking areas are located adjacent to residential ground-floor living space, a landscape buffer is required to fulfill this requirement.
 - c. **Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Automobile-Oriented Uses.** All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and Residential districts. Screening shall be provided by one or more the following: decorative wall (i.e., masonry or similar quality material), evergreen hedge, non-see through fence, or a similar feature that provides a non-see through barrier. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 3.1 – Access and Circulation. (See Section 3.2.400 for standards related to fences and walls.)
- F. **Maintenance and Irrigation.** The use of drought-tolerant plant species is encouraged, and may be required when irrigation is not available. Irrigation shall be provided for plants that are not drought-tolerant. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.). All other landscape features required by this Code shall be maintained in good condition, or otherwise replaced by the owner in perpetuity.

- G. ~~Additional Requirements.~~** ~~Additional buffering and screening may be required for specific land uses, as identified by Chapter 2, and the City may require additional landscaping through the Conditional Use Permit process (Chapter 4.4).~~
- A. ~~Applicability.~~** ~~This Section applies to all development, whether or not the development requires Site Design Review, except as provided in Section 3.0.300.~~
- ~~1. Relationship to Required Outdoor Area.~~** ~~The minimum landscape area required by this Section and the required outdoor area standard in Chapter 2.2 are separate standards. Area that satisfies both may be counted toward both.~~
 - ~~2. Installation.~~** ~~Required landscaping shall be installed before final occupancy approval for the development, or within 6 months after occupancy approval where the applicant provides a financial assurance for its installation.~~
- B. ~~Landscape Plan Required.~~** ~~A landscape plan is required. All landscape plans shall conform to the requirements in Section 4.2.500.B.5 (Landscape Plan).~~
- C. ~~Minimum Landscape Area.~~**
- ~~1.~~** ~~The minimum landscape area for each zone is stated in the development standards tables in Chapter 2.2. Landscape area is measured in accordance with Section 1.3.800.A.~~
 - ~~2.~~** ~~All portions of a lot not developed with buildings, accessory structures, vehicle parking and maneuvering areas, or hardscape shall be landscaped. Landscaped areas may include pedestrian walkways.~~
- D. ~~Planting Standards.~~** ~~The following standards apply to all required landscape areas.~~
- ~~1. Landscape Materials.~~** ~~Landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and hardscape features. Each planted area shall include a combination of trees, shrubs, and ground cover plants.~~
 - ~~2. Trees.~~** ~~Trees shall have a caliper of at least 2 inches at planting. A tree planted where overhead power lines cross the lot shall be a species that, at maturity, will not extend within 10 feet of the power lines.~~
 - ~~3. Shrubs.~~** ~~Shrubs shall be planted from containers of at least 5 gallons where they form a required screen or buffer, and at least 2 gallons elsewhere. Shrubs forming a required screen shall be spaced to form a continuous screen within 2 years of planting.~~
 - ~~4. Ground Cover.~~** ~~Ground cover plants shall be sized and spaced so that they grow together to cover at least 75 percent of the underlying soil within 5 years of planting.~~

5. **Non-Plant Ground Covers.** Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover no more than 25 percent of each required landscape area and shall not substitute for required ground cover plants.
 6. **Hardscape Features.** Patios, decks, plazas, and similar hardscape features may cover up to 30 percent of the required landscape area, or up to 50 percent in the DMU zone. Swimming pools, sports courts, and similar active recreation facilities do not count toward the required landscape area.
 7. **Screens.** Where this Code requires a sight-obscuring landscape screen, evergreen plants shall be used.
 8. **Stormwater Facilities.** Stormwater detention and retention facilities and swales within a required landscape area shall be landscaped in accordance with Section 3.8.400.
 9. **Erosion Control.** Where cuts, fills, berms, swales, or stormwater facilities are proposed, the landscape plan shall provide temporary and permanent erosion control, including plantings for permanent erosion control.
 10. **Irrigation.** Required landscape areas shall be served by an underground irrigation system, except that irrigation is not required for a landscape area planted entirely with drought-tolerant species.
- E. **Parking Lot Landscaping.** The following standards apply to each off-street parking area.
1. **Area.** At least 5 percent of the combined area of all parking spaces and maneuvering areas, measured around their perimeter, shall be landscaped.
 2. **Trees.** At least one tree shall be planted for every 8 parking spaces. Trees shall be distributed around the perimeter of the parking area and between parking bays.
 3. **Islands.** A parking area with more than 20 spaces shall include landscape islands with trees that divide the parking area into rows of not more than 12 contiguous spaces.
 4. **Dimensions and Protection.** Each landscape island or planter shall be at least 4 feet by 4 feet. Landscape areas shall be separated from vehicle areas by curbs, wheel stops, bollards, or other physical barriers, and trees shall be planted at least 2 feet from the barrier.
 5. **Planting.** Parking lot landscape areas shall be planted in accordance with subsection (D). A landscape island designed as a stormwater swale shall also meet the City's Stormwater Management Standards in Chapter 3.8.

6. **Screening from Streets and Driveways.** Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a screen shall be provided between the parking area and the street or driveway. The screen shall be one or more of the following:
 - a. A decorative masonry wall or trellis at least 30 inches and not more than 42 inches high; or
 - b. An evergreen hedge that forms a continuous screen at least 36 inches high within one year of planting. Breaks in the screen are permitted for pedestrian pathways connecting the site to the sidewalk. The area between the screen and the street or driveway shall be landscaped.

F. Buffering and Screening.

1. **Parking or Maneuvering Area Adjacent to a Building.** Where a parking or maneuvering area, or a driveway, is adjacent to a building, it shall be separated from the building by a raised pathway, plaza, or landscaped buffer at least 3 feet wide. Raised curbs, bollards, wheel stops, or other design features shall protect the building from vehicle damage. Where the parking area is adjacent to ground-floor living space, the buffer shall be landscaped.
2. **Mechanical Equipment, Outdoor Storage, and Service Areas.** Mechanical equipment, outdoor storage and manufacturing areas, and service and delivery areas shall be screened from view from public streets and residential zones by a decorative masonry wall, an evergreen hedge, a sight-obscuring fence, or a combination of these. Walls, fences, and hedges shall comply with the vision clearance standards of Chapter 3.3 and the fence and wall standards of Section 3.5.400.

G. Guidelines for Non-Residential Development. The following guidelines apply only to non-residential development and are considered in Site Design Review. They do not apply to housing.

1. Natural vegetation should be preserved or planted where practicable.
2. Plants should be selected for the local climate, exposure, water availability, and drainage conditions, and soils should be amended where necessary for healthy plant growth. Drought-tolerant species are encouraged.
3. Landscaping should provide visual screening and privacy within side and rear yards, while leaving front yards and building entrances visible for security.
4. Shrubs and trees should be used as wind breaks where appropriate.
5. Landscape materials should define pedestrian pathways and open space areas.

6. Focal points, such as signature trees, hedges, and flowering plants, should be provided within a development.
 7. Trees should provide summer shade within common open space areas, and within front yards where street trees cannot be provided.
 8. A combination of plants should be used for year-round color and interest.
 9. Landscaping should enhance graded areas such as berms, swales, and detention and retention ponds.
- H. Maintenance.** All landscaping required by this Code shall be maintained in good condition. A required plant that dies or loses 50 percent or more of its foliage shall be replaced with an equivalent specimen (for example, an evergreen shrub for an evergreen shrub, or a deciduous tree for a deciduous tree). Required walls, fences, and other landscape features shall be maintained in good condition or replaced by the owner.
- I. Additional Requirements.** Additional buffering and screening may be required for specific land uses, as identified by Chapter 2, and the City may require additional landscaping through the Conditional Use Permit process (Chapter 4.4).

3.5.300 Street Trees

~~Street trees shall be planted for all developments that are subject to Site Design Review. Requirements for street tree planting strips are provided in Section 3.6.100- Transportation Standards. Planting of unimproved streets shall be deferred until the construction of curbs and sidewalks. Street trees shall conform to the following standards and guidelines:~~

- A. ~~Growth Characteristics.~~** ~~Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:~~
- ~~1. Provide a broad canopy where shade is desirable.~~
 - ~~2. Use low-growing trees for spaces under utility wires.~~
 - ~~3. Select trees which can be “limbed-up” where vision clearance is a concern.~~
 - ~~4. Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.~~
 - ~~5. Use species with similar growth characteristics on the same block for design continuity.~~

6. ~~Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.~~
 7. ~~Select trees that are well adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with low annual or summer season rainfall, or with sandy or rocky soil.~~
 8. ~~Select trees for their seasonal color, as desired.~~
 9. ~~Use deciduous trees for summer shade and winter sun.~~
- B. ~~Caliper Size.~~** The minimum caliper size at planting shall be 2 inches, based on the American Association of Nurserymen Standards.
- C. ~~Spacing and Location.~~** Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers.
- D. ~~Soil Preparation, Planting and Care.~~** The Developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first two years after planting.
- E. ~~Assurances.~~** ALTERNATIVE 1: The developer shall pay a fee to the City, in accordance with the adopted fee schedule, for each required street tree. The fee shall cover the City's expense for planting and the first two years of care.
- ALTERNATIVE 2: The City shall require the developer to provide a performance and maintenance bond in an amount determined by the City Manager or his/her designee, to ensure the planting of the tree(s) and care during the first two years after planting.
- A. ~~Applicability.~~** Street trees shall be planted along every street frontage of a development that is subject to Site Design Review and of every land division. Street tree planting strips shall meet Section 3.7.100. Where the abutting street is unimproved, planting is deferred until curbs and sidewalks are constructed.
- B. ~~Species.~~** Street trees shall be species listed on the City of Boardman Street Tree List, as adopted by [resolution of the City Council]. Where overhead utility lines are present within the planting strip, trees shall be species the Street Tree List designates as suitable for planting under utility lines.

- C. **Size.** Street trees shall have a caliper of at least 2 inches at planting, measured in accordance with the American Standard for Nursery Stock (ANSI Z60.1).
- D. **Spacing.** Street trees shall be spaced according to the size class assigned to the species by the Street Tree List: small trees [20] feet on center; medium trees [30] feet on center; and large trees [40] feet on center. Spacing may be adjusted by not more than [5] feet to avoid the features listed in subsection (E). Where a frontage is too short for the required spacing, at least one street tree shall be planted.
- E. **Location.** Street trees shall be planted within the planting strip or, on a street without a planting strip, in sidewalk tree wells. Street trees shall be located:
 - 1. At least [10] feet from a fire hydrant, streetlight, or utility pole;
 - 2. At least [5] feet from a driveway, water meter, or underground utility;
 - 3. At least [20] feet from the curb line of an intersecting street, and outside the vision clearance areas required by Chapter 3.3; and
 - 4. Outside the root protection zone of an existing tree that is to be retained.
- F. **Planting and Establishment.** The developer shall plant the street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also care for the trees, including pruning, watering, fertilization, and replacement as necessary, during the first two years after planting.
- G. **Assurance.** In place of the developer's responsibility for planting and caring for the street trees during the two-year establishment period under subsection (F), the developer may provide one of the following, as accepted by the City:
 - 1. **Fee in Lieu.** The developer shall pay a fee to the City, in accordance with the adopted fee schedule, for each required street tree. The fee shall cover the City's expense for planting the tree and caring for it during the first two years after planting.
 - 2. **Performance and Maintenance Bond.** The developer shall provide a performance and maintenance bond, in an amount set by the City Manager or designee, to ensure the planting of the trees and their care during the first two years after planting.

3.5.400 Fences and Walls

The following standards shall apply to all fences and walls:

A. General Requirements. All fences and walls shall comply with the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with Chapter 4.4 - Conditional Use Permits or Chapter 4.2 - Site Design Review.

1. All private fences constructed in the public right-of-way shall require a zoning approval by the City of Boardman to construct the fence within the right-of-way. This approval will be through a Type I ministerial procedure ~~consistent with 4.1.300~~ consistent with Section 4.1.300.

B. Dimensions.

1. The maximum allowable height of fences and walls is six (6) feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed six (6) feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. A building permit is required for walls exceeding 6 feet in height, in conformance with the Uniform Building Code.
2. The height of fences and walls within a front yard setback shall not exceed four (4) feet, in Residential or Commercial ~~districts-zones~~ (except decorative arbors, gates, etc.) or six (6) feet in Industrial and ~~Light Industrial Districts-EMP zones~~ as measured from the grade closest to the street right-of-way.
3. Landscaping walls to be built for required buffers shall comply with Section ~~3.4.200~~ 3.5.200.
4. Fences and walls shall comply with the vision clearance standards of ~~Section 3.3.200~~ Section 3.3.500.

C. Materials. All fences shall be constructed of materials suited to provide fences of standard and acceptable visual characteristics of the surrounding neighborhood.

1. **Acceptable materials shall include;** chain link fencing, redwood or cedar fencing, composite fencing materials, formed plastic fencing, split rail fencing, painted picket fencing, concrete or plaster filled PVC fencing, decorative wrought iron or metal fencing, masonry block or brick or a combination of decorative masonry block or brick and decorative wrought iron or metal.
2. **Unacceptable materials shall include;** pallet panels, steel farm fencepost, chicken wire, rabbit wire or other farm related fencing, undecorated plywood, undecorated pressboard, undecorated chipboard, scrap iron, two or three wire barbed wire fencing, electric fencing materials of any type, or materials inconsistent with the acceptable list of materials in ~~3.2.400-subsection~~ (C)(1).

- 3. Use of Barbed Wire:** the use of barbed wire in fencing materials may be allowed for security purposes within the ~~Industrial and Light Industrial zones~~ IND and EMP zones and will be subject to Conditional Use approval in all other ~~land use districts zones~~ within the City. The Conditional Use Permit shall follow the Type III procedure ~~identified in 4.1.500~~ identified in Section 4.1.500 and be required to submit the information consistent with the provisions in Chapter 4.4.
- D. Vision Clearance.** All fencing shall meet the requirements of vision clearance at any street intersection in accordance with Figure ~~3.1.200(N)~~ 3.3.500.A.
- E. Maintenance.** For safety and for compliance with the purpose of this Chapter, walls and fences shall be maintained in good condition, or otherwise replaced by the owner.

Chapter 3.6 Vehicle and Bicycle Parking and Loading (AMENDED)

Sections

3.6.100	Purpose
3.6.200	Applicability
3.6.300	Automobile Parking Standards
3.6.400	Bicycle Parking Standards
3.6.500	Loading Standards

Commentary: This chapter sets how much vehicle and bicycle parking and loading space new development must provide. It combines current Chapters 3.3 (parking) and 3.8 (loading). The parking standards now apply to all development. Today they apply only to Site Design Review projects, so houses and duplexes have not been held to them. Bicycle parking design now follows state standards (OAR 660-012-0630).

3.6.100 Purpose

The purpose of this chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. Because vehicle parking facilities can occupy large amounts of land, they must be planned and designed carefully to use the land efficiently while maintaining the visual character of the community. This chapter recognizes that each development has unique parking needs by providing a flexible approach for determining parking space requirements (i.e., “minimum” and “performance-based” standards). This chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

3.6.200 Applicability

~~All developments subject to site design review (defined in Chapter 4.2), including~~All development subject to Site Design Review or Development Review under Chapter 4.2,
including development of parking facilities, shall comply with the provisions of this Chapter.

Policy Question: Parking minimums make sure new homes have parking, but each required space uses land that could hold housing and adds to its cost. The proposed standard keeps two spaces for a detached house and lowers the requirement to one space per unit for middle housing and apartments. State law caps the parking Boardman may require for a duplex at two spaces in total (OAR 660-046) and limits parking requirements for single room occupancy housing (HB 2138, 2025). A builder can always provide more than the minimum.

Downtown, the draft keeps the standard minimums but gives credit for on-street and shared parking. Changes of use in existing buildings and small new buildings are exempt.

Is one space per unit the right minimum for middle housing and apartments in Boardman?
Should the DMU zone have a lower parking requirement than the rest of the city?

3.6.300 Automobile Parking Standards

The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in Section ~~3.3.300.A.~~ 3.6.300.A. ~~There is no minimum number of off-street parking spaces required in the City Center Sub-District (or in designated historic districts); however, the “maximum parking” standards of this Chapter apply in those areas.~~In the DMU zone, the minimum number of off-street parking spaces may be reduced through the on-street parking credit and shared parking provisions of this Section. No off-street parking is required in the DMU zone for a change of use within an existing building, or for a new building with less than [INSERT VALUE] square feet of gross floor area.

The number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways if vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pathway or landscape area. Credit shall be allowed for “on-street parking”, as provided in Section ~~3.5.3003.6.300-B.~~ B.7.

~~Parking spaces must be developed in accordance with the provisions of this chapter as well as all other applicable standards of the Code including Chapter 2, Land Use District standards; Chapter 3.1 Access and Circulation, Chapter 3.2, Landscaping; and Chapter 3.5, Stormwater Management. Parking spaces must be developed in accordance with the provisions of this chapter as well as all other applicable standards of the Code including Chapter 2, Zone standards; Chapter 3.3 Vehicular Access and Circulation, Chapter 3.5, Landscaping; and Chapter 3.8, Stormwater Management.~~

A. Minimum Required Off-street Parking Spaces.

Table 3.6.300.A Minimum Required Off-street Parking Spaces

Use	Minimum Required Parking Spaces
Residential Uses	
Single family detached housing. Detached single-unit housing.	Two parking spaces shall be provided for each detached single-unit family dwelling or manufactured homedwelling on an individual lot.
Two- and three-family housing. Multi-family and single family attached housing. Duplex, Triplex, Quadplex, Cottage Cluster, Townhouse, and Multi-Unit housing.	Two spaces per dwelling unit. One space per dwelling unit.
Studio units or 1-bedroom units less than 500-sq. ft.	Two space/unit.
1-bedroom units 500-sq. ft. or larger	Two spaces/unit.
2-bedroom units	Two spaces/unit.
3-bedroom or greater units	Two spaces/unit.
Retirement complexes for seniors 55-years or greater	Two spaces per unit.
Rooming and boarding houses, dormitories, and bB ed and breakfast facilities. inns.	One space for each guest room.
Single Room Occupancy (SRO).	Six or fewer units: two spaces per three units. More than six units: one space per three units.
Senior housing:	Same as for retirement complexes:

Use	Minimum Required Parking Spaces
Manufactured home dwelling parks.	Same as for single family detached housing .detached single-unit housing.
Accessory Dwelling Units.	None.
Residential Home.	Same as detached single-unit housing.
Commercial Uses	
Auto, boat or trailer sales, retail nurseries and similar bulk retail uses.	One space per 1,000 square feet of the first 10,000 square feet of gross land area; plus one space per 5,000 square feet for the excess over 10,000 square feet of gross land area; plus one space per two employees.
Business, general retail, personal services.	General - one space for 350 square feet of gross floor area. Furniture and appliances - one space per 750 square feet of gross floor area.
Chapels and mortuaries.	One space per four fixed seats in the main chapel.
Hotels and motels.	One space for each guest room, plus one space for the manager.
Offices.	Medical and Dental Offices - one space per 350 square feet of gross floor area; General Offices - one space per 450 square feet of gross floor area
Restaurants, bars, ice cream parlors and similar uses.	One space per four seats or one space per 100-sq. ft. of gross leasable floor area, whichever is less.
Theaters, auditoriums, stadiums, gymnasiums, similar uses.	One space per four seats.
Industrial Uses	
Industrial uses, except warehousing.	One space per two employees on the largest shift or for each 700 square feet of gross floor area, whichever is less plus one space per company vehicle.
Warehousing.	One space per 1,000 square feet of gross floor area or for each two employees, whichever is greater plus one space per company vehicle.

Use	Minimum Required Parking Spaces
Public and Institutional Uses	
Public utilities (gas, water, telephone, etc.), not including business offices.	One space per two employees on the largest shift, plus one space per company vehicle; a minimum of two spaces is required.
Child care centers having 13 or more children.	One space per two employees; a minimum of two spaces is required.
Churches and similar places of worship. <u>Religious institutions.</u>	One space per four seats.
Golf courses, except miniature.	Eight spaces per hole, plus additional spaces for auxiliary uses set forth in this section. Miniature golf courses -four spaces per hole.
Hospitals.	Two spaces per patient bed.
Nursing and convalescent homes.	One space per three patient beds.
Residential Care Homes and Facilities or Assisted Living. <u>Residential Facility, Residential Treatment Facility, or Residential Treatment Home.</u>	One space per two patient <u>resident</u> beds or one space per apartment unit.
Schools, elementary and junior high.	One and one-half space per classroom.
High schools.	One and one-half spaces per classroom, plus one space per 10 students the school is designed to accommodate, whichever is greater.
Colleges, universities and trade schools.	One and one-half spaces per classroom, plus one space per five students the school is designed to accommodate, plus requirements for on-campus student housing.
Unspecified Uses	
Where a use is not specifically listed in this table, parking requirements shall be determined by finding that the use is similar to one listed in terms of parking needs.	

B. Parking Location and Shared Parking

1. **Location.** Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations for parking are indicated in Chapter 2 for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). ~~(See also, Section 3.3 – Access and Circulation).~~~~(See also Chapter 3.3 – Vehicular Access and Circulation.)~~
2. **Off-Site Parking.** Except for ~~single-family, two-family, detached single-unit, duplex, and three-family triplex~~ dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within ¼ mile of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.
3. **Mixed Uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.
4. **Shared Parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, ~~contract, or similar written instrument establishing the joint use contract.~~
5. **Carpool and Vanpool Parking.** ~~Nonresidential uses with at least 25 or more required parking spaces shall include designated carpool or vanpool parking.~~
 - a. ~~At least 10% of the employee, student, or commuter parking spaces shall be carpool or vanpool parking.~~
 - b. ~~Carpool or vanpool designated spaces must be the closest non-ADA parking spaces to the primary employee, student, or commuter entrance.~~
 - c. ~~Carpool and vanpool parking may count toward the minimum parking requirements by use in Section 3.6.300(A).~~
 - d. ~~Carpool and vanpool parking shall be marked “Reserved – Carpool/Vanpool Only.”~~

- 6. Availability of Facilities.** Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter ~~3-6-3.9~~.
- 7. ~~Credit for On-Street Parking.~~** ~~On-street parking spaces may be counted toward the minimum off-street parking requirement as follows:~~
- ~~a. For residential development, each on-street parking space that meets the standards of subsection (c) shall be counted as one required space.~~
 - ~~b. For non-residential development, the City Manager or designee may reduce the requirement of Table 3.6.300.A by one space for every two on-street parking spaces abutting the site that meet the standards of subsection (c).~~
 - ~~c. An on-street parking space counted under this item shall abut the site; be in a location where on-street parking is allowed by the City; be at least 22 feet long; and not obstruct a vision clearance area required by Section 3.3.500.~~
- C. Maximum Number of Parking Spaces.** The number of parking spaces provided by any particular ~~non-residential~~ use in ground surface parking lots shall not exceed the required minimum number of spaces provided by this Section by more than 10%. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.
- D. Parking Stall Size and Design Standards.** All off-street parking stalls shall be improved to conform to City standards for surfacing, stormwater management and striping, and have a net area of not less than 180 square feet exclusive of access drives or ~~aistes, and shall be of usual shape and condition- aisles~~. If determined on a gross area basis, 280 square feet shall be allowed per vehicles. (Disabled person parking shall be provided in conformance with Section F)
- E. ~~Parking Redevelopment.~~** ~~Existing developments may redevelop a portion of an existing off-street parking area for transit-oriented uses, including bus stops and pullouts, bus shelters, and park-and-ride stations, provided the minimum off-street parking requirements in Section 3.6.300 can still be met.~~
- F. Disabled Person Parking Spaces.** The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act and State Law. Disabled parking is included in the minimum number of required parking spaces in Section A. (Note: State Law may supersede this Federal table.)

Table 3.6.300.F Minimum Number of Accessible Parking Spaces

Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles) — Column A	Van Accessible Parking Spaces with min. 96" wide access aisle	Accessible Parking Spaces with min. 60" wide access aisle
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1000	2% of total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1001 and over	20 plus 1 for each 100 over 1000	1/8 of Column A*	7/8 of Column A**

* One out of every 8 accessible spaces. ** 7 out of every 8 accessible parking spaces.

3.6.400 Bicycle Parking Standards

The following ~~development/land use districts~~ ~~development/zones~~ shall provide bicycle parking, in conformance with the following standards evaluated during Site Design Review:

- A. Number of Bicycle Parking Spaces.** The following additional standards apply to specific types of development:

- 1. Multi-Family Residences: Unit Housing.** ~~Every residential use of four (4) five (5) or more dwelling units must provide~~ at least one ~~sheltered long-term~~ bicycle parking space for each dwelling unit. ~~Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the bicycle parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover.~~
 - 2. Retail/Institutional/Office Use.** All public, retail and office parking lots and parking structures shall provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces. If the use or uses only utilize off-street parking or have less than 10 motor vehicle spaces, each use shall provide at least one space per use.
 - 3. Schools.** Schools both private and public shall provide one bicycle parking space for every 10 students and employees.
 - 4. Colleges and Trade Schools.** College and trade schools shall provide one bicycle parking space for every 10 motor vehicle spaces plus one space for every dormitory unit.
 - 5. Multiple Uses.** For buildings with multiple uses (such as a commercial or mixed use center), bicycle parking standards shall be calculated by using the total number of motor vehicle parking spaces required for the entire development. A minimum of one bicycle parking space for every 10 motor vehicle parking spaces is required.
 - 6. Transit Stops.** ~~For development or redevelopment of transit transfer stations, transit stops with frequent service (as defined by the transit service provider), and park-and-ride lots, a minimum of two short-term bicycle parking spaces shall be provided.~~
- B. Exemptions.** This Section does not apply to ~~single family, two-family, and three-family housing (attached, detached or manufactured housing), detached single unit dwellings, duplexes, triplexes, quadplexes, townhouses,~~ home occupations, agriculture and livestock uses, or other developments with fewer than 10 vehicle parking spaces.

- C. ~~Location and Design.~~** ~~Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided. Street furniture includes benches, street lights, planters and other pedestrian amenities. Bicycle parking spaces shall be located in front of stores along the street, either on the sidewalks or in specially constructed areas such as pedestrian curb extensions. Inverted "U" style racks are recommended. Bicycle parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions. Spaces may or may not be sheltered.~~
- D. ~~Visibility and Security.~~** ~~Bicycle parking shall be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage;~~
- E. ~~Options for Storage.~~** ~~Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building;~~
- F. ~~Lighting.~~** ~~Bicycle parking shall be least as well lit as vehicle parking for security.~~
- G. ~~Reserved Areas.~~** ~~Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.~~
- H. ~~Hazards.~~** ~~Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as not to conflict with vision clearance standards (Chapter 3.1 3.3 – Access and Circulation).~~
- I. ~~Location and Design.~~** ~~Bicycle parking shall meet the following location and design standards. Bicycle parking required for multi-unit housing and for employees is long-term bicycle parking; all other required bicycle parking is short-term bicycle parking.~~

 - 1. ~~All Bicycle Parking.~~** ~~All bicycle parking shall meet the following standards:~~

 - a. ~~The area devoted to bicycle parking shall be hard surfaced, and lighting shall be provided for nighttime use.~~**
 - b. ~~Where bicycle parking is provided in racks, the racks shall:~~**

 - i. ~~Be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U-shaped shackle lock, with both wheels left on the bicycle;~~**
 - ii. ~~If a horizontal rack, support the bicycle at two points, including the frame; and~~**

- iii. Be securely anchored with tamper-resistant hardware.
- 2. **Long-Term Bicycle Parking.** Long-term bicycle parking shall meet the following standards:
 - a. Long-term bicycle parking shall be provided in one or more of the following locations on the development site:
 - i. Within a restricted-access, lockable room with securely anchored racks that allow users to lock at least two points on a bicycle;
 - ii. Within bicycle lockers that are fully enclosed, lockable, and securely anchored to the ground; or
 - iii. For residential uses, within dwelling units of at least 400 square feet, as follows:
 - (1) A site with 12 or fewer dwelling units may provide up to 100 percent of the required bicycle parking spaces within the dwelling units;
 - (2) A site with more than 12 dwelling units, where all units above the ground floor have elevator access, may provide up to 50 percent of the required bicycle parking spaces within the dwelling units; and
 - (3) A site with more than 12 dwelling units, where units above the ground floor do not have elevator access, may provide required bicycle parking spaces within ground-floor dwelling units only.
 - b. For a site with more than one primary use, long-term bicycle parking shall be provided in an area that can be reached from each use. Bicycle parking provided in a common area shall be accessible to all tenants.
 - c. All long-term bicycle parking shall be covered. Where the cover is not a building or a locker, it shall be permanent and impervious, and shall extend at least 2 feet beyond the bicycle parking space on all sides.
- 3. **Short-Term Bicycle Parking.** Short-term bicycle parking shall meet the following standards:
 - a. On a site smaller than 20,000 square feet, short-term bicycle parking may be provided on the site or within the public sidewalk as allowed by the City of Boardman Public Works Standards, provided it does not obstruct the required minimum sidewalk width or access to a doorway. On a site of 20,000 square feet or larger, short-term bicycle parking shall be provided on the site.

- ### 3.6.500 Loading Standards

- ### B. Number of Loading Spaces

- b.** One loading space is required for all other buildings.

- c. Two loading spaces are required for buildings with ~~more than~~ 50,000 square feet of floor area ~~or more~~.

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D. Placement, Setbacks and Landscaping. Loading areas must comply with the setback and perimeter-landscaping standards in ~~Chapters 2 & 3~~Chapter 2 and Chapter 3.5. When parking areas are prohibited or not allowed between a building and a street, loading areas are also prohibited or not allowed.

Chapter 3.7 Public Facilities Standards (AMENDED)

Sections

3.7.000	Purpose and Applicability
3.7.100	Transportation Standards
3.7.200	Public Use Areas
3.7.300	Sanitary Sewer and Water Service Improvements
3.7.400	Storm Drainage Improvements
3.7.500	Utilities
3.7.600	Easements
3.7.700	Construction Plan Approval and Assurances
3.7.800	Installation

Commentary: This chapter sets the streets, utilities and other public improvements that new development must build. It updates current Chapter 3.4. Street design now points to the City's Public Works Standards, so the code and the engineering standards cannot conflict. All new streets must be paved, and transit stop improvements are added. Block and accessway standards move here from the access chapter. For residential subdivisions, the code now lists the site conditions that excuse a required street connection.

3.7.000 Purpose and Applicability

A. Purpose. The purpose of this chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth, and provide a range of transportation options, including options for driving, walking and bicycling. This Chapter is also intended to implement the City's Transportation System Plan.

Important Cross-Reference to Other Standards: The City requires that streets provide direct and convenient access, including regular intersections. Chapter ~~3.4~~ 3.3 – Vehicular Access and Circulation, ~~provides standards for intersections and blocks, and requires provides standards for vehicle access and approach spacing; subsection 3.7.100.G provides standards for blocks and requires pedestrian access ways pedestrian accessways~~ to break up long blocks.

- B. Applicability.** Unless otherwise provided, the standard specifications for construction, reconstruction or repair of transportation facilities, utilities and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter; except that the City may defer compliance with one or more of the development standards for a public improvement project constructed by the City or other public agency if the City finds that the improvements required by the standard(s) are likely to be provided by development of the adjacent property.
- C. Standard Specifications.** The City Manager or his/her designee shall establish standard construction specifications consistent with the design standards of this Chapter and application of engineering principles. They are incorporated in this code by reference.
- D. Conditions of Development Approval.** No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code.

Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

3.7.100 Transportation Standards

- A. Development Standards.** No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Chapter ~~3.4~~ 3.3 – Vehicular Access and Circulation, and the following standards are met:
1. Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan and the provisions of this Chapter.

2. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable city, county or state jurisdiction;
 3. New streets and drives ~~connected to a collector or arterial street~~ shall be paved; and
 4. The City may accept a future improvement guarantee [e.g., the property owner agrees not to remonstrate (object) against the formation of a local improvement district in the future which the City may require as a deed restriction] in lieu of street improvements if one or more of the following conditions exist:
 - a. A partial improvement may create a potential safety hazard to motorists or pedestrians;
 - b. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;
 - c. The improvement would be in conflict with an adopted capital improvement plan; or
 - d. The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.
- B. Variances.** Variances to the transportation design standards in this Section may be granted by means of a Class B Variance, as governed by Chapter 5.1 - Variances.
- C. Creation of Rights-Of-Way for Streets and Related Purposes.** Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed essential by the City Council for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code. All deeds of dedication shall be in a form prescribed by the City Manager or his/her designee and shall name "the public," as grantee.
- D. Creation of Access Easements.** The City may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Chapter ~~3-1-3.3 – Vehicular~~ Access and Circulation. Access easements shall be created and maintained in accordance with the ~~Uniform Fire Code Section 10.207~~ Oregon Fire Code.

- E. Street Location, Width and Grade.** Except as noted below, the location, width and grade of all streets shall conform to ~~the Transportation System Plan~~ the Standard Street Details and cross-section drawings in the Boardman Public Works Standards, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, existing and planned transit development, and in appropriate relation to the proposed use of the land to be served by such streets:
1. Street grades shall be approved by the City ~~Manager~~ Engineer or his/her designee in accordance with the design standards in Section 'N' subsection (O), below; and
 2. Where the location of a street is not shown in an existing street plan (See Section 'H' subsection (I)), the location of streets in a development shall either:
 - a. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Chapter, or
 - b. Conform to a street plan adopted by the ~~City Council Planning Commission~~; if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets and the need for public convenience and safety.
- F. Minimum Rights-Of-Way and Street Sections.** ~~Street rights-of-way and improvements shall conform with the widths in Table 3.4.100. A Class B variance shall be required in conformance with Section 3.4.1.B to vary the standards in Table 3.4.100. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:~~ Street rights-of-way and improvements shall conform with the Standard Street Details in the Boardman Public Works Standards (Drawings ST6-ST12). A Class B variance shall be required in conformance with Chapter 5.1 to vary these standards. Where the Standard Street Details indicate a range of width, the width shall be determined by the decision-making authority based upon the following factors:
1. Street classification in the Transportation System Plan;
 2. Anticipated traffic generation;
 3. On-street parking needs;
 4. Sidewalk and bikeway requirements based on anticipated level of use;
 5. Transit services and facilities;
 6. Requirements for placement of utilities;

7. Street lighting;
8. Minimize drainage, slope, and ~~sensitive lands impacts, as identified by Chapter 3.7;~~ Natural Resource Area impacts;
9. Street tree location, as provided for in Chapter ~~3.2;~~ 3.5;
10. Protection of significant vegetation, as provided for in Chapter ~~3.43.5;~~
11. Safety and comfort for motorists, bicyclists, and pedestrians;
12. Street furnishings and transit amenities or structures (e.g., benches, lighting, bus shelters, etc.), when provided;
13. Access needs for emergency vehicles; and
14. Transition between different street widths (i.e., existing streets and new streets), as applicable.

Table 3.7.100.F—Street Widths

Type of Street	Minimum Right-of-Way	Minimum Roadway
Local Street (Optional/Conditional)	56 feet	23 feet
Local Street	60 feet	34 feet
Neighborhood Collector	60 feet	38 feet
Minor Collector	68 feet	47 feet
New Arterial	80 feet	49 feet
East Columbia, Wilson Road and South Main Street Arterial	80 feet	49 feet
North Main Street Arterial	60 feet	48 feet

Source: Boardman TSP, 2001

- G. Street Connectivity.** In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:
1. **Block Length and Perimeter.** The maximum block length and perimeter shall not exceed:

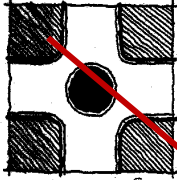
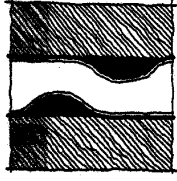
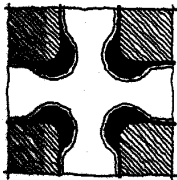
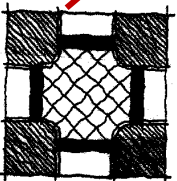
- a. 600 feet length and 1,600 feet perimeter in ~~the Residential District~~ residential zones and Sub-Districts;
- b. 600 feet length and 1,600 feet perimeter in the ~~Commercial District~~ DMU and CC zones;
- c. Not applicable to the ~~General Industrial District~~ IND zone;
- d. 800 feet length and 2,000 feet perimeter in the ~~Tourist Commercial Sub District, Service Center Sub-District RC and Light Industrial District~~ EMP zone, except as required for commercial developments subject to ~~Chapter 2.2, Section 140~~ Section 3.2.300.D;

The conceptual layout in the Local Street Connectivity Plan in the City's Transportation System Plan shall guide the creation of new local street connections in the city and its UGB.

2. **Street Standards.** Public and private streets shall also conform to ~~Chapter Section 3.4.100-3.7.100~~ - Transportation Standards, ~~Section 3.1.300~~ Chapter 3.4 - Pedestrian Access and Circulation, and applicable Americans With Disabilities Act (ADA) design standards.
3. **Exception.** Exceptions to the above standards may be granted when blocks are divided by ~~one or more pathway(s)~~ one or more accessways, in conformance with the provisions of ~~Section 3.1.300.A subsection (4), below. Pathways shall be located~~ Accessways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles. An exception may also be granted for topography, natural resources, existing development or other permanent features such as Interstates and railroad track right-of-ways.
4. **~~Street Connectivity. Accessways.~~** ~~Pathways (for pedestrians and bicycles)~~ Accessways shall be provided at or near mid-block where the block length exceeds the length required by ~~Section 3.1.200 J subsection (1), above. Pathways shall also be provided~~ Accessways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments. ~~Pathways used to comply~~ Accessways used to comply with these standards shall conform to all of the following criteria:
 - a. ~~Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than~~ Accessways shall be no less than 10 feet wide and located within a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;
 - b. If the streets within the subdivision or neighborhood are lighted, ~~the pathways shall also be lighted~~ the accessways shall also be lighted;

- c. Stairs or switchback paths using a narrower right-of-way/easement may be required ~~in lieu of a multi-use pathway in lieu of an accessway~~ where grades are steep;
- d. The City may require landscaping ~~within the pathway easement/right-of-way within the accessway easement/right-of-way~~ for screening and the privacy of adjoining properties;
- e. The City Manager or his/her designee may determine, based upon facts in the record, ~~that a pathway is impracticable that an accessway is~~ impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this Code ~~prohibit the pathway connection prohibit the accessway connection.~~

Figure 3.6.100G—Traffic Calming Features

<i>Drawing</i>	<i>Technique</i>	<i>Description</i>
	Traffic Circles	Circular raised islands centered within intersections. Circles can be landscaped or surfaced with special paving. Landscaping can be maintained by the local jurisdiction or by neighborhood volunteers
	Chicanes	Alternately placed curb extensions into the street that force motorists to drive in a serpentine pattern. Chicanes are offset from each other in mid-block locations and can be used to keep through-trucks versus local delivery off residential streets.
	Curb Bulb-Outs, Chokers/Neckdowns	Curb extensions placed at mid-block locations or intersections which narrow the street to provide visual distinction and reduce pedestrian crossing distances. Bulb-outs help to provide a clear visual signal to drivers that a crossing is approaching and makes waiting pedestrians more visible. Neckdowns are often longer than bulb-outs and often line up with and help to define parallel street parking areas. They narrow the appearance of the street and can be attractive, especially when landscaped.
	Special Paving	Alternative road surfaces, such as brick, colored concrete or special pavers, can be used at crossings, intersections, or along the sides of the street to break up the visual expanse of pavement and define areas of pedestrian travel.

H. Traffic ~~Signals~~Control Devices and Traffic Calming Features

1. Traffic-calming features, such as traffic circles, curb extensions, narrow residential streets, and special paving may be used to slow traffic in neighborhoods and areas with high pedestrian traffic. Implementation of traffic-calming features shall be considered in accordance with the guidance contained within the Traffic Calming Toolbox in the Transportation System Plan.

2. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Highway Capacity Manual, and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed. The developer's cost and the timing of improvements shall be included as a condition of development approval.
3. Other forms of traffic control devices, such as all-way stop control and roundabouts, may be considered with development when deemed appropriate by an engineering study. The developer's cost and the timing of improvements shall be included as a condition of development approval.
4. Traffic signals and ~~traffic calming features~~ other forms of traffic control on roads under State jurisdiction shall be determined by the Oregon Department of Transportation. ~~When obtaining access to off-street parking areas (both to and from), backing onto a public street shall not be permitted, except for single-family, two-family, and three-family dwellings.~~

I. Future Street Plan and Extension of Streets

1. A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include all of adjacent, abutting and other parcels within 400 feet of the proposed land division. The street plan is not binding; rather it is intended to show potential future street extensions with future development.
2. Streets shall be extended to the boundary lines of the parcel or tract to be developed, ~~when the Planning Commission determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land where the adjoining land is undeveloped or is capable of further division under this Code, unless a constraint listed in subsection (J)(3) prevents the extension.~~ The point where the streets temporarily end shall conform to a-c, below:
 - a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs or dead-ends since they are intended to continue as through streets when the adjoining property is developed.

- b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.
- c. Temporary (all-weather) turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.

J. Street Alignment and Connections

1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than 300 feet on such streets are created, as measured from the centerline of the street.
2. Spacing between local street intersections shall have a minimum separation as per ~~Table 3.3.200-G~~ Table 3.3.400.A, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (offset) intersections.
3. All local and collector streets that abut a development site shall be extended within the site to provide through circulation ~~unless prevented by environmental or topographical constraints, existing development patterns or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection, except where the extension is prevented by one of the following constraints:~~
 - a. Slope greater than 15 percent for a distance of 250 feet or more along the street alignment;
 - b. A railroad, freeway, canal, or waterway;
 - c. A Natural Resource Area, as defined in Chapter 1.2; or
 - d. An existing building on the abutting property that lies within the extended right-of-way.

Any other exception requires a Class B Variance under subsection (B).

4. Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks.
 5. Exceptions to the above standards may be granted when ~~an access way is provided~~ an accessway is provided at or near mid-block, in conformance with the provisions of ~~Section 3.1.300.A subsection (G)(4) of this Section~~. Exceptions may also be granted for topography, existing developments and natural resources.
- K. Sidewalks, Planter Strips, Bicycle Lanes.** Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with ~~the standards in Table 3.4.100, applicable provisions of the Transportation System Plan the Standard Street Details in the Boardman Public Works Standards~~, the Comprehensive Plan, and adopted street plans. Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner.
- L. Intersection Angles.** Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:
1. Streets shall have at least 25 feet of tangent adjacent to the right-of-way intersection unless topography requires a lesser distance;
 2. Intersections which are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and
 3. Right-of-way lines at intersection with arterial streets shall have a corner radius of not less than 20 feet.
- M. Existing Rights-Of-Way.** Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of Section ~~3.4.0.D:3.3.200.D~~.
- N. Cul-De-Sacs.** A dead-end street shall be no more than 400 feet long, shall not provide access to greater than 25 dwelling units, and shall only be used ~~when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation when a constraint listed in subsection (J)(3) precludes street extension and through circulation, or with a Class B Variance under subsection (B):~~

1. All cul-de-sacs shall terminate with a circular or hammerhead turnaround. Circular turnarounds shall have a minimum right of way radius of no less than 50 feet except that turnarounds may be larger when they contain a landscaped island or parking bay in their center. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width; and
 2. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.
- O. Grades and Curves.** Grades shall not exceed 10% on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:
1. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and
 2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.
- P. Curbs, Curb Cuts, Ramps, and Driveway Approaches.** Concrete curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in Chapter ~~3.1~~**3.3** - Access and Circulation and in the Standard Street Details in the Boardman Public Works Standards.
- Q. Streets Adjacent to Railroad Right-Of-Way.** Wherever the proposed development contains or is adjacent to a railroad right-of-way, a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land shall be created. New railroad crossings and modifications to existing crossings are subject to review and approval by the Oregon Department of Transportation.
- R. Development Adjoining Arterial Streets.** Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access and through traffic, and shall minimize traffic conflicts. The design shall include one or more of the following:
1. A parallel access street along the arterial with a landscape buffer separating the two streets;
 2. Deep lots abutting the arterial or major collector to provide adequate buffering with frontage along another street. Double-frontage lots shall conform to the buffering standards in ~~Chapter 3.3, section 200.F~~Section 3.3.300.B.4;

3. Screen planting at the rear or side property line to be contained in a non-access reservation (e.g., public easement or tract) along the arterial;
 4. Other treatment suitable to meet the objectives of this subsection; or
 5. If a lot has access to two streets with different classifications, primary access shall be from the lower classification street, in conformance with ~~Chapter 3.3;~~ Section 200:Section 3.3.300.B.3.
- S. Alleys, Public or Private.** Alleys shall conform to ~~the standards in Table 3.4.100: the~~ Standard Street Details in the Boardman Public Works Standards. While alley intersections and sharp changes in alignment should be avoided, the corners of necessary alley intersections shall have a radius of not less than 12 feet.
- T. Private Streets.** Private streets shall not be used to avoid connections with public streets.
- U. Street Names.** No street name shall be used which will duplicate or be confused with the names of existing streets in Morrow County, except for extensions of existing streets. Street names, signs and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency service providers.
- V. Survey Monuments.** Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments shall be reestablished and protected.
- W. Street Signs.** The city, county or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.
- X. Mail Boxes.** Plans for mailboxes to be used shall be approved by the United States Postal Service and shall be Central Delivery Units where designated.
- Y. Street Light Standards.** Streetlights shall be installed in accordance with ~~City standards which provides for installation at intervals of 300 feet~~ the Boardman Public Works Standards (Drawing ST15).

- Z. Street Cross-Sections.** The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway and within one year of the conditional acceptance of the roadway unless otherwise approved by the City Manager or his/her designee. The final lift shall also be placed no later than when 85% of the structures in the new development are completed or two years from the commencement of initial construction of the development, whichever is less. ~~Contact City staff for current street cross-section requirements. Street cross-sections shall conform to the Standard Street Details in the Boardman Public Works Standards.~~
1. Sub-base and leveling course shall be of select crushed rock;
 2. Surface material shall be of Class C or B asphaltic concrete;
 3. The final lift shall be Class C asphaltic concrete as defined by A.P.W.A. standard specifications; and
 4. No lift shall be less than 1-1/2 inches in thickness.

AA. Transit Stop Improvements. ~~Development that is proposed adjacent to an existing or planned transit stop, as designated in an adopted transportation or transit plan, shall provide easements and/or transit stop improvements (e.g., seating, shelters, signage, trash receptacles, bicycle parking, and/or lighting) in coordination with the transit service provider and consistent with the Morrow County Transit Master Plan (TMP) and the City's Transportation System Plan (TSP) transit plan element.~~

3.7.200 Public Use Areas

A. Dedication Requirements.

1. Where a proposed park, playground or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City may require the dedication or reservation of this area on the final plat for the subdivision.
2. If determined by the Planning Commission to be in the public interest in accordance with adopted comprehensive plan policies, and where an adopted plan of the City does not indicate proposed public use areas, the City may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses.
3. All required dedications of public use areas shall conform to Section ~~3-4-0-D~~ 3.3.200.D (Conditions of Approval).

- B. Acquisition by Public Agency.** If the developer is required to reserve land area for a park, playground, or other public use, the land shall be acquired by the appropriate public agency within 24 months following final plat approval, at a price agreed upon prior to approval of the plat, or the reservation shall be released to the property owner.
- C. System Development Charge Credit.** Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge for parks.

3.7.300 Sanitary Sewer and Water Service Improvements

- A. Sewers and Water Mains Required.** Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's construction specifications and the applicable Comprehensive Plan policies.
- B. Sewer and Water Plan Approval.** Development permits for sewer and water improvements shall not be issued until the City Manager or his/her designee has approved all sanitary sewer and water plans in conformance with City standards.
- C. Over-Sizing.** Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer shall be entitled to system development charge credits for the over-sizing.
- D. Permits Denied.** Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building moratoriums shall conform to the criteria and procedures contained in ORS 197.505.
- E. Submittal.** Developers shall submit construction drawings to the State Department of Environmental Quality (DEQ) and ~~Health Division of the State Department of Human Services~~ Oregon Health Authority for their agency approval and provide City with copies of all correspondence.
- F. Inspection Costs.** Developer shall be responsible for inspection costs.

3.7.400 Storm Drainage Improvements

- A. General Provisions.** The City shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with Chapter ~~3.5~~3.8 - Surface Water Management.
- B. Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, whether inside or outside the development. ~~Such facilities shall be subject to review and approval by the City Manager or his/her designee. Such facilities shall be designed in conformance with Chapter 3.8 and the Boardman Public Works Standards.~~
- C. Effect on Downstream Drainage.** Where ~~it is anticipated by the City Manager or his/her designee that~~ the additional runoff resulting from the development, ~~as calculated under Chapter 3.8 and the Boardman Public Works Standards,~~ will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards.
- D. Easements.** Where a development is traversed by a watercourse, drainageway, channel, stream, bioswale or modified bioswale the applicant shall provide a stormwater easement as required by the city.
- E. Sidewalk Drainage Requirements.** ~~See city staff for current drainage requirements (Chapter 3.5). Sidewalk drainage shall conform to Chapter 3.8 and the Boardman Public Works Standards.~~

3.7.500 Utilities

- A. Underground Utilities.** All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities, shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (Chapter 3.3);
2. The City reserves the right to approve the location of all surface mounted facilities;
3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.
5. Commercial/Industrial subdivisions shall be required to complete Site Team review prior to commencement of construction.

B. Easements. Easements shall be provided for all underground utility facilities.

C. Exception to Under-Grounding Requirement. The standard applies only to proposed subdivisions. An exception to the under-grounding requirement may be granted due to physical constraints, such as steep topography, ~~sensitive lands (Chapter 3.7); Natural Resource Areas,~~ or existing development conditions.

3.7.600 Easements

Easements for sewers, storm drainage and water quality facilities, water mains, electric lines or other public utilities shall be dedicated on a final plat, or provided for in the deed restrictions. See also, Chapter 4.2 - Site Design Review, and Chapter 4.3 - Land Divisions. The developer or applicant shall make arrangements with the City, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be 10 feet unless otherwise specified by the utility company, applicable district, or City Manager or his/her designee.

3.7.700 Construction Plan Approval and Assurances

No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. The permit fee shall be set by City Council. The City may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements. See also, ~~Chapter 4.2.400 – Site Design Review, and Chapter 4.3.180 – Land Divisions~~[Section 4.2.700 – Bonding and Assurances, and Section 4.3.180 – Performance Guarantees.](#)

3.7.800 Installation

- A. Conformance Required.** Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the City.
- B. Adopted Installation Standards.** The Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A. shall be a part of the City's adopted installation standard(s); other standards may also be required upon recommendation of the City Engineer.
- C. Commencement.** Work shall not begin until the City has been notified in advance.
- D. Resumption.** If work is discontinued for more than one month, it shall not be resumed until the City is notified, and the City approves resumption.
- E. City Inspection.** Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications requested by the developer shall be subject to land use review under Chapter 4.6 - Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.

F. Engineer's Certification and As-Built Plans. A registered engineer shall provide written certification in a form required by the City that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide 10 set(s) of "as-built" plans, in conformance with the City Manager or his/her designee's specifications, for permanent filing with the City.

Chapter 3.8 Stormwater Management (AMENDED)

Sections

3.8.100	Purpose and Applicability
3.8.200	Detention Criteria and Requirements
3.8.300	Grading and Drainage Plan
3.8.400	Landscaping Requirements
3.8.500	Street, Curb, and Sidewalk Design
3.8.600	Water Quality Easements
3.8.700	Plans Submission and Approval
3.8.800	Variances and Exceptions

Commentary: This chapter manages stormwater runoff from new development. It carries forward current Chapter 3.5 with no change in substance. We corrected cross-references, renumbered tables, and pointed curb and sidewalk design to the Public Works Standards.

3.8.100 Purpose and Applicability

- A. Purpose.** The purpose of this chapter is to provide planning and design standards for stormwater management within the City. The primary intent of this chapter is to provide standards for effective and cost efficient stormwater management. Stormwater management is accomplished through a combination of design standards reflecting a more accurate representation of natural climatic, hydraulic and geologic conditions. Included in this chapter are stormwater detention criteria for development, grading and drainage plan requirements, landscaping criteria, street, curb and sidewalk designs. These are designed to keep all precipitation from each lot contained upon that lot.

Important cross reference to other standards: The following code chapters are to be cross referenced to assess impacts of the provisions of this chapter; Chapter ~~3.1~~, ~~Chapter 3.2~~, ~~Chapter~~ 3.3, Chapter ~~3.4~~ 3.5, Chapter ~~3.6~~, ~~Chapter 3.6~~ 3.7, ~~Chapter 3.9~~, Chapter 4.1, Chapter 4.2 and Chapter 5.1.

- B. Applicability.** Where storm sewer infrastructure is currently available or unless otherwise provided, the standard specifications for construction or reconstruction of stormwater management facilities, utilities and other public improvements within the City shall occur in accordance with the standards of this chapter. This chapter applies to development on or within public properties and rights-of-way and privately owned properties.
- C. Standard Specifications.** The City Manager or their designee shall establish standard construction specifications consistent with the design standards of this Chapter and application of accepted engineering, landscape architecture, hydraulic and geologic principles. They are incorporated in this code by reference.
- D. Conditions of Development Approval.** Development may occur when stormwater management criteria are met or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

3.8.200 Detention Criteria and Requirements

- A. Purpose.** Detention of stormwater collected from impervious surfaces on a given property, or within a public right-of-way, is essential to the management of stormwater within the City of Boardman. Each lot will retain all precipitation, which falls upon the lot, within the confines of the lot. In the case of public facilities, stormwater will be retained within the public right-of-way. This section of Chapter ~~3-73.8~~ is to identify the detention of stormwater based upon the Oregon Department of Transportation Hydraulic Manual for Zone 13. National Oceanographic and Atmospheric Administration 100 year – 24-hour isopluvial maps and data were reviewed for applicability. Soils permeability rates from National Resource Conservation Service were also reviewed and assessed to determine the most appropriate data to use in the construction detention volumes of Table ~~3-7-1003.8.200.BC~~. The Zone 13 Intensity, Duration and Frequency curves, which are the most conservative for the 100-year storm event, at 0.93"/hour for 1 hour, were used in development of Table ~~3-7-1003.8.200.BC~~ and the criteria set in this chapter. All detention values are based upon retention of 100% of the precipitation volumes derived from the data contained in the Oregon Department of Transportation Hydraulic Manual curves for Zone 13.
- B. Public Rights-Of-Way.** Detention of all of the minimum stormwater detention volumes listed in Table ~~3-5-100C-3.8.200.B~~ shall be applicable to the design and development of stormwater detention from all impervious surfaces within a public right-of-way.

C. Lot Development. Detention of all of the minimum stormwater detention volumes listed in Table ~~3.5.100C~~ **3.8.200.B** shall be applicable to the design and development of stormwater detention from all impervious surfaces located on any lot within the City.

Table 3.8.200.B Detention Volume Criteria

Impervious Surface Square Footage	Detention Volume Cubic Feet	Detention Volume Gallons
1,000	78	580
2,000	155	1,159
3,000	233	1,739
3,500	271	2,027
4,000	310	2,319
5,000	388	2,899
6,000	465	3,478
7,000	543	4,058
8,000	620	4,638
9,000	698	5,217
10,000	775	5,797
11,000	853	6,380
12,000	930	6,956
13,000	1,008	7,540
14,000	1,085	8,116
15,000	1,163	8,699
20,000	1,550	11,594
25,000	1,938	14,496
30,000	2,325	17,931

Impervious Surface Square Footage	Detention Volume Cubic Feet	Detention Volume Gallons
35,000	2,713	20,428
40,000	3,100	23,188
43,560	3,376	25,252

- D. Building Drains.** Impervious surface drainage from building roofs shall be diverted to detention area(s) on the ground surface by use of downspouts, or other method of vertical conveyance, to a splash pad or other method of horizontal conveyance preventing sub-surface injection of water, which would require registry as an Underground Injection Control well as defined in Oregon Administrative Rule Chapter 340 Division 44.
- E. Methods of Detention.** Collected stormwater can be stored in a detention method capable of holding the entire volume, for the corresponding impervious surface area, listed in Table ~~3.5.100C-3.8.200.B~~. These detention facilities may be constructed ponds, may be lined, may be constructed bio-swales or may be accomplished through grading, drainage and landscaping techniques set forth in Section ~~3.5.200-3.8.300~~. Detention facilities shall have no outlet or receiving stream discharge and must be open to allow for evaporative and permeability losses of the detained stormwater. In the case of constructed decorative ponds, permeability loss requirement may be waived; however evaporative loss must be maintained. Methods of detention, other than mentioned in this section, may be considered for approval.
- F. Variance from Table ~~3.7.1003.8.200.B~~.** Variance from Table ~~3.5.100C-3.8.200.B~~ will be considered with the following information submitted for review and approval as a Class A Variance ~~defined in 5.1.300 (F)~~ under Section 5.1.200. all variance requests must submit;
1. Site specific permeability data credibly indicating permeability rates higher than those used in the development of Table ~~3.7.1003.8.200.B~~;
 2. Site specific data of more exact build out impervious area square footages less than the 1,000 square foot increments provided in the tables, and which are calculated in the methods used in the development of Table ~~3.7.1003.8.200.B~~;
 3. Specific data on permeability rates of alternate paving methods allowing for full or partial permeability of the paving method to be credited as non-impervious surface;

4. Evidence the methods proposed are not classified as a Class V injection system by Oregon Administrative Rule Chapter 340 Division 44;

3.8.300 Grading and Drainage Plan

- A. Purpose.** The Grading and Drainage for any particular development is an essential function for review and approval. The method of grading to provide drainage, which meets the intent of the stormwater management strategy and wind erosion abatement requirements of the City, will require significant cooperation between City staff and the developer. Minimal grading and surface disturbance from existing topography is generally the best strategic approach to stormwater management and wind erosion concerns within the City of Boardman. However, to accommodate other provisions within the zoning and development codes, to allow for placement of utility and transportation infrastructure, and to allow for effective stormwater management, grading and drainage must be assessed and a plan to manage stormwater and wind erosion shall be developed. This plan shall be developed to negate or minimize impacts from the development during construction and long term operation and occupancy of the development.
- B. Public Infrastructure and Rights-Of-Way.** Grading plans for public and utility infrastructure shall include topographical information of existing property and a planned topographical profile at the completion of the development. The plan shall address how the provisions of section ~~3.5.100-3.8.200~~ will be included in the final topographical profile, as these provisions may require altering existing topography to meet the criteria. Creating the maximum drainage areas of 3,500 square feet impervious surface, may require grading to meet a “rolling topography” or some level of “terracing” to maintain the maximum areas of drainage.
- C. Lot Development.** Lot development shall submit a grading and drainage plan that meets the provisions of Section ~~3.5.100-3.8.200~~ based upon the projected total of impervious surface of the lot at build out. This grading and drainage can be incorporated into the landscape plans required in ~~Section 4.2.500 (5)~~Section ~~4.2.500.B.5~~. Stormwater detention areas and sizes shall be identified in this plan. The total detention area on a lot shall be equal to or greater than the requirements in Table ~~3.5.100C-3.8.200.B~~. The detention area(s) can be singular in nature or numerous smaller areas can be created to meet the total detention volume requirements. The grading and drainage plans shall indicate how storm water shall be conveyed to the areas of detention and the areas of detention shall be located to accommodate the proportional amount of impervious surface which is drained to any detention area.

- D. Changes in Impervious Surface Areas.** Whenever there is a proposed increase in the amount of impervious surface area, a plan for grading, drainage and detention shall be submitted for review and approval. This review is to assure the provisions for detention volumes contained in Table ~~3.5.100C~~ 3.8.200.B are met.
- E. Changes in Grading or Drainage.** When there is a proposed change to the grading and drainage of an existing development, a plan shall be submitted for review and approval to assure compliance with the detention provisions contained with Table ~~3.5.100C~~ 3.8.200.B. Graded depressions for the detention of stormwater shall not be filled or altered without submission of a plan for approval.
- F. Variance from Grading and Drainage Requirements.** Variance from the grading and drainage requirements will be considered when conditions prevent meeting the criteria set forth in this section. The following conditions will be cause for consideration of alternatives from the standards in this section as a Class A Variance;
1. Topographical constraints do not allow for the requirements of this section to met; or
 2. Geological conditions prevent meeting the criteria in this section; or
 3. Other physical constraints preventing the adherence to the criteria of this section.

At a minimum, variance from the grading and drainage plan will be conditioned upon the total amount of detention area being increased to the corresponding impervious surface area detention requirements set in Table ~~3.7.100~~ 3.8.200.BC.

3.8.400 Landscaping Requirements

- A. Purpose.** The purpose of these landscaping requirements is to provide an effective treatment barrier for protection of groundwater in areas of stormwater detention. This treatment barrier is comprised of vegetative materials to act as a bio-filter for the purpose of filtering stormwater contaminants.
- B. Landscape Area Standards.** The landscape area percentages in Section ~~3.2.200~~ 3.5.200 (C) and ~~3.2.200~~ 3.5.200 (E) ~~(2) of this code~~ (1) of this code shall be in effect unless the following conditions are experienced; in which case the detention area criteria contained in Table ~~3.7.100~~ 3.8.200.BC will be followed;
1. The percentage of landscape area is not sufficient to provide adequate detention of stormwater “on-site,”

2. Site specific permeability rates are not adequate to allow for detention and drainage of collected stormwater;
 3. Impervious surface area creates detention volumes greater than the 5% requirement for parking lot landscaping.
- C. Landscape Materials.** Landscape materials in detention areas shall be turf grasses or drought tolerant grasses providing a root system to act as a bio filter for any water, which percolates into the soils. Shallow rooting shrubbery, shade trees, groundcover plants and decorative plants, which do not interfere with utilities, may also be used on individual lot development. Shade trees with turf grass cover between them may be used in large detention areas on individual lot developments. Landscaping within the right-of-way shall be turf and drought tolerant grasses, shallow rooting shrubbery, ground cover plants and decorative plants with shallow rooting to prevent damage to utilities routed within the right-of-way.
- D. Landscape Maintenance.** The grasses in the detention areas shall be mowed periodically and shall be irrigated to maintain plant health. Landscaping shall be maintained in accordance with the landscaping requirements outlined in Section ~~3.2.200~~3.5.200.
- E. Detention Area Landscape Fertilization.** The detention areas shall not be fertilized.
- F. Variance to Landscape Requirements.** Variance from the landscape requirements will be considered, as a Class A Variance, when conditions prevent meeting the criteria set forth in this section. A variance request shall be accompanied by the following information for review and subsequent action;
1. The physical reason the criteria can not be met;
 2. A description of the alternate method being proposed; and
 3. How the alternate method meets the purpose of Section ~~3.7.300~~3.8.300, stormwater management strategies of the City;
 4. Other information pertinent to the allowance of variance from the standards set in this section.

3.8.500 Street, Curb, and Sidewalk Design

- A. Purpose.** In order to facilitate the stormwater management strategies being defined within this chapter of the zoning codes the design of streets, curbs and sidewalks have been designed, approved and included in construction standards. The design standards being identified in this section show the design characteristics to allow for the standards defined in this chapter.

B. Curb Standards. The curb designs outlined in this section are consistent with ~~the street design standards of the Transportation System Plan~~ the Standard Street Details in the Boardman Public Works Standards for Local Streets, Neighborhood Collectors, Collectors and Arterial streets. These curb designs will apply to all new construction or reconstruction of streets as classified in the Transportation System Plan.

- 1. Residential Zones.** Curbs within the residential areas on streets classified as Local or Neighborhood Collector shall be a mountable face curb constructed of concrete as set in City construction standards.
- 2. All Other Zones.** Curbs will be a square face curb and will be constructed of concrete as set in City construction standards.
- 3. Curb Openings.** Curb openings will be constructed in accordance with City construction standards and will be spaced at the frequencies listed in Table ~~3.5.400B-3.8.500.B~~. This table is to indicate the distance between curb openings while maintaining the maximum impervious area of 3,500 square feet and a minimum spacing for aesthetics and safety when following prescribed street standards.

Table 3.8.500.B Curb Opening Spacing

Street Classification	Area Drained Including Sidewalk (Square feet)	Maximum Spacing (feet)	Minimum Spacing (feet)	Area Drained Including Sidewalk (Square feet)
Local Street	3,500	156	65'	1,138
Neighborhood Collector	3,500	143	65'	1,560
Collector	3,500	135	65'	1,690
Arterial	3,500	135	65'	1,690

C. Sidewalk Standards. Sidewalks will be constructed of concrete or brick/masonry pavers in accordance with City construction standards and will meet all American with Disabilities Act requirements. Sidewalk construction will be consistent with ~~Table 7 of the Transportation System Plan Technical appendix A~~ the Standard Street Details in the Boardman Public Works Standards for each street classification;

- 1. Local Street.** Sidewalks will be sloped at 2% grade away from the curb in accordance with City construction standards.

2. **Local Street (Optional/Conditional).** Sidewalks will be sloped at 2% towards the planter strip.
 3. **Neighborhood Collector Street.** Sidewalks will be sloped at 2% grade away from the curb in accordance with City construction standards.
 4. **Minor Collector Street.** Sidewalks will be sloped at 2% grade towards the median strip in accordance with City construction standards.
 5. **N. Main Arterial.** Sidewalks will be sloped at 2% towards the street in accordance with City construction standards.
 6. **Arterial Street.** Sidewalks will be sloped at 2% grade towards the median strip in accordance with City construction standards.
 7. **E. Columbia Ave., Wilson Rd., and S. Main St.** Sidewalk will be sloped at 2% towards the planter strips, in accordance with City construction standards.
 8. **Exemptions.** Sidewalks in existing sub-divisions may match the existing sidewalk widths and construction methods to maintain aesthetic uniformity. Use of the standards above is highly preferable to this exemption.
- D. Variance from Curb and Sidewalk Design Standards.** Variance from the standards set in this section will be considered by technical staff as a Class A Variance for action, when adherence to these standards is not feasible for physical or practical reasons which include but may not be limited to the following;
1. Topographical constraints;
 2. Provision of utilities can not be accomplished;
 3. Existing utilities prevent use of the design standards;
 4. Other physical constraints preventing the use of the design standards.

3.8.600 Water Quality Easements

- A. Purpose of Water Quality Easements.** There may be times where physical or other constraints prevent meeting the detention criteria set forth in Section ~~3.5.100~~ 3.8.200 of this chapter. In those instances, larger areas of detention than can be accomplished either on-lot or within the right-of-way may be required to meet the stormwater management provisions of this chapter. This may require the developer to obtain and dedicate water quality easements to allow for necessary detention volumes outlined in section ~~3.5.100-3.8.200~~. These water quality easements will be for locations such as but not limited to;

1. Topographical constraints do not allow development of smaller detention areas in accordance with Section ~~3.7.200~~3.8.300 – ~~Grading and Drainage~~Grading and Drainage Plan; or
 2. Geologic constraints which do not allow for soils permeability which is prescribed in section ~~3.5.100~~3.8.200 – Detention Criteria and Requirements; or
 3. ~~Sensitive lands, i.e. wetlands, Natural Resource Areas, such as wetlands,~~ do not allow for the use of this type of detention; or
 4. Other physical or practical constraints which preclude the smaller detention areas.
- B. Sizing the Water Quality Easement.** Easements shall be sized to be proportional with the amount of impervious surface area drained in accordance with the methods set in section ~~3.5.100~~3.8.200 and Table ~~3.5.100C~~3.8.200.B. Additional requirements of meeting all applicable federal, state, local laws and rules will be applied and reviewed for compliance prior to approval of water quality easements as an acceptable alternative to the provisions set in this chapter. All water quality easements shall be recorded with property platting in accordance with Chapter 4.3 of this code.
- C. Maintenance Agreement for Water Quality Easements.** A signed maintenance agreement shall be submitted for review and approval for the use of water quality easements. The agreement will detail the party or entity responsible for the maintenance, care and assurance of compliance with the provisions of this chapter for the water quality easement.

3.8.700 Plans Submission and Approval

~~Stormwater plans shall be submitted in accordance with the provisions for development review and site design review established in 4.2.300 – 4.3.600. These plans shall include the areas of detention defined in 3.5.200, the grading and drainage plan defined in 3.5.300, the landscaping plans defined in 3.5.400 and any potential water quality easements as defined in 3.5.500.~~ Stormwater plans shall be submitted in accordance with the provisions for development review and site design review established in Sections 4.2.300 through 4.2.600. These plans shall include the areas of detention defined in 3.8.200, the grading and drainage plan defined in 3.8.300, the landscaping plans defined in 3.8.400 and any potential water quality easements as defined in 3.8.600.

3.8.800 Variances and Exceptions

Variances for this chapter shall be classified as a Class A variance in accordance with ~~5.1.300 (F)~~ Section 5.1.200 of this code. All procedures for applicability of any requested variance will be in accordance with the provisions of Chapter 4.1, Chapter 4.2 and Chapter 5.1 of this code.

Chapter 3.9 Other Standards (AMENDED)

Sections

- 3.9.100 Density Transfer**
- 3.9.200 Telecommunication Facilities**
- 3.9.300 Signs**

Commentary: This chapter holds standards that do not fit elsewhere: density transfer, telecommunication facilities and signs. They carry forward from current Chapter 3.6 with zone names updated. Two empty placeholder sections are removed. The City plans to move the sign standards to the Boardman Municipal Code.

3.9.100 Density Transfer

- A. Purpose.** The purpose of this chapter is to implement the comprehensive plan and encourage the protection of open spaces through the allowance of housing density transfers. “Density transfers” are the authorized transfer of allowed housing units (per Chapter 2) from one portion of a property to another portion of the same property, or from one property to another property.
- B. Determination of Allowable Housing Units.** The number of allowed housing units on a property is based on the surface area of the property (acres) times the maximum allowed housing density in Chapter 2.
- C. Density Transfer Authorized.** Allowed housing units may be transferred from one portion of a property to another portion of the same property, or from one property to another property. A density transfer shall not be approved unless it meets one or more of the criteria in 1-2 below, and it conforms to subsections D-E:
 - 1.** Protection of ~~sensitive land areas as defined in Chapter 2.5 (and listed below)~~ sensitive land areas listed below either by dedication to the public or a land trust, or by a non-revocable conservation easement. Sensitive land areas include:

- a. Land within the 100-year floodplain;
 - b. Land or slopes exceeding 20%;
 - c. Drainage ways;
 - d. Wetlands.
2. Dedication of land to the public for park or recreational purposes; that meets the following minimum criteria:
 - a. Size 5,000 square feet or more guaranteed;
 - b. Location within ½ mile walking distance from sending site;
 - c. Public access 24 hours a day.
- D. Prohibited Density Transfers.** Density shall not be transferred from land proposed for street right-of-way, storm water detention facilities, private streets, and similar areas which do not provide open space or recreational values to the public.
- E. Density Transfer Rules.** All density transfers shall conform to all of the following rules:
 1. Allowed housing units shall be transferred only to buildable lands (“receiving areas”). The number of

allowed housing units shall be reduced on properties from which density is transferred (“sending areas”) based on the number of housing units transferred. The new number of housing units allowed on the sending area shall be recorded on a deed for the property that runs with the land. The deed shall state that the number of allowed housing units is subject to review and approval by the City, in accordance with current zoning and development codes;
 2. The number of units which can be transferred is limited to the number of units which would have been allowed on 100 percent of the unbuildable area if not for these regulations;
 3. The total number of housing units per property or development site shall not exceed 100 percent of the maximum number of units per gross acre permitted under the applicable comprehensive plan designation; except as otherwise permitted through the Master Planned Development process (Chapter 4.5); and
 4. All density transfer development proposals shall comply with the development standards of the applicable ~~land use district, zone,~~ except as otherwise allowed by the Master Planned Development process (Chapter 4.5).

3.9.200 Telecommunication Facilities

Purpose

- A. Purpose.** The purpose of this Chapter is to administer the development of Communications or Telecommunications facilities within the City and to preserve neighborhood characteristics while providing essential telecommunication services to the citizens.

Wireless communication equipment, including radio, cellular, television and similar transmission and receiving facilities, is subject to the requirements of this Section.

B. Definitions

1. Antenna; shall mean a device supported by a structure or tower designed for transmitting or receiving radio waves in telephone, television, radio, microwave or other wireless communication technologies.
2. Antenna Tower; shall mean a freestanding pole or structure designed for supporting an antenna, or antenna array, as defined in ~~3-8-2003~~ 3.9.200(B)(1).
3. Broadcast Facility; shall mean any facility designed to broadcast radio waves through wireless technologies for the purpose of commercial broadcast to AM or FM radio receivers, or television receivers.
4. Receiving Facilities; shall mean any facility designed to receive privately transmitted radio waves not intended for commercial broadcast. This shall include System Control and Data Acquisition systems, telephone relay systems, wireless communication relay systems and similar systems.
5. Special Use Permit; shall mean a Type III procedure as governed by ~~Chapter 4.1.500~~ Section 4.1.500 of the Boardman Development Code. A Special Use Permit is reviewed every 5 years with an opening clause to address negative impacts associated with operations of the communication/telecommunication facility such as radio interference.
6. Transmission Facilities; shall mean a facility designed to transmit radio waves for private commercial applications not intended for commercial broadcast. This shall include System Control and Data Acquisition systems, telephone relay systems, wireless communication relay systems, and similar systems.

C. Telecommunications Facilities Permitted:

Table 3.9.200.C Telecommunications Facilities Permitted

DistrictZone	Facilities Permitted
Residential Districts Residential zones	free standing antennas of <35-feet or <25-feet from highest building height elevation antennas 25-feet or less from highest building height free standing antennas >35-feet or > 25-feet from highest building height (Special Use)
Commercial Districts Commercial zones and City Center Subdistrict	free standing antennas <70-feet in height or < 35-feet from highest building height elevation free standing antennas >70-feet in height or > 35-feet from highest building height elevation(Special Use) antennas <35-feet from highest structure height antennas >35-feet from highest structure height (Special Use)
Tourist Commercial Subdistrict	free standing antennas <70-feet in height or < 35-feet from highest building height elevation free standing antennas >70-feet in height (Special Use) antennas <35-feet from highest building height antennas >35-feet from highest building height (Special Use) Broadcast/Receiving/Transmission Facilities (Speical Use)
Service Center Subdistrict	free standing antennas <100-feet in height or < 50-feet from highest building height elevation free standing antennas >100-feet in height (Special Use) antennas <50-feet from highest building height antennas >50-feet from highest building height (Special Use) Broadcast/Receiving/Transmission Facilities (Special Use)
General Industrial Districts IND zones	Antenna height unlimited Broadcast/Receiving/Transmission Facilities (Special Use)
Port Industrial	Antenna height unlimited Broadcast/Receiving/Transmission Facilities (Special Use)

DistrictZone	Facilities Permitted
Light Industrial DistrictEMP zone	free standing antennas <100-feet in height or < 50-feet from highest building height elevation free standing antennas >100-feet in height (Special Use) antennas <50-feet from highest building height antennas >50-feet from highest building height Broadcast/Receiving/Transmission Facilities (Special Use)

Note: Speical Use Permits will be a Type III Procedure as defined in 4.1.500

D. General Provisions:

1. All antenna supporting structures shall meet all applicable structural and electrical codes for telecommunications support structures.
2. All antenna supporting structures shall meet all applicable Federal Aviation Administration and Federal Communications Commission regulations.
3. All antenna supporting structures shall have restricted access making the structure inaccessible to the public.
4. All antenna supporting structures or building structures shall obtain all applicable building permits through the Boardman Building Department.
5. All communications or telecommunications structures or facilities shall submit an overall coverage plan indicating tower locations for coverage area within 1 mile of the Boardman Urban Growth Boundary, a specific site plan for each tower location which includes distance from any residential, commercial or industrial structure or structures, a narrative of the function and need for the facility or structure and any other pertinent information deemed relevant to the Boardman Planning Department for review and approval.
6. All communications or telecommunication buildings shall meet all relevant sections of building criteria for the zone in which they are located.

E. Special Use Approval Criteria:

1. Application shall follow a Type III Procedure as identified in ~~Chapter 4.1.500~~Section 4.1.500.
2. Special Permit will be granted for a 5 year period with an opening provision to review and address unforeseen negative impacts associated with the operation of the facility, which may include but not be limited to radio or television interference, or other valid unanticipated damages brought forth through experience.

3. Application shall meet all of the provisions of General Provisions, ~~3.8.2003.9.200~~(D).
4. Application shall not be a visual detriment to the surrounding neighborhood.
5. Application may be conditioned to provide screening or other aesthetic mitigation to adjacent properties.
6. Applications exceeding allowable heights shall indicate the reasons for the height adjustment and shall be the minimum variance from allowable height.
7. Application shall include different tower types available to meet the height and structure criteria.
8. Other conditions may be set by the Planning Commission in the Conditional Use permit process.

3.9.300 Signs

- A. Purpose.** The purpose of this section is to provide for the regulation, control and permit process which will maintain the town character of the City of Boardman while providing adequate identification of businesses, enterprises and other entities located within the City of Boardman which depend upon signs for recognition; and also to provide equity for each requiring signs within the several land use zones of the city. All requests for permits for the construction, erection, placement or movement of signs will be submitted to the city of Boardman building official, and will be issued only in compliance with the provisions of this Development Code.
1. The International Conference of Building Officials Uniform Sign Code Publication date May 1st, 1994, a copy of which is located in the administrative offices of the city building official, is hereby adopted by reference and incorporated as a part of this Development Code.
 2. Signs erected prior to (Development Code adoption date) are governed under non-conforming rules in ~~—Section 5.2Chapter 5.2~~ .
- B. Sign Classifications.**
1. **Permanent Signs.** Signs placed for a period of 31 days or longer within one calendar year shall be classified as permanent; shall advertise or provide direction to the premises of the identified business located within the City of Boardman; shall be subject to a permanent sign permit; and shall conform to this and other City of Boardman ordinances.

- a. On-premises signs shall be permitted within the regulations of this ordinance, with any exceptions subject to the requirements set forth within this ordinance for requesting variances or, where conditional use is specified, the provisions for such as set forth in the zoning ordinance.
 - b. Off-premises signs shall be subject to conditional use provisions; as such, the provisions and procedures as set forth in Chapter 4.4 of the Boardman Development Code; and approval of the Planning Commission of the City of Boardman is required prior to issuance of permit or installation.
2. **Temporary Signs.** Signs placed for 30 days or less in a calendar year are temporary; and shall not be displayed for an aggregate total of greater than 30 days within a calendar year; and shall be subject to a temporary sign permit; and shall conform to all City of Boardman ordinances. These provisions apply equally to both on and off premise signs.

C. Permits Required.

The following permits are required for all new signs, for all signs being altered due to change in ownership, business name or business type and for all signs being altered structurally.

1. **Structural Building Codes Permit**
2. **Electrical Building Codes Permit (If Lighted)**
3. **Sign Permit for Planning of Planning Review and Approval**

- D. General Provisions.** Construction plans and materials lists must be presented to the building official for verification of adequacy according to the state uniform building code and public safety standards at the time of application for permits. Signs may be erected/constructed immediately upon obtaining sign permit providing verification of conformity with the following specifications:

1. On-premises signs.
2. Maximum sign area for free-standing signs in the General Commercial District commercial zones and City Center Sub-District DMU zone shall be 100 square feet. Signs over 100 square feet in size are subject to a Type III Conditional Use Permit in accordance with Chapter 4.4, Chapter 4.1.500 and Chapter Section 4.1.500 and 3-6-500(E)(1)(d)-subsection (E)(1)(d).
3. Service Center and Highway Commercial Sub-Districts and Industrial Districts The RC, EMP, and IND zones shall have no size limit.

4. The supporting structure of the sign is not to be considered part of the measurable sign area, and shall not extend upwards over 40 feet from ground level in ~~General Commercial District~~ commercial zones.
5. Surface signs shall be limited to the surface of the structure, and shall not extend beyond that surface. The area of freestanding signs shall be measured by the rectangle which encloses the entire sign surface.
6. Window signs shall be considered surface signs, except those which are subject to the temporary or informational sign standards.
7. Each entity for which a sign is permitted is allowed one sign per face of each building.
8. Signs shall be designed to use materials in keeping with the visual character of the City of Boardman.
9. Signs which are lighted shall be illuminated for visibility only, and shall not disturb neighboring property and shall create no safety or traffic hazard. Flashing lights shall not be allowed.
10. Apartment, condominium or business complex location signs shall not exceed 35 square feet in size, and one such sign shall be allowed each complex, which shall not apply toward the allowance for signs for each/any business located therein.
11. Areas of shared signs shall be pro-rated to business involved, and shall be included within the permissible sign area of each.
12. Where a provision of this ordinance is less restrictive than another ordinance or requirement of the City, the provision or requirement which is more restrictive shall govern.

E. Sign-Type Specific Definitions and Applicable Regulations.

1. **Off-Premise Signs** are as defined within Oregon state administrative rules:
 - a. The premises on which any activity is conducted is determined by the physical facts rather than property lines. It is the land occupied by the buildings or physical uses that are necessary or customarily incident to the activity, including such open spaces are arranged and designed to be used in connection with such buildings or uses;
 - b. The following will not be considered to be a part of the premises on which the activity is conducted and signs located on such land considered outdoor advertising signs:

- i. Any land which is not used as an integral part of the principal activity, including but not limited to:
 - (1) land which is separated from the activity by a public road
 - (2) land which is separated by obstruction, not used by activity; and
 - (3) land that is undeveloped highway frontage adjacent to the land actually used by the advertised activity, even though it might be undertake same ownership.
 - ii. Any land which is used for, or devoted to, a separate purpose unrelated to the advertised activity would not be part of the premises on which the activity is conducted even though same ownership;
 - iii. Any land which is separated from the principle activity, and is developed or used only at the sign site by structures which are only incidental to the principle activity, and which serves no reasonable or integrated purpose related to the activity other than to attempt to qualify the land for signing purposes;
 - iv. Where the sign site is located at or near the end of a narrow strip contiguous to the advertised activity, the sign site shall not be considered part of the premises on which the activity being advertised is conducted. A narrow strip shall include any configuration of land which is such that it cannot be put to any reasonable use related to the activity other than for signing purposes except the major entrance or exit roadway to or from the premises which serves only the advertised activity.
- c. Off premises signs shall be reviewed as a Conditional Use, ~~as required by Chapter 5~~ as required by Chapter 4.4. The provisions of ~~Section C, General Provisions~~ subsection (D), General Provisions shall apply in addition to any conditions required pursuant to the Conditional Use process; however, a petition for relief from the provisions of Section C, General Provisions may be sought by application to the Planning Commission pursuant to the Exception and Variance processes, as provided by this Section D.4 Non-Conforming Permanent Signs.

- d. The provisions of ~~Section A, Purpose~~ subsection (A), Purpose shall apply equally for off-premise signs as well as on-premise signs, as related to providing adequate identification to businesses, enterprises and other entities located within the City of Boardman; and in this regard sign size located within the ~~Commercial Districts~~ commercial zones may be conditionally approved up to 200 square feet where, to the Planning Commission satisfaction, such size is necessary for the adequate provision of directions to such businesses, enterprises and other entities.
 - e. Off-premise signs which are visible from Interstate/Freeway routes shall be subject to approval of, and permitted by, the State of Oregon, in addition to any approvals granted by the City of Boardman.
- 2. Informational Signs.** Signs whose sole purpose is to provide information, but no advertising, concerning services offered, with such as menus, business hours, OLCC regulations as examples, are considered informational signs for which neither permit nor Planning Commission approvals are required in instances where the following standards are met:
- a. Total sign square footage within this category shall not exceed 18 square feet per business, shall have no flashing lights, and shall not reduce the permitted advertising sign size as established within this Ordinance.
 - b. OPEN signs, MENUS, PARKING signs and similar informational signs shall be no larger than 6 square feet, with one parking sign allowed for each 4 spaces.
 - c. VACANCY signs (only) shall be no larger than 10 square feet.
- 3. Non-Conforming Permanent Signs.** Non-Conforming Permanent Signs are those that do not conform to the specifications of this Chapter and require specific exception, granted by the authorization of the Planning Commission. To gain such an exception, the applicant shall complete the permit application for the Building Official.
- a. Applicants shall also submit a scale plan of the building elevation with proposed sign and a written statement of the justification for exception, and request a sign permit exception from the Planning Commission. At its earliest meeting, the Planning Commission shall evaluate the application in terms of aesthetics, design and visual impact on the immediate vicinity and adjoining property.
 - b. Exception to the height above street level may be allowed by administrative action directed by the Planning Commission if problems could be caused by the terrain on which it is located, by the configuration of the sign, by disruption of pedestrian flow, or by vandalism.

- ii. ~~Non-Residential Zoning Districts: Non-residential zones:~~ signs not to exceed 32 square feet maximum, or 100 square feet in aggregate, advertising issues or candidates meeting the provisions of ~~3-6-500~~ 3.9.300 (E)(5)(a-c) are permitted on any individual property. Signs shall be placed no less than 10 feet from paved surfaces, 3 foot from sidewalks. The 31-day limit shall not apply. Approval must be obtained from the property owner, who must accept responsibility for removal of sign within two days after the election polling is closed, in the event those placing the sign fail to do so.
 - iii. Lots in excess of 10 acres in ~~Non-Residential Zoning Districts: non-residential zones:~~ signs not to exceed 32 square feet maximum, or 256 square feet in aggregate per 10 acres of vacant ground, advertising issues or candidates meeting the provisions of ~~3-6-500~~ 3.9.300 (E)(5)(a-c) are permitted on any individual property. Signs shall be placed no less than 10 feet from paved surfaces, including sidewalks. The 31-day limit shall not apply. Approval must be obtained from the property owner, who must accept responsibility for removal of sign within two days after the election polling is closed, in the event those placing the sign fail to do so.
 - d. **Real Estate Signs** shall not exceed 8 square feet for residential lots and 32 square feet for subdivisions and in commercial zones, placed on the property, are permitted during period that specific property is for sale or lease. Signs must be removed upon sale. One open house sign without advertising also permitted on premises during such periods. The 31-day limit shall not apply.
6. **Sandwich Board.** Sandwich Board signs shall be no larger than 15 square feet per side. For local nonprofit, community service groups, location of such may be allowed on public rights-of-way and property, subject to Building Official or Manager written approval which will establish any conditions.
7. **Garage Sale.** Garage sale signs shall be in compliance with residential sign requirements; off premises directional signs for such garage sales and similar residential temporary sales, shall have express written owners' permission of property upon which located and is subject to the provisions of City of Boardman Ordinance #5-2004.
8. **Prime Building Contractor Signs.** Prime building contractor signs of less than 16 square feet in residential zones and 32 feet in commercial and industrial zones may be placed upon a project while under construction after building permit has been posted. Removal is required immediately following Building Inspector certifying completion.

- 9. Handbills and Flyers.** Handbills and flyers are permitted inside building or other community billboards only, and permission for any other method of display will be approved only by Manager, subject to Council endorsement.
- 10. Non-Conforming Temporary Signs.** Non-conforming Temporary Signs may be granted an exception to the requirements in writing by City Manager if the impact on the community is as favorable as that of signs allowed outright using a Type I process.

F. Administration

- 1. Responsibility.** The Building Department of the City of Boardman shall be responsible to the City Manager for the regulation of signs, administration of requests for permits, conditional uses, exceptions and variance, and for the issuance of permits. Fee schedules established by Resolution of the City Council will be maintained by the Building Official, and available upon request.
- 2. Pre-Existing Non-Conforming Signs.** Pre-existing non-conforming signs which predate this Ordinance shall continue as permitted signs. Signs permitted within the provisions of this Ordinance shall continue as permitted signs for the zone in which located as long as the property retains that zoning. Permits issued shall contain provisions, which must be considered a condition of applicant's acceptance of the permit, which shall require modification into compliance with the sign requirements of the zone in which located within a reasonable period subsequent to any future zone change. Variances and exceptions may be requested in compliance with the provisions of this Ordinance.
- 3. Permit Applications.** Applicants requiring permission and/or permits will be provided a current copy of this Ordinance.
- 4. Transfer of Signs.** Signs may be transferable at change of business or property ownership without permit if they meet the provisions of ~~3-6-500(C)-subsection (D).~~
- 5. Alteration of Signs.** Alteration of existing signs beyond maintenance shall conform to provisions of this Chapter.

- 6. Building Official Notification.** Building Official shall notify owners of any sign, or the business, or the real property, where a sign has been abandoned or allowed to become in state of disrepair, unsightly, or hazardous; reasonable remedies shall be accomplished within 30 days from date of notice or posting, as certified by Building Official. Failure to comply authorizes Building Official to cause removal of such signs. Expenses incurred incident to this removal shall be paid by the owner of the real property upon which sign is located and from which it was removed, regardless of sign ownership, providing that said real property owner has been provided a copy of the 30 day notice at the time it was posted.
- 7. Violations.** Owners of signs erected in violation of the provisions of this Ordinance must remove such signs within 48 hours of notification; following the elapse of the 48 hours without appropriate action, the Building Official may cause such to be accomplished at the expense of the real property owner.
- 8. Records.** Records of action on all variances or exceptions shall be maintained by the City and copies provided to the applicant upon request.
- G. Violations.** No person shall erect, maintain, or use, nor shall any person in control of any premises, permit the erection, maintenance, or use of any sign which does not conform to and comply with the provisions of this Ordinance. Nothing contained in this Ordinance is intended to permit erection or maintenance of any sign in violation of any other Ordinances or State or Federal law. Violation of this Ordinance shall be subject to the penalties provided hereinafter.
- H. Penalty.** Any person who violates any of the provisions of this Ordinance, upon conviction thereof, shall be punished by a fine of not more than \$250.00. Conviction of any provision of this Ordinance shall be considered a violation as defined by ORS 161.565. Each calendar day that a sign is in violation of this Ordinance shall constitute a separate violation.
- I. Release from Liability.** Neither the Building Official, nor City Manager acting for either the Planning Commission or City Council, nor the City nor any of its authorized representatives shall be liable for any damages, costs, or expenses for any failure to enforce the provisions of this Ordinance.
- J. Severability.** The provisions of this Ordinance are severable. If a section, sentence, clause or phrase of this Ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this Ordinance.

MEMORANDUM

To: Mayor Keefer and members of the City Council
Cc: Brandon Hammond, City Manager
From: Stephanie Case, Planning Official
Date: September 18, 2026
RE: Planning Department Monthly Update

Warmer weather has brought an uptick in development projects, large and small, across Boardman. Many of these efforts directly advance our ongoing city strategic plan, keeping pace with an increasing demand for both residential and commercial development. Notably, construction is slated to begin soon on the newly approved Wilson Lane multifamily project, which will bring 240 new residential units to our community upon full build-out.

In addition to physical growth, tracking local data remains a high priority. The 2026 Portland State University (PSU) Population Survey has been successfully submitted for the reporting period of July 1, 2025, through June 30, 2026. These annual estimates are critical, as they direct the fair distribution of state-shared revenue, support our local planning decisions, and provide highly accurate data regarding net population changes since the last decennial Census. For community members interested in future growth trends, the upcoming Population Forecast for Morrow County relies heavily on historical models. You can view the previously published 2023 data via the [Portland State University Past Forecasts Hub](#).

Strategic Planning Program: You can follow these projects [here](#) on the City’s website.

Completed Projects:

- **Parks Master Plan (PMP):** The Land Use Board of Appeals (LUBA) has **AFFIRMED** your decision! You can find the Parks Page on the City of Boardman website [here](#).

Projects Underway:

- **Boardman Development Code (BDC) and Comprehensive Plan (CP):** Carla is deep in review mode of both the Comprehensive Plan and the Development Code. The Comprehensive Plan will soon be submitted to the Department of Land Conservation and Development initiating the adoption process. The Development Code is following about six weeks behind that. You can follow the CP/BDC PAC [here](#).
- **Housing Capacity Analysis (HCA):** By the time you read this the HCA PAC and the Planning Commission will both have met to discuss the Housing Capacity Analysis and the Measures to Accommodate Needed Housing documents. You can follow the HCA [here](#).
- **Main Street Interchange Area Management Plan Refinement (MS IAMP):** By the time you read this the TAC and PAC will have held their third meetings which focused on preferred alternatives. You can follow the MS IAMP project [here](#).

Other Programmatic work:

- **System Development Charge (SDC) Update:** Changes to the Boardman Municipal Code provisions that govern SDCs are before you in October. The 90-day comment period to consider the methodology and future fee structure is coming soon.

