AGENDA

CITY COUNCIL

91136 N Willamette Street

541-682-7852 | coburgoregon.org

Tuesday, August 09, 2022 at 7:00 PM

CALL THE CITY COUNCIL MEETING TO ORDER This meeting will be in-person and through Zoom. To participate by Zoom you will need to pre-register by 3PM the day of the meeting. Questions contact City Recorder, Sammy Egbert, sammy.egbert@ci.coburg.or.us or 541-682-7852.

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR COMMENTS

AGENDA REVIEW

CITIZEN TESTIMONY *(Sign up prior to meeting. Limit 3 minutes.)*

1. Karen Coury Written Testimony

RESPONSE(S) BY CITY COUNCIL

CONSENT AGENDA *(Councilors may remove an item from the "Consent" agenda for discussion by requesting such action prior to consideration.)*

2. Minutes July 12, 2022 City Council
3. Minutes July 26, 2022 City Council Special Meeting

SPECIAL GUEST

ORDINANCES AND RESOLUTIONS

4. **Public Hearing | First Reading**
   ORDINANCE A-200-L AN ORDINANCE AMENDING ARTICLE VII.C OF THE COBURG ZONING CODE TO IMPLEMENT A FORM BASED CODE FOR THE CENTRAL BUSINESS DISTRICT AND IMPLEMENTING OTHER GENERAL HOUSEKEEPING UPDATES TO THE ZONING CODE.
5. **Second Reading**
   ORDINANCE A-163-T AN ORDINANCE ADOPTING THE OREGON CRIMINAL CODE, OREGON UNIFORM CONTROLLED SUBSTANCES ACT, OREGON LIQUOR CONTROL ACT, AND THE OREGON MOTOR VEHICLE CODE; REPEALING CONFLICTING ORDINANCES
6. **RESOLUTION 2022-19** A RESOLUTION APPROVING A BALLOT TITLE TO BE SUBMITTED TO THE VOTERS AT THE NOVEMBER 8, 2022 ELECTION; THE QUESTION OF A TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS
7. **RESOLUTION 2022-20** A RESOLUTION TO REFER TO THE ELECTORS OF THE CITY OF COBURG THE ADOPTION OF THE 2022 COBURG CHARTER, AND REPEALING 1992 COBURG CHARTER AND CHAPTER XII SECTION 45 OF THE 1950 COBURG CHARTER

8. **RESOLUTION 2022-21** A RESOLUTION CONDITIONALLY ACCEPTING A DEDICATION OF A PORTION OF MACY STREET

COUNCIL ACTION ITEMS

ADMINISTRATIVE INFORMATION REPORTS

9. Public Works Annual Water Reports
10. Finance Quarterly Presentation
11. Police Department Quarterly Presentation
12. Administration Monthly Report

COUNCIL COMMENTS

UPCOMING AGENDA ITEMS

Ordinance A-200-L Zoning Code Amendment
City Fee Schedule Review

FUTURE MEETINGS

August 17 Planning Commission
September 5 City Hall Closed - **Labor Day**
September 13 City Council Meeting

ADJOURNMENT

The City of Coburg will make reasonable accommodations for people with disabilities. Please notify City Recorder 72 hours in advance at 541-682-7852 or sammy.egbert@ci.coburg.or.us

All Council meetings are recorded and retained as required by ORS 166-200-0235.

Citizen Testimony
Written testimony by Karen Coury

EGBERT Sammy

Received by
City of Coburg
AUG 3 2022

From: Karen Coury
Sent: Tuesday, August 2, 2022 8:08 PM
To: EGBERT Sammy
Subject: Right of Way on Macy Street

Sammy,

I've written a public comment for the upcoming City Council meeting concerning opening up Macy Street. I won't be able to come myself, but could you pass this on to the correct people?

Thanks so much,

Karen

Dear City Council Members,

We have lived on N Harrison for 28 years. Our street is the sort of warm close neighborhood people dream of. I love living here. Over the years I have spent considerable time looking out my kitchen window as I cooked for our 4 boys. I enjoy watching the flow of Coburg residents as they walk and ride by. School kids ride bikes by in the morning and afternoon, the littler ones with parents. Often whole classrooms of kids travel through with their teachers and parents on a field trip, Arbor Day, or just an outing to the Norma Pheiffer Park. The church youth groups pass by on summer evenings to the park, as well. Older folks on an after dinner stroll, or younger parents pushing strollers first thing in the morning, exercise by. There is a natural pathway down my block, from the Park, to both the school, and the loop around town via the nature walk.. It's quiet, very little traffic, and the perfect place to catch up in the middle of the street.

I am naturally concerned about opening up Macy Street to a new neighborhood that would encourage traffic on this little section of town. I certainly understand the need for access to the new neighborhood, but if you look at a map you'll see that my street from Locust to Van Duyn is perfect for pedestrian traffic and I would encourage you to guard this kid friendly street from becoming a traffic thoroughfare. N Harrison, both here, and South to the Park, is home to a large amount of foot traffic, the kind of travel we want to encourage in our citizens. Channeling traffic on specific corridors and setting aside small streets to remain quiet would be the perfect way to maintain the charm and livability of this lovely little town. I didn't know if you were aware of the sort of street N Harrison is, but I'll bet many of you have enjoyed a walk past my house. I would highly recommend you keep N Harrison on your list of quiet streets to protect.

Thank you for all you do for our town,

Karen Coury

*******WARNING: This email has been sent from OUTSIDE the City of Coburg. Please proceed with caution********

MINUTES

Coburg City Council Meeting
July 12th at 7:00 P.M.
91136 N Willamette Street
Hybrid Meeting in-person or via Zoom

DRAFT

MEMBERS PRESENT: Mayor Ray Smith, John Fox (via Zoom/phone), Nancy Bell, John Lehmann, Patty McConnell

MEMBERS ABSENT: Mark Alexander, Kyle Blain

STAFF PRESENT: City Administrator Anne Heath, Finance Director Tim Gaines, City Recorder Sammy Egbert, Public Works Director Brian Harmon, Chief of Police Larry Larson, City Attorney Anne Davies, and Megan Winner, Coburg Planning

RECORDED BY: Angela Kern, Lane Council of Governments (LCOG)

CALL TO ORDER
Mayor Smith called the meeting to order at 7:05 pm.

ROLL CALL
Ms. Egbert called roll. No quorum was present.

PLEDGE OF ALLEGIANCE
Mayor Smith led the Pledge of Allegiance.

AGENDA REVIEW
Ms. Egbert informed the Council that there were additions to Agenda Item #12, the Administration Monthly Update, as well as bullet lists from the planner. Charter Review and Discussion was also added as Agenda Item 10.5.

MAYOR COMMENTS

Mayor Smith gave a brief health update and announced that he would not be running for re-election.

CITIZEN TESTIMONY
None.

RESPONSE(S) BY CITY COUNCIL
None.

SPECIAL GUEST
Coburg Main Street
Russ Hayworth and Tracey Pugh presented the Council with completed Main Street brochures. Ms. Pugh shared that non-profit status had been filed with the IRS. She detailed the work that had been done to the website (https://www.coburgchamber.com/), including the addition of listed events and a catalog of local businesses.

Ms. Pugh mentioned that the Art Committee had painted the bike hub. She noted that a city and bike map would soon be in place. She thanked Ms. McConnell for painting wildflower and autumn murals.

Mayor Smith praised the Main Street team for their dedication and impressive achievements.

As there was no quorum, Mayor Smith moved on to non-action items.

ADMINISTRATIVE INFORMATION REPORTS

8. Public Works Annual Water Reports Total Daily Maximum Load (TMDL) and Consumer Confidence Report (CCR)

Mr. Harmon requested that the TMDL and CCR reports be delayed until August.
Hearing no objections, Mayor Smith consented.

9. Industrial Noise

Ms. Heath explained that residents of Sarah Lane complained of noise from the industrial zone where the water tanks reside. After a study, a sound expert made recommendations for a three-phase solution, with each phase to be implemented separately to determine if the issue had been resolved. The total cost for all three phases would be $33,000.

Ms. Heath cautioned the Council that this was a policy consideration, as implementing a noise control barrier in one area might encourage other neighborhoods with noise complaints to demand the same solutions.

DRAFT

Mayor Smith asked what percentage of the noise would be lessened by the barriers. Ms. Heath did not have an answer.

Mr. Lehmann noted that private property owners could be asked to put up sound walls. He further suggested that a clause could be added to the bid contract stipulating that a certain percentage of noise reduction be guaranteed by the sound experts.

Council gave staff direction to obtain a sound study to determine the effects of the industrial noise when it bounces off of the water tower, and to determine if the City had any responsibility in reducing the noise.

10. Utility Rates Update

Ms. Heath presented. She stressed that the economy was extremely volatile and that staff could not predict future rates, but could only provide projections. She noted that there had been an 8% CPI increase in construction costs in June. Ms. Heath was concerned that the 3% annual increase in water rates and 1.5% increase in sewer rates might not meet the City's budgetary needs.

Ms. Heath stated that certain projects were priorities. The top three were putting in a third well, connecting main lines to the well, and replacing the main lines. She said the current plan was to replace the main lines during upcoming road reconstruction. She indicated that the engineer was preparing new cost projections..

Ms. Heath pointed out that the reservoir project was no longer included in the budget. She reminded the Council that Urban Renewal Agency (URA) support would end in 2034.

Mayor Smith compared the situation to the Transportation Utility Fee (TUF). Councilor Lehmann shared that Salem was raising its rates by 5% annually and suggested a similar course of action, perhaps with rebates. He thought that residents would accept 5% as Cost of Living (COL) rate increases. Mayor Smith noted that rates had only been raised once during his time in office, and when growth offset the need, the raised rate was rescinded. He found it commendable that the city had maintained its rates.

Ms. Heath conveyed that a work session would be required to determine rate amounts.

Councilor Lehmann wanted the idea of a 5% annual rate raise posed to the Council. Mayor Smith suggested a rate raise of 5% for a limited number of years rather than 3% every year. Councilor Fox joined briefly via Zoom and stated that he preferred the idea of rebates to raising and lowering rates.

Ms. Heath inquired if the Council members were comfortable shelving the topic until September. The Councilors indicated that they were.

11. Finance Monthly Report

Mr. Gaines presented the finance report for May, 2022 and called for questions. Ms. Heath mentioned that the month of June included large revenue items. Councilor Lehmann noted that water and sewer fees on pages 97 and 100 differed due to the inclusion of revenue.

Councilor Fox joined via telephone, creating a quorum.

Mayor Smith moved on to action items.

CONSENT AGENDA

1. Minutes June 14, 2022 City Council

MOTION: Councilor Lehmann moved, seconded by Councilor McConnell, to approve the **Consent Agenda** as presented. The motion passed unanimously, 4:0:0

ORDINANCES AND RESOLUTIONS

2. Public Hearing | First Reading

ORDINANCE A-163-T AN ORDINANCE ADOPTING THE OREGON CRIMINAL CODE, OREGON UNIFORM CONTROLLED SUBSTANCES, OREGON LIQUOR CONTROL ACT, AND THE OREGON MOTOR VEHICLE CODE; REPEALING CONFLICTING ORDINANCES.

Mayor Smith opened the public hearing at 8:02 pm. Chief Larson noted that the word "liquor" was misspelled in Addendum A. With no input from the public, the hearing was closed at 8:03. The second reading was scheduled for August 9th, 2022.

3. Public Hearing | First Reading

ORDINANCE A-254 AN ORDINANCE DECLARING A BAN OR TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS

Mayor Smith opened the public hearing at 8:03 pm.
Ms. Heath explained that the ordinance pertained to State Measure 109. She relayed that the Council had several options, including: Offering voters an ordinance for a full ban, offering voters a temporary ban which would entail a two-year moratorium, or doing nothing, which would bypass voters and automatically allow psilocybin service centers and manufacturing.

Mayor Smith inquired about state mandates. City Attorney Anne Davies responded that no rules had been adopted yet. Councilor McConnell asked if a full ban could later be reconsidered. Ms. Davies confirmed that it could. After lengthy discussion of how the substances would be managed, it was determined that they were to be prescribed by physicians in a medical setting.

DRAFT

Public Testimony: Janel McPherson of 90942 S. Coleman St., Coburg, argued in favor of a full ban.

Discussion ensued. Councilors Lehmann and McConnell were in favor of a temporary ban. Mayor Smith cautioned that the public needed to be educated on the meaning of a temporary ban, as it might be voted down due to the misunderstanding that it precluded a permanent ban.

Mayor Smith closed the public hearing at 8:31 pm. He announced that the second reading of Ordinance A-254 was scheduled for July 26th, 2022. Ms. Heath clarified that the Council had agreed on a temporary ban. Council confirmed.

5-Minute Recess: From 8:32 to 8:37

4. RESOLUTION 2022-18 A RESOLUTION AUTHORIZING GRANT FUNDING APPLICATIONS TO THE CENTRAL LANE MPO AND DELEGATING AUTHORITY TO THE CITY ADMINISTRATOR TO SIGN APPLICATION COUNCIL ACTION ITEMS

Ms. Winner explained that the resolution pertained to three funding applications to the Central Lane Metropolitan Planning Organization (MPO) for three separate transportation projects: North Coburg Industrial Way Pavement Preservation, additional funding for Phase 4 of the Coburg Loop Path, and a feasibility study for an East/West freight commuter connector road, for a total cost of $1,077,950.

Councilor McConnell inquired as to the location of Phase 4 of the Coburg Loop Path. Ms. Winner responded that it ran from the pedestrian path on Sarah Lane to Trail's End.

MOTION: Councilor Bell moved, seconded by Councilor McConnell, to adopt Resolution 2022-18 as presented. The motion passed unanimously, 4:0:0

5. Auditor Service 2022-2024

Mr. Gaines reminded Council that staff were tasked with developing a request for proposal (RFP) for auditing services. Only one company had responded. Mr. Gaines spoke highly of Umpqua Valley Financial and recommended retaining the company for auditing services.

MOTION: Councilor Bell moved, seconded by Councilor McConnell, to approve and renew a two-year auditing contract with Umpqua Valley Financial CPA DC for FY 2022-2024. The motion passed unanimously, 4:0:0

6. Water Easement Buy Back Options

Ms. Heath asked Council for direction on the matter of water easement buybacks. She presented three possible options: Getting appraisals, using the same percentage as the original rate, or selling at the same price as the original cost. After some discussion, Councilor Lehmann suggested selling at not less than the current market value.

MOTION: Councilor Lehmann moved, seconded by Councilor Fox, to approve the sell-back of water easements purchased by the City of Coburg for the Water Project at not less than the current assessed market value. The motion passed unanimously, 4:0:0

7. Douglas Fast Net Ground Lease Agreement

Ms. Heath relayed that Douglas Fast Net (DFN) had leased fiber optic lines from the Fiber Consortium to the City of Coburg. DFN would construct a 10 x 12 hut at the Sarah Lane Water Booster Station, with construction beginning in September and completion expected by November. DFN anticipated providing service to City Hall in November. Service to communities would be provided to those with overhead lines first. Monthly service would have introductory pricing of $50 for 250 Mb, increasing to $65 after 12 months. In exchange for the ground lease, DFN would provide City Hall with free broadband and equipment. The City would also receive franchise fees of 5% of the annual gross.

Mayor Smith asked for clarification as to the location of the hut. Ms. Heath responded that it would be in the southeast corner of the lot.

Councilor Bell wondered what the cost of the power would be. Ms. Heath said it would be $125 per month, offset by the $300 worth of broadband service.

Councilor Lehmann pointed out that under the termination clauses, language in C and E left the city at risk for expenses related to removing equipment. He requested a clause be added requiring DFN to reimburse the City of Coburg for any costs incurred. Council agreed to amend the contract. Ms. Heath and Ms. Davies agreed that they would remove C and change the language of E.

MOTION: Councilor McConnell moved, seconded by Councilor Bell, to approve the City Administrator to sign a ground lease agreement with DFN to place a hut at the Sarah Lane Water Booster Station, as amended. The motion passed unanimously, 4:0:0

10.5 Charter Review and Discussion

Ms. Heath relayed that after discussion, staff had decided the best course of action was to create a new Charter and repeal the old one. She reminded the Council that they had a week to review the new Charter and requested that any questions or comments be emailed to her (Anne.Heath@ci.coburg,or.us). She defined the terms charter and officers. She noted that the City Attorney should probably not be an officer, as officers could be named in lawsuits.

Councilor Lehmann asked for clarification that officers were elected officials. Ms. Heath confirmed that they were.

Ms. Heath noted that the new charter removed the treasurer and added the City Administrator, aligned with Ordinance A-250. She requested that the Council consider whether to repeal A-250 or leave it in place.

Ms. Heath established that Judge Williams had been consulted. His recommendation was that the Charter give him the ability to appoint a pro tem judge.

Ms. Heath noted that language prohibiting a salary for the Mayor and Councilors had been removed.

Councilor Lehmann wondered if City Council members were paid in other cities. Ms. Heath affirmed that yes, it was common for councilors to receive a stipend. There was discussion about compensation versus stipends. Ms. Egbert reminded the Council that the language did not establish a policy of pay, but merely allowed for the possibility.

Ms. Heath stated that the first reading would take place during the July 26th Special Meeting and a second reading and adoption were scheduled for August 9th, putting the ordinance on the November 8th ballot. She expressed that there would be a resolution to be passed as well as the ordinance.

Mayor Smith praised the format of the new Charter.

12. Administration Monthly Update

Ms. Heath announced that a presentation had been given for the Parks grant and that more would be known in September.

Ms. Heath reminded Council that everything she had sent out during the month was in the packet provided and called special attention to the legislative priorities. She asked that they be submitted by the deadline.

Mayor Smith appreciated the Councilors' time and thanked Councilor Fox for the extra effort made to attend.

UPCOMING AGENDA ITEMS

- **1992 Charter Amendment**
- **General Elections**
- **Zoning Code Amendment**

FUTURE MEETINGS

- **July 13, 2022 Heritage Committee**
- **July 19, 2022 Park Tree Committee**
- **July 20, 2022 Planning Commission**
- **July 26, 2022 City Council Special Meeting**
- **July 27, 2022 Finance Audit Committee**
- **August 9, 2022 City Council**

ADJOURNMENT

Mayor Smith adjourned at 9:43 pm.

APPROVED by the City Council of the City of Coburg on this ____ day of _____, _____.

_____

Ray Smith, Mayor of Coburg

ATTEST:

_____

Sammy L. Egbert, City Recorder

DRAFT

MINUTES

Coburg City Council Special Meeting
July 26th at 6:00 P.M.
91136 N Willamette Street
Hybrid Meeting in-person or via Zoom

DRAFT

MEMBERS PRESENT: Council President Nancy Bell, Mark Alexander, John Fox, Kyle Blain, John Lehmann (via Zoom), Patty McConnell

MEMBERS ABSENT: Mayor Smith

STAFF PRESENT: City Administrator Anne Heath, Finance Director Tim Gaines, City Recorder Sammy Egbert, City Attorney Anne Davies, Megan Winner, Coburg Planning

GUESTS: Zoe Anton, Cathy Engebretson

RECORDED BY: Angela Kern, Lane Council of Governments (LCOG)

CALL TO ORDER
Council President Bell called the meeting to order at 6:05 pm.

PLEDGE OF ALLEGIANCE
Councilor Blaine led the Pledge of Allegiance.

ROLL CALL
Ms. Egbert called roll. A quorum was present.

AGENDA REVIEW
A-200-L was moved to the end of the Agenda. Agenda Item 2.5 was added under Council Action Items to approve the Roberts Court contract with Riverbend Construction.

CITIZEN TESTIMONY
None

RESPONSE(S) BY CITY COUNCIL
None

CONSENT AGENDA
None

ORDINANCES AND RESOLUTIONS

1. Second Reading
ORDINANCE A-254 AN ORDINANCE DECLARING A TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS

Ms. Heath gave a brief explanation of the Ordinance.
Councilor McConnell wondered if the Council would have an opportunity to hear from expert speakers at the end of the ban. Ms. Heath said yes, that could be arranged.

Council President Bell explained that the Council was voting to put the ordinance on the November ballot for voters to decide. Ms. Heath noted that if the public voted against the ordinance, Oregon Measure 109 would enact. Council President Bell suggested that public education was needed.

MOTION: Councilor Blaine moved to adopt **Ordinance A-254**, seconded by Councilor Alexander. The motion passed 5:0:1. Councilor Fox abstained on account of tardiness.

COUNCIL ACTION ITEMS

2.5 Roberts Court Pavement Project Contract Approval

Ms. Heath explained that the contract covered Roberts court, which was an extension of Roberts Road, which had already been approved by the Council. She noted that there had been two bids and that the project qualified for Oregon Transportation Infrastructure Bank (OTIB) funding in the amount of $379,000.

Councilor Fox inquired if two bids were fewer than expected. Ms. Heath said no. There was some discussion about the standard 1-year warranty.

MOTION: Councilor Fox moved to approve the Roberts Court contract with Riverbend Construction, seconded by Councilor McConnell. The motion passed unanimously, 6:0:0.

3. IOOF Lease Agreement Amendment

Ms. Heath explained that the current lessor wanted to amend the existing contract to exclude the front half of the parking lot from the lease. She cited an incident during which the lessor

may have violated the terms of the lease by restricting access to power. It was noted that the City needed to clarify which power poles were available to plug spiders into.

After discussion of the terms of the lease, the Council decided to deny the amendment request.

> **MOTION:** Councilor Fox moved to deny the IOOF lease amendment, seconded by Councilor Blaine. The motion passed unanimously, 6:0:0.

Councilor Alexander inquired as to how the Council could protect the City from future issues with the lessor. Ms. Heath suggested that City Attorney Davies send the lessor a notice regarding the lease violation.

> **MOTION:** Councilor moved to draft a lease violation notice letter to the lessor, seconded by Councilor Alexander. The motion passed unanimously, 6:0:0.

DRAFT

ADMINISTRATIVE INFORMATION REPORTS

4. Charter Amendments

Ms. Heath noted that the Council was reviewing a new Charter, based on the recommended charter of the League of Oregon Cities, with language specific to Coburg. The new Charter:

- Clarified the role of the Office of Mayor
- Added the role of City Administrator
- Removed the position of Treasurer
- Allowed judges to appoint a pro-tem judge
- Addressed vacancies and how they are filled
- Allowed a final vote by vacating Councilors

Council President Bell requested clarification in the language regarding abstention. Ms. Heath made note of it. Council President Bell praised the staff for their hard work.

RECESS

Council President Bell called for a 5-minute recess at 6:55 pm. Council reconvened at 7:00 pm.

SPECIAL GUEST

2. Public Hearing | First Reading

ORDINANCE A-200-L AN ORDINANCE AMENDING ARTICLE VII.C OF THE COBURG ZONING CODE TO IMPLEMENT A FORM BASED CODE FOR THE CENTRAL BUSINESS DISTRICT AND IMPLEMENTING OTHER GENERAL HOUSEKEEPING UPDATES TO THE ZONING CODE

Council President Bell noted that it was a Type 7 Legislative Procedure and gave instruction for speaking. She opened the public hearing at 7:05 pm.

Ms. Winner gave the staff report. She noted that there had been concerns about the formula-based business restrictions.

Guest Zoe Aston presented the Central Business District (CBD) form-based code. She noted that it was based on existing code. She detailed the purpose of the CBD. She noted that the overlay zone went on top of the CBD and showed two parcel types: Downtown Core and Downtown Flex.

Councilor Lehmann requested clearer language in Section 4B of the Matrix, detailing that no more than 30% of a front yard could be paved. Ms. Winner addressed his concerns and Ms. Davies agreed that the language could be adjusted.

Councilor Lehmann noted that 2.B.1, the requirements for recessed garages, had been stricken and wanted to know the likely impact. Guest Cathy Engebretson explained that the requirements were for residential dwellings and were not generally applicable to Main Street.

Ms. Winner continued with her staff report. She detailed the changes being proposed.

Councilor Fox made a point of clarification, noting that his packet was missing D and E.

Councilor McConnell made a point of clarification, noting that the formula-based business restrictions only applied to the CBD. She also wished the record to show that the decision to strike the garage setback requirements had not been unanimous. Ms. Winner pointed out that the Code Review Committee had requested to reevaluate the setback requirements at a later date.

Councilor Lehmann noted that the language on page 21 regarding Accessory Dwelling Units (ADU) seemed to discourage building new units. City Attorney Davies noted that the Matrix did not show the whole code and that the proposed changes actually lifted limitations.

Councilor Lehmann questioned the small park on the overlay map. It was determined to be private property belonging to the Dairy Mart.

TESTIMONY:
Cathy Engebretson of 32703 E. Locust Street explained the development code for the public.

Ryan Hudman of 32589 Hatfield Street protested the restrictions on formula-based businesses as too restrictive for small business owners. He requested that the Council make the proposed amendment less intrusive.

DRAFT

Robert Lamont of Newburg, Oregon, was opposed to the restrictions on formula-based businesses. As the owner of 3.81 acres adjacent to City Hall, he felt that the proposed changes were too restrictive. He also requested a modification to the map to allow for more Flex use on the land.

Bruce Lamont of Newburg, Oregon, was opposed to the restrictions on formula-based businesses. As the co-owner of 3.81 acres adjacent to City Hall, he felt that the proposed changes were too restrictive.

Council President Bell closed the public hearing at 8:00 pm.

COUNCIL COMMENTS

Councilor McConnell suggested modifying the definition of a formula-based business for the community. Ms. Winner said that the staff had prepared alternate language for conditional use, such as a square foot limitation. Staff had also prepared some criteria for formula-based businesses.

Councilor Fox suggested that formula-based businesses could modify their appearance to meet Coburg building standards. Addressing the public hearing, he noted that the discussion of Core or Flex designations was separate from the discussion of formula-based businesses.

Ms. Winner clarified that the 3.81 acres owned by the Lamont's had always been CBD and the zoning had not been changed.

Council President Bell asked for a recommendation from Council to Staff to move forward with the conditional use language. Council gave the recommendation and it was decided that a second First Reading and Public Hearing would take place on August 9th, 2022, at 7:00 pm.

UPCOMING AGENDA ITEMS

Ord A-200-L Zoning Code Amendment
Ord A-163-T Criminal Code
2022 City of Coburg Charter referral to voters

FUTURE MEETINGS

July 27, 2022 Finance Audit Committee
August 9, 2022 City Council

ADJOURNMENT

Council President Bell adjourned at 8:22 pm.

APPROVED by the City Council of the City of Coburg on this ____ day of _____, _____.

_____
Ray Smith, Mayor of Coburg

ATTEST:

_____
Sammy L. Egbert, City Recorder

Questions or clarification contact me at 541-682-7852 or sammy.egbert@ci.coburg.or.us

DRAFT

COBURG CITY COUNCIL
ACTION ITEM

TOPIC: Ordinance A-200-L: An Ordinance Amending Article VII.C of the Coburg Zoning Code to Implement a Form-Based Code for the Central Business District and Implementing Other General Housekeeping Updates to the Zoning Code

Meeting Date: August 9, 2022
Staff Contact: Megan Winner, Planner
Contact: 541.682.7862, megan.winner@ci.coburg.or.us

REQUESTED COUNCIL ACTION:

City Council will be hearing the first reading and hold a public hearing on Ordinance A-200-L: An Ordinance amending Article VII.C of the Coburg Zoning Code to implement a form-based code for the Central Business District and implementing other general housekeeping updates to the Coburg Zoning Code, also known as the Coburg Development Code.

Second Reading is scheduled for the September 13, 2022 City Council meeting.

CITY COUNCIL GOAL
Council Goal 1: Livability, Health and Vitality
Council Goal 5: Strategic Planning
Council Goal 6: Economic Development

BACKGROUND
In 2020, the City of Coburg contracted with the Urban Collaborative LLC., to conduct a Build-Out Scenario analysis. The Build-Out Scenario project spurred discussion in the community about what is currently allowed in the Zoning Code. From this discussion, an Ad-Hoc Code Review Committee was formed at the direction of the City Council. The Ad-Hoc Code Review Committee comprised of two City Councilors, two Planning Commissioners, two citizens-at-large and one business owner. The Ad-Hoc Code Review Committee met bi-weekly for a period of over 8 months, from February to October of 2021 to review and make recommendations on the proposed amendments. By the end of their meetings, the Committee chose to pursue a form-based code for and prohibit the use of formula-based businesses (also known as chain stores) within the Central Business District zoning district, in addition to other amendments to the code.

The form-based code overlay to the boundaries of the Central Business District is one of the most significant amendments being proposed. One primary purpose of a form-based code is to

focus on the built environment and its desired look and feel. The form-based code overlay, including a regulating plan, development checklist and rendering have been reviewed and recommended approval by the Ad-Hoc Code Review Committee (Attachment F).

Other amendments to the code include:

- Prohibiting the use of formula-based businesses (also known as chain stores) within the Central Business District
- Correcting scrivener's errors and other straightforward language changes
- Addition of alternative street standards
- Addition of a Public Facilities zoning district section
- Addition of rendering for the Highway Commercial zoning district,
- Additional Mobile Food Vending standards as recommended by the Coburg Fire Chief
- Other changes as found in the matrix of proposed changes (Attachment A).

From Planning Commission Public Hearing on July 20th, 2022
Planning Commission received the staff report, presentation and public testimony. Planning Commission had questions for staff and discussion ensued. Planning Commission had concerns particularly over the formula business restriction, but voted unanimously to recommend approval of the proposed amendments to City Council.

From City Council Public Hearing on July 26, 2022:
The City Council received the staff report, presentation and public testimony. City Council and public testimony identified several questions/concerns, particularly regarding the prohibited use of formula businesses in the Central Business District. City Council directed staff to research and develop an alternate code amendment to allow formula businesses as a conditional use with a potential square footage restriction, rather than an outright prohibited use. City Council continued the hearing and public record and requested another first reading of the ordinance take place on August 9th to accommodate the additional alternate amendment request. City Council adjourned until August 9, 2022, to perform a first reading of the ordinance and receive the staff report on the alternate amendment as directed by Council. Council will deliberate and hear a second reading and make a decision at the September 13, 2022 meeting.

APPROVAL CRITERIA

ARTICLE X.E TYPES OF REVIEW PROCEDURES, TYPE IV PROCEDURE
E. Type IV Procedure (Legislative).

1. Pre-Application Conference. *A pre-application conference is required for all Type IV applications initiated by a party other than the City of Coburg. The requirements and procedures for a pre-application conference are described in Section F.*

FINDING: The City of Coburg initiated this procedure. This criterion is not applicable.

2. Timing of Requests. *The City accepts legislative requests twice yearly, meeting January and July application timeline requirements. The City Council may initiate its own legislative proposals at any time.*

FINDING: The City of Coburg initiated this procedure. This criterion is met.

3. Application Requirements.

a. Application forms. *Type IV applications shall be made on forms provided by the City Planning Official or designee.*

b. Submittal Information. *The application shall contain:*

(1) The information requested on the application form;
(2) A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);
(3) The required fee; and
(4) One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards.

FINDING: The City of Coburg initiated this procedure. These criteria are not applicable.

4. Notice of Hearing.

a. Required hearings. *A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications, except annexations where only a hearing by the City Council is required.*

b. Notification requirements. *Notice of public hearings for the request shall be given by the City Planning Official or designee in the following manner:*

(1) At least 10 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.175 and mailed to:

(i) Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment);
(ii) Any affected governmental agency;

(iii) Any person who requests notice in writing;
(iv) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;

(2) At least 10 days before the scheduled Planning Commission public hearing date, and 10 days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.

(3) The City Planning Official or designee shall:

(i) For each mailing of notice, file an affidavit of mailing in the record as provided by subsection 1; and
(ii) For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection 2.

(4) The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least 45 days before the first public hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD Certificate of Mailing.

(5) Notifications for annexation shall follow the provisions of this Chapter.

FINDING: The proposed amendment does not rezone any property in the City. However, Measure 56 notice and Type IV mailing notice was sent to every property owner in Coburg City limits using the Lane County Assessors roll through RLID. Agency referral was sent to affected agencies on May 24, 2022. The notice of public hearings at Planning Commission and City Council was published in the Register Guard. Staff notified DLCD through their online Post Amendment Plan Acknowledgement (PAPA) process in March 2022. These criteria are met.

7. Decision-Making Criteria. *The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:*

a. Approval of the request is consistent with the Statewide Planning Goals;

FINDING: As explained below, the request is consistent with the Statewide Planning Goals. This criterion is met.

APPLICABLE STATEWIDE PLANNING GOALS:

GOAL 1: Citizen Involvement

FINDING: The Ad-Hoc Code Review Committee held several public meetings and work sessions while reviewing and suggesting new language for the proposed amendments. As part of the adoption process, two public hearings are scheduled, July 20, 2022 with the Planning Commission and July 26, 2022 with the City Council, followed by a second reading of the ordinance at the August 9th City Council meeting.

GOAL 2: Land Use Planning

FINDING: The proposed amendments enhance the Coburg Zoning Code, and are based on the Comprehensive Plan relevant policies as required by Goal 2.

GOAL 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

FINDING: The proposed amendments preserve the historic architectural character of the Central Business District, which is within Coburg's National Historic District. The intention of the amendments within the Central Business District is to protect the historic assets and special environment, both natural and manmade, of the community so that the uniqueness of Coburg may flourish without inappropriate changes.

GOAL 9: Economic Development

FINDING: The proposed amendments to the Coburg Zoning Code enhance the code for further economic opportunity in the Central Business district as required by Goal 9. Reducing formula based businesses fosters a more hospitable business environment for small businesses and entrepreneurs.

STATEWIDE PLANNING GOALS 3, 4, 6, 7, 8, 10 -19 are not applicable to this amendment.

CONCLUSION: The proposed amendments to the Coburg Zoning Code meet the necessary requirements of the applicable Statewide Planning Goals. This amendment does not change the priority or inventory of those related requirements. These criteria are met.

b. Approval of the request is consistent with the Comprehensive Plan; and

FINDING: As explained below, the request is consistent with the Comprehensive Plan. This criterion is met.

APPLICABLE COMPREHENSIVE PLAN POLICIES AND GOALS

GOAL 1: Citizen Involvement

FINDING: The Ad-Hoc Code Review Committee held several public meetings and work sessions while reviewing and suggesting new language for the proposed amendments. As part of the adoption process, two public hearings are scheduled, July 20, 2022 with the Planning

Commission and July 26, 2022 with the City Council, followed by a second reading of the ordinance at the August 9th City Council meeting. Notice was sent to every property owner in the City. Information and invitations to comment were put in the newsletter and on the City's website.

GOAL 2: Land Use

Policy 11: *Central Business District – The Central Business District designation is intended to establish the downtown area as the historic heart of Coburg. The CBD is the location for smaller scale commercial and business facilities, civic buildings and city functions, and mixed use. The Central Business district will be historic and pedestrian-oriented in character.*

Finding: The proposed amendments largely affect the Central Business District development regulations in the zoning code. This zone contains vacant properties where development will significantly contribute to the character of the historic downtown corridor. The intention of the proposed amendments within the Central Business District, both the form-based code overlay and prohibited use of formula-based businesses, is to protect the historic assets and special environment, both natural and manmade, of the community so that the uniqueness of Coburg may flourish without inappropriate changes.

Alternative street standards provide flexibility in the design, repair and construction of streets, particularly in historic neighborhoods.

The proposed amendments provide a way forward for intentional development.

Policy 17*: Public Facility – This designation is intended to provide lands for public facilities and uses such as water reservoirs, sewage treatment plants, pump stations, major electric utilities and similar uses.*

Finding: The addition of a Public Facilities section to the Zoning Code will promote and ensure the purpose of the designation.

GOAL 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Coburg Objective: To protect, restore and enhance open space, scenic and historic areas, and, to promote a healthy and visually attractive environment in harmony with the natural landscape.

Finding: The proposed amendments preserve the historic architectural character of the Central Business District, which is within Coburg's National Historic District. The intention of the amendments within the Central Business District is to protect the historic assets and special environment, both natural and manmade, of the community so that the uniqueness of Coburg may flourish without inappropriate changes.

GOAL 9: Economy

Coburg Objective: **To guide community development in such a way that the local economy is improved while maintaining Coburg's small town atmosphere.**

Policy 11: *The City shall promote quality of life and compatibility of commercial and industrial uses with the small town, historic character of the community.*

Policy 20: *The downtown area of Coburg should reflect the rural and historic character of the area. Businesses are encouraged to provide attractive building exteriors, signs, landscaping and parking lots that are in keeping with character of the downtown area. The downtown area is the heart of Coburg and essential businesses and city functions should be located in this area. The downtown area should invite citizens and other customers to use alternative modes of transportation, including walking and bicycling to patronize these businesses.*

Policy 21*: The Coburg Development Code shall include standards that ensure development in the downtown reflects the rural and historic character of the area, and provides an attractive, pedestrian-oriented character for the downtown.*

Policy 22: *The City shall encourage a vital downtown area as a key strategy to maintaining the City's quality of life.*

Policy 23: *The City shall encourage mixed-use in the Central Business District, and where appropriate, in adjacent areas.*

Policy 26*: The City shall utilize design standards for commercial and industrial development uses.*

Finding: The proposed amendments to the Coburg Zoning Code enhance the code for further economic opportunity and vitality in the Central Business district. The form based code overlay will ensure development in the downtown reflects the rural and historic character of the area and provide an attractive, pedestrian-oriented character for the downtown. Reducing formula-based businesses fosters a more hospitable business environment for small businesses and entrepreneurs.

GOAL 11: Public Facilities and Services

Coburg Objective: To provide the residents of Coburg the public facilities and services which make possible a safe, healthy and satisfying living environment.

Finding: The addition of a Public Facilities section to the Zoning Code will promote and ensure the purpose of the designation.

GOAL 12: Transportation

Policy 3: *Improve the aesthetics of streets and streetscapes, especially at City entrance ways such as Interstate5 interchange area. Aesthetic improvements may address: street design, trees, lighting, utility lines, sidewalks, park strips, noise abatement, etc.*

Finding: Alternative street design standards and meant to provide flexibility, improve aesthetics and preserve the historic character of the community.

GOALS 3, 4, 6, 7, 8, 10, 13, 14 are not applicable to this amendment

CONCLUSION: The proposed amendments to the Coburg Zoning Code support and promote goals, objectives and policies of the Comprehensive Plan. These criteria are met.

c. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

FINDING: The proposed amendments do not change any physical aspect of any property. This criterion is not applicable.

8. Approval Process and Authority.

a. The Planning Commission shall:

(1) After notice and a public hearing, vote on and prepare a recommendation to the City Council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and

b. Any member of the Planning Commission who votes in opposition to the Planning Commission's majority recommendation may file a written statement of opposition with the City Planning Official or designee before the Council public hearing on the proposal. The City Planning Official or designee shall send a copy to each Council member and place a copy in the record; and

c. If the Planning Commission fails to adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within 60 days of its first public hearing on the proposed change, the City Planning Official or designee shall:

(1) Report the failure together with the proposed change to the City Council; and

(2) Provide notice and put the matter on the City Council's agenda for the City Council to hold a public hearing and make a decision. The Commission shall take no further action.

FINDING: The hearing and approval process and procedure shall be as normal. These findings will be updated following the Planning Commission hearing to reflect the recommendation made. These criteria will be met.

d. The City Council shall:

(1) Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the Planning Commission for rehearing and reconsideration on all or part of the application;

(2) Consider the recommendation of the Planning Commission; however, the City Council is not bound by the Commission's recommendation; and

(3) Act by ordinance, which shall be signed by the Mayor after the Council's adoption of the ordinance.

FINDING: The hearing and approval process and procedure shall be as normal. These criteria will be met.

9. Vote Required for a Legislative Change.

a. A vote by a majority of the qualified voting members of the Planning Commission present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.

b. A vote by a majority of the qualified members of the City Council present is required to decide any motion made on the proposal.

FINDING: The hearing and approval process and procedure shall be as normal. These criteria will be met.

10. Notice of Decision. *Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development, within five business days after the City Council decision is filed with the City Planning Official or designee. The City shall also provide notice to all persons as required by other applicable laws.*

FINDING: Staff shall follow up with correct noticing procedures should the City Council vote to approve the amendments. This criterion will be met.

11. Final Decision and Effective Date. *A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon mailing of the notice of decision to the applicant.*

FINDING: Should Planning Commission and City Council vote to approve the amendment, the ordinance shall specify an effective date. This criterion will be met.

12. Record of the Public Hearing.

a. A record of the proceeding shall be made by a minutes recorder, stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record. The minutes and other evidence presented as a part of the hearing shall be part of the record;

b. All exhibits received and displayed shall be marked to provide identification and shall be part of the record;

c. The official record shall include:

(1) All materials considered by the hearings body;
(2) All materials submitted by the City Planning Official or designee to the hearings body regarding the application;
(3) The v record made by the minutes recorder, stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;
(4) The final ordinance;
(5) All correspondence; and
(6) A copy of the notices that were given as required by this Chapter.

FINDING: The City shall follow record procedures as described. These criteria will be met.

BUDGET
N/A

RECOMMENDATION
Staff recommends that the Council votes to approve the proposed code amendment, in accordance with the above findings to ensure that it complies with the Criteria for Land Use District Text Amendments set forth in Article XVI of the Coburg Zoning Ordinance No. A-200-I.

NEXT STEPS

If approved, shall take effect and shall become final as specified in the enacting ordinance

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ATTACHMENTS

A. Ordinance A-200-L Amending Zoning Code – Draft
    a. Exhibit A – Proposed Text Amendments
    b. Exhibit B – Findings and Facts
B. Matrix of proposed amendments
C. Form based code overlay for Central Business District including regulating plan and development checklist
D. Highway Commercial District rendering
E. Alternative Street Standards
F. Public Facilities Section
G. Recommendation memo from Ad-Hoc Code Review Committee
H. Notice Materials

REVEWED THROUGH:

Anne Heath, City Administrator
Henry Hearley, Contract Planner
Sammy Egbert, City Recorder

ORDINANCE A-200-L

AN ORDINANCE AMENDING ARTICLE VII.C OF THE COBURG ZONING CODE TO IMPLEMENT A FORM BASED CODE FOR THE CENTRAL BUSINESS DISTRICT AND IMPLEMENTING OTHER GENERAL HOUSEKEEPING UPDATES TO THE ZONING CODE.

WHEREAS, the City of Coburg conducted a Build Out Scenario analysis which spurred discussion to review the Coburg, Oregon Zoning Code and led to the creation of an Ad-Hoc Code Review Committee comprised of two City Councilors, two Planning Commissioners, two citizens-at-large and one business owner;

WHEREAS, with the passage of Resolution 2020-22, the Coburg City Council directed the formation of an Ad-Hoc Code Review Committee. The Committee met bi-weekly for a period of over 8 months, from February to October of 2021, to review and make recommendations on the proposed amendments. At the conclusion of the Committee's work, the Committee chose to pursue a form-based code overlay for the Central Business District zoning district, prohibit the use of formula based businesses within the Central Business District, add alterative street standards and a Public Facilities section, in addition to other amendments to the code;

WHEREAS, through routine review and inspection of the Coburg Zoning Code, City staff recognized several housekeeping items that needed to be updated throughout the Development Code. The housekeeping items that require updating are included in the amendments proposed of Ordinance A-200-L.

WHEREAS, staff have prepared the proposed text amendments, as seen in Exhibit "A" attached hereto to be incorporated in the Coburg Zoning Code.

WHEREAS, staff have prepared Findings of Fact to support adoption of Ordinance A-200-L, as seen in Exhibit B attached hereto.

WHEREAS, after proper notice, the City of Coburg Planning Commission conducted a public hearing and considered the amendments at their July 20,2022 public meeting. The Planning Commission passed a motion recommending that City Council adopt the proposed Development Code amendments;

WHEREAS, after proper notice, the City of Coburg City Council held a public hearing on July 26, 2022 to consider the proposed Zoning Code amendments.

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

Section 1. **Coburg Zoning Code.** The City of Coburg Zoning Development Code is hereby amended as shown in Exhibit "A". Exhibit "A" is hereby adopted by this reference.

Section 2. **Findings of Fact.** The Findings of Fact set forth in Exhibit "B" attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 4. **Severability**. The sections and subsections of this ordinance are severable. The invalidity of any section or subsection shall not affect the validity of the remaining sections and subsections.

Section 5. **Conflicts.** In the event that sections or provisions of this ordinance conflicts with other ordinances, then the standards established by this ordinance shall take priority.

Section 6. **Reference Errors.** The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein.

After public notice and reading pursuant to the Coburg City Charter and after Council deliberations followed by councilor motion and second, this ordinance was put to a vote, the results of which were:

ADOPTED by the **City Council** of the **City of Coburg** this 9th day of August, 2022, by a vote of ___ for and ___ against.

APPROVED by the Mayor of the City of Coburg this __th day of _____, 2022.

_____
Ray Smith, Mayor

ATTEST:

_____
Sammy L. Egbert, City Recorder

EXHIBIT A

ORDINANCE NO. A-200-L~~I~~

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ARTICLE I. TITLE

This code shall be known as the "Coburg, Oregon Zoning Code" and the map herein referred to shall be known as the "Official Zoning Map of the City of Coburg, Oregon."

ARTICLE II. PURPOSE

The several purposes of this Code are to encourage the most appropriate use of land; conserve and stabilize the value of property; aid in the rendering of fire and police protection; provide adequate open space for light and air; lessen congestion on streets; promote orderly growth in the city; prevent undue concentrations of population; implement the comprehensive plan; facilitate adequate provision for community utilities and facilities such as water, sewage disposal, transportation, schools, parks and other public requirements; and promote the public health, safety, convenience and general welfare.

ARTICLE III. ESTABLISHMENT OF DISTRICTS

The City is hereby divided into zones, or districts, as shown on the Official Zoning Map which together with all explanatory matter thereon is hereby declared to be part of this Code.

If, in accordance with the provisions of this Code and ORS 227, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Code. The Official Zoning Map shall be kept in the office of the City Recorder and shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the city.

ARTICLE IV. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

C. Boundaries indicated as approximately following city limits shall be construed as following such city limits;

D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

E. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;

F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;

G. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections A through F above, the Planning Commission shall interpret the district boundaries.

H. Where a district boundary line divides a lot which was in single ownership at the time of passage of this ordinance, the Planning Commission may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed 100 feet beyond the district line into the remaining portion of the lot.

I. If land is annexed into the City and the intent of the City and applicant is to zone the annexed land the same as the existing Comprehensive Plan zoning designation, it automatically is zoned as such.

ARTICLE V. APPLICATION OF DISTRICT REGULATIONS

The regulations set by this Code within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

The regulations set by this Code within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

A. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

B. No building or other structure shall hereafter be erected or altered:

1. to exceed the height or bulk;
2. to accommodate or house a greater number of families;
3. to occupy a greater percentage of lot area;
4. to have narrower or smaller rear yards, front yards, side yards, or other open space than herein required; or in any other manner contrary to the provisions of this Code.

C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Code, shall be included as part of a yard, open space, or off-street parking or loading similarly required for any other building.

D. No yard or lot existing at the time of passage of this Code shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Code shall meet at least the minimum requirements established by this Code.

E. The City may attach such conditions as are necessary to carry out the provisions of this Code, and other applicable ordinances and regulations. Such conditions of approval shall be based upon the Code criteria, Comprehensive Plan, or applicable ordinance or regulation.

ARTICLE VI. NON-CONFORMING USES

A. **Intent** - Within the districts established by this Code or amendments that may later be adopted there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before this Code was adopted or amended, but which would be prohibited, regulated, or restricted under the terms of this Code and future amendment. It is the intent of this Code to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Code that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures of uses prohibited elsewhere in the same district.

Non-conforming uses are declared by this Code to be incompatible with permitted uses in the districts involved. A non-conforming use of structure and land in combination shall not be extended or enlarged after passage of this Code by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses, of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this Code shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption amendment of this Code and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

B. **Non-Conforming Lots of Record** - In any district in which single family dwellings are permitted, a- single family dwelling and customary accessory building may be erected on any single lot of record at the effective date of adoption or amendment of this Code, notwithstanding limitations imposed by other provisions of this Code.

This provision shall apply even though such lot fails to meet the requirement for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than these applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Planning Commission.

C. **Non-Conforming Uses of Land (or Land with Minor Structures Only)** - Where, at the time of passage of this Code, lawful use of land exists which would not be permitted by the regulations imposed by this Code, and where such use involves no individual structure with a replacement cost exceeding $1,000, the use may be continued so long as it remains otherwise lawful, provided:

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Code;

2. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Code;

3. If any such non-conforming use of land ceases for any reason for a period of more than 30 days, any subsequent use of such land shall conform to the regulations specified by this Code for the district in which such land is located.

4. No additional structure not conforming to the requirements of this Code shall be erected in connection with such non-conforming use of land.

D. **Non-Conforming Structures** - Where a lawful structure exists at the effective date of adoption or amendment of this Code that could not be built under the terms of this Code by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.

2. Should such non-conforming structure or non-conforming portion of structure be destroyed by any means to an extent of more that 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Code.

3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

E. **Non-Conforming Uses of Structures or of Structures and Premises in Combination** - If lawful use involving individual structures with a replacement cost of $1,000 or more, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Code, that would not be allowed in the district under the terms of this Code, the lawful use may be continued so long as it remains otherwise lawful) subject to the following provisions:

1. No existing structure devoted to a use not permitted by this Code in the district in

which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;

2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Code but no such use shall be extended to occupy any land outside such building;

3. If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may as a special exception be changed to another non-conforming use provided that the Planning Commission, either by general rule or by making findings in the specific case, shall find that the proposed use is more appropriate to the district than the existing non-conforming use. In permitting such change, the Planning Commission may require appropriate conditions and safeguards in accord with the provisions of this ordinance;

4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed;

5. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six consecutive months or for 18 months during any three-year period (except when government action impedes access to the premises), the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located;

6. Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost at time of destruction.

F. **Repairs and Maintenance** - On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding 10 percent of the current replacement cost of the non-conforming structure or non-conforming portion of the structure as the case may be, provided that the cubic content existing when it became non-conforming shall not be increased.

If a non-conforming structure or portion of a structure containing a non-conforming use

becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.

Nothing in this Code shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

G. **Uses Under Special Exception Provisions Not Non-Conforming Uses** - Any use which is permitted as a special exception in a district under the terms of this ordinance (other than a change through Planning Commission action from a non-conforming use to another use not generally permitted in the district) shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming use.

ARTICLE VII. DISTRICT REGULATIONS

District regulations are set forth in the following Schedule of District Regulations:

A. Traditional Residential District (TR)

1. Purpose: The Traditional Residential District is intended to provide a livable neighborhood environment, preserve the small town and historic character of the traditional core of Coburg, ensure architectural compatibility, and provide for a variety of residential housing choices and other associated uses as determined to be desirable and/or necessary.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Residential

(i) Single-family detached dwellings
(ii) Duplexes located on a corner parcel with each primary entry oriented to a different street
(iii) Group home, not to exceed five unrelated individuals
(iv) Manufactured homes on individual lots
(v) Residential Homes as defined by ORS 197.660-670
(vi) Residential Facilities, as defined by ORS 197.660-670, subject to locational standards in Section 11(b).
(vii) Cottage housing, subject to the standards in ARTICLE VIII.J.

(2) Home Occupations as provided in ARTICLE VIII.O.

(3) Public and Institutional

(i) Places of Worship subject to the locational standards in Section 11.
(ii) Public and private schools subject to the locational standards in Section 11.

(4) Bed and Breakfast Inns, subject to the locational standards in Section 11.

(5) Child care center providing care to six or fewer children. Child care centers with 7-12 children are permitted subject to the locational standards in Section 11.

b. Permitted Accessory Uses and Structures

(1) Accessory buildings and uses, such as garages, carports, or sheds, are permitted.

(2) One accessory dwelling unit, as provided in ARTICLE VIII.K.

c. Conditional Uses. The following uses require a conditional use permit under the procedure, criteria, and standards of ARTICLE XIII.

(1) Boarding, lodging or rooming house
(2) Child care center-providing care to thirteen or more children
(3) Nursing homes
(4) Public parks, playgrounds and community centers
(5) Public and semi-public buildings
(6) Public, private and parochial schools that do not meet the locational standards in Section 11
(7) Places of worship that do not meet the locational standards in Section 11
(8) Agricultural uses and crop cultivation subject to Nuisance Ordinance criteria and Section 10 requirements
(9) Gardens and greenhouses for commercial purposes
(10) Mixed-use development (a residential use with another permitted use or commercial use), subject to locational and design standards in Article VIII, Section M.

d. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional

3. Driveway Limitations in the Traditional Residential District

a. In the Traditional Residential District, driveways shall be limited to a maximum of one (1) per dwelling. One driveway shall be allowed for each unit of a duplex. A single driveway cannot be used by more than one dwelling.

Exception: A single driveway can serve one dwelling in addition to an approved accessory dwelling unit.

4. Minimum Lot Requirements

a. For properties not served by sanitary sewers, the minimum lot requirements shall be as follows:

Number of Units	Sq. Ft./lot	Min. Width	Max. Lot. Coverage.
Single Family Duplexes	10,000	50 ft., 55 ft. for corner lots	30%

b. For properties served by sanitary sewers, the minimum lot requirements shall be as listed below:

Number of Units	Sq. Ft./lot	Min. Width	Max. Lot. Coverage.
Single Family detached and Manufactured home on a lot	6,000	50 ft.; 55 ft. for corner lots.	40%
Duplex	7,000	65 ft.	50%

c. The approval body may grant a 15% modification to the lot area and/or lot dimension standards, provided that:

(1) The modification is necessary to address physical constraints, such as topography, existing development, significant trees, and other natural and built features; and
(2) The overall density requirements of the subdivision are satisfied; and
(3) Where the proposed subdivision abuts an existing subdivision with standard or larger than standard sized lots, the proposed lots abutting the lots in the existing subdivision shall be at least the minimum lot size for the proposed subdivision.

Where substandard lots abut standard or larger sized lots, the approval body may require screening or other transitions to provide a buffer between uses.

5. Residential Density Standards

The following density standards apply to all new development where sanitary sewer is available. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing.

a. The maximum density permitted on any parcel in the Traditional Residential District shall be 7.5 dwelling units per acre. The maximum density limitation does not apply to accessory dwelling units, cottage housing, or residential uses as part of a mixed-use development.

b. When lots are created through a land division, or site development is proposed for four or more dwelling units, a minimum density of 60 percent of the maximum density (or 5.4 dwelling units per acre) is required. (Minimum density calculations are based on net density. See density calculations definition.) This standard does not apply to the following developments:

(1) Partitions;
(2) Subdivisions of parcels totaling 20,000 square feet or less;
(3) Lot line adjustments;
(4) Bed and Breakfast inns; and

(5) Development on physically constrained sites, where lot configuration, access limitations, topography, significant trees, wetlands or other natural features prevent development at the minimum density.

c. The density standards may be averaged over more than one development phase (i.e., as in a master planned development).

d. Duplexes used to comply with the density standard shall be so designated on the final subdivision plat.

6. Minimum Yard Requirements.

a. Front yards.

(1) Setbacks shall be a minimum of 15 feet, with the following exceptions:

(i) Garages, carports, and sheds shall be set back a minimum of 20 feet from the front property line and shall be set back a minimum of 5 feet from the longest wall of the front façade of the house.

(2) Steps are permitted within the front yard setback.

(3) In any required front yard, no fence or wall shall be permitted that materially impedes vision across such yard above the height of 30 inches, and no hedge or other vegetation shall be permitted that materially impedes vision across such yard between the heights of 30 inches and 10 feet.

(4) In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the Planning Official may waive the requirement for the normal front yard and substitute, therefore, a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

(5) In the case of corner lots that do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

(6) In the case of the reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

(7) In the case of corner lots with more than two frontages, the Planning Official shall determine the front yard requirements, subject to the following limitations: (1) At least one front yard shall be provided having the full depth required generally in the district; (2) No other front yard on such lots shall have less than half the full depth required generally.

b. Side yard setbacks shall be seven feet from any property line, except:

(1) Corner lots shall have a side yard next to the street of 10 feet.

c. Rear yard. Primary structures shall be set back not less than 10 feet from the rear property line. Accessory structures that require a building permit shall be set back not less than five feet from the rear property line.

d. Schools. Schools shall provide and maintain setbacks of 50 feet from side and rear property lines, except on the street side of a corner lot where a setback of at least 25 feet shall be required. Alleys contiguous to or within the property being used for school purposes may be included in the required setback. This provision does not apply to residences used for home schooling.

e. All structures, including but not limited to buildings, fences, decks, and stairways, shall be a minimum of one foot from the Coburg Loop Path right-of-way.

7. Maximum Height Standards

a. Residential Buildings. The maximum height shall be 35 feet.

b. Accessory Buildings, including accessory dwellings. The maximum structural height shall be 15 feet. The maximum height may be 25 feet if a living unit is provided on the second floor.

c. Garages. Garages shall not exceed the maximum height of the primary structure. Where an ADU is located above a garage, the maximum height may be 35 feet.

d. All other buildings shall not exceed 35 feet.

e. Mixed Use. The maximum height shall be 45 feet.

8. Parking and Access Requirements

See ARTICLE VIII for parking and access requirements.

9. Sign standards
See Sign Ordinance and ARTICLE VIII for requirements.

10. Standards for Agriculture and Livestock Uses

a. The total maximum number of animals permitted on a lot shall be as follows. (Area computation may be utilized one time only for allowable animal count):

Type of Animals Allowed	Minimum Square Feet Required	Square Feet per Animal Required
Honey Bee Colonies (per hive)	10,000	10,000
Fowl (not including roosters, Rabbits)	4,000	2,000;(maximum of 10 on 40,000 square feet)

11. Locational Standards
Buildings and uses subject to this section may be located only where they are:

a. Adjacent to the Central Business District or Highway Commercial District or Light Industrial, either by sharing a property line or across a street or alley; and

b. Abutting a collector or arterial street.

12. Compliance with Design Standards and Guidelines

a. All uses, structures and development in this district are subject to the applicable design and development standards in ARTICLE VIII.

B. Traditional Medium Residential District (TMR)

1. Purpose: The Traditional Medium Residential District is intended to provide for medium density housing in a livable neighborhood environment, preserve the small town and historic character of the traditional core of Coburg, ensure architectural compatibility, and provide for a variety of residential housing choices and other associated uses as determined to be desirable and/or necessary.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Residential

(i) Single-family detached dwellings
(ii) Single-family attached dwellings (townhomes) subject to the design standards of ARTICLE VIII
(iii) Cottage housing, subject to the standards in ARTICLE VIII.J
(iv) Duplexes
(v) Multi-family dwellings subject to the design standards of ARTICLE VIII.I and L(4)
(vi) Group homes
(vii) Manufactured homes on individual lots as provided in ARTICLE VIII.L(4)J
(viii) Manufactured dwelling parks
(ix) Residential Homes and Residential Facilities, as defined by ORS 197.660-.670

(2) Mixed-use development (a residential use with another permitted use or a commercial use identified in ARTICLE VII.C.2.a(1) and (5) subject to the standards in ARTICLE VIII.M
(3) Home occupations as provided in ARTICLE VIII.O
(4) Public and Institutional

(i) Places of worship, subject to the locational standards in Section 10

(5) Child care center providing care to six or fewer children. Child care centers with 7-12 children are permitted subject to the locational standards in Section 10.

b. Permitted Accessory Units and Structures

(1) Accessory buildings and uses, such as garages, carports, or sheds
(2) One accessory dwelling unit, as provided in ARTICLE VIII.K

c. Conditional Uses. The following uses require a conditional use permit under the procedure, criteria, and standards of ARTICLE X.III.

(1) Boarding, lodging or rooming house
(2) Child care center-providing care to thirteen or more children
(3) Nursing homes
(4) Public parks, playgrounds and community centers
(5) Public and semi-public buildings
(6) Public, private and parochial schools that do not meet the locational standards in Section 10
(7) Places of worship that do not meet the locational standards of Section 10
(8) Agricultural uses crop cultivation and animal husbandry (including bee colonies) subject to Nuisance Ordinance criteria and Section 9 requirements

(i) Gardens and greenhouses for non-commercial purposes

d. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional uses.

3. Minimum Lot Requirements and Maximum Residential Density

a. For areas not served by sanitary sewers, the minimum lot requirements shall be as follows:

Number of Units	Sq. Ft./lot	Min. Width	Max. Lot. Coverage
Single Family	10,000	60 ft.	30%
Two-Family	8,000	70 ft.	60%
Three-Family	10,000	80 ft.	60%
Four-Family	12,000	90 ft.	60%

b. For areas served by sanitary sewers, the minimum lot requirements shall be as listed below.

Housing Type	Min. Sq. Ft./lot[1]	Min. Width[1]	Max. Lot. Coverage
Single Family Detached	3,350	40 ft.	40%
Duplex	6,700	60 ft.	60%
Single Family Attached	3,500	30 ft.	45%
Multiple Family	10,000	80 ft.	60%

c. The approval body may grant a 15% modification to the lot area and/or lot dimension standards, provided that:

(1) The modification is necessary to address physical constraints, such as topography, existing development, significant trees, and other natural and built features; and
(2) The overall density requirements of the subdivision are satisfied; and
(3) Where the proposed subdivision abuts an existing subdivision with standard or larger than standard sized lots, the proposed lots abutting the lots in the existing subdivision shall be at least the minimum lot size for the proposed subdivision.

Where substandard lots abut standard or larger sized lots, the approval body may require screening or other transitions to provide a buffer between uses.

4. Residential Density Standards

The following density standards apply to all new development where sanitary sewer is available. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing.

a. The maximum density permitted on any parcel shall be 13 dwelling units per acre. The maximum density limitation does not apply to accessory dwelling units, single-family attached dwellings, cottage housing, or residential uses as part of a mixed use development.

b. When lots are created through a land division, or site development is proposed for four or more dwelling units, a minimum density of 80 percent of the maximum density (or 10.4 dwelling units per acre) is required. Minimum density is calculated based on Net Density. See Density Calculation Definition. This standard does not apply to the following developments:

(1) Partitions;
(2) Subdivisions of parcels totaling 20,000 square feet or less;
(3) Lot line adjustments;
(4) Bed and Breakfast inns; and
(5) Development on physically constrained sites, where lot configuration, access limitations, topography, significant trees, wetlands or other natural features prevent development at the minimum density.

c. The density standards may be averaged over more than one development phase (i.e., as in a master planned development).

d. Duplexes and townhomes used to comply with the density standard shall be so designated on the final subdivision plat.

5. Minimum Yard Requirements.

a. Front yard setbacks shall be a minimum of 15 feet, with the following exceptions:

(1) Garages shall be set back a minimum of 20 feet from the front property line and shall be set back a minimum of 5 feet from the longest wall of the front façade of the house. Garages shall comply with the applicable standards in Article VIII.
(2) Steps are permitted within the front yard setback.
(3) See ARTICLE VII.A.6.a(3) through (7) for additional standards to front yard setbacks.

b. Side yard. Setbacks shall be five feet from any property line, except:

(1) Corner lots shall have a side yard next to the street of 10 feet.

c. Rear yard. Primary structures shall be set back not less than 10 feet from the rear property line. Accessory structures that require a building permit shall be set back not less than five feet from the rear property line.

d. Setback Exceptions: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 2 feet.

Porches, decks and similar structures not exceeding 2 feet in height may encroach into setbacks by no more than 2 feet, subject to front yard setback provisions.

e. All structures, including but not limited to buildings, fences, decks, and stairways, shall be a minimum of one foot from the Coburg Loop Path right-of-way.

6. Maximum Height Standards

a. Residential Buildings. The maximum height shall be 35 feet.

b. Accessory Buildings, including accessory dwellings. The maximum structural height shall be 15 feet. The maximum height may be 25 feet if a living unit is provided on the second floor.

c. Garages. Garages shall not exceed the maximum height of the primary structure. Where an ADU is located above a garage, the maximum height may be 35 feet.

d. Mixed Use. The maximum height shall be 45 feet.

e. All other buildings shall not exceed 35 feet.

7. Parking and Access Requirements
See Article VIII for parking and access requirements.

8. Sign standards
See Sign Ordinance for requirements.

9. Standards for Agriculture and Livestock Uses

a. The total maximum number of animals permitted on a lot shall be as follows. (Area computation may be utilized one time only for allowable animal count):

Type of Animals Allowed	Minimum Square Feet Required	Square Feet per Animal Required
Bee Colonies (per hive)	10,000	10,000
Fowl (not including roosters, Rabbits)	4,000	2,000; (maximum of 10 on 40,000 square feet)

10. Locational Standards.

Buildings and uses subject to this section may be located only where they are:

a. Adjacent to the Central Business District or Highway Commercial District or Light Industrial, either by sharing a property line or across a street or alley; and

b. Abutting a collector or arterial street.

11. Compliance with Design Standards and Guidelines

All uses, structures and development in this district are subject to the applicable design and development standards in ARTICLE VIII.

C. Central Business District (C-1)

1. Purpose. The Central Business District is intended to preserve and enhance the downtown area as the historic heart of the community. Coburg's downtown is the community's central location for commercial services, civic functions and mixed use. The district regulations are intended to ensure the downtown reflects the small town and historic character of Coburg, and provides an attractive, pedestrian-oriented setting.

2. Uses and Structures

a. Permitted Principal Uses and Structures (subject to Site Design Review provisions in ARTICLE XI)

(1) Business and Professional Offices
(2) Civic uses and facilities such as government offices and facilities, libraries, community centers and fire stations
(3) Clubs, Lodges, Fraternities and similar uses
(4) Mixed-use development (a residential use with another permitted use), subject to standards in Article VIII.M
(5) Personal services (e.g., childcare, catering/food services, restaurants, dry cleaners, barbershops and salons, and similar uses) up to a 10,000 square-foot footprint.
(6) Public parking lots and structures
(7) Public parks, playgrounds and recreational facilities
(8) Retail and Wholesale Stores and Shops, provided that:

(i) Yard setbacks and other open areas shall not be used for the storage of business inventory, merchandise, equipment, or building materials, or for any scrap or salvage operation, storage or sale.
(ii) The footprint of the building is no larger than 10,000 square feet.
(iii) For wholesale uses: The ground floor facing the principal commercial street shall be used only for commercial sales or business or professional offices.

(9) Banks, lending and financial institutions, without drive-up facilities
(10) Existing agricultural, horticultural, and livestock uses (no new uses). Agricultural, horticultural, and livestock uses in operation on the effective date of this Code shall be deemed nonconforming uses and shall continue to operate subject to the provisions of ARTICLE VI of this Code.
(11) Single-family Dwellings on individual lots with frontage on a local or collector street, or on individual lots with frontage on an arterial street

where the single-family dwelling existed before January 1, 2018.

(12) Except as prohibited under subsection c. below, multi-family dwellings subject to the design standards of ARTICLE VIII.L.4

(13) Mobile food carts, subject to obtaining a business license and certain standards in ARTICLE VIII.N

b. Permitted Accessory Uses and Structures

(1) All accessory uses normal and incidental to the uses permitted in this district.

c. Conditional Uses. The following uses require a conditional use permit under the procedure, criteria, and standards of ARTICLE X.III.

(1) Amusement establishments

(2) Clinics and laboratories, including animal clinics except that animals may be boarded overnight only when being medically treated in the clinic

(3) Places of worship and accessory activities and facilities, except rescue missions or temporary revivals, which are prohibited

(4) Small-scale manufacturing or processing, provided that the front 25 feet of the building's ground floor facing the principal commercial street shall be used for commercial uses or business or professional offices

(5) Farmers' markets

(6) Drive-up, drive-in and drive-through uses not related to food service or alcoholic beverage sales, which are prohibited; subject to the standards in ARTICLE VIII.Q.

(7) Alteration or demolition of identified historical resource as listed in the Coburg Comprehensive Plan and/or in Article IX

(8) Drinking Establishments not including restaurants and alcohol beverage sales

~~(8)~~(9) Formula based businesses with a total area of floor space less than 10,000 square feet

d. Prohibited Uses

(1) New Manufactured Dwelling Parks

(2) New agricultural, horticultural, and livestock uses

(3) New vehicle service and gasoline stations

(4) Drive-up, drive-in and drive-through facilities related to food service or alcoholic beverage sales

(5) Schools

(6) Any permitted or conditional use that creates odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries

(7) Ground-floor multi-family dwellings facing Willamette Street

~~(7)~~(8) Formula based businesses with a total area of floor space of 10,000

square feet or greater

~~(8)~~(9) All uses not listed as permitted, accessory, or conditional uses

~~**3. Building or Structural Height Standards**~~

~~a. All buildings in the C-1 district are permitted to be up to 35 feet in height.~~

~~**4. Lot Dimensions**~~

~~a. The minimum lot frontage shall be 25 feet.~~

~~b. The minimum lot size shall be 1,500 sq. feet.~~

~~**5. Maximum Lot Coverage**~~

~~a. One hundred percent coverage is allowable when minimum loading space, landscaping, setbacks and parking are provided.~~

~~**6. Minimum Yard Requirements.** All setbacks shall comply with applicable standards of the Uniform Building Code and Uniform Fire Code.~~

~~a. Front Yards~~

~~(1) Front yards shall not be required except where specified setbacks are established for road widening purposes.~~

~~(1) The maximum setback for a building façade shall be 15 feet. For non-residential uses on Willamette Street, this standard is met when at least 80 percent of the building frontage is placed within the maximum setback. For commercial uses along other streets, the minimum building frontage that shall be placed within the maximum setback shall be at least 50 percent of the lot frontage.~~

~~b. Side Yards - Side yards shall not be required except:~~

~~(1) Where specified setbacks are established for road widening purposes.~~

~~c. Rear Yards~~

~~(1) Rear yards shall not be required, except that where a non-residential use abuts the Residential District, a 10-foot rear yard shall be required.~~

~~(1) No structural improvements, except road surfacing, shall be allowed within 10 feet of the centerline of an alley.~~

d. Fences, Hedges, Walls, and Other Structures
See ARTICLE VIII.H and I for screening standards for multi-family, commercial, and industrial development

e. All structures, including but not limited to buildings, fences, decks, and stairways, shall be a minimum of one foot from the Coburg Loop Path right-of-way.

7. Parking and Access Requirements
See ARTICLE VIII.A through C for other parking and access requirements.

8. Street Standards
See ARTICLE VIII.E for Street Standards

9. Pedestrian Amenities.
All new development shall be required to provide a minimum of two of the following pedestrian amenities:

a. Outdoor seating options, e.g., benches, or tables with chairs.

b. Extra wide sidewalks or courtyards that can be used as small plazas. These may be combined with water features and/or benches to create attractive public spaces.

c. Planters, garden areas, and pocket parks that include:

(1) Sitting space

d. Weather protection, e.g., pedestrian-scaled awnings or canopies

e. Other opportunities for open spaces, e.g. in rooftop courtyards, entranceways

10. Building Orientation
All buildings shall be oriented to a street. The building orientation standard is met when all of the following criteria are met:

a. Compliance with the setback standards in Section 6.

b. All buildings shall have their primary entrance(s) oriented to the street. "Oriented to the street" means that the building entrance faces the street, or is connected to the street by a direct and convenient pathway not exceeding 60 feet in length. Streets used to comply with this standard are public streets or private streets that contain sidewalks and street trees.

~~c. Off-street parking, drives or other vehicle areas shall not be placed between buildings and streets where building placement complies with this standard.~~

~~d. On corner lots, buildings and entrances shall be oriented to the street with the higher functional classification; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.~~

~~**11. Historic Building Design**~~

~~The following historic building exterior design elements are required for all new construction and major renovations in order to maintain and improve the historic storefront character of the downtown. Historic Structures are also subject to the conditional use criteria in Article XIV.~~

~~a. Decorative doors, transom and clerestory windows.~~

~~b. Windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district.~~

~~c. 40-80 percent of ground floor façade facing the street, measured horizontally, shall have windows. The lower edge of these windows shall be no more than 30 inches above the sidewalk.~~

~~d. The pitch and style of rooflines shall be comparable to existing historic rooflines, such as a 4 in 12 pitch.~~

~~e. Surface detailing is required for blank walls (permitted on non-street facing facades only) and shall include offsets, windows, siding, murals, or other similar features.~~

~~f. Weather protection for pedestrians (awnings or canopies). Lighted or bubble awnings are not allowed.~~

3. See Article VII Section K. Downtown Coburg Form Based Code Overlay for Central Business District for building standards and other regulations and requirements in this zoning district.

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D. Highway Commercial District (C-2)

1. Purpose

The purpose of the C-2 District is to provide goods and services that primarily serve the traveling public and regional market. The C-2 District is intended to promote a high quality of life through a diverse economy and strong tax base, transition between higher and lower intensity uses, encourage bicycle and pedestrian access for employees and customers, and allow appropriately scaled commercial uses that fit the small town, historic character of the community.

2. Uses and Structures

a. Permitted Principal Uses and Structures:

(1) Commercial retail and service businesses, including automobile service and automobile-dependent uses.
(2) Commercial uses requiring outdoor storage, display, or customer service areas, such as vehicle sales, rental and repair, retail lumberyards, greenhouses, and retail building supply.
(3) Institutional uses, including religious, human care, educational and social institutions and public and semi-public buildings.
(4) Offices for professional services, professions and administrative uses.
(5) Service and gasoline stations in compliance with ARTICLE VII.D.14.
(6) Eating Establishments.
(7) Existing agricultural, horticultural and livestock uses (no new uses after September 30, 2005).
(8) Existing manufactured dwelling parks, mobile home parks, and other residential uses (no new residential uses), except per subsection (12).
(9) Existing warehouse and wholesale distribution uses (no new uses after September 30, 2005).
(10) Residential structures and uses for on-site security and/or management personnel in conjunction with and as part of another permitted use, up to 1,000 square feet total floor area.
(11) Residential uses, provided they are part of a mixed-use building and all residential uses are on an upper floor (no ground floor residential use).
(12) Transportation facilities, consistent with the City's Transportation System Plan and Parks and Open Space Master Plan.
(13) Mobile food carts, subject to obtaining a business license and certain standards in ARTICLE VIII.N.6.
(14) Hotel
(15) Motel

b. Permitted Accessory Uses and Structures
Customary accessory uses to the permitted and conditional uses in subsections a and c, provided that structures must be in compliance with

the Uniform Building Code and may require a building permit.

c. Conditional Uses. The following uses are permitted with a conditional use permit pursuant to ARTICLE XIII:

(1) Commercial recreation facilities including indoor theaters, bowling alleys, indoor skating rinks or similar uses that are conducted wholly within a fully enclosed building that is set back at least 75 feet from any property line shared with the Residential District.
(2) Ambulance service.
(3) New warehouse uses located on the south side of Delaney Street as noted in City Resolution 90-14.
(4) Truck stops on parcels or lots west of Interstate 5 that are at least 5,000 feet from an existing truck stop and do not share more than 75 feet of a property line with the Residential Zone. Truck stops east of Interstate 5 are not permitted.
(5) Drive-through and drive-up facilities in conjunction with a permitted or other conditional use, subject to the standards in ARTICLE VIII.Q.

d. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional.

3. Lot Requirements

a. For parcels not served by public sewer:

(1) The minimum lot area shall be 10,000 square feet.
(2) The minimum average lot width shall be 100 feet.
(3) The maximum allowable lot coverage is 60 percent

b. For parcels served by public sewers:

(1) No minimum lot area or width is required.
(2) The maximum allowable lot coverage is 80 percent.
(3) A minimum of 15 percent of the total area of the site shall be landscaped in accordance with ARTICLE VIII, Supplementary District Regulations.

4. Minimum Yard Requirements (measured from the building foundation to the respective property line.)

a. Front yard setbacks shall be a minimum of 5 feet and a maximum of 20 feet. No parking or loading areas shall be located within the front yard setback.

b. Interior side yards and rear yards: 10 feet minimum

c. A 25-foot horizontal buffer zone shall be required between development and any adjacent Residential District. This buffer is in addition to any required yard setbacks. This area shall provide landscaping to screen parking, service and delivery areas, and walls without windows or entries. The buffer may contain pedestrian seating. Any pedestrian pathways shall not contain off-street parking, or storage of equipment, materials, vehicles, etc. Landscaping shall be in accordance with ARTICLE VIII.H and I.

d. Water quality treatment areas may be provided within setback yards, subject to City approval.

e. Additional setbacks on public street frontages may be required to provide for planned widening of an adjacent street.

f. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above.

g. Construction of pathways and fence breaks in yard setbacks may be required to provide pedestrian connections to adjacent neighborhoods or uses, or other districts, or public pathways, consistent with the City's Transportation System Plan, Parks Plan or other applicable Comprehensive Plan policies and Zoning Code provisions.

5. Maximum Height and Ground Floor Size Standards

a. For parcels located west of Interstate 5, the maximum structural height is 35 feet for buildings within 250 feet of land in a residential zoning district (TR, TMR). The height limit applies only to the portion of a building that is within 250 feet of the residential district. The maximum structural height for buildings, or portions of buildings, farther than 250 feet from residential zoning districts is 45 feet.

b. For parcels located east of Interstate 5, the maximum structural height is 45 feet.

c. The ground floor space of each building shall not exceed 50,000 square feet.

6. Compliance with Design Standards and Guidelines

a. All uses, structures and development in this district are subject to the applicable design and development standards in ARTICLE VIII, Supplementary District Regulations.

7. On-Premise and Off-Site Signs
See Sign Ordinance for requirements.

8. Parking and Access Requirements
See ARTICLE VIII, Supplementary District Regulations.

9. Vision Clearance
See Article VIII, Supplementary District Regulations.

10. Street and Path Standards
New development shall conform to the City's Street and Path Standards, as set forth in ARTICLE VIII, Sections C & E.

11. Building Orientation and Location of Parking

a. The intent of this section is to provide for the development of pedestrian-friendly commercial settings that fit the small-town, historic character of the community by regulating the placement of buildings and parking.

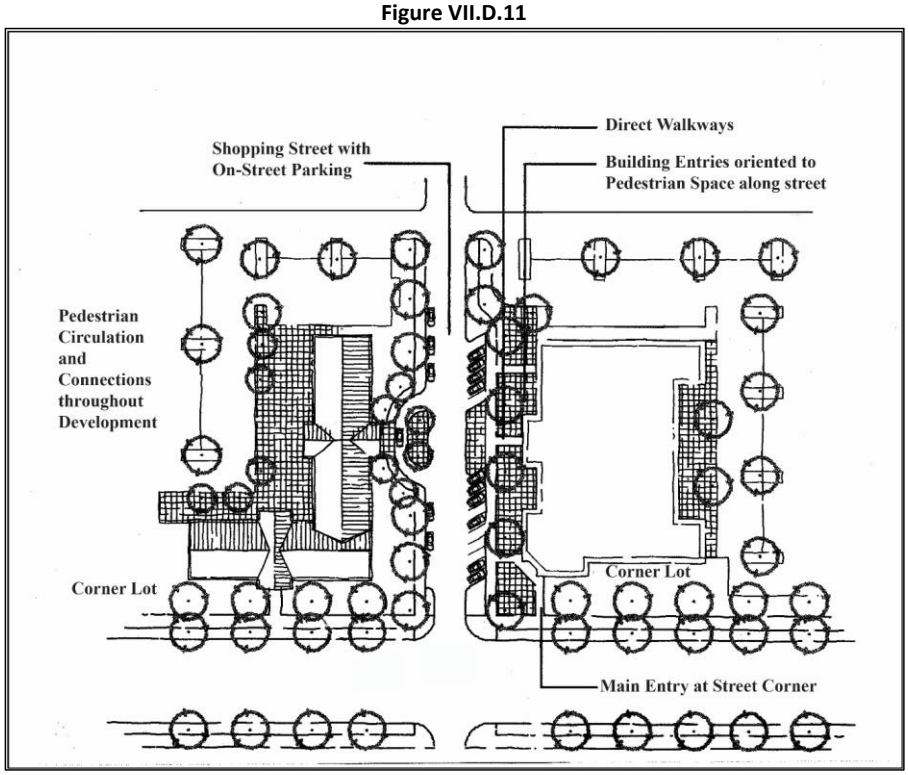
b. The primary entrance to a building shall be oriented to the street. "Oriented to the street" means that the building entrance faces the street. Streets used to comply with this standard are public streets, private streets, or drive aisles with street-like features ("shopping street" – see Figure VII.D.11). Streets used to comply with these standards must include sidewalks, curbs, and street trees.

c. Off-street parking shall not be placed between buildings and streets. Parallel and angled parking that is located on a drive aisle designed with street-like features (i.e., sidewalks, curbs, and street trees) to function like a street is considered on-street parking.

d. Building entrances on or within 30 feet of a public or private street shall connect to the street system and transit facilities through separated pedestrian pathways that comply with the federal Americans With Disabilities Act (ADA) and City regulations.

e. When the only street abutting a development is an arterial street, the building's entrance(s) may be oriented to an internal drive with street-like features (i.e., sidewalks, curbs, and street trees) when impractical to orient towards the street. The internal drive or street shall have a raised, ADA-compliant pathway connecting the building entrance(s) to the street right-of-way.

Figure VII.D.11



12. Building Design Standards

a. All new commercial buildings shall have exterior wall articulation every 20 horizontal feet and shall include varied exterior treatment, e.g., varied materials, painting, etc. along the entire façade.

b. All new commercial buildings shall have display windows on the primary frontage, occupying at least 50% of horizontal linear dimension of wall and located not more than three feet above the finished grade. Windows mounted on the exterior façade, non-transparent glass, and non-glass materials covering the inside or outside of any portion of the display window are prohibited.

13. Standards for Service Stations

In addition to meeting the design and development standards in Article VIII,

Service Stations shall comply with the additional standards below:

a. Locational Standards

(1) The minimum distance from the service station site (defined in ARTICLE XXV) to a residential zoning district, or an existing residential use, school, park, playground, church, or museum, shall be 200 feet.
(2) Not more than two service stations shall be located west of Interstate 5; and not more than two service stations shall be located east of Interstate 5.
(3) West of Interstate 5, no more than one service station shall be located north of E. Pearl Street or Van Duyn Road, and no more than one service station shall be located south of E. Pearl Street or Van Duyn Road.
(4) Truck stops, defined in ARTICLE XXV, are not service stations and are not subject to the provisions of this section.

b. Site Design

(1) A minimum of 15 percent of the service station site shall be landscaped in accordance with Article VIII. Existing specimen trees, mature ornamental shrubs, and ground cover shall be preserved whenever possible.

(2) Perimeter Buffering

(i) A fence, hedge or wall shall be erected on all interior property lines.
(ii) Such a fence, hedge or wall shall be a minimum of five feet and a maximum of seven feet in height, except within 40 feet of street rights- of-way, where it may be no higher than three feet in height.
(iii) No portion of any fence, hedge or wall shall be within 15 feet of a street right-of-way.
(iv) The fence, hedge or wall shall screen 70 percent of the view between the service station and adjacent property.
(v) These perimeter buffering requirements does not apply to service stations built as part of a shopping center or other commercial development, or where the service station site shares a property line with another commercial use or development.

(3) Each landscaped and planted area shall be serviced by an underground irrigation system that is remotely operated, unless the applicant submits professional certification that the proposed

plant species are drought-tolerant for Coburg's climate and the site conditions. Planted areas must remain living after planting and shall be continuously maintained by the property owner. If the vegetation fails to survive or is otherwise not maintained in good condition, the property owner shall replace them with an equivalent species and size within 180 days.

c. Access

(1) A service station shall be permitted not more than two curb cuts for each arterial street frontage under City jurisdiction.
(2) Access on County roads and State highways shall be determined by Lane County and the Oregon Department of Transportation, respectively.

d. Signs

See Sign Ordinance for requirements.

e. Exterior Lighting

(1) Freestanding lighting fixtures shall not exceed a height of 20 feet.
(2) Lighting fixtures shall be shielded and not shine or glare off the property.

f. Operations

(1) All service stations must comply with all applicable state and federal rules and regulations.

14. Residential Frontage Area Standards

a. Purpose

The purpose of the residential frontage area standards is to create a pedestrian-friendly atmosphere in the C2 zoning district that is compatible with adjacent residential development, transitions between higher and lower intensity uses, and fosters appropriately scaled commercial uses that fit the small town, historic character of the community.

b. Applicability

(1) These standards apply to properties in the C2 zoning district that are across a public right-of-way from a property zoned residential (TR or TMR), and specifically those portions of C2 properties that are within 250 feet of a property zoned residential, as measured from the

residential side of the public right-of-way and generally indicated in Figure VII.D.14.b.

(2) If the Residential Frontage Area Standards conflict with standards elsewhere in this Code, the Residential Frontage Area Standards shall supersede.

Figure VII.D.14.b

c. Lot requirements

(1) The minimum lot frontage shall be 25 feet.
(2) The minimum lot size shall be 1,500 feet.
(3) One hundred percent coverage is allowable when minimum loading space, landscaping, setbacks, and parking are provided.

d. Yard Requirements for Properties Fronting Pearl Street

(1) Front yard setbacks: 5 feet maximum, no minimum.
(2) Interior side yards: no minimum.
(3) Exterior side yard: 5 feet maximum, no minimum.
(4) Rear yard: no minimum.

e. Yard Requirements and Shopping Street Design for Properties Fronting North Coburg Industrial Way

(1) Front yard: The front yard shall have no setback from the right-of-way and shall contain a shopping street that is parallel to North Coburg Industrial Way, and separated from the right-of-way by a landscape strip with street trees (See Figure VII.D.14.e.). The shopping street shall contain on-street parking and a sidewalk adjacent to the buildings on the east side of the street.
(2) Interior side yards: no minimum.
(3) Exterior side yard: 5 feet maximum, no minimum.
(4) Rear yards: no minimum.

Figure VII.D.14.e

f. Building Orientation and Location of Parking

In addition to the standards in Section 11 (Building Orientation and Location of Parking), the following standards shall be met:

(1) Buildings shall abut the sidewalk, except where public plazas, courtyards, approved landscaping, or other public pedestrian amenities are approved through site design review.
(2) The primary entrance of buildings shall face the shopping street.
(3) Except for on-street spaces located on the shopping street, all required parking shall be located behind buildings.
(4) Parking areas located behind buildings may be accessed via walkways between buildings.

g. Building Design

Buildings shall comply with the following design standards:

(1) Pedestrian Entrances: Ground level entrances oriented to a street shall be at least partly transparent for natural surveillance and to encourage an inviting and successful business environment. This standard may be met by providing a door with a window(s), a transom window above the door, or sidelights beside the door. Where ATMs or other kiosks are proposed on any street-facing elevation, they shall be visible from the street for security and have a canopy, awning, or other weather protection shelter.
(2) Windows: The front/street-facing elevations of buildings shall provide display windows, windowed doors, and where applicable, transom windows to express a storefront character. Storefront windows shall consist of framed picture or bay windows, which may be recessed. At least 60 percent of the ground floor, street-facing elevation(s) of all buildings shall be transparent windows, measured as a section extending the width of the street-facing elevation between the building base (or 30 inches above the sidewalk grade, whichever is less) and a plane 84 inches above the sidewalk grade.
(3) Upper story definition: Building elevations shall contain detailing that visually defines street level building spaces (storefronts) from upper stories. The distinction between street level and upper floors shall be established, for example, through the use of awnings, canopies, belt course, or similar detailing, materials, or fenestration. Upper floors may have less window area than ground floors, but shall follow the vertical lines of the lower level piers and the horizontal definition of spandrels and any cornices. Upper floor window orientation shall primarily be vertical, or have a width that is no greater than height. Paired or grouped windows that, together, are wider than they are tall, shall be visually divided to express the vertical orientation of individual windows.

(4) Pedestrian shelter: Permanent awnings, canopies, recesses, or similar pedestrian shelters (except lighted or bubble awnings, which are not allowed) shall be provided along at least 75 percent of the ground floor elevation(s) of a building where the building abuts a sidewalk, civic space, or pedestrian access way. Pedestrian shelters used to meet the above standard shall extend at least five feet over the pedestrian area; except that the City Planning Official, through Site Design Review, may reduce the above standards where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters. In addition, the above standards do not apply where a building has a ground floor dwelling, as in a mixed-use development or live-work building, and the dwelling has a covered entrance.

(5) 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 shall use colors that make the equipment visually subordinate to the building and adjacent buildings.

Figure VII.D.14.f

This conceptual rendering looking north at the corner of Pearl and Coburg Industrial Way shows how future development of Highway Commercial could help create compatible commercial development across from existing residential while providing a slip street for slower traffic and on-street parking

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E. Light Industrial District (LI)

1. Purpose

The purpose of the LI District is to provide areas for manufacturing, assembly, packaging, wholesaling, related activities, and limited commercial uses that support local industry and are compatible with the surrounding commercial and residential districts. The LI District is intended to promote a high quality of life through a diverse economy and strong tax base, transition between higher and lower intensity uses, encourage multi-modal forms of transportation that utilize bicycle and pedestrian access for employees and customers, and appropriately scaled non-polluting industrial uses that fit the small town, historic character of the community.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Commercial and Service

(i) Office(s) provided the office(s) are integral to a primary industrial use (e.g., administrative offices). Retail and service commercial uses up to 5,000 square feet in gross floor area (e.g., convenience markets, restaurants, banks, dry cleaners, retail sales of products made on-site, and similar uses)

(2) Manufacturing and assembly, and associated sales of products manufactured or assembled on-site

(i) Boat building and repairs
(ii) Cabinet and sash and door shop
(iii) Electrical and electronic equipment
(iv) Food products, except the rendering or refining of fats or oils and meat packing plants
(v) Furniture manufacture and assembly
(vi) Ice
(vii) Paint shop
(viii) Plumbing supplies
(ix) Pottery
(x) Soft drinks
(xi) Trailers, campers and recreational vehicles
(xii) Upholstery
(xiii) Vehicle maintenance and repair facilities
(xiv) Recreational vehicles sales lots, including sales of vehicles manufactured off-site
~~(xiv)~~(xv) Beer and Wine

(3) Processing

(i) Greenhouses
(ii) Laundry cleaning and dyeing plants, including rugs and carpets
(iii) Printing and publication

(4) Utilities

(i) Distribution plant
(ii) Service yard
(iii) Substation

(5) Except where prohibited under subsection c(2) below, wholesaling, warehousing and storage not exceeding 250,000 square feet

(i) Building material storage yards
(ii) Cold storage
(iii) Contractor's storage yard
(iv) Distribution agencies
(v) Household and consumer goods
(vi) Vehicles, boats, aircraft
(vii) Warehousing of manufacturing products
(viii) Wholesale businesses and sales room
(ix) Storage

(6) Agricultural, horticultural, and livestock uses that were legally established Prior to September 30, 2005

(7) Other

(i) Accessory buildings and uses normal and incidental to the uses permitted in this district
(ii) Animal hospitals and clinics
(iii) Public parking areas and structures
(iv) Residential structures and uses for on-site security and/or management personnel in conjunction with and as a part of a Light Industrial District permitted use not exceed 1,000 square feet in total area.

(8) Transportation facilities, consistent with the City's Transportation System Plan and Parks and Open Space Master Plan

(9) Mobile food carts subject to obtaining a business license and certain standards in ARTICLE VIII.N.

b. Conditional Uses. The following uses require a conditional use permit in accordance with ARTICLE X.III, conditional use procedures and criteria:

(1) Public and semi-public buildings--including, but not limited to, fire stations and reservoirs--essential to the physical, social and economic welfare of an area.
(2) Service stations, subject to the standards in ARTICLE VII.D.13.
(3) Stone yards and marble works.
(4) Agricultural, horticultural, and livestock uses that were legally established prior to September 30, 2005.
(5) Wireless communication equipment, including radio (i.e., cellular), television and similar types of transmission and receiving facilities, in conformance with the Federal Telecommunications Act of 1996 and the provisions of ARTICLE VIII.P.
(6) Resource extraction, including, but not limited to, the operation of mineral and aggregate quarries. The conditional use permit shall include an approved site reclamation plan, submitted by the applicant, which complies with applicable requirements of State natural resource regulatory agencies.

c. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional
(2) Wholesaling, warehousing, and storage on properties located on the east side of Interstate 5

3. Maximum Height Standards

The maximum structural height shall be 45 feet, except as follows:

a. Increased height may be approved for Wireless Communication facilities, subject to the provisions of ARTICLE VIII.P

4. Lot Requirements

a. For parcels not served by public sewer:

(1) The minimum lot area shall be 10,000 square feet.
(2) The minimum lot width shall be 100 feet.
(3) The maximum allowable lot coverage is 60 percent.

b. For parcels served by public sewers:

(1) The minimum lot area for properties lying east of Interstate 5

shall be 20 acres. Otherwise, no minimum lot area or width is required.

(2) The maximum allowable lot coverage is 80 percent

(3) A minimum of 15 percent of the total area of the site shall be landscaped in accordance with ARTICLE VIII, Supplementary District Regulations. Water quality treatment areas may be incorporated into required landscape area.

5. Minimum Yard Requirements (measured from the building foundation to the respective property line.)

a. Front Yards: 20 feet minimum; within which there shall be landscaping that conforms to the provisions of Article VIII. Front setback yards may contain roof overhangs (roof drains required), awnings, canopies, pedestrian seating and pedestrian pathways but shall not contain any storage of equipment, materials, vehicles, etc. Landscaping shall be in accordance with ARTICLE VIII.I of this Code.

b. Side and Rear Yards Adjacent to Streets: See Front Yards.

c. Interior Side Yards and Rear Yards: 10 feet minimum.

d. Where an industrial use abuts a residential district, a 25 foot setback is the minimum area that shall be required between any development and any adjacent Residential District. Additional setback up to 200 feet may be required where the proposed activity would have a significant impact on adjacent residential property in the form of noise, dust, smoke, vibration or other negative impact that is perceptible beyond the property boundaries. A 25-foot landscaped horizontal buffer zone shall be required between development and any adjacent Residential District. This buffer shall be included within any required yard setbacks. This area shall provide landscaping to screen buildings, parking, and service and delivery areas. The buffer may contain pedestrian seating and pedestrian pathways but shall not contain any off-street parking, or storage of equipment, materials, vehicles, etc. Landscaping shall be in accordance with ARTICLE VIII.H of this Code.

e. Water quality treatment areas may be provided within setback yards, subject to City approval.

f. Construction of pathways and fence breaks in yard setbacks may be required to provide pedestrian connections to adjacent neighborhoods or uses, or other districts.

g. Additional setbacks on public street frontages may be required to provide for planned widening of an adjacent~~,~~ street consistent with the

City's Transportation System Plan and Parks and Open Space Master Plan.

h. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above.

6. Compliance with Design Standards and Guidelines

a. All uses, structures and development in this district are subject to the applicable design and development standards in ARTICLE VIII.

7. Parking and Access Requirements

See ARTICLE VIII Supplementary District Regulations, Sections B and C.

F. Campus Industrial District (CI)

1. Purpose

The purpose of the Campus Industrial District (CI) is to provide areas for high employment centers, including but not limited to research and development, manufacturing, assembly, packaging, related activities, and limited industrial-supportive commercial uses in an attractive, campus setting. The CI District is intended to promote a high quality of life through a diverse economy and strong tax base, encourage multi-modal forms of transportation that utilize bicycle and pedestrian access for employees and customers, and appropriately scaled, non-polluting industrial uses that fit the small town, historic character of the community.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Commercial and Service

(i) Office(s)
(ii) Retail and service commercial uses, provided that no individual use exceeds 5000 square feet in gross floor area.

(2) Manufacturing and Assembly, ~~and~~ including Associated Sales~~, where the use does not require a permit from an air quality public agency and where any industrial activity occurs within an enclosed building.~~

(3) Transportation facilities, consistent with the City's Transportation System Plan and Parks and Open Space Master Plan

(4) Other

(i) Accessory buildings and uses normal and incidental to the uses permitted in this district.
(ii) Animal hospitals and clinics
(iii) Public parking areas and structures
(iv) Residential structures and uses for on-site security and/or management personnel in conjunction with and as a part of a Campus Industrial District permitted use, not to exceed 1,000 square feet in total area

(5) Uses similar to those listed in subsections 1-4, above, as determined through a Type II Administrative Review

(6) Mobile food carts subject to obtaining a business license and certain standards in ARTICLE VIII.N

b. Conditional Uses. The following uses require a conditional use permit in accordance with ARTICLE X.III, conditional use procedures and criteria:

(1) Public and semi-public buildings--including, but not limited to, fire stations and reservoirs--essential to the physical, social and economic welfare of an area

c. Prohibited Uses.

(1) Distribution Centers and Warehouses
(2) Automobile-dependent and automobile service uses. See Definitions.
(3) All uses not listed as permitted, accessory, or conditional uses

3. Maximum Height

The maximum structural height shall be 45 feet.

4. Lot Requirements

a. For parcels **not** served by public sewer:

(1) The minimum lot area shall be 10,000 square feet.
(2) The minimum lot width shall be 100 feet.
(3) The maximum allowable lot coverage is 60 percent.

b. For parcels served by public sewer:

(1) The minimum lot area for properties lying east of Interstate 5 shall be 20 acres. Otherwise, no minimum lot area or width is required.
(2) The maximum allowable lot coverage is 60 percent. The maximum allowable lot coverage is computed by calculating the total area covered by buildings and impervious (paved) surfaces, including accessory structures but not including pedestrian pathways. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.
(3) A minimum of 40 percent of the total area of the site shall be landscaped in accordance with Article VIII, Supplementary District Regulations. Water quality treatment areas may be incorporated into required landscape area.

5. Minimum Yard Requirements (measured from the building foundation to the respective property line.)

a. Front Yards: 20 feet minimum; within which there shall be landscaping and pedestrian amenities that conform to the provisions of ARTICLE VIII.H. Front yards may contain roof overhangs (roof drains required), awnings, canopies,

pedestrian seating and pedestrian pathways but shall not contain any storage of equipment, materials, or vehicles. Landscaping shall be in accordance with ARTICLE VIII.H and I of this Code.

b. Street Corner Yards: Same as for Front Yards

c. Interior Side Yards and Rear Yards: 0 feet minimum for common wall development, and 10 feet minimum for all other development, subject to applicable building and fire codes

d. Water quality treatment areas may be provided within setback yards.

e. Construction of pathways and fence breaks in yard setbacks may be required to provide pedestrian connections to adjacent neighborhoods or uses, or other districts.

f. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above.

g. Additional setbacks on public street frontages may be required to provide for planned widening of adjacent streets consistent with the City's Transportation System Plan and Parks and Open Space Master Plan.

6. Compliance with Design Standards and Guidelines
All uses, structures and development in this district are subject to the applicable design and development standards in ARTICLE VIII.

7. Parking and Access Requirements
See ARTICLE VIII Supplementary District Regulations, Section B & C

G. Parks, Recreation and Open Space District (PRO)

1. Purpose and Applicability

a. It is the purpose of this zone to preserve and protect park, recreation and open space lands that contribute to the general welfare and safety, the full enjoyment or the economic well-being of persons who reside, work or travel in, near or around them.

b. This zone may be established when found necessary in order:

(1) To preserve any existing open land type of use which has been established or proposed to encourage development around it, such as golf courses, country clubs, park and recreation facilities, etc. and investments which have been or will be made in reliance upon the retention of such use.
(2) To buffer an otherwise incompatible use or zone.
(3) To preserve and maintain natural drainage ways, lakes (natural or artificial), areas unsuitable for intensive development by virtue of physical limitations and environmental control areas for the protection of resource areas and wildlife habitat.
(4) To preserve a valuable scenic resource or vista or an area of historical significance.
(5) To preserve and protect existing vacated easement or rights-of-way for recreational use and/or open space conservation (e.g., the Coburg Loop Path)

c. When establishing this district, due regard shall be given to the percentage of a total holding being zoned, the investment made or proposed to be made by private or public interests in reliance upon the retention of the open space, the proper balancing of public and private interests which are affected by such action.

d. When used as a buffer, the land being zoned as a PRO district shall be part of the holding which creates the need for the buffer.

e. In each instance when this district is established, the Planning Commission must establish the findings and purpose for the establishment of the zone or the values to be obtained, encouraged or preserved.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Public parks and playgrounds.
(2) Golf courses and country clubs, if compatible with the state purpose of adoption.

(3) Historical areas, structures, interpretive signs and monuments.
(4) Natural features and vistas unique to the Urban Growth Area.
(5) Accessory buildings and uses normal and incidental to uses permitted in this section.
(6) Agricultural uses, crop cultivation or truck gardens and animal husbandry per special conditions of ARTICLE VII.A.10.

b. Conditional Uses and Structures
Conditional Use Permits may be granted under requirements of ARTICLE XIII.C.

(1) Private recreation uses involving no above ground structure except dressing rooms, swimming pool covers, recreation shelters and comfort stations.
(2) Cemeteries, provided the only accessory buildings are chapels, administration and maintenance buildings, and the only interment facilities are at ground level or below, and no mounds are above ground level.
(3) Public and semi-public buildings related to health and safety services--fire stations1 substations, reservoirs, and wastewater treatment facilities-- essential to the physical, social and economic welfare of the area;
(4) Equestrian arenas, trails and paths and support facilities.

c. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional.

3. Criteria and Standards

a. Requirements for height limits, minimum yard requirements, minimum area and dimensions, lot coverages and off-street parking and loading areas shall be specified as a condition of approval during site plan review.

b. Signs
None, except as specified as a condition of approval for a Conditional Use Permit as defined in ARTICLE XIII.C.

H. Flood Plain Sub-district

1. Description and Purpose

The Flood Plain Sub-district designation may be applied in any zone hereinafter set forth where the area is subject to inundation by flooding or surface water. The area subject to flooding shall be as determined by the Federal Flood Insurance Program's most recent data, designating the area subject to a one percent or 100-year flood. Its purpose is to minimize property loss, danger to injury and health hazards. To accomplish such purposes, floor elevations will be established by Lane County prior to issuing any building permits.

a. The Flood Plan Sub-district establishes special concern requirements for the placement and construction of buildings and development site improvements in areas that may be subject to flooding surface water in order to safeguard the life and health of people in the area and of the general public.

b. The Flood Plain Sub-district shall be any Zoning District in combination with the symbol "/FP" as an overlay district of special concern. (For example, R/FR means a Residential District Zone with combining ''Flood Plain Sub-district" regulations.)

c. The regulations governing the "FP" Sub-district shall be the same as the Zoning District which the "FP" is combined and with the other provisions of this ordinance applicable to the development.

d. The intent of the establishment of this Sub-district is to ensure that the proposed development will not during potential future flooding be so inundated by flood water as to result in injury or serious danger of injury to property or to the health, safety or welfare of residents or potential residents of the immediate area.

2. Conditional Uses and Buildings Permitted

Conditional Use Permits (CUP) may be granted by the Planning Commission under requirements of ARTICLE X.C. for uses permitted in the underlying zone and the provisions of this section.

3. Site Investigation Report

The site investigation report shall provide information on the site of the development and adjacent land that is likely to be affected. The site investigation report shall provide topographic information of the area in

sufficient detail to assess accurately potential flooding elevations based on the recognized definition of area flood potential; identify existing natural drainage ways and potential drainage ways; and other characteristics of the area and their significance as related to the proposed development flooding potential. The report also may serve to refine boundaries shown on the Comprehensive Plan and/or Zoning Map that classify land areas within the Flood Plain Sub-district. The report shall comply with the standards for the kind of area being investigated and the kind of development being proposed.

4. Qualifications to Conduct a Site Investigation Report

The site investigation report shall be prepared by a person or team of persons qualified by experience and training to assemble and analyze the physical conditions in a flood potential area. The person or team shall be employed by the applicant but shall be subject to approval as to the qualifications by the Planning Commission.

5. Criteria and Standards

Permits may be issued by the Planning Commission when, and only when, the Planning Commission has determined:

a. All new construction, enlargement, relocation or substantial improvements of structures within the "FP" areas shall have the lowest floor (including basement) elevated to or above the level of the 100-year flood plain. Non-residential structures may be flood-proofed in lieu of the elevation of the lowest floor. Flood proofing plans shall be prepared by an engineer licensed by the State of Oregon to practice civil or structural engineering.

b. No improvements are proposed that will have a serious tendency to change the flow or surface water during potential flooding so as to endanger the health, welfare and safety of residents or potential residents or other property in the area.

c. That adequate provision has been made or is available for accessibility during potential future flooding so as to insure ingress and egress of emergency vehicles and services during potential future flooding.

d. That emergency vehicles such as ambulances, police and fire will have access to the site during occurrence of any such flooding, for the purpose of evacuating residents or inhabitants of any residential structure or living quarters within the Flood Plain area.

I. Mobile Home Planned Unit Development District

1. Purpose and Application

a. The purpose of PUD approval is to encourage comprehensive site-planning and flexibility of design and development. Emphasis is placed on the relationship between buildings, uses and open space and the most efficient use of both natural and development resources. The MH-PUD Overlay Zone is intended to provide flexibility in the Residential Zone in the application of certain regulations in a manner consistent with the Comprehensive Plan for the City of Coburg and the City of Coburg Zoning Ordinance.

b. The minimum area of a MH-PUD shall be at least one (1) acre and shall not exceed three (3) acres.

c. Application for a MH-PUD shall be made on forms prescribed by the Planning Commission.

d. The MH-PUD shall provide unit arrangement and landscaping to promote pleasant relationships between units and between the MH-PUD and existing development.

2. Regulations

a. The space provided for each mobile home may be less than 10,000 square feet. The measurement of each mobile home space excludes roadway areas, facilities structures, parking spaces, park walkways and other spaces provided for the common uses of residents.

b. No mobile home shall occupy more than 40 percent of the space provided for it.

c. No additions or outbuildings shall be constructed or added to or placed upon a mobile home space or lot which does not conform in all aspects to the Coburg City Building Code. No accessory building or addition shall exceed 13 feet or the roofline of the mobile home, whichever is greater in height.

d. The space provided for each mobile home shall have adjacent to and parallel to it, one or more patio slabs of concrete, asphalt, flagstone or similar material which singly or in combination, total not less than 120 square feet. Such patio space may not be used for the parking of vehicles.

e. The roadways in the park shall be covered with well-drained paving material and shall be at least 20 feet in width, if no parking is permitted on the roadways, or at least 30 feet in width, if parking is permitted on the roadways.

f. The space provided for each mobile home shall be equipped with running water and electrical and sewerage connections.

g. The total number of vehicle and bicycle parking spaces in the park, exclusive of parking provided for the exclusive use of the manager or employees of the park, shall equal not less than two vehicle parking spaces per mobile home unit and not less than one bicycle parking space per mobile home unit. Vehicle parking spaces shall be paved with asphalt, concrete or similar material. Bicycle parking spaces shall provide a convenient place to lock a bicycle and shall be at least six feet long, two feet side, and seven feet height. Bicycle parking shall not interfere with pedestrian circulation.

[Adopted A-133L 10/5/99]

h. No mobile home shall be placed on any lot until arrangements have been made to connect the mobile home to a septic tank system or sewer system approved by the Building Inspector or Sanitary Officer of the City, and no mobile home shall be occupied until such connection is made.

i. A mobile home permitted in the park shall contain not less than 650 square feet of space, as determined by measurement of the exterior of the unit, exclusive of any trailer hitch device. It shall contain its own water closet, lavatory and shower or tub which are connected to running water and a drain system and which are located in a room or rooms which afford privacy to the occupant. It shall also contain a kitchen room or space containing a sink which is supplied with hot and cold running water and which is connected to a drain system. Said drain system shall be connected to the septic tank or sewer system.

j. Any mobile home located in the City shall have the Oregon "Insigne of Compliance," as provided for by Oregon state law. In substitute therefore, upon submission of evidence indicating substantial compliance with the standards required for an "Insigne of Compliance", the City's Building Official may waive the "Insigne of Compliance" requirement for units manufactured prior to September, 1969.

k. A mobile home permitted in the park shall contain integral electrical wiring which supplies connection to convenience outlets in each room of the mobile home. If there is no separate kitchen, room, at least one convenience electrical outlet shall be located in the kitchen space which is in addition to outlets in other parts of the room in which the kitchen space is located. Outlets provided in the ceiling or wall which are intended for lighting purposes shall not be counted as convenience outlets.

l. The wheels of a mobile home located within the City shall be removed and the unit placed on and securely anchored to a foundation having the permanence and strength equal to that provided by a cement or concrete block foundation. Unless the foundation is continuous, the unit shall have a continuous skirting of non-decaying, non-corroding, fireproof material, extending at least six inches into the ground or into an impervious surface. A skirting or continuous foundation shall have adequate ventilation and access to the space under the unit but such opening shall be secured against the entrance of animals. If required, said skirting shall be completed within 90 days after the placement of the mobile home upon the lot within the City.

m. That portion of the park which is used for common storage parking purposes shall be surrounded, except at entry and exit places, by a sight-obscuring fence or hedge which shall be maintained in a neat appearance.

n. All mobile homes located in a MH-PUD must conform to conditions and criteria required by this Code and all applicable conditions attached to the approval of that MH-PUD.

o. If space provided for a mobile home or permanent structure in the park is located more than 500 feet from a public fire hydrant, the park shall be provided with hydrants so that no space or structure within the park shall be more than 500 feet from a hydrant. Each hydrant shall be located on a vehicular way within the park and shall conform in design and capacity to the public hydrants in the City.

p. A mobile home shall not be located closer than 15 feet from any other mobile home, closer than 6 feet from any accessory building or closer than 5 feet from the property boundary line of the MH-PUD.

q. A MH-PUD may not be placed adjacent to an existing MH-PUD within two years from the completion of the latter development.

3. MH-PUD Application Submittal Requirements

a. An applicant shall submit eight (8) copies of a preliminary development plan to the Planning Commission for study, at least ten (10) days prior to the meeting at which it will be discussed. The preliminary plan shall include the following information:

(1) Proposed land uses, population densities and building locations;
(2) Proposed circulation pattern, indicating both public and private streets;

(3) Proposed parks, playgrounds and other open spaces;
(4) Delineation of the units to be, constructed in progression, if any;
(5) Relation of the units to future land use in surrounding area and Comprehensive Plan;
(6) Proposed method of water supply and sewage disposal;
(7) Proposed bicycle, pedestrian and drainage ways; and
(8) Proposed landscaping, fencing or screening.

[Adopted A-133L 10/5/99]

4. MH-PUD Approval Procedure

a. The procedure for processing an application for approval of a PUD shall be as set forth in ARTICLE X of the Coburg Zoning Ordinance.

b. Any PUD, as approved, shall be subject to all conditions imposed.

5. MH-PUD Findings Required

In order to approve a MH-PUD, the Planning Commission shall find the following:

a. That construction on the project will begin within one year from the date of full approval and will be completed within one year of commencement of the project or as per an approved "schedule of development."

b. That the proposed development conforms to the Comprehensive Plan.

c. That all residential development will result in an intensity of land utilization no higher than the standards of open space and at least as high as permitted or as otherwise specified, for the zone in which this development occurs.

d. The Planning Commission shall give particular attention to the "schedule of development," having in mind that the project may advance in stages or may be abandoned when only partially completed. The project shall be balanced at all times in relation to the construction of required or necessary facilities.

6. Planning Commission MH-PUD Actions

The Planning Commission may deny, approve or conditionally approve an application for a PUD.

a. Any conditions imposed by the Planning Commission may include: the time within which the project must begin and be completed, project boundary changes, uses permitted, specification of minimum development standards, specified street dedication and improvement, utilities to be furnished and a list or limit of variances permitted.

b. Application for and approval of a PUD, wherein variances from the standard regulations are approved or wherein uses normally requiring Use Permits are permitted, shall be deemed to be in compliance with all the necessary procedures for securing or granting a variance or a Use Permit.

c. Where completed drawings are considered, approval of a PUD shall be deemed to be and include "Site Design Review," as provided for in ARTICLE IX.B. of the Coburg Zoning Ordinance.

d. Extensions of time limitations may be granted by the Planning Commission upon finding that no change of conditions has occurred in relation to the property since the approval and/or that the approval is still valid with respect to any changed conditions. Application for any extension must be filed in the Planning Commission offices not less than 60 days prior to the expiration date. Within 45 days after receipt of such application, the Planning Commission shall hold a public hearing, as provided for in ARTICLE X, and take action thereon, and if any extension is granted, the Planning Commission may impose additional conditions, if such are found to be necessary.

7. Enforcement and Abatement
See ARTICLE XXIV.

J. Public Facilities District

1. Purpose: The City of Coburg recognizes the need to develop and modify public facilities. This designation is intended to provide lands for public facilities and uses such as water reservoirs, sewage treatment plants, pump stations, major electric utilities and similar uses.

2. Uses and Structures

(a) Permitted Principal Uses and Structures

(1.) Communication facilities and structures including:
(i) Radio broadcasting studios, stations and towers;
(ii) Telegraph message centers, transmitting and receiving stations;
(iii) Telephone exchange stations and relay towers; and

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(iv) Television broadcasting studios, transmitting stations and relay towers.

(b) Governmental services including:

(i) City Hall;
(ii) City or county maintenance facilities;
(iii) Community buildings;
(iv) County Courthouse;
(v) Fire stations;
(vi) Police stations;
(vii) Post offices;
(viii) Public cemeteries;
(ix) Public hospitals;
(x) Public libraries;
(xi) Public museums;
(xii) Public restrooms;
(xiii) Senior centers;
(xiv) Any building or structure erected by a governmental entity not listed above;

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(xv) Accessory structures for any of the above.

(c) Park land and open space:
(i) Public open space;
(ii) Public parks;

(iii) Recreational activities, such as fishing, swimming, hiking, bike paths.

(d) Utilities essential to the physical and social welfare of an area including:
(i) Electric utility, electric transmission right-of-way, electric generation plants, electricity regulating substation;
(ii) Gas utility, gas pipeline right-of-way, natural or manufactured gas storage and distribution
points, gas pressure control stations;
(iii) Sewage disposal, sewage treatment plants, sewage sludge drying beds, sewage pressure control stations;
(iv) Solid waste disposal, refuse incineration, central garbage grinding stations, composting
plants, sanitary landfills and refuse disposal;
(v) Water utility, production of domestic water supply, water pipeline right-of-way, water and
wastewater treatment plants, water storage.

3. Siting Requirements

Development of all uses in this district are subject to Site Plan Review if deemed necessary by Planning Official.

4. Lot Requirements

(a.) For structures:
(1) The minimum lot width shall be 25 feet.
(2) One hundred percent lot coverage is allowable when minimum loading space, yards, landscaping and parking are provided.

(b) For parks and open spaces: none.

5. Yard Requirements

(1) Corner lots shall have ten feet next to a side street right-of-way.
(2) All non-recreation or open space uses shall be set back 20 feet from adjacent residential property lines.

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6. Maximum Height Standards
The maximum structural height for any building shall be three stories or 35 feet, whichever is the lesser. Water towers are exempt from this standard.

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7. Fences, Walls and other Structures
No fences, walls or other structures are required unless imposed by conditions of the site plan review process.

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8. Signs
All signs must conform to Ordinance A-155-A Sign Ordinance

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K. Downtown Coburg Overlay District

1. **Purpose:** The intent of the Downtown Coburg Overlay District is to:
   a. Encourage and direct development within the boundaries of the Downtown Coburg Overlay District;
   b. Encourage a form of development that will achieve the physical qualities necessary to preserve and enhance the downtown area as the historic heart of the community, reflect the small town and historic architectural character of Coburg, and provide an attractive, pedestrian-oriented setting; and
   c. Encourage smaller-scale commercial and business facilities, civic building and city functions, and mixed use, as stated in the Coburg Comprehensive Plan, Policy 11.
2. **Applicability**
   a. The Downtown Coburg Overlay District shall be an overlay district that applies over the existing C-1 zoning district.
   b. Use and development of land within the Downtown Coburg Overlay District shall be regulated as follows:
      (1) Any existing use shall be permitted to continue and the use shall be subject to the underlying zoning requirements and not the Downtown Coburg Overlay District.
      (2) Any alteration to the footprint, height, or massing of the existing building, or alteration of any parcel shall subject the entire building to the requirements of the Downtown Coburg Overlay District and shall be brought into compliance with the requirements of the Downtown Coburg Overlay District to the maximum extent practical, as determined by the Planning Commission.
      (3) Where a new building is proposed, the site shall be subject to the requirements of the Downtown Coburg Overlay District.
   c. Development applications within the Downtown Coburg Overlay District shall be required to follow the Review Procedures contained in Article X.
3. **Regulating Plan**
   a. Purpose and Applicability
      (1) A Downtown Coburg Overlay District Regulating Plan has been adopted

that divides the Downtown Coburg Overlay District into parcel types. Each parcel type designated on the Regulating Plan prescribes requirements for building form, height and massing which ensures that future growth helps meet the community's goals and vision for the district.

(2) All new development, redevelopment, alteration to the footprint, height, or massing of an existing building, and improvement to parcels within the Downtown Coburg Overlay District must comply with regulations for the applicable Parcel Type as well as applicable regulations in the City of Coburg Development Code.

b. **Parcel Types.** The following list defines the intent of each Parcel Type.

(1) Downtown Core Parcel Type

(i) The primary intent of this parcel type is to create a vibrant, high density, pedestrian-oriented Main Street along N Willamette St.

(ii) The mixed-use character of this parcel type is reflected in the verticality of its buildings, where each floor typically hosts a different use. Typically along streetfronts, retail or service uses are located on the ground floor of the building, and residential (lofts), office, retail, trade or service uses are located on the upper floor(s).

(2) Downtown Flex Parcel Type

(i) The primary intent of this parcel type is to encourage vibrant, pedestrian-oriented, mixed-use development throughout the Downtown Coburg Overlay District.

(ii) The mixed-use character of this parcel type is defined by the flexibility and compatibility in use, in a sense that no parcel is restricted to a single use. This allows retail, service, office, live-work, and residential (townhomes or lofts) uses to be within proximity of each other, vertically or horizontally.

4. **Building Standards**

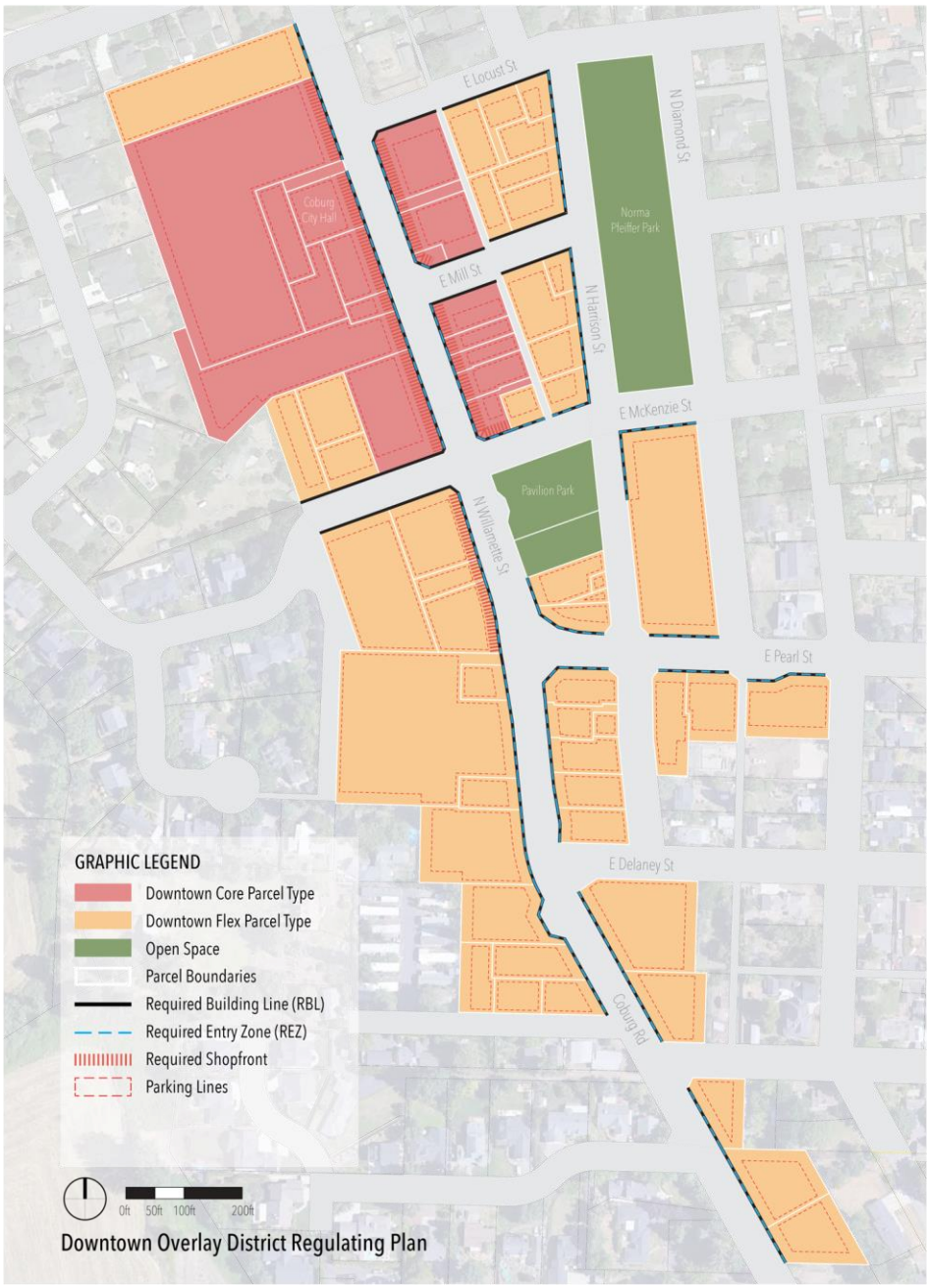
a. Purpose and Applicability

(1) The purpose of this section is to set forth regulations for Building Standards and design guidelines applicable to Parcel Types within the Downtown Coburg Overlay District. These standards are intended to ensure that new developments strengthen and enhance the existing architectural character and neighborhood scale of Downtown Coburg.

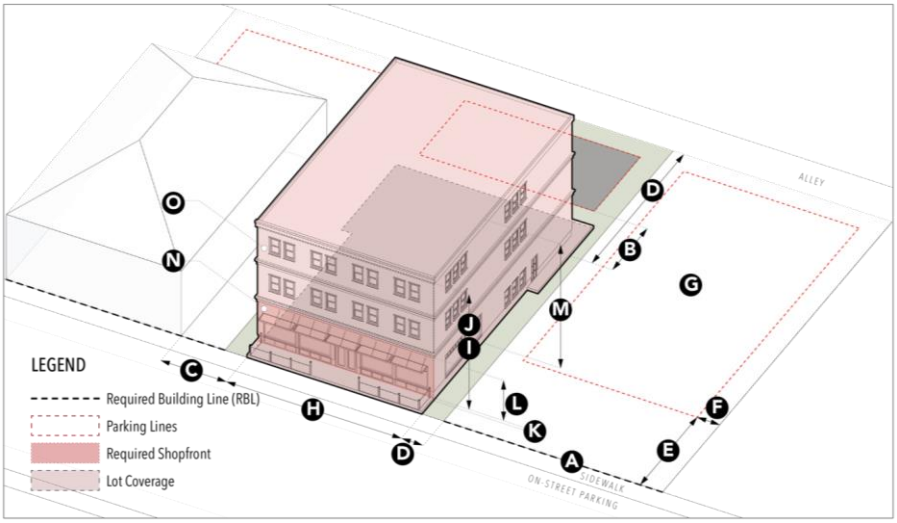
(2) The requirements in this section apply to all proposed development within the Downtown Coburg Overlay District and must be considered in relation to the intent and general architectural and neighborhood character of the district. The Building Standards also apply to any alteration to the footprint, height, or massing of the existing building, or alteration of any parcel.

(3) These Building Standards do not apply to the existing use of any buildings or parcel and will not prevent the restoration of a building damaged not more than fifty (50) percent of its assessed valuation by fire, explosion, or extreme weather event.

b. **Building Standards.** The following pages illustrate and detail requirements regarding building forms for each Parcel Type.


E Locust St
N Diamond St
Coburg City Hall
Norma Pfeiffer Park
E Mill St
N Harrison St
E McKenzie St
Pavilion Park
N Willamette St
E Pearl St
E Delaney St
Coburg Rd
GRAPHIC LEGEND
Downtown Core Parcel Type
Downtown Flex Parcel Type
Open Space
Parcel Boundaries
Required Building Line (RBL)
Required Entry Zone (REZ)
Required Shopfront
Parking Lines
0ft 50ft 100ft 200ft
Downtown Overlay District Regulating Plan

A. DOWNTOWN CORE BUILDING STANDARDS



Use		
Ground floor:	retail, service, office, trade; residential permitted on non-street-facing part(s) of the lot	
Upper floor(s):	retail, service, office, trade, residential	
Placement		
Front required building line (RBL)	0 ft; the front-most part of the building (i.e. wall, front porch) must be built to the RBL	A
Setback from secondary roads and parking	0 ft min.	B
Setback from other buildings	comply with applicable Uniform Fire Code standards	C
Rear and side setbacks	0 ft min.; see Notes when abutting Traditional Residential parcel	D
Parking setback from RBL	30 ft min.	E
Parking setback from parcel lines with no RBL	6 ft min.; 20 ft min. when abutting Traditional Residential parcel	F
Coverage		
Lot size	25 ft min. width; 1,500 sq ft min. area	G
Lot coverage	100% max.; see Notes for prerequisites	
Primary street facade built to RBL	80% min. of RBL length	H
Building width and length	150 ft max.; exterior building articulation required every 40 horizontal feet or less	
Height		
Minimum number of floors	2 floors	I
Maximum number of floors	3 floors	J
Ground floor elevation	0 in min. above sidewalk; see Notes for residential use	K
Floor to floor height	10 ft min.	L
Building height	45 ft max.; see Notes when abutting Traditional Residential parcel	M
Fenestration		
Percent of facade area (ground floor)	60%-80%	N
Percent of facade area (upper floors)	40%-80%	O

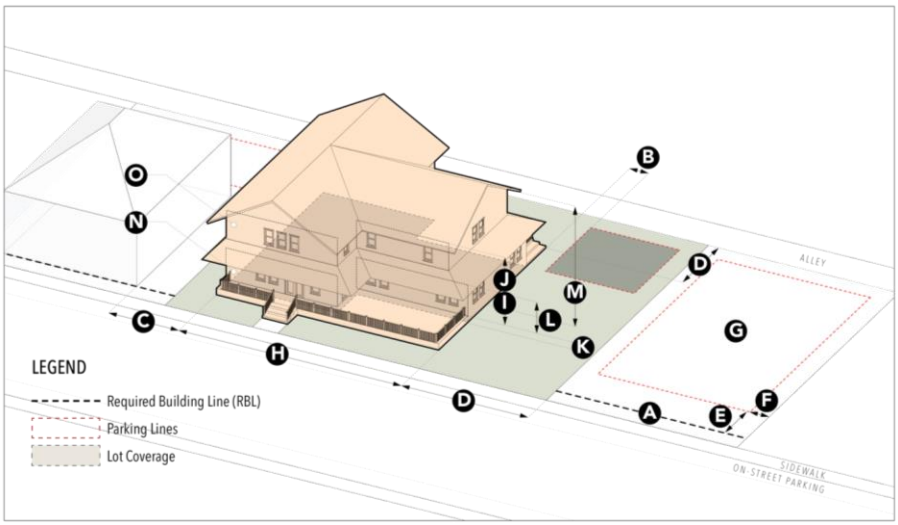
DOWNTOWN CORE BUILDING STANDARDS

The physical form of buildings on this parcel type is regulated to reflect the town center character of downtown, with required shopfront on the ground floor where RBL exists. Because the Downtown Coburg Overlay District is part of Coburg's "Architecturally Controlled Areas," the building form must also reflect the local architectural characteristics, as defined in Section 3.c of this Overlay Code.

Notes

- Buildings on parcels that abut a Traditional Residential parcel must be set back at least one foot for each foot in building height from the shared property line(s), up to a maximum required setback of 45 ft; building height is measured from the average grade to the top of the wall facing the shared property line or to the top of the highest window or door, whichever is higher
- One hundred percent coverage is allowable when applicable minimum loading space, stormwater, and setback requirements are met
- The ground floor of non-street-facing residential use must be elevated a minimum of 16 inches above grade
- Primary building entrance must be located along the Required Entry Zone (REZ) and be oriented to the street
- Pedestrian sidewalks or walkways must be provided to connect the building primary entrance to the public right of way
- Uses that create odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries are prohibited
- All new developments are required to provide a minimum of two of the following pedestrian amenities
  - Outdoor seating options
  - Extra wide sidewalk
  - Courtyard or pocket park
  - Rain garden and/or planters
  - Other opportunities for open spaces
- All new constructions and major renovations are required to incorporate historic building exterior design elements as detailed in Section 3.c of this Overlay Code "Architecturally Controlled Areas"
- The Downtown Coburg Overlay District is exempt from the minimum off-street parking requirements under Article VIII.B Section 2(b) of the Coburg Development Code, except for employees parking and work vehicles that are stored on site
- Refer to Article VIII.M.2.b.(1) for off-street vehicle parking standards for mixed-use development in the Downtown Coburg Overlay District
- If more than four dwelling units are proposed, an alley or private mid-block lane are required for vehicle access
- No structural improvements, except road surfacing, are allowed within 10 feet of the centerline of an alley
- Any ground-level shopfront windows facing circulation networks must be kept visible (unshuttered) at night

B. DOWNTOWN FLEX BUILDING STANDARDS



Use			
Ground floor:	retail, service, office, trade, residential		
Upper floor(s):	retail, service, office, trade, residential		
Placement			
Front required building line (RBL)	0 ft min. - 6 ft. max.; the front-most part of the building (i.e. wall, front porch) must be built to the RBL		●
Setback from secondary roads and parking	6 ft min.	B	●
Setback from other buildings	comply with applicable Uniform Fire Code standards	C	●
Rear and side setbacks	0 ft min.; see Notes when abutting Traditional Residential parcel	D	●
Parking setback from RBL	20 ft min.	E	●
Parking setback from parcel lines with no RBL	6 ft min.; 20 ft min. when abutting Traditional Residential parcel	F	●
Coverage			
Lot size	25 ft min. width; 1,500 sq ft min. area	G	●
Lot coverage	100% max.; see Notes for prerequisites		
Primary street facade built to RBL	60% min. of RBL length	H	●
Building width and length	150 ft max.; exterior building articulation required every 40 horizontal feet or less		
Height			
Minimum number of floors	1 floors	I	●
Maximum number of floors	3 floors	J	●
Ground floor elevation	0 in min. above sidewalk; 16 in min. for above-grade residential use	K	●
Floor to floor height	10 ft min.	L	●
Building height	45 ft max.; see Notes when abutting Traditional Residential parcel	M	●
Fenestration			
Percent of facade area (ground floor)	50%-80%	N	●
Percent of facade area (upper floors)	40%-80%	O	●

DOWNTOWN FLEX BUILDING STANDARDS

The physical form of buildings on this parcel type is regulated to support active street and seamless pedestrian experience, with ground floor shopfront for retail, service, and office uses, or street-oriented frontage for residential and live-work uses. Downtown Flex parcels at critical nodes may be required to provide ground floor shopfronts. Because the Downtown Coburg Overlay District is part of Coburg's "Architecturally Controlled Areas," the building form must also reflect the local a rchitectural characteristics, as defined in Section 3.c of this Overlay Code.

Notes

- Buildings on parcels that abut a Traditional Residential parcel must be set back at least one foot for each foot in building height from the shared property line(s), up to a maximum required setback of 45 ft; building height is measured from the average grade to the top of the wall facing the shared property line or to the top of the highest window or door, whichever is higher
- One hundred percent coverage is allowable when applicable minimum loading space, stormwater, setbacks, and parking requirements are met
- Primary building entrance must be located along the Required Entry Zone (REZ) and be oriented to the street
- Pedestrian sidewalks or walkways must be provided to connect the building primary entrance to the public right of way
- Uses that create odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries are prohibited
- All new developments are required to provide a minimum of two of the following pedestrian amenities
  - Outdoor seating options
  - Extra wide sidewalk
  - Courtyard or pocket park
  - Rain garden and/or planters
  - Pedestrian-scaled awnings or canopies
  - Other opportunities for open spaces
- All new constructions and major renovations are required to incorporate historic building exterior design elements as detailed in Section 3.c of this Overlay Code "Architecturally Controlled Areas."
- The Downtown Coburg Overlay District is exempt from the minimum off-street parking requirements under Article VIII.B Section 2(b) of the Coburg Development Code, except for employees parking and work vehicles that are stored on site
- Refer to Article VIII.M.2.b.(1) for off-street vehicle parking standards for mixed-use development in the Downtown Coburg Overlay District
- If more than four dwelling units are proposed, an alley or private mid-block lane are required for vehicle access
- No structural improvements, except road surfacing, are allowed within 10 feet of the centerline of an alley

c. **Architecturally Controlled Areas.** Building Standards are not intended to indicate or suggest any specific architectural style. However, because the Downtown Coburg Overlay District is part of Coburg's "Architecturally Controlled Areas," the physical form of buildings in this district is regulated to reflect the local historic architectural characteristics.

(1) The following historic building exterior design elements are required for all new construction and major renovations in order to maintain and improve the historic storefront character of the downtown. Historic Structures are also subject to the conditional use criteria in Article XIV.

(i) Decorative doors, transom, or clerestory windows.

(ii) Windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district.

(iii) Certain percentage of the ground floor facade facing the street must have windows. The lower edge of these windows must be no more than 30 inches above the sidewalk. Refer to the corresponding Parcel Type's Building Standards for applicable range of fenestration percentages.

(iv) The pitch and style of rooflines must be comparable to existing historic rooflines.

(v) Surface detailing is required for blank walls (permitted on non-street facing facades only) and must include offsets, windows, siding, murals, or other similar features.

(vi) Weather protection for pedestrians (awnings or canopies). Lighted or bubble awnings are not allowed.

d. **Shopfront Design Standards.** Building frontage, which is the intersection between the ground floor of the building and the public sidewalks, defines the character of each building. Collectively, building frontages define the built character of a neighborhood. Therefore, welcoming frontages are a critical ingredient in achieving the intent of creating a walkable, interactive, and vibrant public realm in downtown Coburg.

(1) Shopfronts are required for the ground floor of all Downtown Core buildings that face the main street (N Willamette St) and Pavilion Park.

(2) The following shopfront design standards detail frontage elements that can help provide streets and the general public realm with a comfortable, human-scale, lived-in appearance.

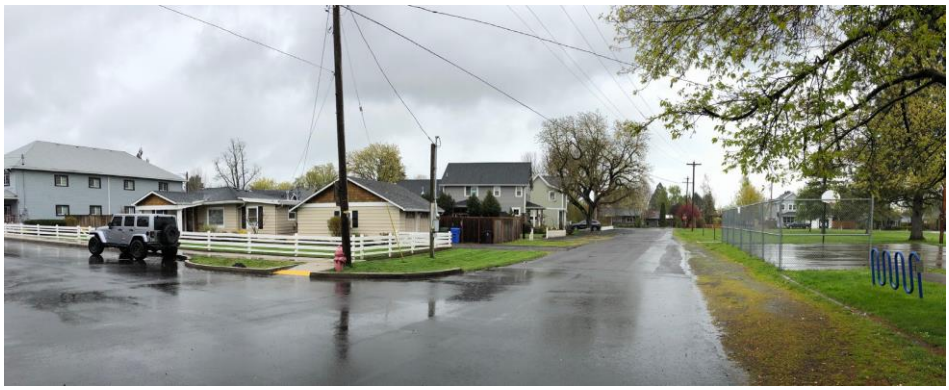
(i) Shopfronts must be composed of a base up to 30 inches tall, with clear glazing that extends from the base to at least eight feet above the sidewalk level.

(ii) Windows and doors must extend along at least 60 percent of the length of the shopfront facade. The lower edge of these windows must be no higher than 30 inches above the sidewalk. Any ground-level shopfront windows facing circulation networks must be kept visible (unshuttered) at night.

(iii) Storefronts must incorporate weather protection elements for pedestrians (awnings or canopies); lighted or bubble awnings are not allowed.

(iv) The location, design, and lighting of signage is integral to the shopfront design; refer to Coburg Sign Ordinance A-155.

This conceptual rendering looking north at the corner of E Mill Street and N Harrison Street shows how future development under Downtown Flex could help to frame Pfeiffer Park and activate the street corner for pedestrians.



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5. **Sustainable Landscape Standards for Downtown Coburg**

a. Purpose and Applicability

(1) Landscape plays a number of very important roles in the built environment, both at the parcel level and at the larger, neighborhood level. Its more conventional role includes helping generate a network of comfortable, habitable, and beautiful public and private open spaces that support pedestrian functions and a full range of activities in a vibrant public realm.

The role of landscape has also evolved to promote environmental stewardship, addressing sustainability concerns particularly in relation to biofiltration stormwater management. This section focuses on the ways in which site designs can integrate practices of sustainable stormwater management known as "Low Impact Development (LID)."

(2) Applicant or developer of all new development, redevelopment, alteration to the footprint, height, or massing of an existing building, and improvement to parcels, must demonstrate post-development runoff at or below pre-development rates.

(3) New developments must provide on-site vegetated stormwater infrastructure as necessary, appropriately sized by the site designers to mitigate any increase in stormwater runoff post-development.

(4) Article VII.C.4.c Parking Lot Design pertains to landscape-related design standards for parking lots in the Downtown Coburg Overlay District. For parking lot regulations outside of landscaping, refer to Article VIII.B. Parking Regulation as part of the Supplementary District Regulations.

b. On-site Stormwater Infrastructure

(1) LID is an approach to land development that works with nature in managing stormwater as close to its source as possible to minimize stormwater runoff from buildings and impervious surfaces. Unlike a conventional system that would simply pipe unfiltered stormwater through metal grates straight into drainage channels, LID-based stormwater management approach relies on vegetated natural systems to collect, infiltrate, and filter rainwater on site, often reducing the need for costly underground structures.

(2) The following list introduces some examples of the different types of best management practices (BMP) for on-site stormwater management commonly adopted in the site development process.

RAIN GARDEN

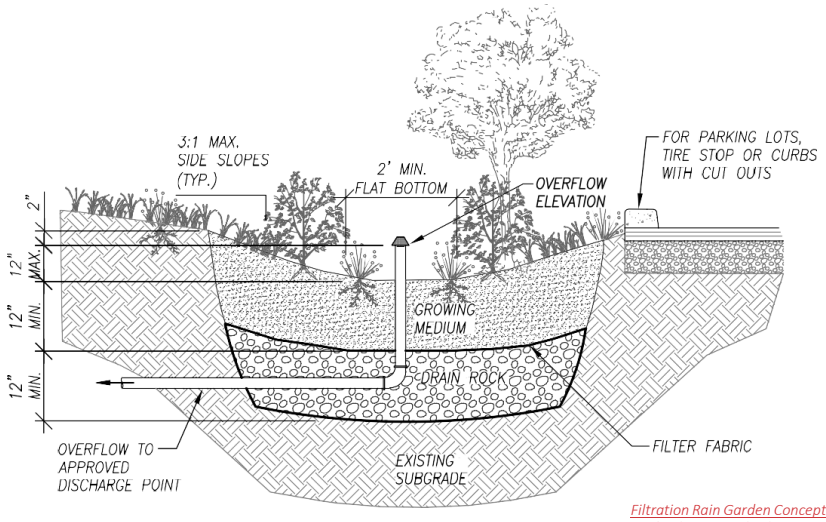
Rain gardens are vegetated, flat bottomed, shallow landscape depression that collect and hold stormwater runoff, allowing pollutants to settle and filter out as water infiltrates into the ground. Rain gardens are generally smaller and more appropriate for residential systems than bioswales. Rain gardens can be installed in almost any unpaved space. They have the versatility to be configured in a number of different shapes and sizes, such as a standalone landscape amenity, part of a larger garden, or as a strip bordering hardscapes such as parking lots, driveways, or sidewalks.

The entire rain garden must maintain 90 percent vegetation coverage. Plants selected for a rain garden need to be able to withstand moisture conditions ranging from flooded to dry, an edge that native plants often have. More complex rain gardens are equipped with drainage systems and amended soils, often referred to as bioretention or bioinfiltration cells. As water percolates, the layers of vegetation and soil mediums filter pollutants out of water before it infiltrates into the ground below or gets piped to its downstream destination. Rainfall infiltrates into the ground until the soil reaches its absorption capacity, which under ordinary rainfall events should manage most of the volume. During heavy rainfalls, any overflow will be piped to its downstream destination.

Rain gardens can be used to fulfill applicable requirement for site landscaping area, and should be integrated into the overall site design.

Rain garden as part of an urban green infrastructure
Source: U.S. Environmental Protection Agency

Rain garden on a residential property
Source: Stormwater Report, Water Environment Federation



Filtration Rain Garden Concept Details
Source: City of Coburg Standard Drawing SS-004

VEGETATED SWALE

Vegetated swales are an open channel stormwater system that provide an alternative to the conventional storm sewer piping. They can absorb low flows or cary runoff from heavy rains to storm sewer inlets or directly to surface waters. Additionally, vegetated swales improve water quality by infiltrating the first flush of stormwater runoff and filtering the large storm flows they convey. Because most of the annual precipitation comes from frequent, small rain events, these swales are able to infiltrate and filter nearly all of this water, provided that they are appropriately sized.

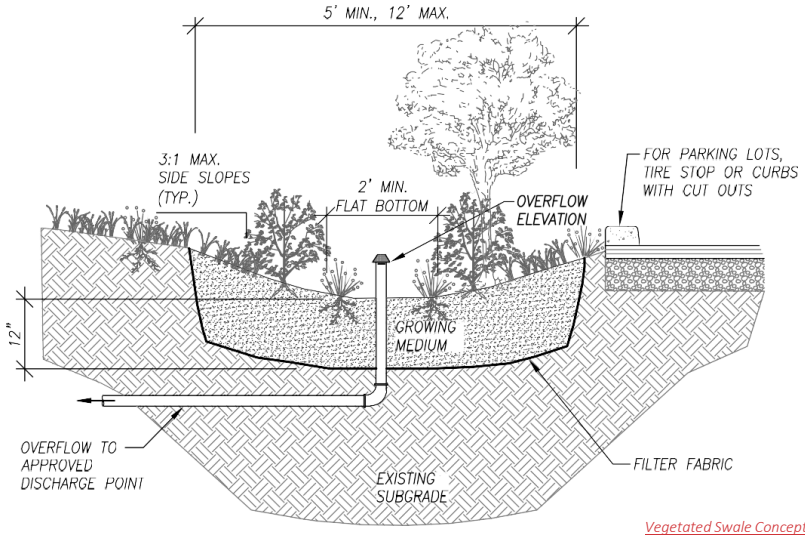
Because they are a stormwater runoff conveyance system, vegetated swales are typically a linear system that is long and narrow. Because they tend to be larger in size compared to rain gardens, vegetated swales are prepared to manage a large amount of runoff from large impervious surfaces, such as roadways and parking lots.

Like rain gardens, vegetated swales are vegetated with plants that can withstand both heavy watering and drought, which are often native plants. Whenever possible, design vegetated swales to utilize and enhance existing natural drainage depressions.

Vegetated swales can be used to fulfill applicable requirement for site landscaping areaand should be integrated into the overall site design.

Vegetated swale as part of a larger landscape
Source: Sustainable Campus, Cornell University

The use of vegetated swale along a surface parking lot
Source: University of California, Santa Barbara



Vegetated Swale Concept Details
Source: City of Coburg Standard Drawing SS-002

GRASSED SWALE

Grassed swales are an open channel stormwater system akin to vegetated swales, but only planted with grasses and are essentially drainage ditches. Because grassed swales have less vegetation, they are typically less costly and require lower maintenance than vegetated swales. However, grassed swales tend to provide significantly less infiltration and pollutant filtration opportunities. Nevertheless, when properly designed and sized, grassed swales can still result in a significant improvement over catch basins and conventional pipes in both the slowing and cleaning of stormwater runoff.

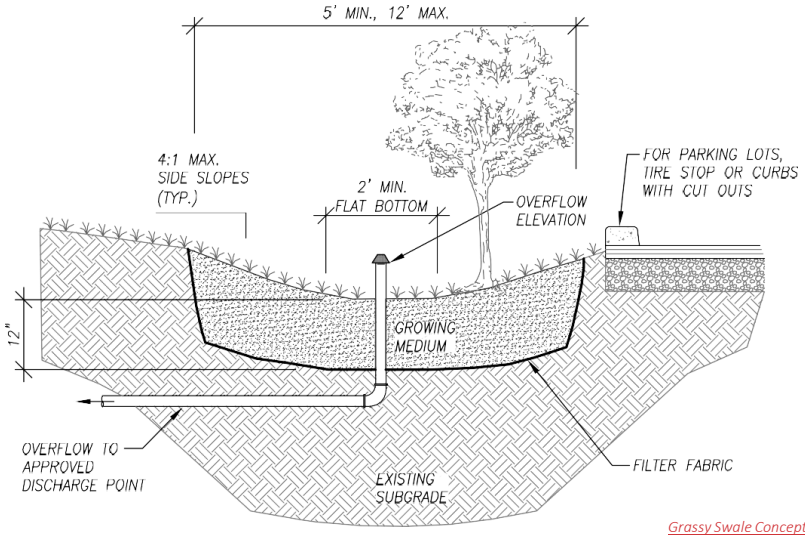
Grassed swales are generally used to treat relatively small drainage areas of five acres or less. Vegetated swales or grassed swales that are constructed in tandem with other stormwater management practices are recommended for more urbanized areas or highly impervious areas.

Select grass species that produce fine, uniform, and dense cover and that can withstand a range of moisture conditions. Avoid cutting grass shorter than the design flow depth because it may reduce the grass' effectiveness in slowing and cleaning stormwater runoff.

Grassed swales can be used to fulfill applicable requirement for site landscaping area, and should be integrated into the overall site design.

Grassed swale along a divided highway
Source: U.S. Geological Survey

Grassed swale construction
Source: City of Coeur d'Alene, Idaho



Grassy Swale Concept Details
Source: City of Coburg Standard Drawing SS-001

c. Parking Lot Design

(1) Parking Lot Grading. All vehicular parking areas must be graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property.

(2) Parking Lot Screening. Parking areas with more than two off-street spaces must be screened with an evergreen hedge or fence at least four feet high.

(i) Parking areas must be located to the rear or side of the primary structure. To the greatest extent practicable, such parking areas must be situated away from neighboring residential units.

(ii) Fences, walls, or other structures must screen at least 70 percent of the view when abutting Residential District parcels. A hedge must, within one year of planting, screen 70 percent of the view between the districts.

(iii) The maximum allowable height of fences and walls is six feet, as measured from the lowest grade at the base of the wall or fence. A building permit is required for walls exceeding six feet in height, in conformance with the Uniform Building Code.

(iv) If vegetation is used, it must remain living after planting and must be continuously maintained by the property owner. If the vegetation fails to survive or is otherwise not maintained in good condition, the property owner must replace them with an equivalent species and size within 180 days.

(v) Any fence, hedge and wall must comply with vision clearance standards in Article VIII.A and provide for pedestrian circulation where required.

(3) Parking Lot Landscaping. New off-street parking with five or more spaces must be landscaped and is highly encouraged to incorporate on-site stormwater management strategies introduced in Section 4.b of this Overlay Code.

(i) Purpose

- Landscaping helps screen the parking area both from the development and the right-of-way.
- Landscaping enhances the site through the careful placement of plantings and other landscape features.
- Landscaping helps lessen stormwater run-off by reducing the amount of impervious surface. Surface stormwater runoff and water pollution are a major concern in parking lot developments, which typically involve a vast amount of impervious surface.

(ii) Landscaping using a combination of vegetated stormwater infrastructure, planters, and shade trees within and/or around the parking area must be provided at a minimum ratio of 10 percent of the gross area of the parking lot. The parking area is computed by

adding all areas used for access drives, aisles, stalls, and maneuvering within the portion of the site that is devoted to parking and circulation.

(iii) A minimum of one shade tree should be provided for every five parking spaces, or to achieve a minimum of 40 percent canopy coverage of paved area at maturity, whichever is greater.

(iv) Landscaping should be evenly dispersed throughout the parking area, with trees planted around the perimeter.

(v) Planning staff will confirm that the proposed off-street parking area meets the standard based on an authoritative tree guide, or on a landscaping plan prepared by a licensed landscape architect or arborist certified by the International Society of Arboriculture.

(4) Parking Lot Paving. Another way to minimize surface stormwater runoff and water pollution is to reduce the amount of run-off generating surface area. Pavement plays a major role in transporting stormwater runoff and polluted water from roofs and cars to streams, rivers, and groundwater. When soil and site conditions are suitable, use alternative paving materials for parking areas to achieve filtration and partial storage during storm events, thereby reducing stormwater runoff and decreasing downstream flooding and water pollution.

(i) Pervious pavements are load-bearing surfaces that allow water to filter and infiltrate into the ground instead of running off the site into storm drains. They can be used for walkways, patios, plazas, driveways, and parking lots. They may also be used for some portions of streets, subject to compliance with local building codes.

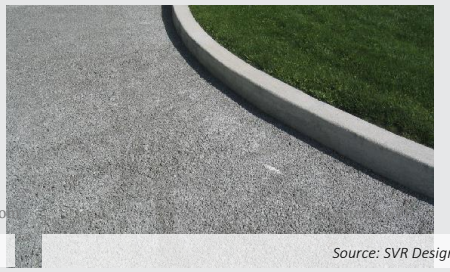
(ii) Pervious pavements offer a range of benefits, including:

- Reducing the amount of stormwater runoff and keeping associated pollutants from entering nearby streams
- Allowing groundwater recharge and reducing localized flooding during rain events
- Minimizing standing water
- Minimizing the need to irrigate nearby planting areas

(iii) The following list introduces several types of commonly accepted pervious pavement.

Source: prnewswire.com

Porous asphalt is a good option for areas needing a larger, more stable surface such as parking lots. It looks very similar to traditional asphalt, but is comprised almost entirely of stone aggregate and asphalt binder with very fine aggregate. With proper design and installation, porous asphalt can span more than 20 years.



Source: SVR Design

Pervious concrete typically has a permeability rate of 12 inches per hour and has the appearance of exposed aggregate concrete. Pervious concrete is manufactured without 'fine' materials and incorporate void spaces to allow water to percolate through the pavement and infiltrate the ground.

Source: masonrydepotny.com

Reinforced grass pavers (turf blocks) are concrete interlocking blocks or synthetic grid system with open spaces designed to allow grass to grow in between the pavers. They create a visually appealing parking lot, driveway, or pathway that blends in with the surrounding landscape while allowing water to filter into the ground.

Source: GridLok Elite

Reinforced gravel paver is a stabilized gravel system that consists of a connected honeycomb- or diamond-celled panels foundation. Once filled with gravel, this system has the strength and durability to withstand vehicle traffic. This porous system can be a more affordable alternative to asphalt, concrete, or block pavers.

Source: cricketpavers.com

Unit paving pads, bricks, or stones can provide high permeability when spaced out to expose the permeable base underneath. Spaced concrete pads with ample permeable material in between can also be used for areas with light vehicle traffic.

Source: Ecoraster

Other pervious surfaces may be appropriate upon demonstrating permeability.

d. **Example of on-site application.** Using a combination of multiple sustainable landscape strategies allows for a wider range of infiltration opportunities. When possible, locate permeable pavement area adjacent to a rain garden, bioswale, or other vegetated stormwater infrastructure to allow overflow to drain into an infiltration area.

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ARTICLE VIII. SUPPLEMENTARY DISTRICT REGULATIONS

A. Access Management and Vision Control Regulations

1. Visibility at Intersections and Access from Driveways

a. On a corner lot in any district nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2-1/2 and 10 feet above the center line grades of the intersecting streets in the area bounded by the street right-of-way lines of such corner lots and a line joining points along said street right-of-way lines, 20 feet from the point of the intersection.

b. Residential driveways shall be located to optimize intersection operation and, where possible, to provide access from the street with the lowest functional classification. For example, if a house is located on the corner of a local street and a collector, the driveway shall provide access from the local street if the driveway can be located a sufficient distance from the intersection.

2. Structures and Properties to Have Access

Every building hereafter erected or moved shall be on a lot fronting or abutting on a public street or with access to a public street over an approved private street or easement of record, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking. Properties that abut only collector or arterial streets should share access with neighboring properties where feasible.

B. Parking Regulation

1. Parking and Storage of Certain Vehicles

Automotive vehicles or trailers of any kind without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

2. Off-Street Parking Requirements.

a. Parking Area Design.

(1) All public or private parking spaces, except those required in conjunction with a single-family or two-family dwelling on a single lot, shall be designed and laid out to conform with the requirements of this Code and the Planning Commission.

(2) Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot, shall be served by a service drive so that no backward movements or other

maneuvering of a vehicle within a street, other than an alley, shall be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrians, bicycles, and vehicular traffic on the site.

b. Parking Space Required

The number of off-street parking spaces required shall be no fewer than as set forth below

Table VIII(B)(2)(b): Parking Space Required	
Residential Types	
Dwelling, single-family	One for each dwelling unit on a single lot
Dwelling, two-family or multiple family	One for each dwelling unit; where fractioned next highest full unit
Hotels, motels, motor hotels, etc.	0.75 for each guest room
Rooming or boarding houses	One for each guest room
Accessory dwelling unit	One for each dwelling unit
Institutional Types	
Hospitals	One for each bed; where fractioned, highest full unit, plus 2 for each nurses' station
Churches, clubs, lodges	1 for every 75 square feet of main assembly area
Libraries, museums, art galleries	1 for each 300 square feet of gross floor area
Nursing homes, homes for the aged	One for each six beds for the aged, group care homes, asylums, etc.
Schools	
Elementary or junior high schools	1 for each teaching station
High schools	1 for each teaching station
Commercial Types	
Retail establishments except as otherwise specified in this Code	1 for each 400 square feet of retail floor area, except one space per 1,000 sq. ft. for bulk retail (e.g., auto sales, nurseries, lumber and construction materials, furniture, appliances, and similar sales)
Barber and beauty shops	1 for each 200 square feet of floor area
Health Clubs, Gyms, Continuous Entertainment (e.g., bowling alleys)	One for every 300 square feet of floor area
Office buildings, businesses and professional offices	One for every 500 square feet of floor area
Recreational or entertainment establishments	
Spectator type auditoriums, assembly halls, theaters, stadiums, places of public assembly, etc.	One for each six seats
Participating skating rinks, dance halls, etc.	One for each 300 square feet of floor area
Establishments for the sale and consumption on the premise of food and beverage	One for each 200 square feet of floor area

c. Calculations

(1) In the event the calculation produces a fractional number, one parking space shall be required for a fractional unit of .50 or above; no space shall be required for fractional unit of less than .50.
(2) Where multiple uses are proposed on site, the number of spaces required for each individual use is determined, rounded if necessary, and added to the number of spaces, after rounding, required for the other use(s)
(3) When square feet are specified, the area measured shall be the gross floor area related to the use. Area not primarily related to the use are excluded from the measurement
(4) When the number of employees are specified, the number shall reflect the maximum number of employees on the premises at one time during peak season

d. Exceptions and Reductions to Off-Street Parking Requirements

(1) The Central Business District (C1) is exempt from the minimum parking requirements of Section 2(b), except that off-street parking shall be provided for employees and work vehicles that are stored on site, as follows:

(i) All new commercial development, including change of use, in the C-1 district that requires one or more employees shall provide a number of on-site parking spaces equal to the greatest number of employees that will be on site at any particular time. The Planning Official shall determine the number of required off-street parking spaces for a proposed use, or expansion of a use, based on information submitted by the applicant.
(ii) One off-street parking space shall be provided for each work vehicle. "Work vehicles" are those vehicles associated with the business that are stored on-site or that are parked on-site for any period of time during regular work hours.
(iii) The determination by the Planning Official of the number of spaces required under subsection (i) and (ii) shall be provided in writing, based on written evidence submitted by the applicant.
(iv) The Planning Official may waive or reduce off-street parking requirements in accordance with Section 2(d)(3).

(2) Accessory dwelling units may be exempt from the minimum parking requirements of Section 3(b) if the applicant demonstrates that an equal number of on-street parking spaces are available within 800 feet of the site.

(3) The Planning Official may waive or reduce off-street parking requirements in any one or more of the following circumstances:

(i) The applicant demonstrates, based on a parking analysis prepared by a qualified professional, that the proposed use will not generate a need for the required parking;
(ii) Site has dedicated parking spaces for carpool or vanpool vehicles: Allow up to a 20% reduction to the standard number of automobile parking spaces;
(iii) Site has dedicated parking spaces for motorcycles, scooters, or electric carts: Allow reductions to the standard dimensions for parking spaces;
(iv) Site has more than the minimum number of required bicycle parking spaces: Allow up to a 10% reduction to the standard number of automobile parking spaces;
(v) An equal number of alternate parking spaces are provided off-site through a joint use agreement subject to the following criteria:

(aa) The alternate parking is no more than 800 feet from the building or use required to provide parking;
(bb) There is no substantial conflict between the principal operating hours of the uses on the property providing the alternate parking and the building or use for which the parking is required (i.e., the applicant must demonstrate that the alternate parking spaces will be available when needed).
(cc) The joint use agreement is evidenced by a signed written document, approved by the City Attorney as to form and content, and duly recorded with Lane County, with true copies thereof filed with the City Recorder.

(vi) A bus stop is located within 800 feet of the site: Allow up to 20% reduction to the standard number of parking spaces.

3. Parking Requirements for Uses Not Specified

The parking space requirements for buildings and uses not set forth herein shall be determined by the Planning Commission, and such determination shall be based upon the requirements for the most comparable building or use specified herein.

4. Common Facilities for Mixed Uses

a. In the case of mixed uses, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses. Off-

street parking facilities for one use shall not be considered as providing facilities for, any other use except as provided in subsection b, below, Joint Use of Parking Facilities.

b. Joint Use of Parking Facilities. The Planning Official may, upon application, authorize the joint use of parking facilities required by said uses and any other parking facility, provided that:

(1) The applicant shows that there is no substantial conflict in the principal operating hours of the building or use for which the joint use of parking facilities is proposed;
(2) The parking facility for which joint use is proposed is not further than 800 feet from the building or use required to have provided parking; and the parties concerned in the joint use of off-street parking facilities shall evidence agreement for such joint use by a legal instrument approved by the City Attorney as to form and content. Such instrument, when approved as conforming to the provisions of this Code, shall be recorded in the office of the Lane County Recorder and copies thereof filed with the City Recorder.

5. Bicycle Parking

a. Bicycle parking requirements shall apply to all developments that require a site plan or amended site plan for new development, changes of use, and building expansions and remodels that require a building permit, as follows:

(1) Multi-Family. Every residential use of three or more multi-family dwelling units shall provide at least one sheltered bicycle parking space for each unit. Sheltered bicycle parking areas may be in a conveniently located garage or storage unit, or under an eave, independent structure, or similar cover.
(2) Non-Residential Parking. There shall be a minimum of one bicycle space for every seven motor vehicle spaces. At least half of all bicycle parking spaces shall be sheltered. Bicycle parking provided in outdoor areas shall be located near the building entrance, similar to vehicle parking spaces, unless existing development on site precludes that option. Fractions shall be rounded to the nearest whole number.

b. Bicycle Parking Facilities Design Standards

(1) Bicycle parking facilities shall either be stationary racks which accommodate bicyclist's locks securing the frame and both wheels, or lockable rooms or enclosures in which the bicycle is stored.

(2) Bicycle parking spaces shall provide a convenient place to lock a bicycle and shall be at least six feet long, two feet wide, and seven feet high. Upright bicycle storage structures are exempted from the parking space length standard.
(3) A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.
(4) Bicycle racks or lockers shall be anchored to the surface or to a structure.
(5) Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking. The cover shall leave a minimum 7- foot overhead clearance and shall extend over the entire parking space. If a bicycle storage area is provided within a building, a sign shall be placed at the area indicated that it is for bicycle parking only.
(6) Bicycle parking shall not interfere with pedestrian circulation.

[Adopted A-133L 10/5/99]

6. Vehicular Parking Area Improvements

All public or private parking areas, which contain four or more parking spaces, and outdoor vehicles sales areas, shall be improved according to the following:

a. All vehicular parking areas shall have a durable, dust-free surfacing of asphaltic concrete, Portland cement concrete, or other approved materials as specified by the Planning Official.

(1) Vehicular parking areas as a part of a proposed development shall incorporate driveway designs and methods that reduce storm water run-off. Design methods include, but are not limited to: porous concrete, turf pavers, plastic grid systems, or ribbon driveways.

b. All vehicular parking areas, except those in conjunction with a single-family or duplex dwelling, shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property.

c. All vehicular parking areas, except those required in conjunction with a single family or two family dwelling, shall provide a substantial bumper or curb stop which will prevent cars from encroachment on abutting private or public property.

d. All vehicular parking areas and service drives shall be enclosed along any interior property which abuts any residential district, with a 70 percent opaque, site- obscuring fence, wall or hedge not less than three (3) feet nor more than six (6) feet in height, but adhering to the visual clearance and

front and interior yard requirements established for the district in which it is located. If the fence, wall or hedge is not located on the property line, said area between the fence, wall or hedge and the property line shall be landscaped with lawn or low-growing evergreen ground cover. All plant vegetation in this area shall be adequately maintained by a permanent irrigation system, and said fence, wall or hedge shall be maintained in good condition. Screening or plantings shall be of such size as to provide the required degree of screening within 24 hours after installation. Adequate provisions shall be maintained to protect wall, fences, or plant materials from being damaged by vehicles using said parking areas. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or adjacent residential district or use.

e. Any lights provided to illuminate any public or private parking area or vehicular sales area shall be shielded and so arranged as to reflect the light away from any abutting or adjacent property or public right of way.

f. All vehicular parking spaces shall be appropriately and substantially marked. [Adopted A-133L 10/5/99]

C. <u>Pedestrian and Bicycle Access and Circulation</u>

1. **Internal pedestrian circulation** shall be provided within new commercial office, and multi-family residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, or similar technique.

Within the CI zone, pedestrian walkways shall be provided for ingress and egress from the public street(s) and primary frontage sidewalk to all primary building entrances in the form of a continuous separated pathway of at least 5 feet in width. A continuous separated pedestrian walkway of at least 5 feet in width shall also be provided for pedestrian access from parking lots to buildings in the development.

2. **Pedestrian access to transit facilities** shall be provided from new commercial, employment, and multi-family residential development while existing developments shall provide safe and accessible pedestrian access to transit facilities when a site changes uses or is retrofitted.

If development proposed in the CI zone or on LI-zoned property east of Interstate 5 is located within 250 feet of an existing or proposed transit stop, the applicant shall work with the Lane Transit District to locate a transit stop and shelter directly adjacent or as close as possible to the main building entrance. Any required proposed transit stops shall conform to the standards of the Lane Transit District.

3. **Internal pedestrian and bicycle systems** shall connect with external existing and planned systems, including local and regional travel routes and activity centers such as schools, commercial areas, parks and employment centers.

4. **Coburg Loop Path Standards.**
Where development occurs on land abutting or within the existing or proposed alignment for the Coburg Loop Path, the City may require that the land within the alignment be reserved for the Path. Such reservation shall be accomplished by dedication to the City, by creation of a permanent public access easement, or by other means deemed acceptable to the City. The land subject to the dedication or public access easement shall include land adequate to accommodate the full 16-foot wide right-of-way, and shall be shown on the final plat, if required, or approved site plan, where final plat is not required.

   a. The Path shall meet all Americans with Disabilities Act (ADA) and American Association of State Highway and Transportation Officials (ASHTO) engineering standards and shall be approved by the City Engineer.

   b. Path Width. Paved Path width shall be 10 feet. Exceptions may be made for areas with significant constraints such as slope, sensitive natural resources, or large trees. Any exception area shall not result in a path that is less than 8 feet wide.

   c. Lateral and Vertical Clearance.

      (1) A 2-foot or greater shy or clear distance shall be required on both sides of the Path. This area shall be clear of vertical objects such as signs, posts, and trees. Exceptions may be made in cases where existing large trees would otherwise need to be removed.
      (2) Overhead clearance shall be maintained at 10 feet.

   d. Setbacks from Roads and Alleyways.

      (1) Where the path is parallel or adjacent to a road or alleyway, a 5-foot separation from the edge of the roadbed is required.
      (2) Landscaping is required within the setback area in accordance with respective district regulations.
      (3) Setback exceptions may be made through the variance process (ARTICLE XIX) for areas with significant constraints, such as sensitive natural resources, street trees, structures, or utilities. In cases where a 5-foot setback is unattainable, a physical barrier such as a fence or wall shall be erected between the roadway and the Path edge to provide separation between path users and vehicles. The barrier must be between 42 and 54 inches in height, unless the required height creates a hazard. Openings in the railing must not exceed 6 inches in width. No chain link fencing is allowed.

e. Surfacing.

(1) The Path shall be constructed from Portland cement concrete with a minimum thickness of 5 inches set on 6 inch compacted aggregate base.
(2) A 2-foot aggregate apron shall be placed on both sides of the hard-surfaced Path.
(3) Saw cut joints should be located every 6-8 feet to help prevent cracking.
(4) Where the Path is crossed by a driveway or where regular vehicle crossing will occur, the pathway shall be reinforced with steel mesh, re-bar, or other reinforcing material to prevent cracking.

f. Grades and Cross-slope.

(1) The maximum grade shall be 5 percent. Steeper grades are allowed for up to 500 feet not to exceed 8 percent grade providing there is ample horizontal alignment and sight distance.

D. Sign Regulations

See Coburg Sign Ordinance A-155 (reprinted 01/30/01)

E. Streets, Alleys and Other Public Way Standards

1. Improvements to City Streets shall conform to the standards as set forth in this section.

a. **Dedication of Street Right-of-Way.** City may require dedication of additional public right-of-way in order to meet street standards.

b. **Street Design Standards** for public streets and the current and future functional classification plan for all streets within Coburg, including those owned by Lane County.

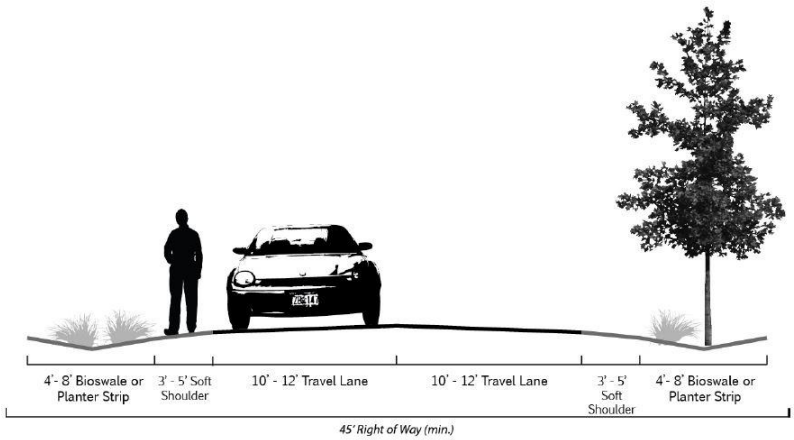
(i) Street Design Standards – New Roadways Table VIII(E)(1)(b)(i):

Table VIII(E)(1)(b)(i): Coburg Street Design Standards – New Roadways

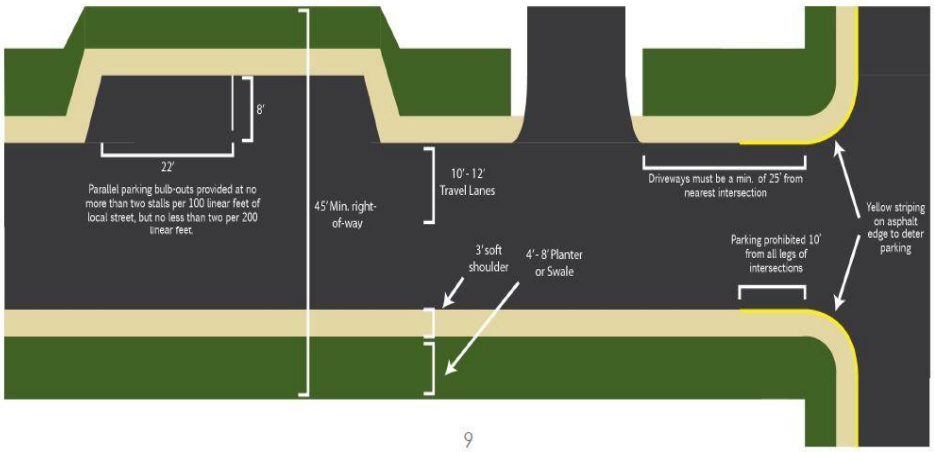
Functional Class	Min. ROW Width	Travel Lanes	Planter with Street Trees or Swale with Street Trees	On-Street Parking	Sidewalks, Curbs and Gutters	Soft Shoulder	Bicycle Lanes
Alley	16'	12' min. paved width	none	Prohibited	None	None	None
Local Access	45'	10' min., 12' max.	Swale - 4' min., 8' max., both sides	Max: 2 per 100 l.f., Min: 2 per 200 l.f.	None	3' min., 5' max., one side min. (striped)	None
Highway Commercial and Industrial Local Street	51'	11' min., 12' max.	Planter- 6' min.	7', one side	5' min. sidewalk; curb and gutter both sides,	None	None
Collector	55'	11' min., 12' max.	Planter - 4' min., 8' max., both sides	7' min., if required	5' min. sidewalk; curb and gutter both sides,	None	Required in Commercial and Industrial Zones and per the City's TSP and Parks and Open Space Master Plan. If required, 5' min.
Coburg Loop Off-road Paths	16'	10' min., paved width	None	N/A	N/A	2' gravel, each side	N/A

** Note: these design standards are proposed for Coburg-owned facilities. Lane County owns and operates several collector and arterial streets within Coburg and Lane County Street Standards apply to these county owned facilities*

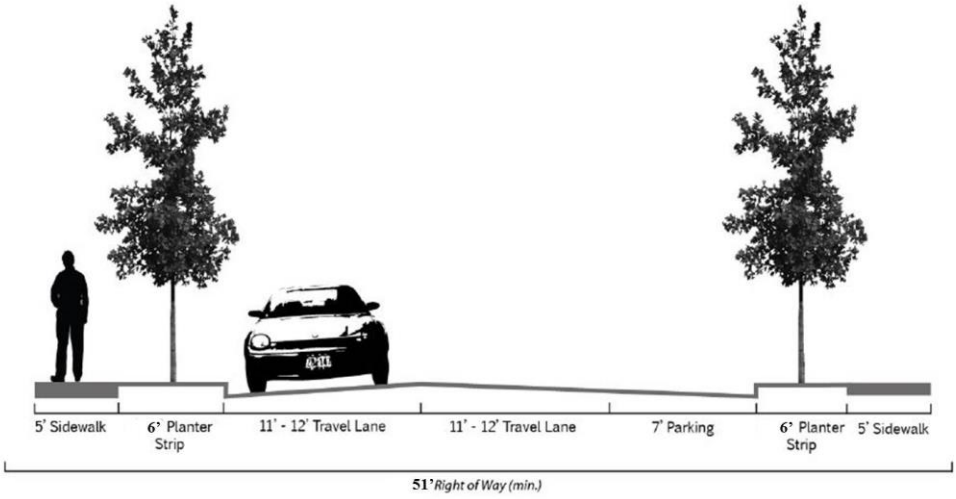
(ii) Local Street Standards



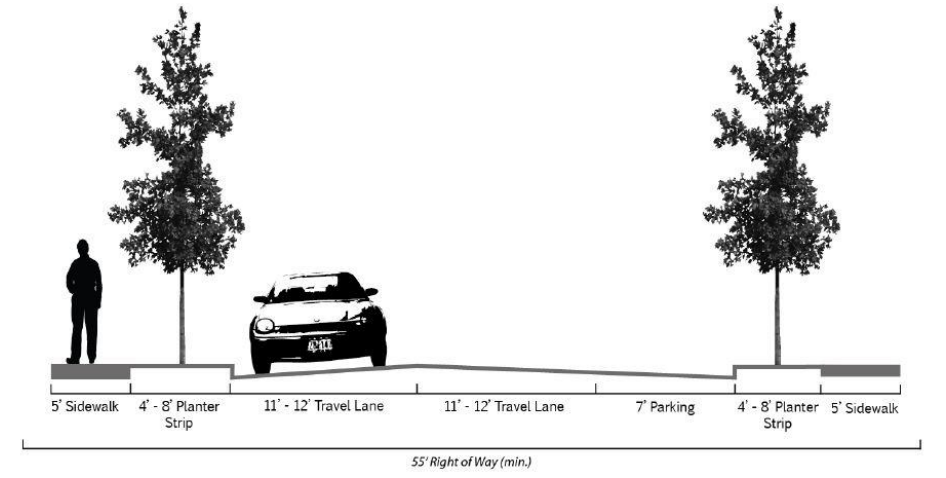
(iii) Local Street Detailed Standards



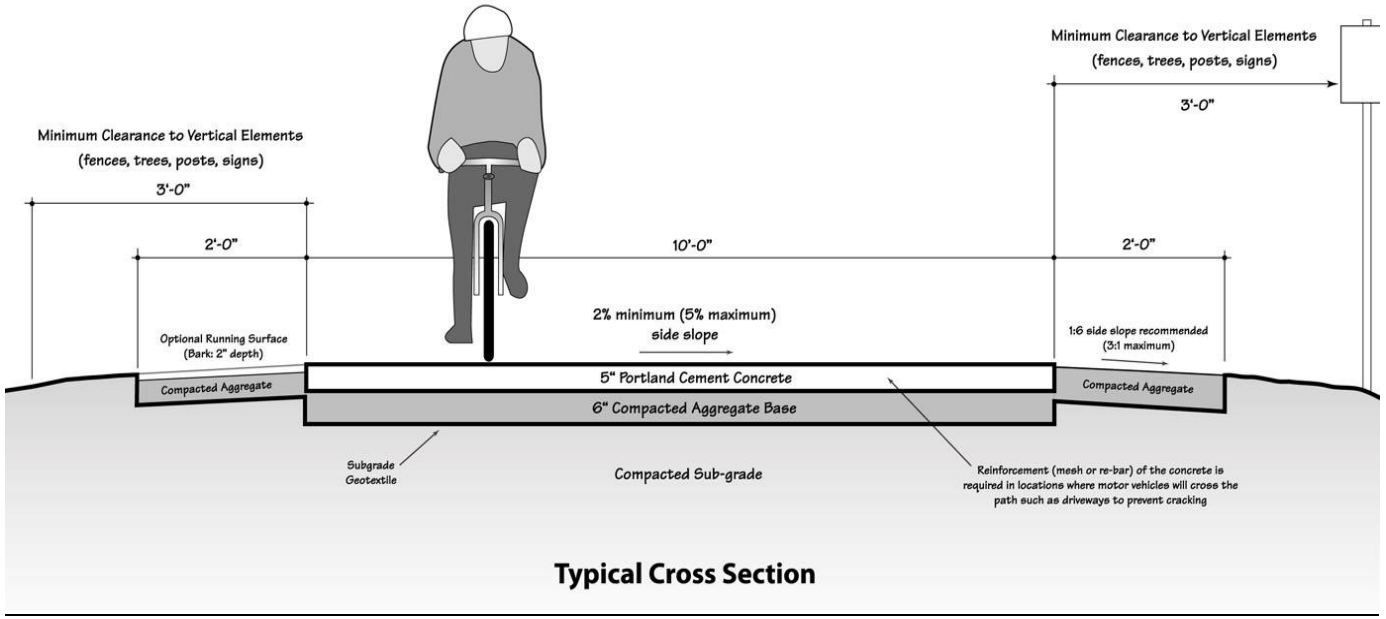
(iv) Commercial and Industrial Street Standards



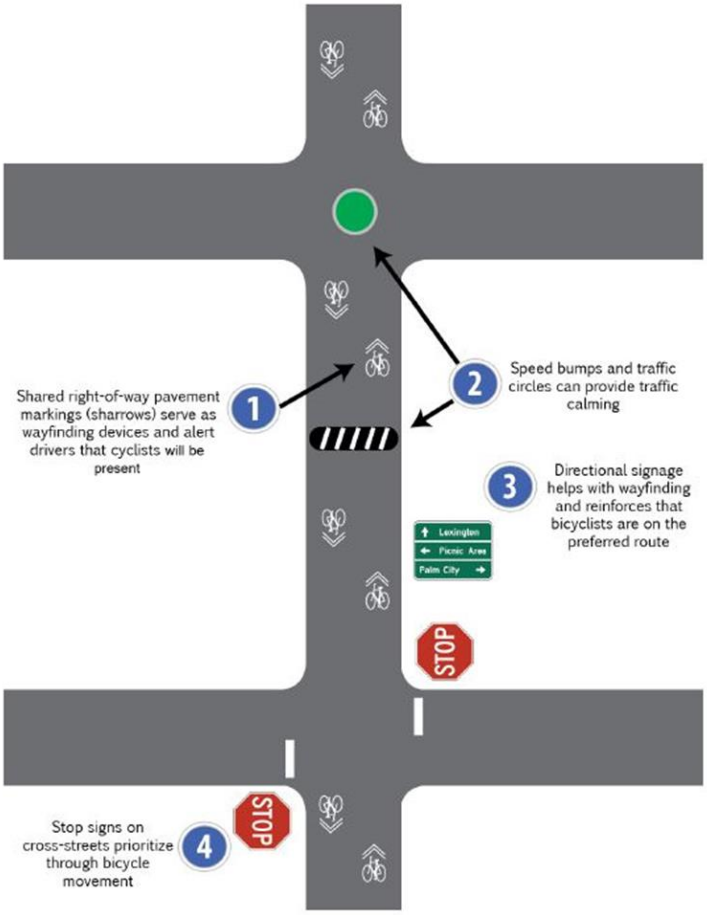
(v) Collector Street Standards



(vi) Coburg Loop Path Standards



(vii) Bicycle Boulevards. Streets designated as Bicycle Boulevards in the Parks and Open Space Master Plan shall be improved with a combination of signage, traffic calming, crossing treatments, and street markings. Sharrows, shown as ①in the graphic below, and stop signs, shown as ④in the graphic, are required. Speed bumps, traffic circles, and directional signage, shown as ② and ③ are optional.



(vii) Coburg Street Design Standards – Existing Roadways Table VIII(E)(1)(b)(vii)

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Table VIII(E)(1)(b)(vii): Coburg Street Design Standards – Existing Roadways

Functional Class	Min. ROW Width	(Number) of Travel Lanes/Widths	Planter with Street Trees or Swale with Street Trees	On-Street Parking	Sidewalks, Curbs and Gutters	Soft Shoulder	Bicycle Lanes
Alley	N/A	Existing ROW width max	None	Prohibited	None	None	None
Local Access	N/A	(2)/8' min.**	Swale as needed for drainage	Max: 2 per 100 l.f., No min.	Match Existing, or none	Match Existing	None
Highway Commercial and Industrial Local Street	N/A	(2-min.)/11' min.	Match Existing	Match Existing	5' min., one side min.	None	None
Collector	N/A	(2-min.)/10' min.	Match Existing or 4' min. with new sidewalk	Match Existing	5' min.; one side min. sidewalk; Match Existing curb and gutter	Match Existing	Per City's TSP
Coburg Loop Off-road Paths	N/A	10' min.	None	N/A	N/A	Match Existing	N/A

** Note: these design standards are proposed for Coburg-owned facilities. Lane County owns and operates several collector and arterial streets within Coburg and Lane County Street Standards apply to these county owned facilities.*

*** Any roadway narrower than 20' shall have compacted gravel shoulders equaling a total width of 20' of hard surface.*

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d. Landscaping. See ARTICLE VIII.H & I for standards.

e. Access and Spacing Requirements.

(1) When new approach roads are planned or constructed near the interchange, unless no alternative exists, the nearest intersection on a crossroad shall be no closer than 1,320 feet from the I-5 interchange. Measurement is taken from the ramp intersection or

the end of a free flow ramp terminal merge lane taper.

f. Street Connectivity.

(1) No dead-end streets will be permitted, unless topographic or environmental constraints require a dead-end. If a street dead-ends, pedestrian and cyclist accessways must be provided. The dead-end must be a “hammer head” or equivalent design for emergency vehicle access and turn-around, and must be built to fire code.
(2) Streets that are planned to connect through when adjacent developments are constructed may temporarily dead-end, provided a “hammer head” or equivalent turn-around, built to fire code, is provided in the interim period.
(3) The City may require additional pedestrian and bike connections adjacent to new residential development.

2. Street trees shall be provided along streets according to the following standards and in compliance with City of Coburg Public Works Department recommended list of street trees.

a. Street trees are required for all new development, and shall be maintained by the adjacent property owner.

b. Tree wells at a minimum of five feet in width shall be installed next to the curb or edge of pavement.

c. The minimum caliper or diameter breast height at planting shall be 2 inches, based on the American Association of Nurserymen Standards.

d. Trees shall be planted no more than 25 feet apart, except where this spacing would conflict with existing trees, retaining walls, curb cuts, utilities, or similar permanent physical barriers.

e. Plant species must be native or not require irrigation once established. Underground irrigation shall be provided for trees that are not drought-tolerant. If the plantings fail to survive or are otherwise not maintained in good condition, the property owner shall replace them with an equivalent species and size within 180 days.

f. The use of large canopy trees is encouraged.

g. Nothing contained herein shall be deemed to impose any liability upon the City, its officers, or employees, nor to relieve the owner of any private property from the duty to keep any tree or shrub upon his or her property

or under his or her control from constituting a hazard or public nuisance.

3. Additional Street Standards

a. Street and sidewalk design must be in compliance with American Association of State Highway and Transportation Officials (AASHTO) standards, National Association of City Transportation Officials (NACTO) standards, Manual on Uniform Traffic Control Devices (MUTCD), Oregon standard drawings and specifications, and City of Coburg standards.

b. Grades and curves.

(1) Grades shall not exceed five percent on minor arterials, 10 percent on collector streets or 12 percent on other streets. Center line radii of curves shall not be less than 200 feet on minor arterials and collectors streets 100 feet on other streets, and shall be to an even 10 feet. Where existing conditions, particularly the topography, make it otherwise impractical to provide buildable sites, the Planning Official may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope, preferably, of at least one percent.

(2) A minimum required 100 foot tangent section at all intersections shall be required.

c. Blocks.

(1) General. The length, width, and shape of blocks shall take into account the need for adequate building site size and street width and shall recognize the limitations of the topography.

(2) Size. Minimum block length for new local streets is 400 feet and maximum block length is 600 feet, unless topographic or environmental constraints are present.

(3) Easements.

(i) Utility lines – Easements for water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be at least 10 feet wide and centered on lot or parcel lines, except for utility pole tieback easements which may be reduced to six feet in width.

(ii) Water courses – if a tract is traversed by a water course such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to the major water courses may be required.

d. Intersections of Streets, Alleys, and Paths.

(1) Angles. Streets shall be laid out to intersect at angles as near to right angles as practical except where topography requires a lesser angle, but in no case shall the acute angle be less than 80 degrees unless there is a special intersection design. A minor arterial or collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an acute angle of less than 80 degrees or which include a minor arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line. Ordinarily, intersection of more than two streets at any one point will not be approved.

e. Reserve strips. Reserve strips or street plugs controlling access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. The control and disposal of the land comprising such strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Official.

f. Public access ways. When necessary for public convenience and safety, the Planning Commission may require the land divider to dedicate to the public access ways to connect cul-de-sacs, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other public areas, of such design, width and location as reasonably required to facilitate public use.

g. Street Names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the Planning Official. All street signs and street lights shall be installed by the City and the cost of such installation and materials shall be assessed to the developer of the land division or partition.

h. Alignment. As far as is practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof, staggered street alignment resulting in "T" intersections shall, whenever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and, in no case, shall be less than 125 feet.

i. Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of the land division.

j. Half Streets. Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision of partition when in conformity with the other requirements of these regulations and when the Planning Official finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract to be divided, the other half of the street shall be provided within such tract. Reserve strips and street plugs may be required to preserve the objectives of half streets.

k. Streets Adjacent to Railroad Right-of-way. Wherever the proposed land division contains or is adjacent to a rail road right -of-way, provision may be required for 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 between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting along the railroad right-of-way.

l. Marginal Access Streets. Where a land division abuts or contains an existing or proposed arterial street, the Planning Official may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.

m. Alleys. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off -street parking and loading facilities are approved by the Planning Official. The corners of alley inter sections shall have a radius of not less than 12 feet

F. <u>Other Public Improvements</u>

1. Applicability. The following requirements apply to all new construction or as specified otherwise. All public improvements must conform to city ordinances and policies, specifications, or standards**.**

2. Procedures. Public improvements installed by any person or entity that is not the City shall comply with the following procedures:

a. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the tentative plan of a subdivision or partition.

b. Improvement work shall not commence until after the City is notified, and if work is discontinued for any reason it shall not be resumed until after the City is notified.

c. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

d. Underground utilities installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.

e. A map showing improvements as built shall be filed with the City upon completion of the improvements.

3. **Specifications for Improvements.** Public improvements and private streets shall also be consistent with public works design standards and standard specifications as adopted by the Public Works Director.

4. **Dedications.** As a condition of any development, the City may require dedication and improvement of public ways for automobile, bicycle and pedestrian use; easements for water, wastewater, and stormwater infrastructure; easements for utilities; dedication of open space; and dedication for other public purposes.

5. **Sewage.** All buildings within the city limits must connect to the city sewer system.

6. **Water Supply.** All lots and parcels in any land division shall be served by the Coburg water system.

Water lines and fire hydrants serving each building site in a subdivision and connecting the subdivision to city mains shall be installed. The design shall take into account provisions for extension beyond the subdivision and adequately grid the city system.

If water mains are required to directly serve property outside the subdivision, the City will reimburse the subdivider an amount estimated to be the proportionate share of the cost for each connection made to the water mains by property

owners outside the subdivision for a period of ten years from the time of installation of the mains. The actual amount shall be determined by the city at the time of approval of the plat, considering current construction costs.

7. **Surface Drainage.** Drainage facilities shall be provided within any new subdivision and connect the subdivision drainage to drainageways outside the subdivision. Design of the drainage system within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.

8. **Streets.** Public streets, including alleys, within a subdivision and public streets adjacent but only partially within a subdivision shall be improved to City street standards in ARTICLE VIII. Catch basins shall be installed and connected to drainage tile leading to drainage ways. Upon completion of the street improvement, monuments shall be re-established and protected in monument boxes at every public street intersection and all points of curvature and points of tangency of their centerlines.

9. **Sidewalks.** Where required, sidewalks shall have a minimum paving width of five feet.

10. **Bicycle routes.** If appropriate to the extension of an existing or planned system of bicycle routes, the Planning Commission may require the installation of separate bicycle lanes within streets and separate bicycle paths.

11. **Improvements in Partitions.** The same improvements shall be installed to serve each building site of a partition as is required of a subdivision. However, if the City finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, the City shall except those improvements.

12. **Other.** The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street light and cable television, shall be placed underground.

G. **Exception to Height Regulations**

The height limitations contained in ARTICLE VII do not apply to spires, belfries, cupolas, antennae, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

H. **Fences and Walls**

1. Fences and walls are allowed in any required front yard setback, provided they do not exceed 3.5 feet in height.

2. Fences and wall are allowed in any rear or side yard, provided they do not exceed six feet in height.

3. The height of fences or walls in rear or sideyard setback areas abutting a public street shall be 48 inches or less if said fences or walls are within 10 feet of any public street except an alley.

4. The framework for newly constructed fences and walls shall face toward the builder's property, except where fences are jointly constructed.

5. All fences shall meet the vision control regulations in ARTICLE VIII.A.

I. Screening Standards for Multi-Family, Commercial and Industrial Development

1. Unless otherwise specified in this code, screening shall be required:

a. When commercial or industrial districts abut residential districts

b. For outdoor mechanical devices

c. For outdoor storage yards and areas

d. For trash receptacles

e. For multi-family developments

f. Parking areas with more than two off-street spaces

2. **Screening** shall be a non-see through or sight-obscuring fence, evergreen hedge, or decorative wall (i.e., masonry or similar quality material) shall be erected along and immediately adjacent to the abutting property line.

3. **Trash receptacles.** Trash receptacles shall be oriented away from adjacent buildings and shall be completely screened with an evergreen hedge or solid fence or wall of not less than feet in height.

4. **Parking lots.** Parking areas with more than two off street spaces shall be screened with an evergreen hedge or fence at least four feet high. To the greatest extent practicable, such parking areas should be situated away from neighboring residential units and shall be located to the rear or side of the

multi-family development. Parking areas with five or more spaces shall be landscaped and provide the required number of parking spaces in accordance with Section VIII of this Code.

5. The following screening standards shall apply:

a. Such a fence, wall or other structure shall screen at least 70 percent of the view between the districts. A hedge shall, within one year of planting, screen 70 percent of the view between the districts.

b. The maximum allowable height of fences and walls is six 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 feet when permitted as part of a site development approval, or when approved to construct streets and sidewalks.

c. A building permit is required for walls exceeding six feet in height, in conformance with the Uniform Building Code.

d. If vegetation is used, it must remain living after planting and shall be continuously maintained by the property owner. If the vegetation fails to survive or is otherwise not maintained in good condition, the property owner shall replace them with an equivalent species and size within 180 days.

e. Any fence, hedge and wall shall comply with vision clearance standards in ARTICLE VIII.A and provide for pedestrian circulation where required.

J. Cottage Housing

1. Cottage Housing Development and Design Standards

a. Table 4(2)(a) Development Standards:

Cottage Size	The gross floor area of each cottage shall not exceed 1200 square feet. At least 50% of the cottages in each cluster shall have a gross floor area less than 1000 square feet. "Gross floor area" does not include: a) interior space with a ceiling height of six feet or less; b) basements, c) architectural projections, such as bay windows, fireplaces, or utility closets, that are less than 24 inches deep and six feet wide, d) attached, unenclosed porches, and e) garages or carports. The footprint may not exceed 850 square feet.
Density	Cottages may be built at up to twice the allowed density for single family detached residences in the underlying zone A cluster shall consist of no more than 10 and no fewer than four units.
Setbacks	The minimum setback for any structure shall be 10 feet from any public right-of-way or other structure. Cottages shall be no more than 25 feet from the common open space, measured from the façade of the cottage to the nearest delineation of the common open space. Distance between structures shall be a minimum of five feet.
Maximum Height	25'
Lot Coverage	Max. for all structures in cottage development shall not exceed 60%

b. Design Standards

(1) Orientation of Dwelling Units. Dwellings within a cottage housing development shall be clustered and homes within the clusters shall be oriented to promote a sense of community within the development.

(i) Each cottage shall have a primary entry oriented to a common open space.
(ii) ADUs are not allowed as part of a cottage housing development.

(2) Off-Street Parking Requirements

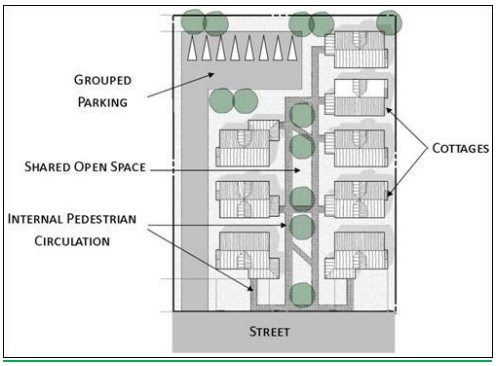
(i) One off-street parking space shall be required for each cottage.

(ii) One additional guest parking space shall be provided for every three cottages, rounded up to the next whole number.

(ii) The off-street parking requirements may be waived or reduced if sufficient on-street parking is available within 800 feet of the property.

(3) Parking Design

(i) Parking shall be separated from the common area and public streets by landscaping and/or architectural screening. See image below for visual representation of grouped parking. This image is an example only and not intended to show a required site plan.



(ii) Parking areas shall be accessed only by a private driveway or public alley.

(iii) Design of carports and garages, if provided, – including roof lines-- shall be similar to and compatible with that of the cottages.

(iv) Parking areas shall be limited to no more than five contiguous spaces.

(4) Walkways

(i) A system of interior walkways shall connect each cottage to at least one other cottage and to the parking area.

(5) Community Assets

(i) Common Open Space. Each cluster of cottages shall have at least 200 square feet of open space per cottage, with a common open space provided in one contiguous, useable space.

(ii) Community Building. Single-story community buildings, limited to 1200 square feet, are permitted, so long as they are clearly incidental in use to the dwelling units. A community building converted from an existing building may be larger than 1200 feet.

K. Accessory Dwelling Units (ADUs)

1. General Standards for Attached Accessory Dwelling Units.

a. Creation. An ADU may be created through new construction or conversion of, or addition to, an existing structure (including legal non-conforming structures).

b. Size. The total square footage of an ADU shall not exceed 1,000 square feet. Total square footage is measured at the exterior perimeter walls and is defined as all square footage inside of the dwelling, including, but not limited to hallways, entries, closets, utility rooms, stairways and bathrooms.

c. Building Height/Interior Setback.

(1) For ADUs located in the Traditional Residential (TR) zone building heights, and setbacks shall conform to the standards set forth in Article VII, Section A(6)&(7).
(2) For ADUs in located In the Traditional Medium Residential (TMR) zone, building heights and setbacks shall conform to the standards set forth in Article VII, Section B (5)&(6).

d. Maximum Bedrooms. The ADU shall contain no more than 2 bedrooms.

~~e. Owner/Occupancy Requirements. Either the primary dwelling or the ADU shall be the principal residence of the property owner. The principal residence must be occupied for a minimum of 6 months of each calendar year by a property owner who is the majority owner of the property as shown in the most recent Lane County Assessor's roll. If there is more than one property owner of record, the owner with the majority interest in the property shall be deemed the property owner. Prior to issuance of a building permit for an ADU, the property owner must provide the City with a copy of the property deed to verify ownership, and two forms of documentation to verify occupancy of the primary residence. Acceptable documentation for this purpose includes voter's registration, driver's license, homeowner's insurance, income tax filing, and/or utility bill. When both the primary and ADU are constructed at the same time, such documentation must be provided prior to final occupancy.~~

~~f. Temporary Leave. A property owner may temporarily vacate the principal residence up to one year due to a temporary leave of absence for an employment, educational, volunteer opportunity, or medical need. The property owner must provide the City proof of temporary leave status from the property owner's employer, educational facility, volunteer organization or medical provider, and a notarized statement that the property owner intends to resume occupancy of the principal residence after the one year limit. During the temporary leave, the property owner may rent or lease both units on the property. Leaves in which property owner is temporarily~~

~~absent shall not be consecutive and shall not occur more than once every 5 years. This standard may be adjusted at the discretion of the City.~~

2. General Standards for Detached ADUs. In addition to the standards in ARTICLE VIII.K.1 detached ADUs shall comply with the following:

a. Building Size. Up to 300 square feet of un-heated garage or storage space attached to the ADU is allowed and is not counted in the allowable total building square footage.

b. Pedestrian Access. A pedestrian walkway shall be provided from the street or alley to the primary entrance of the ADU. The pedestrian walkway shall be a hard surface (concrete, asphalt, gravel or pavers).

c. Outdoor Storage/Trash. Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the street or alley with a minimum 42-inch tall and 100 percent site obscuring fence or enclosure on at least three sides.

L. <u>Design Standards and Guidelines</u>

1. Purpose

The design standards in this section are intended to ensure that new development contributes to the overall livability of the community by:

a. Preserving and enhancing the small town and historic character of the Coburg;

b. Ensuring architectural compatibility;

c. Providing a physical setting that is safe and inviting for walking and other pedestrian activity;

d. Promoting design that is aesthetically pleasing and consistent with the values of the community as expressed in the Comprehensive Plan.

2. Applicability

These standards apply to all new development and substantial improvements, unless otherwise stated within the Coburg Zoning Code. Substantial improvements shall include the following:

a. Additions that consist of more than 33% of the total floor area of the primary structure and are visible from a public-right-of-way; or

b. Additions that consist of more than 50% of the total floor area of the primary structure and are not visible from a public-right-of-way.

3. Standards and Guidelines

Terms used in this section are intended as follows:

a. Purpose – The purpose statement explains the intent of the standard for use in interpretations and discretionary reviews where the standards are applied.

~~a.~~b. Design Standard – The design standards are clear and objective standards that shall be applied during administrative and/or discretionary reviews.

~~b.~~c. Design Guidelines – The design guidelines are encouraged but not required as part of administrative reviews. They may be required as part of discretionary reviews.

4. Single Family Detached, Manufactured, Single-Family Attached and Multi-Family Dwellings (do not apply to mixed use structures; see ARTICLE VIII.M)

a. Front Porch (does not apply to multi-family unless specified)

(1) Purpose

(i) Together with street-facing window and the front door, front porches and deck connect the inside of the house with the outside of the house. Porches and decks, in the best examples, make "outside rooms" by extending the indoor living spaces.
(ii) Porches and decks enable residents to participate either actively or passively with activities on the street.
(iii) Porches and decks contribute to safety of the neighborhood by providing residents with a place to monitor activity on the street.

(2) Design Standard (minimum requirement)

(i) Front porches must be oriented towards the street.
(ii) The minimum finished height of a front porch is 1~~36~~ inches above grade. The maximum-finished grade for an entry porch in a single-family residential zone is 3 feet above grade.
(iii) The minimum roof pitch for a front porch is 3:12.
(iv) Porches and decks must be a minimum of 5 feet wide.
(v) Porches and decks need to be a minimum of 25 percent of the length of the primary street facing façade.
(vi) For multi-family dwellings, ground floor units closest to street frontage must have a front porch that is a minimum of five feet wide.

(3) Design Guidelines

(i) Porches more than 16 inches above grade should consider a hand rail from the top of the front porch to the first stair.
(ii) Tapered wood columns often exhibit a 2:1 ratio from the top of the column to the base of the column with the base of the column not exceeding 20 inches.
(iii) Wider front porches are preferred for their ability to make comfortable spaces.
(iv) The use of a projecting wood cap or sill is encouraged at the base of the column.

b. Landscaping

(1) Purpose

(i) Landscaping helps integrate the dwelling with the lot.
(ii) Landscaping enhances the site through the careful placement of plantings and other landscape features.
(iii) Landscaping helps create a transition between the street and the front door.
(iv) Landscaping helps define neighboring property lines, outdoor sitting areas and recreational areas.
(v) Landscaping helps screen/soften foundation walls.

(2) Design Standards

(i) Chain link fencing between the front façade and the street is prohibited.
(ii) No more than 30 percent of the front yard area shall be pavement. Driveway area is not included in this calculation.
(iii) See requirements for Street Trees at Article VIII, Section E (2).

(3) Design Guidelines

(i) Every effort should be made to incorporate plantings that are consistent with planting in the neighborhood.
(ii) Clustering shrubs is preferred over linear plantings.
(iii) Foundation walls greater than 12 feet high should be screened/softened with landscaping at a preferable rate of one gallon shrub for every three lineal feet of foundation.
(iv) The planting of invasive species and/or nuisance plants, such as English Ivy, is discouraged.
(v) Decorative fencing that is less than 3 feet high and no more than 50 percent site obscuring is encouraged within the front

yard.

c. Vertical-Oriented Windows

(1) Purpose

(i) The size, shape and location of doors and windows define the character and, in many instances, typology of the residence.
(ii) Windows provide light and air.
(iii) Windows and doors contribute to the “face” of the residence and the residences' sense of being inviting.

(2) Design Standard (minimum requirements along street-facing facades):

(i) New dwellings, remodels and additions must incorporate windows that are taller than wide.

(3) Design Guidelines

(i) Double hung windows are preferred.
(ii) Two or more vertical windows can be grouped together to create a horizontal window. Windows units are allowed provided that they appear as a grouping of standard 2:1 windows.
(iii) The following window types and window elements are discouraged:

(aa) Mirror, reflective or opaque glass
(bb) Horizontal slider windows
(cc) Arched windows

d. Doors (Main Entrance) (does not apply to multi-family unless specified)

(1) Purpose

(i) Ensure that the main entrance to the house is prominent (visible), interesting and inviting

(2) Design Standards

(i) Front doors shall face the street.
(ii) For multi-family dwellings, front doors for ground floor units must face the street.

(3) Design Guidelines

(i) Transom windows are encouraged above street facing doors.

e. Roof Form / Roof Pitches (does not apply to multi-family unless specified)

(1) Purpose

(i) Ensure that the roofs of new houses and additions are compatible with roofs found on houses in the core area, especially those houses on the historic registrar.

(2) Design Standard (minimum requirements):

(i) The roof pitch of new houses and additions, including gable dormers must be a minimum of 6:12.
(ii) Dormers must include an operable window.
(iii) New homes, especially on infill lots must incorporate roof forms that are compatible with roof forms, in the neighborhood. In the core area roof forms and roof pitches must be compatible with homes on the historic register.
(iv) Roof eaves must be a minimum of 12 inches.
(v) Shed roofs and shed roof dormers are prohibited from facing the street.
(vi) Skylights, and other types of equipment not inherent to the function of the roof are prohibited on the street facing façade.
(vii) Multi-family dwellings must have a pitched roof.

(3) Design Guidelines

(i) Repair and maintenance of original roof forms, especially in the core area should retain where possible the roof type, chimneys, cornices, parapets, pediments, friezes, exposed rafters and other details
(ii) Extending rooflines as is practiced on many of Coburg's homes, contributes to the façade by bringing shadows and a sense of depth (relief) to the façade.

f. Materials

(1) Purpose

(i) Use materials and details that are compatible with Coburg's historic homes.

(2) Design Standard (minimum requirements)

(i) The use of concrete and concrete block on foundation wall greater than 3'-0" tall is prohibited.
(ii) The use of vinyl siding, aluminum siding, T-111, EIFS, stucco, cinderblock, plastic and faux stone is prohibited on the front façade of the building.
(iii) The use of metal siding is prohibited on accessory structures over 200 sq. ft.

(3) Designs Guidelines

(i) Horizontal wood siding and wood shingles are the preferred exterior siding material. Composite boards and cementitious boards are also allowed provided that they are paint grade quality.

g. Architectural Details and Trim

(1) Purpose

(i) Architectural Details and Trim add interest to the house giving its sense of warmth and character.
(ii) Details and trim provide walls with shadows that give walls a sense of depth and permanence.

(2) Design Standards (minimum requirements)

(i) Trim is required along rooflines, porches, windows, and doors.
(ii) Door & Window trim must be: 5-1/2 inch minimum.
(iii) Horizontal wood siding (preferred) and paint grade cementitious must be a minimum 3-1/2 inch wide.

(3) Design Guidelines

(i) As a general rule details and trim should be incorporated (highlight) where vertical and horizontal surfaces meet- For example, where walls meet the roof or where two wall planes meet at a corner.
(ii) The following trim elements help to create a rich and visually interesting streetscape: corner boards, eave returns, sting course or other horizontal trim elements at the floor level, barge boards / raking cornice, projecting rafter tails, and decorative wood gable ends.
(iii) Residential details are typically found at the peak of the roof, the tops and bottoms of porch posts, porch railings and around windows and doors.

h. Garages

(1) Purpose

(i) The focus on how garages are designed is intended to make sure that they do not become the primary element of the site or the house. Large, out of scale garages are not only unattractive but detract from the pedestrian realm by eliminating the physical and visual connection between activities in the house and activities on the street.

(2) Design Standards (minimum requirements)

(i) The front of the garage must be a minimum of 5 feet behind the primary facade.
(ii) Garage door can be no more than 150 square feet of the street facing façade

(3) Design Guidelines

(i) Garages with two separate garage doors are encouraged
(ii) Garage doors with glazing are encouraged

i. Additions

(1) Purpose

(i) Additions need to be respectful and compatible of the original façade especially additions to historic home or to homes in historic districts.

(2) Design Standard (minimum requirement)

(i) Additions must maintain the existing height to width ratios of building planes and sub-elements such as windows and doors

(3) Design Guidelines

(i) Where possible additions should be limited to the rear and side yards.
(ii) Where possible, original building entrances, front porch and projecting features such as a balconies, bays, and dormer windows must be retained.

j. Private Open Space (applies to multi-family in all zones except C-1)

(1) Purpose

(i) The Multi-Family Dwelling Private Open Space standards in this subsection apply to ground-floor and upper-floor multi-family dwelling housing units, and seek to enhance the attractiveness of the area and increase the use of major landscape features that can help tie the public and private open spaces together.

(2) Design Standards (minimum requirement)

(i) A minimum of 40 percent of dwelling units in a multi-family structure shall have private open space.
(ii) The minimum area of ground level private open space shall be 100 square feet and 20 square feet for a balcony.
(iii) Private open space may be covered but not enclosed (i.e., space between a floor, decking, or ground level and a roof structure has more than three sides taller than 42 inches in height).

k. Building exteriors (applies only to multi-family)

(1) Purpose

(i) Building facades enhance the character of buildings, and maintain the historic character of Coburg.

(2) Design Standards (minimum requirements)

(i) Building facades facing a public street shall have no more than 100 feet without providing variation in building material or articulation.
(ii) Buildings within 40 feet of a front line shall have their primary orientation toward the street.
(iii) Ground floor main entrances located within 40 feet of a street must face the front lot line.

(iv) Main entrances to upper story units shall be provided from the interior of the building.

(v) Street façades shall contain windows covering a minimum of 15 percent of the façade of each floor.

(vi) Neither the maximum length nor width of any building may exceed 100 feet in a residential zone or 150 feet in the C-1 zone.

5. Commercial and Industrial (in all zones except C-1 (unless specified), TR, and TMR)

a. Parking Area Landscaping

(1) Purpose

(i) Landscaping helps screen the parking area both from the development and right-of-way.
(ii) Landscaping enhances the site through the careful placement of plantings and other landscape features.
(iii) Landscaping helps reduce stormwater run-off by reducing the amount of impervious surface.

(2) Design Standards (minimum requirements)

(i) A minimum of 10 percent of the total off-street parking area shall be landscaped to provide a minimum 40 percent shade coverage at tree maturity. The parking area shall be computed by adding all areas used for access drives, aisles, stalls, and maneuvering within that portion of the site that is devoted to parking and circulation.
(ii) Planning staff will confirm that the proposed off-street parking area meets the standard based on an authoritative tree guide, or on a landscaping plan prepared by a licensed landscape architect or arborist certified by the International Society of Arboriculture.

b. Pedestrian and Bicycle Amenities and Connection.

(1) Purpose

(i) Providing for bicycle amenities and connectivity to existing bicycle facilities.
(ii) Encourages alternative modes of transportation.

(2) Design Standards (minimum requirements)

(i) Future commercial and industrial development shall provide safe and convenient pedestrian and bicycle access to all new and existing park and open space areas, including the Coburg Loop Path.

(ii) New commercial development shall provide support facilities for employees who are commuting by bike, such as by providing showers, lockers, and long term bike parking as set forth in ARTICLE VIII.B.6.
(iii) Continuous pedestrian walkways shall be provided from the primary frontage sidewalk for pedestrians to access building entrances. Internal pedestrian walkways, which are distinguishable from parking and driving areas, shall be provided for pedestrians to access the buildings from the parking lots.

c. Exterior lighting.

(1) Purpose

Outdoor lighting must be controlled in order to reduce light pollution, preserve the night sky for astronomy, protect flora and fauna from the negative effects of artificial light, and conserve energy.

(2) Design Standards (minimum requirements)

(i) All exterior lighting shall be shielded and reflected downward, as shown in Figure VIII.L.5.c., to minimize glare and prevent light trespass on adjacent parcels, other land uses, and street rights-of-way.

d. Building Exteriors.

(1) Purpose

(i) Building façades enhance the character of buildings, and maintain the historic character of Coburg.

(2) Design Standards (minimum requirements)

(i) Commercial and industrial building façades facing a public street shall have no more than 100 feet without providing variation in building material or articulation.
(ii) Ground floor windows are required for all office and commercial uses and all development in the CI zone. All elevations of those uses abutting a public street shall provide windows for at least 25 percent of the ground floor wall. Building elevations adjacent to alleys or vehicle accessways, used primarily for servicing and deliveries are exempt from this standard.
(iii) In the CI zone, the primary entrance to all buildings shall be visible from the street.

Figure VIII.L.5.c

e. Sound Transmission/Vibrations.

(1) Purpose

(i) Intended to minimize adverse impacts on nearby residents or occupants of nearby properties.
(ii) Intended to protect nearby non-industrial businesses from the negative impacts of industrial uses.

(2) Design Standards (minimum requirements)

(i) Vibration. All permanent mechanical equipment (such as motors, compressors, pumps and compactors) that is the source of structural vibration or structural borne noise shall be vibration isolated within inertia blocks or bases or vibration isolator springs so that vibrations are undetectable off-site. Vibrations from temporary construction and vehicles which leave the site (such as trucks, trains, airplanes and helicopters) are exempt. Vibrations lasting less than 5 minutes per day are also exempt. Vibrations from primarily on-site vehicles and equipment are not exempt.

(ii) Noise. No commercial or industrial operation may cause or permit sound (measured at the property line) to intrude into another property which exceeds the limits set forth below:

Zoning District of Receiving Property	Max. Sound Level (dBA)
TR and TMR	55
C-1	60
C-2, LI, CI	65

f. Screening. See standards in Article VIII, Section H(2). In addition, in the CI zone, truck parking for vehicles necessary for the operation of the facility shall be fully enclosed in a building or screened by a masonry or concrete wall that is an extension of the building and complements the façade of the building. The wall shall be a minimum of 8 feet tall and shall conceal trucks from public view.

g. Transit Stations and Stops. When required, transit stations and stops shall conform to the standards of the Lane Transit District.

6. Design Standard Modification Process

a. A modification to the design standards set forth in Article VIII, Section L may be approved through a Type II process on the basis of the application, investigation and evidence submitted that all of the following circumstances are found to exist:

(1) There is a demonstrable difficulty in meeting the specific requirements of the Single-Family Detached and Manufactured Dwelling Design Standards due to a unique or unusual aspect of the proposed use of a site;
(2) Approval of the modification will not substantially negatively impact adjacent properties;
(3) Approval of the modification is consistent with the stated Purpose of the Design Standards; and

(4) The modification requested is the minimum modification which would alleviate the identified difficulty

M. Mixed Use

1. The following standards apply to mixed use and non-residential development in C-1, TR and TMR zones.

a. Screening/buffering.

(1) Mechanical equipment, refuse collection and recycling areas for businesses shall be enclosed with a fence, wall, or structure high enough to screen all collection bins.

b. Parking.

(1) Minimum parking requirements shall be determined by combining the requirements of the residential and the commercial use.
(2) Off-street parking shall be located to the side or rear of the building(s).

c. Pedestrian amenities. Pedestrian sidewalks or walkways must be provided to connect the building entrance to the public right of way.

d. Building orientation.

(1) All buildings shall have their primary entrance(s) oriented to the street. "Oriented to the street" means that the building entrance faces the street. Streets used to comply with this standard are public streets or private streets that contain sidewalks and street trees.
(2) On corner lots, buildings and entrances shall be oriented to the street corner; parking, driveways, and other vehicle areas shall be prohibited between buildings and street corners.

e. Windows. Transparent ground floor windows must be installed for at least 50 percent of the length of the street wall and have an area equal to 15

percent of the ground-floor wall area of the street wall. Ground-floor wall area includes all wall areas up to 10 feet above finished grade.

f. Façades.

(1) Façades of buildings or structures facing a public right-of-way must include horizontal articulation at least every 75 feet. Such articulation may include but is not limited to a perpendicular offset, pillar, or material change.
(2) No wall may extend horizontally for a distance greater than three times its average height without a change in elevation.

2. The following standards apply to mixed use development in the C-1 zone.

a. The maximum height allowed in the zone may be increased by 10 feet above the maximum otherwise allowed where residential uses are provided above the ground floor (vertical mixed use) and where no height variance has been approved to a maximum height of 45 feet.

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b. Dwellings allowed above or behind a commercial use shall comply with the following standards:

(1) Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. ~~All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet.~~ On corner lots, garage entrances shall be oriented to a side street when access cannot be provided from an alley. These standards do not apply when prevented by existing developments or topography. Each dwelling unit shall provide the required number of ~~parking and~~ bicycle spaces as required in Article VIII.
(2) Use of Alleys. If more than four dwelling units are proposed, an alley or private mid-block lane shall be required for vehicle access. Alleys or mid-block lanes are not required when existing developments or topography prevents construction of an alley. As part of the development, the City may require dedication of right-of-way or easements and construction of pathways to provide pedestrian connections through a development site.
(3) Common Areas. A homeowners association or other legal entity shall maintain all common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors. Copies of any applicable covenants, restrictions, and conditions shall be recorded and provided to the City prior to building permit approval.

3. The following standards apply to mixed use development in the TR and TMR zones.

a. Density. Maximum Residential Density—Maximum residential density for mixed use development is controlled by the applicable lot coverage and building height standards.

(1) Locational. Mixed-use development is allowed only on properties abutting N. Willamette Street, West Van Duyn west of N. Willamette St., and North Coburg Road north of West Van Duyn Road.

N. Mobile Food Vending

1. Locational Standards.

a. Mobile food carts are allowed on private property in the Central Business District (C-1), Highway Commercial District (C-2), Light Industrial District (L-1), and Campus Industrial District (CI), subject to property owner approval.

b. Carts may not block motor vehicle access or pedestrian walkways.

c. Mobile food carts may not occupy parking spaces required by other businesses at the location.

d. Pedestrian (walk-up) traffic only is allowed (no drive-through service).

2. Design Standards.

a. Mobile food carts may not exceed 26 feet in length, measured wall to wall.

b. Mobile food carts shall enclose or screen from view of the right of way and abutting residentially zoned property all accessory items not used by customers, including but not limited to tanks, barrels, or other accessory items.

c. Mobile food carts must be kept in good repair and maintained in a safe and clean condition.

d. If provided, awning shall have seven feet of clearance between the ground and awning.

e. Mobile food carts shall not exceed 15 feet in height.

f. Mobile food carts must be set back 5 feet from all other structures including the outside of awnings and other food carts.

3. Utilities.

a. Wastewater shall be addressed in one of the following two ways:

(1) Mobile food carts shall connect to the sanitary sewer consistent with applicable state plumbing codes, and will include an approved grease separator for the disposal of fats, oils and grease. Indirect discharge or leakage draining into the stormwater system in prohibited.
(2) Mobile food carts shall connect to individual or community wastewater holding tanks. Tanks shall be owned and serviced by an Oregon Department of Environmental Quality licensed pumper. A copy of the contract shall be provided to the City before any mobile food carts are located on site. Holding tanks shall be screened from view of the right of way by fully sight obscuring fencing. Indirect discharge or leakage draining into the stormwater system in prohibited.

b. Potable water shall be addressed in one of the following two ways:

(1) Food carts shall connect to a permanent water source in conformance with applicable state plumbing codes, or
(2) Food carts shall be connected to a potable water tank consistent with Section 5-3 of the Oregon Health Authority's 2012 Food Sanitation Rules.

c. Food carts and amenities shall connect to a permanent power source. Power connections may not be connected by overhead wires to the individual food carts. Generators are prohibited.

d. All utilities shall be placed or otherwise screened, covered, or hidden from view from the right of way as to minimize visual impacts and prevent tripping hazards or other unsafe conditions.

e. A fire extinguisher is required.

f. The maximum propane (LPG) is 200 lbs

4. Signage. See Coburg Sign Ordinance A-155.

5. Lighting. Food cart pods shall have lighting to ensure safe environment for customers and employees that complies with the following:

a. At minimum, areas to be occupied by customers shall be illuminated when carts operate during hours of darkness.

b. No direct light source shall be visible from the property line.

c. Lighting fixtures shall be oriented and/or shielded to prevent glare on abutting properties.

6. Approvals

a. Mobile Food Cart operators shall obtain and keep current a city business license.

b. Mobile Food Cart operators shall maintain all required licenses by the appropriate state and/or local agency, including Lane County Environmental Health.

c. Mobile Food Cart operators shall meet Oregon fire code as required.

d. Type I Procedure

O. Home Occupation Standards.

1. Appearance of Residence.

a. The home occupation shall be restricted to lawfully built enclosed structures and conducted in such a manner as not to give an outward appearance of a business.

b. The home occupation shall no result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.

c. The home occupation shall not violate and conditions of development approval (i.e., prior development permit approval).

d. No products and or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.

2. Storage.

a. Outside storage, visible from any public right-of-way or adjacent properties, is prohibited.

b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to residential use if prohibited.

c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be allowed in any approved structure.

3. Employees.

a. 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.

b. 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.

c. 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. Any signs shall comply with the Sign Ordinance.

5. Vehicles, Parking and Traffic.

a. One commercially licensed vehicle associated with the home occupation is allowed at the home occupation site. It shall be of a size that would not overhang into the public right-of-way when parked in the driveway or other location on the home occupation site.

b. 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.

c. 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.

d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.

6. Business Hours. There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 7 a.m. to 7 p.m. only, subject to Sections A and E, 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 in 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 from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by home business are allowed subject to Section A-F, 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:

(1) Ambulance service;
(2) Animal hospital veterinary services, kennels or animal boarding;
(3) Auto and other vehicle repair, including auto painting;
(4) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site;

8. **Enforcement.** The City Planning Official or 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 advance notice.

P. **<u>Wireless Communication Facilities Development Standards</u>**

1. **Purpose and Intent** - The purpose of this section is to establish standards that regulate the placement, appearance and impact of wireless communication facilities, while providing residents with the ability to access and adequately utilize the services that these facilities support.
Because of the physical characteristics of wireless communication facilities, the impact imposed by these facilities affect not only the neighboring residents, but the community as a whole.

The standards are intended to ensure that the visual and aesthetic impacts of wireless communication facilities are mitigated to the greatest extent possible, especially in or near residential areas.

2. **Submittals** - In addition to the submittals required in section IX.3., the following items shall be provided as part of the application for a wireless communication facility.

a. A photo of each of the major components of a similar installation, including a photo montage of the overall facility as proposed.

b. Exterior elevations of the proposed wireless communication facility (min 1"=10').

c. A set of manufacturer's specifications of the support structure, antennas, and accessory buildings with a listing of materials being proposed including colors of the exterior materials.

d. A site plan indicating all structures, land uses and zoning designation within 150 feet of the site boundaries, or 300 feet if the height of the structure is greater than 80 feet.

e. A map showing existing wireless communication facility sites operated by the applicant within a 5 mile radius of the proposed site.

f. A collocation feasibility study that adequately indicates collocation efforts were made and states the reasons collocation can or cannot occur.

g. A copy of the lease agreement for the proposed site showing that the agreement does not preclude collocation.

h. Documentation detailing the general capacity of the tower in terms of the number and type of antennas it is designed to accommodate.

i. Any other documentation the applicant feels is relevant to comply with the applicable design standards.

3. **Design Standards** - All wireless communication facilities shall be located, designed, constructed, treated and maintained in accordance with the following standards:

a. <u>General Provisions</u>

(1) All facilities shall be installed and maintained in compliance with the requirements of the Building Code. At the time of building permit application, written statements from the Federal Aviation Administration (FAA), the Aeronautics Section of the Oregon Department of Transportation, and the Federal Communication Commission that the proposed wireless communication facility complies with regulations administered by that agency, or that the facility is exempt from regulation.

(2) All associated transmittal equipment must be housed in a building, above or below ground level, which must be designed and landscaped to achieve minimal visual impact with the surrounding environment.

(3) Wireless communication facilities shall be exempted from height limitations imposed in each zoning district.
(4) WCF shall be installed at the minimum height and mass necessary for its intended use. A submittal verifying the proposed height and mass shall be prepared by a licensed engineer.
(5) Signage for wireless communication facilities shall consist of a maximum of two non-illuminated signs, with a maximum of two square feet each stating the name of the facility operator and a contact phone number.
(6) Applicant is required to remove all equipment and structures from the site and return the site to its original condition, or condition as approved by the Staff Advisor, if the facility is abandoned for a period greater than six months. Removal and restoration must occur within 90 days of the end of the six month period.

b. Preferred Designs

(1) Where possible, the use of existing WCF sites for new installations shall be encouraged. Collocation of new facilities on existing facilities shall be the preferred option.
(2) If (1) above is not feasible, WCF shall be attached to pre-existing structures, when feasible.
(3) If (1) or (2) above are not feasible, alternative structures shall be used with design features that conceal, camouflage or mitigate the visual impacts created by the proposed WCF.
(4) If (1), (2), or (3) listed above are not feasible, a monopole design shall be used with the attached antennas positioned in a vertical manner to lessens the visual impact compared to the antennas in a platform design. Platform designs shall be used only if it is shown that the use of an alternate attached antenna design is not feasible.
(5) Lattice towers are prohibited as freestanding wireless communication support structures.

c. Landscaping

The following standards apply to all WCF with any primary or accessory equipment located on the ground and visible from a residential use or the public right-of-way:

(1) Vegetation and materials shall be selected and sited to produce a drought resistant landscaped area.
(2) The perimeter of the WCF shall be enclosed with a security fence or wall. Such barriers shall be landscaped in a manner that provides a natural sight obscuring screen around the barrier to a minimum height of six feet.
(3) The outer perimeter of the WCF shall have a 10-foot landscaped buffer zone.
(4) The landscaped area shall be irrigated and maintained to provide for proper growth and health of the vegetation.

(5) One tree shall be required per 20 feet of the landscape buffer zone to provide a continuous canopy around the perimeter of the WCF. Each tree shall have a caliper of 2 inches, measured at breast height, at the time of planting.

d. Visual Impacts

(1) Antennas, if attached to a pre-existing or alternative structure shall be integrated into the existing building architecturally and, to the greatest extent possible, shall not exceed the height of the pre-existing or alternative structure.
(2) Wireless communication facilities shall be located in the area of minimal visual impact within the site which will allow the facility to function consistent with its purpose.
(3) Antennas, if attached to a pre-existing or alternative structure shall have a non-reflective finish and color that blends with the color and design of the structure to which it is attached.
(4) WCF, in any zone, must be set back from any residential zone a distance equal to twice its overall height. The setback requirement may be reduced if, as determined by the Hearing Authority, it can be demonstrated through findings of fact that increased mitigation of visual impact can be achieved within of the setback area. Underground accessory equipment is not subject to the setback requirement.
(5) Exterior lighting for a WCF is permitted only when required by a federal or state authority.
(6) All wireless communication support structures must have a non-reflective finish and color that will mitigate visual impact, unless otherwise required by other government agencies.
(7) Should it be deemed necessary by the Hearing Authority for the mitigation of visual impact of the WCF, additional design measures may be required. These may include, but are not limited to: additional camouflage materials and designs, facades, specific colors and materials, masking, shielding techniques.

e. Collocation standards

(1) Each addition of an antenna to an existing WCF requires a building permit, unless the additional antenna increases the height of the facility more than ten feet.
(2) Addition of antennas to an existing WCF that increases the overall height of the facility more than ten feet is subject to a site review.

Q. Drive-through Facility Standards

1. **Purpose**. The purpose of this section is to prevent drive-through and drive-up facilities from degrading the walkability of the surrounding area, protect neighboring residences from the negative effects of drive-through and drive-up uses (e.g., noise, light, air pollution from idling cars), and promote equity among all transportation modes.

2. **Drive-through design.** Drive-up and drive-through facilities (i.e., driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards:

a. The drive-up or drive-through facility must be located at least 50 feet from any existing residential use.

b. The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated in Figure VIII.Q.

c. The drive-up or drive-through facility shall not be oriented to a street corner.

d. Customer entrances must face the street.

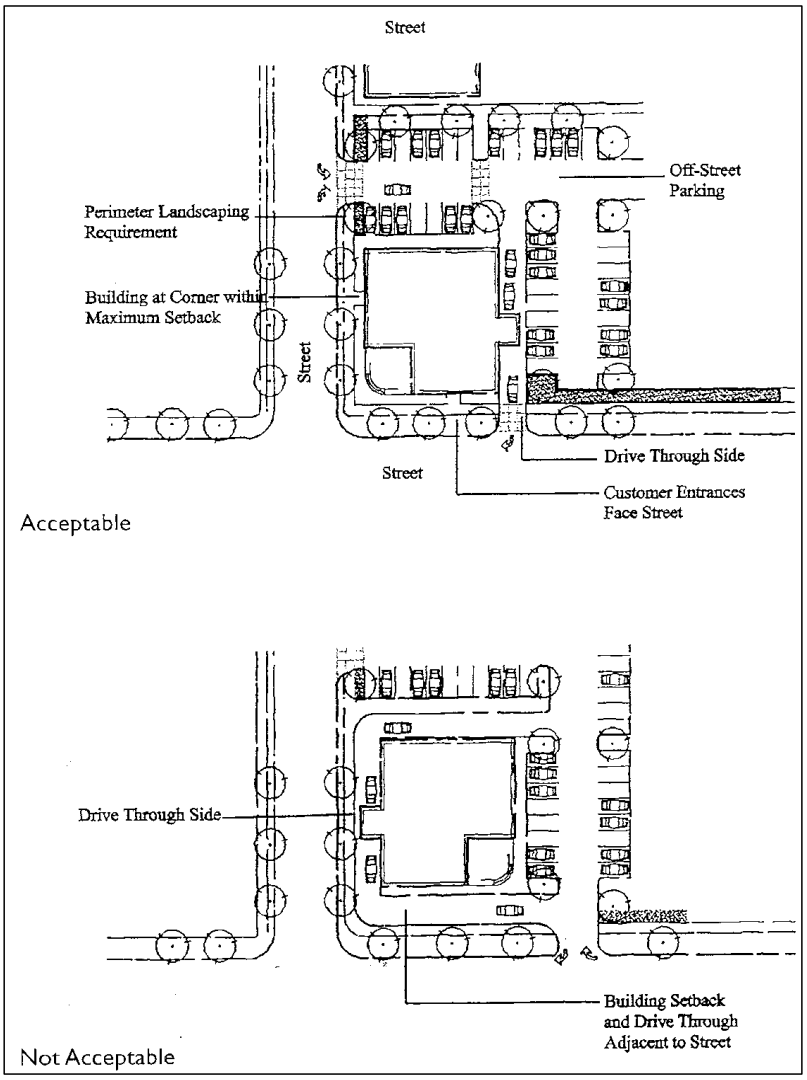
e. The drive-up or drive-through facility shall not be located within 20 feet of a street right-of-way.

f. Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.

g. If ATMs are provided, at least one ATM shall be located adjacent to a sidewalk for walk-up use.

h. Bicycle and pedestrian access to the drive-up or drive-through facility shall be allowed and indicated with signage and pavement markings.

Figure VIII.Q


Street
Off-Street Parking
Perimeter Landscaping Requirement
Building at Corner within Maximum Setback
Street
Drive Through Side
Street
Customer Entrances Face Street
Acceptable
Drive Through Side
Building Setback and Drive Through Adjacent to Street
Not Acceptable

ARTICLE IX. SPECIAL DISTRICTS

A. Architecturally Controlled Areas

Any portion of any district may be designated for nominal architectural control wherein such controls are essential to scenic preservation or the stabilization of land values. Such areas shall be designated on the Official Zone Map by the district symbol, followed by 'X'. Within such areas an applicant for a construction permit must first have preliminary plans, specifications, and uses approved by the Planning Commission. Said plans, specifications and uses must be filed with the construction permit application at least 15 days prior to a scheduled Planning Commission meeting.

B. Site Review Permit

All architecturally controlled areas require a site review permit as set forth in Article IX. Land Use Review and Site Design Review, Section C Land Use Review Criteria and Procedure [administrative amendment to implement Ord. A-200B, 01/08/08]

C. Downtown Coburg Overlay District

See Article VII District Regulations Section K. Downtown Coburg Overlay District

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ARTICLE X. TYPES OF REVIEW PROCEDURES

A. Purpose and Applicability of Review Procedures

1. **Purpose**. The purpose of this chapter is to establish standard decision-making procedures that will enable the City, the applicant, and the public to reasonably review applications and participate in the local decision-making process in a timely and effective way. **Table X.1** provides a key for determining the review procedure and the decision-making body for particular approvals.

2. **Applicability of Review Procedures**. All land use and development permit applications and approvals, except building permits, shall be decided by using the procedures contained in this chapter. The procedure "type" assigned to each application governs the decision-making process for that permit or approval. There are four types of permit/approval procedures: Type I, II, III, and IV. These procedures are described in subsections a-d below. **Table X.1** lists all of the City's land use and development approvals and their required review procedure(s).

a. Type I Procedure (Administrative)
Type I decisions are made by the City Planning Official, or someone he or she officially designates, without public notice and without a public hearing. The Type I procedure is used when there are clear and objective approval criteria, and applying City standards and criteria requires no use of discretion;

b. Type II Procedure (Administrative)
Type II decisions are made by the City Planning Official or designee *with* public notice, and an opportunity for a public hearing if appealed. Type II decisions may be heard by Planning Commission. The appeal of a Type II decision is heard by the Planning Commission;

c. Type III Procedure (Quasi-Judicial)
Type III decisions are made by the Planning Commission after a public hearing, with appeals reviewed by the City Council. Type III decisions generally use discretionary approval criteria.

d. Type IV Procedure (Legislative)
Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy (e.g., adoption of land use regulations, zone changes, and comprehensive plan amendments that apply to entire districts, not just one property). Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council. Appeals are submitted to the Oregon State Land Use Board of Appeals (LUBA).

Table X.1 Summary of Approvals by Type of Review Procedure

Approvals*	Review Procedures	Applicable Regulations
Appeal to City Council	Type III	ARTICLE X.D.5.F
Appeal to Planning Commission	Type II/III	ARTICLE X.B.7
Building Permit	Type I	Building Code and adopted design standards; see ARTICLE VIII Supplementary District Regulations
Change in Use	Type II	ARTICLE XII Land Use Review and Site Design Review
Code Interpretation	Type II	ARTICLE XVII Code Interpretations
Code Amendment	Type IV	ARTICLE XVI Land Use District Map and Text Amendments
Comprehensive Plan Amendment	Type IV	Comprehensive Plan
Conditional Use Permit	Type III	ARTICLE XIII Conditional Use Permits
Facilities/Right-of-Way Permit	Type I	Engineering Standards, ARTICLE XI Land Use Review; ARTICLE XIII Land Divisions and Property Line Adjustments
Flood Plain Development Permit	Type I	Building Code Ord. A-195, ARTICLE VII.H Flood Plain Sub-District
Home Occupation	Type III	ARTICLE XVIII.B Home Occupation Permits
Master Plan Development	Type IV	ARTICLE XIV Master Planned Developments
Modification to Approval (minor)	Type II	ARTICLE XV Modifications to Approved Plans and Conditions of Approval
Modification to Approval (major)	Type III	ARTICLE X.C Major Modifications
Land Use District Map Change Quasi-Judicial (no plan amendment required)	Type III	ARTICLE X.VI Land Use District Map and Text Amendments
Land Use District Map Change Legislative (plan amendment)	Type IV	ARTICLE XVI Land Use District map and Text Amendments
Lot Line Adjustments (including consolidations)	Type II	ARTICLE XII Land Divisions and Property Line Adjustments
Lot of Record Determination	Type I	ARTICLE X Types of Review Procedures
Mobile Food Vending	Type I	Mobile Food Vending – Type I -- see ARTICLE VIII Supplementary District Regulations
Non-Conforming Use Determination (Lots/Use/Structures/Premises/Characteristics)	Type II	ARTICLE VI, Nuisance Ordinance
Partition	Type II	ARTICLE XII Land Divisions and Property Line Adjustments
Sign Permit	Type I and	ARTICLE VIII Supplementary District

	II	Regulations, Supplementary Sign Code (Ord. A-155-B)
Site Design Review	Type II	ARTICLE XI Land Use Review and Site Design Review
Subdivision - Tentative	Type III	ARTICLE XII Land Divisions and Property Line Adjustments
Subdivision - Final	Type II~~I~~	ARTICLE XII Land Divisions and Property Line Adjustments
Temporary Use Permit	Type II	ARTICLE XVIII Miscellaneous Permits A. Temporary Use Permit
Tree Removal	Type I	Tree Removal Permit
Variance	Type III	ARTICLE XIX Variances
Annexation	Type IV	ARTICLE XX Boundary Changes (annexation)
Vacation	Type IV	ARTICLE XXIII Vacation
Replat	Type III	ARTICLE XII Land Divisions and Property Line Adjustments

** The applicant may be required to obtain approvals from other agencies, such as Lane County Transportation Division for facilities permits some types of approvals. The City notifies agencies through 'agency referral' for applications that may affect their facilities or services.*

B. Type I Procedure (Administrative)

1. Application Requirements

a. Application Forms. Type I applications shall be made on forms provided by the City Planning Official or designee.

b. Application Requirements. Type I applications shall:

(1) Include the information requested on the application form;
(2) Address the criteria in sufficient detail for review and action; and
(3) Be filed with the required fee.

2. Administrative Decision Requirements. The City Planning Official or designee's decision shall address all of the approval criteria, including applicable requirements of any road authority. Based on the criteria and the facts contained within the record, the City Planning Official shall approve or deny the requested permit or action. A written record of the decision shall be provided to the applicant and kept on file at City Hall.

3. Final Decision. A Type I decision is the final decision of the City. It cannot be appealed to City officials.

4. Effective Date. A Type I decision is final on the date it is made.

C. Type II Procedure (Administrative)

1. Pre-application Conference. A pre-application conference is optional for Type II reviews. Pre-application conference requirements and procedures are in Section F.

2. Application Requirements.

a. Application Forms. Type II applications shall be made on forms provided by the City Planning Official or designee.

b. Submittal Information. The application shall:

(1) Include the information requested on the application form;
(2) Be filed with one copy of a narrative statement that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: additional information may be required under the specific application requirements for each approval, e.g., Section XI (Land Use Review), XII (Land Divisions), 4.6 XV (Modifications), XVII (Code Interpretations), and XVIII (Miscellaneous Permits);
(3) Be accompanied by the required fee.

3. Notice of Application for Type II Administrative Decision.

a. Before making a Type II Administrative Decision, the City Planning Official or designee shall mail notice to:

(1) All owners of record of real property within a minimum of 300 feet of the subject site;
(2) All City-recognized neighborhood groups or associations whose boundaries include the site;
(3) Any person who submits a written request to receive a notice; and
(4) Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City. The City may notify other affected agencies. The City shall notify the road authority, when there is a proposed development abutting or affecting their transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application.

b. Posted Notice. Posted notice shall be provided, when required, as follows:
(1) The applicant shall post notice on the subject property no earlier than 14 and no later than ten days prior to the end of the 14 day comment period. The notice shall remain in place throughout the comment

period. The applicant shall file an affidavit of posting with the City no later than five days after the date of original posting. The affidavit shall be made a part of the file.

(i) *Posted notice.* Posted notice shall be deemed to have been provided upon the date when the sign is first posted. Subsequent removal of or damage to the sign by anyone other than the applicant or an officer of the City shall not invalidate the proceeding.

(2) Notice shall be posted on each street frontage of the subject property, in a conspicuous place that is visible from the public right-of-way. If no street abuts the subject property, the notice shall be placed as near as possible to the subject property in a conspicuous place that can be readily seen by the public.
(3) Posted notice shall be on signs approved by the Planning Official.
(4) The applicant shall remove the signs from the subject property after the comment period.

c. The purpose of the notice is to give nearby property owners and other interested people the opportunity to submit written comments about the application before the Type II decision is made. The goal of this notice is to invite people to participate early in the decision-making process.

d. Notice of a pending Type II Administrative Decision shall:

(1) Provide a 14-day period for submitting written comments before a decision is made on the permit;
(2) List the relevant approval criteria by name and number of code sections;
(3) State the place, date and time the comments are due, and the person to whom the comments should be addressed;
(4) Include the name, telephone number, and email of a contact person regarding the Administrative Decision;
(5) Describe proposal and identify the specific permits or approvals requested;
(6) Describe the street address or other easily understandable reference to the location of the site;
(7) State that if any person fails to address the relevant approval criteria with enough detail, they may not be able to appeal to the Land Use Board of Appeals or Circuit Court on that issue. Only comments on the relevant approval criteria are considered relevant evidence;
(8) State that all evidence relied upon by the City Planning Official or designee to make this decision is in the public record, available for public review. Copies of this evidence can be obtained at a reasonable cost from the City;

(9) State that after the comment period closes, the City Planning Official or designee shall issue a Type II Administrative Decision, and that the decision
shall be mailed to the applicant and to anyone else who submitted written
comments or who is otherwise legally entitled to notice;
(10) Contain the following notice: "Notice to mortgagee, lien holder, vendor, or seller: The City of Coburg Zoning Code requires that if you receive this notice it shall be promptly forwarded to the purchaser."

4. Administrative Decision Requirements. The City Planning Official or designee shall make a Type II written decision addressing all of the relevant approval criteria and standards. Based upon the criteria and standards, and the facts contained within the record, the City Planning Official or designee shall approve, approve with conditions, or deny the requested permit or action. If the application has unique or unclear characteristics *t*he City Planning Official, and/or the applicant, may refer the application to the Planning Commission for review in a public hearing, in which case the review shall follow the Type III procedures in Section C.

5. Notice of Decision.

a. Within five days after the City Planning Official or designee signs the decision, a Notice of Decision shall be sent by mail to:

(1) The applicant and all owners or contract purchasers of record of the site that is the subject of the application;
(2) Any person who submits a written request to receive notice, or provides comments during the application-review period;
(3) Any City-recognized neighborhood group or association whose boundaries include the site; and
(4) Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City, and other agencies that were notified or provided comments during the application review period.

b. The City Planning Official or designee shall cause an affidavit of mailing the notice to be prepared and made a part of the file. The affidavit shall show the date the notice was mailed and shall demonstrate that the notice was mailed to the parties above and was mailed within the time required by law.

c. The Type II Notice of Decision shall contain:

(1) A description of the applicant's proposal and the City's decision on the proposal (i.e., may be a summary);
(2) The address or other geographic description of the property proposed for

development, including a map of the property in relation to the surrounding area, where applicable;
(3) A statement of where the City's decision can be obtained;
(4) The date the decision shall become final, unless appealed;
(5) A statement that all persons entitled to notice may appeal the decision; and
(6) A statement briefly explaining how to file an appeal, the deadline for filing an appeal, and where to obtain further information concerning the appeal process.

6. **Final Decision and Effective Date**. A Type II administrative decision is final for purposes of appeal, when it is mailed by the City. A Type II administrative decision is effective on the day after the appeal period expires. If an appeal is filed, the decision is effective when the appeal is decided.

7. **Appeal**. A Type II administrative decision may be appealed to the Planning Commission as follows:

a. Who may appeal. The following people have legal standing to appeal a Type II Administrative Decision:

(1) The applicant or owner of the subject property;
(2) Any person who was entitled to written notice of the Type II administrative decision;
(3) Any other person who participated in the proceeding by submitting written comments.

b. Appeal filing procedure.

(1) Notice of appeal. Any person with standing to appeal, as provided in subsection 1, above, may appeal a Type II Administrative Decision by filing a Notice of Appeal according to the following procedures;
(2) Time for filing. A Notice of Appeal shall be filed with the City Planning Official or designee within 14 days of the date the Notice of Decision was mailed;
(3) Content of notice of appeal. The Notice of Appeal shall contain:

(i) An identification of the decision being appealed, including the date of the decision;
(ii) A statement demonstrating the person filing the Notice of Appeal has standing to appeal;
(iii) A statement explaining the specific issues being raised on appeal;
(iv) If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period;
(v) Filing fee.

c. Scope of appeal. The appeal of a Type II Administrative Decision by a person with standing shall be a hearing de novo before the Planning Commission. The appeal shall not be limited to the application materials, evidence and other documentation, and specific issues raised in the Type II administrative review. The Planning Commission may allow additional evidence, testimony or argument concerning any relevant standard, criterion, condition, or issue.

d. Appeal procedures. Type III notice, hearing procedures and decision process shall also be used for all Type II Administrative Appeals, as provided in Sections D. 3–5;

e. Further appeal to City Council. The decision of the Planning Commission regarding an appeal of a Type II Administrative Decision is the final decision of the City unless appealed to City Council. An appeal to City Council shall follow the same notification and hearing procedures as for the Planning Commission hearing. The decision of the City Council on an appeal is final and effective on the date it is mailed by the City. The City Council's decision may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 – 197.860.

D. Type III Procedure (Quasi-Judicial)

1. Pre-application Conference. A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Section F.3

2. Application Requirements.

a. Application forms. Type III applications shall be made on forms provided by the City Planning Official or designee; if a Type II application is referred to a Type III hearing, either voluntarily by the applicant or staff, or upon appeal, no new application is required.

b. Submittal Information. When a Type III application is required, it shall:

(1) Include the information requested on the application form;
(2) Be filed with one copy of a narrative statement that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: additional information may be required under the specific application requirements for each approval;
(3) Be accompanied by the required fee; and
(4) Include one set of pre-stamped and pre-addressed envelopes for all real property owners of record who will receive a notice of the application as required in Section 3. The records of the Lane County Assessor's Office are the official records for determining ownership. The applicant shall

produce the notice list. At the applicant's request, and upon payment of a fee noted on the City's fee list, the City shall prepare the public notice mailing list. The City or the applicant shall use the most current County real property assessment records (RLID) to produce the notice list. The City shall mail the notice of application.

3. Notice of Hearing.

a. Mailed notice. The City shall mail the notice of the Type III action. The records of the Lane County Assessor's Office are the official records for determining ownership and can be accessed by RLID – Regional Land Use Information Database www.rlid.org. Notice of a Type III application hearing or Type II appeal hearing shall be given by the City Planning Official or designee in the following manner:

(1) At least 10 days before the hearing date, notice shall be mailed to:

(i) The applicant and all owners or contract purchasers of record of the property that is the subject of the application;
(ii) All property owners of record within 300 feet of the site;
(iii) Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City. The City may notify other affected agencies. The City shall notify the road authority, and rail authority and owner, when there is a proposed development abutting or affecting their transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application;
(iv) Owners of airports in the vicinity shall be notified of a proposed zone change in accordance with ORS 227.175;
(x) Any neighborhood or community organization recognized by the City Council and whose boundaries include the property proposed for development;
(xi) Any person who submits a written request to receive notice;
(xii) For appeals, the appellant and all persons who provided testimony in the original decision; and
(xiii) For a land use district change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175.

(2) The City Planning Official or designee shall have an affidavit of notice be prepared and made a part of the file. The affidavit shall state the date that the notice was mailed to the persons who must receive notice.

(3) At least 14 business days before the hearing, notice of the hearing shall be printed in a newspaper of general circulation in the City. The newspaper's affidavit of publication of the notice shall be made part of the

administrative record.

b. Content of Notice. Notice of appeal of a Type II Administrative decision or notice of a Type III hearing to be mailed and published per Subsection 1 above shall contain the following information:

(1) The nature of the application and the proposed land use or uses that could be authorized for the property;
(2) The applicable criteria and standards from the development code(s) that apply to the application;
(3) The street address or other easily understood geographical reference to the subject property;
(4) The date, time, and location of the public hearing;
(5) A statement that the failure to raise an issue in person, or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals;
(6) The name of a City representative to contact and the telephone number where additional information on the application may be obtained;
(7) A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at Coburg City Hall at no cost and that copies shall be provided at a reasonable cost;
(8) A statement that a copy of the City's staff report and recommendation to the hearings body shall be available for review at no cost at least seven days before the hearing, and that a copy shall be provided on request at a reasonable cost;
(9) A general explanation of the requirements to submit testimony, and the procedure for conducting public hearings; and
(10) The following notice: "Notice to mortgagee, lien holder, vendor, or seller: The City of Coburg Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser."

c. Posted Notice. Posted notice shall be provided, when required, as follows:

(1) The applicant shall post notice on the subject property no earlier than 14 and no later than ten days prior to the end of the 14 day comment period. The notice shall remain in place throughout the comment period. The applicant shall file an affidavit of posting with the City no later than five days after the date of original posting. The affidavit shall be made a part of the file.

(i) *Posted notice.* Posted notice shall be deemed to have been provided upon the date when the sign is first posted. Subsequent removal of or damage to the sign by anyone other than the applicant or an

officer of the City shall not invalidate the proceeding.

(2) Notice shall be posted on each street frontage of the subject property, in a conspicuous place that is visible from the public right-of-way. If no street abuts the subject property, the notice shall be placed as near as possible to the subject property in a conspicuous place that can be readily seen by the public.

(3) Posted notice shall be on signs approved by the Planning Official.

(4) The applicant shall remove the signs from the subject property after the comment period.

4. Conduct of the Public Hearing.

a. At the commencement of the hearing, the hearings body shall state to those in attendance:

(1) The applicable approval criteria and standards that apply to the application or appeal;

(2) A statement that testimony and evidence shall concern the approval criteria described in the staff report, or other criteria in the comprehensive plan or land use regulations that the person testifying believes to apply to the decision;

(3) A statement that failure to raise an issue with sufficient detail to give the hearings body and the parties an opportunity to respond to the issue, means that no appeal may be made to the State Land Use Board of Appeals on that issue;

(4) Before the conclusion of the initial evidentiary hearing, any participant may ask the Planning Commission for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The hearings body shall grant the request by scheduling a date to finish the hearing (a "continuance") per paragraph 2 of this subsection, or by leaving the record open for additional written evidence or testimony per paragraph 3 of this subsection.

b. If the Planning Commission grants a continuance, the completion of the hearing shall be continued to a date, time, and place at least seven days after the date of the first evidentiary hearing. An opportunity shall be provided at the second hearing for persons to present and respond to new written evidence and oral testimony. If new written evidence is submitted at the second hearing, any person may request, before the conclusion of the second hearing, that the record be left open for at least seven days, so that they can submit additional written evidence or testimony in response to the new written evidence;

c. If the Planning Commission leaves the record open for additional written evidence or testimony, the record shall be left open for at least seven days after the hearing. Any participant may ask the City in writing for an

opportunity to respond to new evidence submitted during the period that the record was left open. If such a request is filed, the Planning Commission shall reopen the record.

(1) When the Planning Commission reopens the record to admit new evidence or testimony, any person may raise new issues that relate to that new evidence or testimony;
(2) An extension of the hearing or record granted pursuant to Section D is subject to the limitations of ORS 227.178 ("120-day rule"), unless the continuance or extension is requested or agreed to by the applicant;
(3) If requested by the applicant, the City shall allow the applicant at least seven days after the record is closed to all other persons to submit final written arguments in support of the application, unless the applicant expressly waives this right. The applicant's final submittal shall be part of the record but shall not include any new evidence;
(4) The record shall contain all testimony and evidence that is submitted to the City and that the hearings body has not rejected;
(5) In making its decision, the hearings body may take notice of facts not in the hearing record (e.g., local, state, or federal regulations; previous city decisions; case law; staff reports). The review authority must announce its intention to take notice of such facts in its deliberations, and allow persons who previously participated in the hearing to request the hearing record be reopened, if necessary, to present evidence concerning the noticed facts;
(6) The review authority shall retain custody of the record until the City issues a final decision.

d. Participants in the appeal of a Type II Administrative decision or participants in a Type III hearing are entitled to an impartial review authority as free from potential conflicts of interest and pre-hearing ex parte contacts (see Section D(6)below) as reasonably possible. However, the public has a countervailing right of free access to public officials. Therefore:

(1) At the beginning of the public hearing, hearings body members shall disclose the substance of any pre-hearing ex parte contacts (as defined in Section D(5) below) concerning the application or appeal. He or she shall state whether the contact has impaired their impartiality or their ability to vote on the matter and shall participate or abstain accordingly;
(2) A member of the hearings body shall not participate in any proceeding in which they, or any of the following, has a direct or substantial financial interest: their spouse, brother, sister, child, parent, father-in-law, mother-in-law, partner, any business in which they are then serving or have served within the previous two years, or any business with which they are negotiating for or have an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest

shall be disclosed at the hearing where the action is being taken;

(3) Disqualification of a member of the hearings body due to contacts or conflict may be ordered by a majority of the members present and voting. The person who is the subject of the motion may not vote on the motion to disqualify;

(4) If a member of the hearings body abstains or is disqualified, the City shall provide a substitute in a timely manner subject to the impartiality rules in Sections 4.1.400.D(4-5). In this case, a member of the City Council appointed by the Mayor may substitute for a member of the Planning Commission.

(5) If all members of the Planning Commission abstain or are disqualified, the City Council shall be the hearing body. If all members of the City Council abstain or are disqualified, a quorum of those members present who declare their reasons for abstention or disqualification shall be re-qualified to make a decision;

(6) Any member of the public may raise conflict of interest issues prior to or during the hearing, to which the member of the hearings body shall reply in accordance with this section.

e. Ex parte communications.

(1) Members of the hearings body shall not:

(i) Communicate directly or indirectly with any applicant, appellant, other party to the proceedings, or representative of a party about any issue involved in a hearing without giving notice per Section C above;

(ii) Take official notice of any communication, report, or other materials outside the record prepared by the proponents or opponents in connection with the particular case, unless all participants are given the opportunity to respond to the noticed materials.

(2) No decision or action of the hearings body shall be invalid due to ex parte contacts or bias resulting from ex parte contacts, if the person receiving contact:

(i) Places in the record the substance of any written or oral ex parte communications concerning the decision or action; and

(ii) Makes a public announcement of the content of the communication and of all participants' right to dispute the substance of the communication made. This announcement shall be made at the first hearing following the communication during which action shall be considered or taken on the subject of the communication.

(3) A communication between City staff and the hearings body is not considered an ex parte contact.

f. Presenting and receiving evidence.

(1) The hearings body may set reasonable time limits for oral presentations and may limit or exclude cumulative, repetitious, irrelevant or personally derogatory testimony or evidence;
(2) No oral testimony shall be accepted after the close of the public hearing. Written testimony may be received after the close of the public hearing, only as provided in Section D;
(3) Members of the hearings body may visit the property and the surrounding area, and may use information obtained during the site visit to support their decision, if the information relied upon is disclosed at the beginning of the hearing and an opportunity is provided to dispute the evidence.

5. The Decision Process.

a. Basis for decision. Approval or denial of an appeal of a Type II Administrative decision or of a Type III application shall be based on standards and criteria in the development code. The standards and criteria shall relate approval or denial of a discretionary development permit application to the development regulations and, when appropriate, to the comprehensive plan for the area in which the development would occur and to the development regulations and comprehensive plan for the City as a whole;

b. Findings and conclusions. Approval or denial shall be based upon the criteria and standards considered relevant to the decision. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts;

c. Form of decision. The Planning Commission shall issue a final written order containing the findings and conclusions stated in subsection 2, which either approves, denies, or approves with specific conditions. The Planning Commission may also issue appropriate intermediate rulings when more than one permit or decision is required;

d. Decision-making time limits. A final order for any Type II Administrative Appeal or Type III action shall be filed with the City Planning Official or designee within ten business days after the close of the deliberation;

e. Notice of Decision. Written notice of a Type II Administrative Appeal decision or a Type III decision shall be mailed to the applicant and to all participants of record within ten business days after the hearings body decision. Failure of any person to receive mailed notice shall not invalidate the decision, provided that a good faith attempt was made to mail the

notice.

f. Final Decision and Effective Date. The decision of the hearings body on any Type II appeal or any Type III application is final for purposes of appeal on the date it is mailed by the City. The decision is effective on the day after the appeal period expires. If an appeal is filed, the decision becomes effective on the day after the appeal is decided by the City Council. The notification and hearings procedures for Type III applications on appeal to the City Council shall be the same as for the initial hearing. An appeal of a land use decision to the State Land Use Board of Appeals must be filed within 21 days of the City Council's written decision or, in the case of Type I decision, within 21 days of the administrative decision date.

E. Type IV Procedure (Legislative).

1. Pre-Application Conference. A pre-application conference is required for all Type IV applications initiated by a party other than the City of Coburg. The requirements and procedures for a pre-application conference are described in Section F.

2. Timing of Requests. The City accepts legislative requests twice yearly, meeting January and July application timeline requirements. The City Council may initiate its own legislative proposals at any time.

3. Application Requirements.

a. Application forms. Type IV applications shall be made on forms provided by the City Planning Official or designee.

b. Submittal Information. The application shall contain:

(1) The information requested on the application form;
(2) A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);
(3) The required fee; and
(4) One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards.

4. Notice of Hearing.

a. Required hearings. A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications, except annexations where only a hearing by the City Council is required.

b. Notification requirements. Notice of public hearings for the request shall

be given by the City Planning Official or designee in the following manner:

(1) At least 10 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.175 and mailed to:

(i) Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment);
(ii) Any affected governmental agency;
(iii) Any person who requests notice in writing;
(iv) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;

(2) At least 10 days before the scheduled Planning Commission public hearing date, and 10 days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.

(3) The City Planning Official or designee shall:

(i) For each mailing of notice, file an affidavit of mailing in the record as provided by subsection 1; and
(ii) For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection 2.

(4) The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing or through the online PAPA process of proposed comprehensive plan and development code amendments at least 345 days before the first public hearing at which public testimony or new evidence will be received. ~~The notice to DLCD shall include a DLCD Certificate of Mailing.~~

(5) Notifications for annexation shall follow the provisions of this Chapter.

c. Content of notices. The mailed and published notices shall include the following information:

(1) The number and title of the file containing the application, and the address and telephone number of the City Planning Official or designee's office where additional information about the application can be obtained;

(2) The proposed site location;
(3) A description of the proposed site and the proposal in enough detail for people to determine what change is proposed, and the place where all relevant materials and information may be obtained or reviewed;
(4) The time(s), place(s), and date(s) of the public hearing(s); a statement that public oral or written testimony is invited; and a statement that the hearing will be held under this title and rules of procedure adopted by the Council and available at City Hall ; and
(5) Each mailed notice required shall contain the following statement: "Notice to mortgagee, lien holder, vendor, or seller: The Coburg Zoning Code requires that if you receive this notice it shall be promptly forwarded to the purchaser."

d. Failure to receive notice. The failure of any person to receive notice shall not invalidate the action, providing:

(1) Personal notice is deemed given where the notice is deposited with the United States Postal Service;
(2) Published notice is deemed given on the date it is published.

5. Hearing Process and Procedure.

a. Unless otherwise provided in the rules of procedure adopted by the City Council:

(1) The presiding officer of the Planning Commission and of the City Council shall have the authority to:

(i) Regulate the course, sequence, and decorum of the hearing;
(ii) Direct procedural requirements or similar matters; and

(iii) Impose reasonable time limits for oral presentations.

(2) No person shall address the Commission or the Council without:

(i) Receiving recognition from the presiding officer; and
(ii) Stating their full name and address.

(3) Disruptive conduct such as applause, cheering, or display of signs shall be cause for expulsion of a person or persons from the hearing, termination or continuation of the hearing, or other appropriate action determined by the presiding officer.

b. Unless otherwise provided in the rules of procedures adopted by the Council, the presiding officer of the Commission and of the Council shall conduct the hearing as follows:

(1) The presiding officer shall begin the hearing with a statement of the nature of the matter before the body, a general summary of the procedures, a summary of the standards for decision-making, and whether the decision which will be made is a recommendation to the City Council or the final decision of the Council;
(2) The City Planning Official or designee's report and other applicable staff reports shall be presented;
(3) The public shall be invited to testify;
(4) The public hearing may be continued to allow additional testimony or it may be closed; and
(5) The body's deliberation may include questions to the staff, comments from the staff, and inquiries directed to any person present.

6. Continuation of the Public Hearing. The Planning Commission or the City Council may continue any hearing, and no additional notice of hearing shall be required if the matter is continued to a specified place, date, and time.

7. Decision-Making Criteria. The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:

a. Approval of the request is consistent with the Statewide Planning Goals;

b. Approval of the request is consistent with the Comprehensive Plan; and

c. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

8. Approval Process and Authority.

a. The Planning Commission shall:

(1) After notice and a public hearing, vote on and prepare a recommendation to the City Council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and

b. Any member of the Planning Commission who votes in opposition to the Planning Commission's majority recommendation may file a written statement of opposition with the City Planning Official or designee before the Council public hearing on the proposal. The City Planning Official or designee shall send a copy to each Council member and place a copy in the record;

c. If the Planning Commission fails to adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within 60 days of its first public

hearing on the proposed change, the City Planning Official or designee shall:

(1) Report the failure together with the proposed change to the City Council; and
(2) Provide notice and put the matter on the City Council's agenda for the City Council to hold a public hearing make a decision. No further action shall be taken by the Commission.

d. The City Council shall:

(1) Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the Planning Commission for rehearing and reconsideration on all or part of the application;
(2) Consider the recommendation of the Planning Commission; however, the City Council is not bound by the Commission's recommendation; and
(3) Act by ordinance, which shall be signed by the Mayor after the Council's adoption of the ordinance.

9. Vote Required for a Legislative Change.

a. A vote by a majority of the qualified voting members of the Planning Commission present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.

b. A vote by a majority of the qualified members of the City Council present is required to decide any motion made on the proposal.

10. Notice of Decision. Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development, within five business days after the City Council decision is filed with the City Planning Official or designee. The City shall also provide notice to all persons as required by other applicable laws.

11. Final Decision and Effective Date. A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon mailing of the notice of decision to the applicant.

12. Record of the Public Hearing.

a. A record of the proceeding shall be made by a minutes recorder, stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record. The minutes and other evidence presented as a part of the hearing shall be part of the record;

b. All exhibits received and displayed shall be marked to provide identification and shall be part of the record;

c. The official record shall include:

(1) All materials considered by the hearings body;
(2) All materials submitted by the City Planning Official or designee to the hearings body regarding the application;
(3) The v record made by the minutes recorder, stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;
(4) The final ordinance;
(5) All correspondence; and
(6) A copy of the notices that were given as required by this Chapter.

F. General Provisions: 120-day Rule; Time Computation; Pre-application Conferences; Acceptance and Review; Planning Official's Duties, Amended Applications; Re-submittal; Appeals

1. 120-day Rule. The City shall take final action on Type I, II, and III permit applications that are subject to this Chapter, including resolution of all appeals, within 120 days from the date the application is deemed as complete, unless the applicant requests an extension in writing. Any exceptions to this rule shall conform to the provisions of ORS 227.178. (The 120-day rule does not apply to Type IV legislative decisions - plan and code amendments - under ORS 227.178.)

2. Time Computation. In computing any period of time prescribed or allowed by this Chapter, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday or legal holiday, including Sunday, in which event, the period runs until the end of the next day which is not a Saturday or legal holiday.

3. Pre-application Conferences.

a. Participants. When a pre-application conference is required, the applicant shall meet with the City Planning Official or his/her designee(s) and other parties as appropriate;

b. Information provided. At such conference, the City Planning Official or designee shall:

(1) Cite the comprehensive plan policies and map designations applicable to the proposal;
(2) Cite the ordinance provisions, including substantive and procedural requirements applicable to the proposal;

(3) Provide available technical data and assistance that will aid the applicant;
(4) Identify other governmental policies and regulations that relate to the application; and
(5) Reasonably identify other opportunities or constraints concerning the application.

c. Disclaimer. Failure of the City Planning Official or his/her designee to provide any of the information required by this Section 4.1.600.C shall not constitute a waiver of any of the standards, criteria or requirements for the application;

d. Changes in the law. Due to possible changes in federal, state, regional, and local law, the applicant is responsible for ensuring that the application complies with all applicable laws on the day the application is deemed complete.

4. Acceptance and Review of Applications.

a. Initiation of applications:

(1) Applications for approval under this Chapter may be initiated by:

(i) Order of City Council;
(ii) Resolution of the Planning Commission;
(iii) The City Planning Official or designee;
(iv) A record owner of property (person(s) whose name is on the most recently recorded deed, or contract purchaser with written permission from the record owner.

(2) Any person authorized to submit an application for approval may be represented by an agent authorized in writing to make the application on their behalf.

b. Consolidation of proceedings. When an applicant applies for more than one type of land use or development permit (e.g., Type II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision.

(1) If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: the Council, the Commission, or the City Planning Official or designee.

(2) When proceedings are consolidated:

(i) The notice shall identify each application to be decided;
(ii) The decision on a plan map amendment shall precede the decision

on a proposed land use district change and other decisions on a proposed development. Similarly, the decision on a zone map amendment shall precede the decision on a proposed development and other actions; and

(iii) Separate findings and decisions shall be made on each application.

c. Check for acceptance and completeness. In reviewing an application for completeness, the following procedure shall be used:

(1) Acceptance. When an application is received by the City, the City Planning Official or designee shall immediately determine whether the following essential items are present. If the following items are not present, the application shall not be accepted and shall be immediately returned to the applicant;

(i) The required form;
(ii) The required fee;
(iii) The signature of the applicant on the required form and signed written authorization of the property owner of record if the applicant is not the owner.

(2) Completeness.

(i) Review and notification. After the application is accepted, the City Planning Official or designee shall review the application for completeness. If the application is incomplete, the City Planning Official or designee shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the applicant 180 days to submit the missing information, or 14 days to submit a refusal statement;

(ii) Application deemed complete for review. In accordance with the application submittal requirements of this Chapter, the application shall be deemed complete upon the receipt by the City Planning Official or designee of all required information. The applicant shall have the option of withdrawing the application, or refusing to submit information requested by the City Planning Official or designee, see above. For the refusal to be valid, the refusal shall be made in writing and received by the City Planning Official or designee no later than 14 days after the date on the City Planning Official or designee's letter of incompleteness. If the applicant refuses in writing to submit the missing information, the application shall be deemed complete on 31st day after the City Planning Official or designee first accepted the application.

(iii) Standards and criteria that apply to the application. Approval or denial of the application shall be based upon the standards and criteria that were applicable at the time it was first accepted.

(3) Agency Referral. The City shall also submit the application for review and comment to the City Engineer, road authority, and other applicable County, State, and federal review agencies.

d. Changes or additions to the application during the review period. Once an application is deemed complete:

(1) All documents and other evidence relied upon by the applicant shall be submitted to the City Planning Official or designee at least seven days before the notice of action or hearing is mailed, if possible. Documents or other evidence submitted after that date shall be received by City Planning Official or designee, and transmitted to the hearings body, but may be too late to include with the staff report and evaluation;

(2) When documents or other evidence are submitted by the applicant during the review period but after the application is deemed complete, the assigned review person or body shall determine whether or not the new documents or other evidence submitted by the applicant significantly change the application;

(3) If the assigned reviewer determines that the new documents or other evidence significantly change the application, the reviewer shall include a written determination that a significant change in the application has occurred as part of the decision. In the alternate, the reviewer may inform the applicant either in writing, or orally at a public hearing, that such changes may constitute a significant change (see (4), below), and allow the applicant to withdraw the new materials submitted, in order to avoid a determination of significant change;

(4) If the applicant's new materials are determined to constitute a significant change in an application that was previously deemed complete, the City shall take one of the following actions, at the choice of the applicant:

(i) Continue to process the existing application and allow the applicant to submit a new second application with the proposed significant changes. Both the old and the new applications will proceed, but each will be deemed complete on different dates and may therefore be subject to different criteria and standards and different decision dates;

(ii) Suspend the existing application and allow the applicant to submit a new application with the proposed significant changes. Before the existing application can be suspended, the applicant must consent in writing to waive the 120-day rule on the existing application. If the applicant does not consent, the City shall not select this option;

(iii) Reject the new documents or other evidence that has been determined to constitute a significant change, and continue to process the existing application without considering the materials that would constitute a significant change. The City will complete its

decision-making process without considering the new evidence;

(5) If a new application is submitted by the applicant, that application shall be subject to a separate check for acceptance and completeness and will be subject to the standards and criteria in effect at the time the new application is accepted.

5. City Planning Official's Duties. The City Planning Official or designee shall:

a. Prepare application forms based on the criteria and standards in applicable state law, the City's comprehensive plan, and implementing ordinance provisions;

b. Accept all development applications that comply with Section F;

c. Prepare a staff report that summarizes the application(s) and applicable decision criteria, and provides findings of conformance and/or non-conformance with the criteria. The staff report may also provide a recommended decision of: approval; denial; or approval with specific conditions that ensure conformance with the approval criteria;

d. Prepare a notice of the proposal decision:

(1) In the case of an application subject to a Type I or II review process, the City Planning Official or designee shall make the staff report and all case-file materials available at the time that the notice of the decision is issued;
(2) In the case of an application subject to a hearing (Type III or IV process), the City Planning Official or designee shall make the staff report available to the public at least seven days prior to the scheduled hearing date, and make the case-file materials available when notice of the hearing is mailed, as provided by the respective application type.

e. Administer the hearings process;

f. File notice of the final decision in the City's records and mail a copy of the notice of the final decision to the applicant; all persons who provided comments or testimony; persons who requested copies of the notice; and any other persons entitled to notice by law;

g. Maintain and preserve the file for each application for the time period required by law. The file shall include, as applicable, a list of persons required to be given notice and a copy of the notice given; the affidavits of notice; the application and all supporting information; the staff report; the final decision including the findings, conclusions and conditions, if any; all correspondence; minutes of any meeting at which the application was considered; and any other exhibit, information or documentation which was considered by the decision-maker(s)

on the application; and

h. Administer the appeals and review process.

6. Amended Decision Process.

a. The purpose of an amended decision process is to allow the City Planning Official or designee to correct typographical errors, rectify inadvertent omissions and/or make other minor changes that do not materially alter the decision.

b. The City Planning Official or designee may issue an amended decision after the notice of final decision has been issued but before the appeal period has expired. If such a decision is amended, the decision shall be issued within 14 business days after the original decision would have become final, but in no event beyond the 120-day period required by state law. A new 10-day appeal period shall begin on the day the amended decision is issued.

c. Notice of an amended decision shall be given using the same mailing and distribution list as for the original decision notice.

d. Modifications to approved plans or conditions of approval requested by the applicant shall follow the procedures in Section X.VI. All other changes to decisions that are not modifications under Section X.VI follow the appeal process.

7. Re-submittal of Application Following Denial. An application that has been denied, or an application that was denied and on appeal or review has not been reversed by a higher authority, including the Land Use Board of Appeals, the Land Conservation and Development Commission or the courts, may not be resubmitted as the same or a substantially similar proposal for the same land for a period of at least 12 months from the date the final City action is made denying the application, unless there is substantial change in the facts or a change in City policy that would change the outcome, as determined by the City Planning Official or designee.

8. Appeal Process. An appeal by a person with standing shall be a hearing *de novo* and following the Type III procedure under ARTICLE X.D. The appeal shall not be limited to the application materials, evidence and other documentation, and specific issues raised in the proceeding below. The Planning Commission or City Council may allow additional evidence, testimony, or argument concerning any standard, criterion, condition, or issue relevant to the original application.

G. Special Procedures.

1. Expedited Land Divisions. An Expedited Land Division ("ELD") shall be defined and may be used as provided under ORS 197.360 through 197.380.

a. Selection. An applicant who wishes to use an ELD procedure for a partition, subdivision or planned development instead of the regular procedure type assigned to it, must request the use of the ELD in writing at the time the application is filed, or forfeit his/her right to use it;

b. Review procedure. All applications for Expedited Land Divisions shall comply with ORS 197.360 through 197.380 and the Coburg Comprehensive Plan; ORS 197.360 through ORS 197.380 details the criteria, application and notice requirements, and action and appeal procedures for expedited land divisions.

c. Appeal procedure. An appeal of an ELD shall follow the procedures in ORS 197.375. Where the City has not otherwise appointed a hearings officer (referee) for such appeals, and the City Attorney is a Contractor (not a city employee), the City Attorney shall serve as the referee for ELD appeals.

H. Neighborhood Meetings

Applicants are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting their application to the City in order to solicit input and exchange information about the proposed development. Applicants for Type III quasi-judicial applications are encouraged to hold a meeting with adjacent property owners who will receive public notice (a minimum 100 ft. radius from subject property).

I. Traffic Impact Studies

The purpose of this section of the code is to assist in determining which road authorities participate in land use decisions, and to implement Section 660-012-0045 (2) (e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. This Chapter establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified

1. **When a Traffic Impact Study is Required.** The City **or other road authority** with jurisdiction may require a Traffic Impact Study (TIS) as part of an application for development, a change in use, or a change in access. A TIS shall be required when a land use application involves one or more of the following actions:

   a. A change in zoning or a plan amendment designation;

   b. Any proposed development or land use action that a road authority states may have operational or safety concerns along its facility(ies);

c. An increase in site traffic volume generation by 200 Average Daily Trips (ADT) or more; or

d. An increase in peak hour volume of a particular movement to and from the State highway as prescribed by the Coburg I-5 Interchange Area Management Plan.

e. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or

f. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State highway, creating a safety hazard; or

g. A change in internal traffic patterns that may cause safety problems, such as back up onto a street or greater potential for traffic accidents.

h. Any proposed development or land use action on property within the Interstate Area Management Plan (IAMP) that will generate more than 100 AM or PM peak hour trips per day, or 600 Average Daily Trips. See map figure 1 for IAMP area.

ARTICLE X. Map Figure 1.

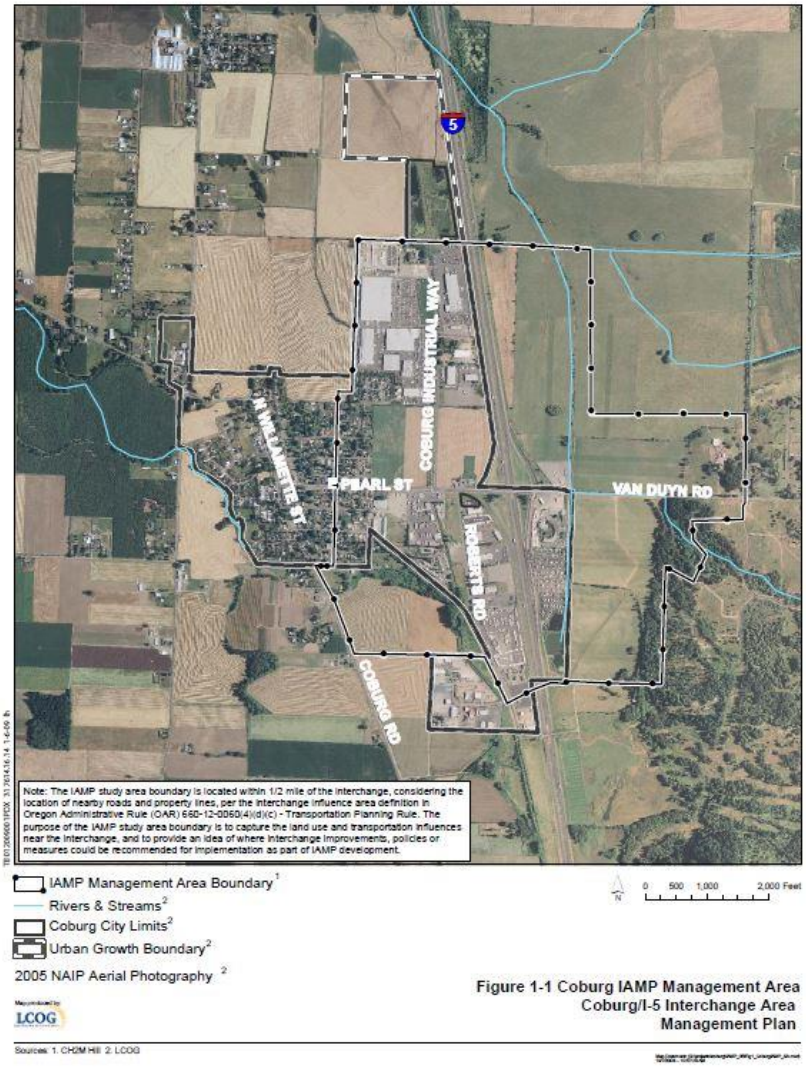

Figure 1-1 Coburg IAMP Management Area
Coburg/I-5 Interchange Area
Management Plan

2. Traffic Impact Study (TIS) Preparation.

a. For Traffic Impact Studies required under ARTICLE X, Section I.1. A TIS shall be required in accordance with ODOT's 2005 Development Review Guidelines. Adequacy of the TIS shall be determined jointly by ODOT, the City of Coburg, and Lane County. If a conflict exists between ODOT Development Review Guidelines and applicable County or City requirements, ODOT Development Review Guidelines shall be applied by ODOT. Any required mitigation associated with the ODOT permitting process shall be determined by ODOT with participation by the City of Coburg and Lane County with regard to their respective requirements, and shall be consistent with the requirements in OAR 734-051 and OAR 660-012-0050. Any required mitigation associated with the local land use authority shall be by the City of Coburg and/or Lane County, as appropriate, with regard to their respective requirements and with participation of ODOT, and shall be consistent with the requirements in OAR 734-051 and OAR 660-012-0050.

b. All other Traffic Impact Studies. A TIS shall be prepared by a professional engineer in accordance with the requirements of the road authority. If the road authority is the Oregon Department of Transportation (ODOT), consult ODOT's regional development review planner and OAR 734-051-180. Lane County roads shall be subject to Lane County requirements.

ARTICLE XI. LAND USE REVIEW AND SITE DESIGN REVIEW

Sections:

A. Purpose
B. Applicability
C. Land Use Review Procedure and Approval Criteria
D. Site Design Review - Application Review Procedure
E. Site Design Review - Application Submission Requirements
F. Site Design Review Approval Criteria
G. Bonding and Assurances
H. Development in Accordance With Permit Approval; Modifications; Permit Expiration

A. Purpose

The purpose of this Chapter is to:

1. Provide rules, regulations and standards for efficient and effective administration of land use and site development review;

2. Carry out the development pattern and plan of the City and its comprehensive plan policies;

3. Promote the public health, safety and general welfare;

4. Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards;

5. Encourage the conservation of energy resources; and

6. Encourage efficient use of land resources, full utilization of urban services, mixed uses, transportation options, and detailed, human-scaled design.

B. Applicability

Land Use Review or Site Design Review shall be required for all new developments and modifications of existing developments described below. Regular maintenance, repair and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing and similar maintenance and repair shall be exempt from review unless specified as a historic resource.

1. **Land Use Review**. Land Use Review is a review conducted by the City Planning Official or designee without a public hearing (Type I or II). It is for changes in land use and developments that do not require a conditional use permit or site design review approval. Land Use Review ensures compliance with the basic land use and development standards of the land use district, such as lot area, building setbacks and orientation, lot coverage, maximum building height, and other provisions of ARTICLE VII District Regulations and ARTICLE VIII Supplementary District Regulations. Land Use Review is required for all of the types of land uses and development listed below. Land uses and developments exceeding the thresholds below require Site Design Review.

    a. Change in occupancy from one type of land use to a different land use;

    b. Single-family detached dwelling (including manufactured home on its own lot);

    c. A single duplex, or up to two single family attached (town home) units not requiring a land division, and accessory parking on the same lot;

    d. Non-residential building additions up to 500 square feet, or 20% of an existing structure, whichever is greater;

    e. Minor Modifications to development approvals as defined by ARTICLE XV Modifications to Approved Plans and Conditions of approval;

    f. Any proposed development that has a valid conditional use permit. Major modifications to a development with a conditional use permit shall require review and approval in accordance with –ARTICLE X.III Conditional Use Permits;

    g. Home occupations requiring a permit under ARTICLE XVIII Miscellaneous Permits;

    h. Temporary uses requiring a permit under –ARTICLE XVIII Miscellaneous Permits ;

    i. Accessory structures over 200 square feet and accessory parking;

    j. Development and land uses that are part of a previously approved Site Design Review or Conditional Use Permit application;

    k. Public improvements required by a condition of approval (e.g. transportation facilities and improvements, parks, trails, and similar improvements, as determined by the City Planning Official).

2. **Site Design Review**. Site Design Review is a discretionary review conducted by the Planning Commission with a public hearing (Type III Quasi-Judicial Review). (See ARTICLE X –Types of Review Procedures for review procedure.) It applies to all development in the City, except those specifically listed under section 1 above (applications subject to Development Review). Site Design Review ensures compliance with the land use and development standards in ARTICLE VII District Regulations and ARTICLE VIII Supplementary District Regulations (e.g., lot area, building setbacks and orientation, lot coverage, maximum building height design standards, and public improvement requirements).

C. Land Use Review Procedure and Approval Criteria

When Land Use Review is required, it shall be conducted prior to issuance of building permits, occupancy permit, business license, or public improvement permits, as determined by the City Planning Official. The City shall conduct Land Use Reviews using either a Type I or Type II procedure, as described in ARTICLE X – Type I and Type II procedures. A Type I procedure shall be used when the Planning Official finds that the applicable standards are clear and objective and do not require the exercise of discretion. A Type II procedure shall be used when the decision is discretionary in nature. The City Planning Official shall be responsible for determining the required review procedure. An application for Land Use Review shall be approved only upon meeting all of the following criteria:

1. The proposed land use or development is permitted by the underlying land use district (ARTICLE VII);

2. The land use, building/yard setback, lot area, lot dimension, density, lot coverage, building height and other applicable standards of the underlying land use district and any applicable overlay district(s) are met (ARTICLE VII)

3. When development is proposed, the applicable sections of ARTICLE VIII Supplementary District Regulations apply.

4. The Planning Official or Commission must also consider the following criteria:

   a. That the location, design, size, shape and arrangement of the uses and structures are in scale and are compatible with the surroundings.

   b. That there is a desirable, efficient, and workable inter-relationship among buildings, parking, circulation, open space, landscaping, and related activities and uses, resulting in an attractive, healthful and pleasant environment for living, shopping and working.

c. That there is no unnecessary destruction of existing healthy trees or other major vegetation, and that due consideration is given to the preservation of distinctive historical or natural features.

d. That the quantity, location, height, and materials of walls, fences, hedges, screen planting and landscape areas are such that they serve their intended purpose and have no undue adverse effect on existing or contemplated abutting land use.

e. The suitable planting of ground cover or other surfacing is provided to prevent erosion and reduce dust.

f. That the location, design and size of the uses are such that the residents or establishments to be accommodated will be adequately served by community facilities and service or by other facilities suitable for the intended uses, in conformity with the Coburg Comprehensive Plan.

g. That, based on anticipated traffic generation, adequate additional transportation improvements must be provided by the development in order to promote traffic safety and reduce traffic congestion, including but not limited to right-of-way and road improvements. Consistent with the Transportation System Plan, consideration shall be given to the need and feasibility of widening and improving abutting streets and also to the necessity for such additional requirements as lighting, traffic-calming techniques, sidewalks and other pedestrian ways, bikeways, and turn and deceleration/acceleration lanes.

h. That there is a safe and efficient circulation pattern within the boundaries of the development. Consideration shall include the layout of the site with respect to the location and dimensions of vehicular, bicycle, and pedestrian entrances, exits, drives, walkways, buildings and other related facilities.

i. That there are adequate off-street vehicular and bicycle parking facilities and loading-unloading facilities provided in a safe, efficient and pleasant manner. Consideration shall include the layout of the parking and loading-unloading facilities and their surfacing, lighting and landscaping.

j. That the location, quantity, height and shape of areas of structures which define interior circulation and parking arrangements are suitable for their intended purpose.

k. That all signs and illumination are in scale, and harmonious with the site and area.

l. That adequate methods are provided to ensure continued maintenance and necessary normal replacement of common facilities, uses, structures, landscaping, screening, ground cover, and similar items required to ensure compatibility with the surrounding areas and an attractive ' healthful and pleasant environment within the development area.

Land Use Reviews do not address a project's compliance with applicable building, fire and life safety regulations.

D. Site Design Review - Application Review Procedure

Where Site Design Review is required, it shall be conducted using a Type III procedure, consistent with ARTICLE X, and using the application requirements and approval criteria contained in Sections E, below.

E. Site Design Review - Application Submission Requirements

All of the following information is required for Site Design Review application submittal:

1. **General Submission Requirements**. An application for Site Design Review shall contain all of the information required for a Type III review under ARTICLE XI, and provide:

   a. Public Facilities and Services Impact Study. The impact study shall quantify and assess the effect of the development on public facilities and services. The City shall advise as to the scope of the study during the required pre-application conference (ARTICLE X.F). The study shall address, at a minimum, the transportation system, including pedestrian ways and bikeways, the drainage system, the parks system, the water system, and the sewer system. For each public facility system and type of impact, the study shall propose improvements necessary to meet City standards and to minimize the impact of the development on the public at large, public facilities systems, and affected private property users;

   b. Traffic Impact Study, if required by the road authority. Traffic Impact Studies shall conform to the standards and procedures in ARTICLE X, Section I; and

   c. In situations where this Code requires the dedication of real property to the City, the City shall either (1) include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the

development on public facilities and services, or (2) delete the dedication as a condition of approval.

2. **Site Design Review Information**. In addition to the general submission requirements for a Type III review ARTICLE X.D an applicant for Site Design Review shall provide the following additional information, as deemed applicable by the City Planning Official. The Planning Official may deem applicable any information that he or she needs to review the request and prepare a complete staff report and recommendation to the approval body:

   a. Site analysis map. At a minimum the site analysis map shall contain the following:

      (1) The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the City, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions and gross area shall be identified;
      (2) Topographic contour lines at 2-foot intervals for slopes of less than 10 percent, and 5-foot intervals for steeper slopes;
      (3) Identification of slopes greater than 25 percent;
      (4) The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;
      (5) Potential natural hazard areas, including any areas identified as subject to a 100-year flood, areas subject to high water table, and areas mapped by the City, County, or State as having a potential for geologic hazards;
      (6) Resource areas, including marsh and wetland areas, streams, and wildlife habitat identified by the City or any natural resource regulatory agencies as requiring protection;
      (7) Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;
      (8) Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;
      (9) The location, size and species of trees and other vegetation having a caliper (diameter) of six (6) inches or greater at four feet above grade;
      (10) North arrow, scale, names and addresses of all persons listed as owners of the subject property on the most recently recorded deed;
      (11) Name and address of project designer, engineer, surveyor, and/or planner, if applicable;
      (12) Location of septic tank (and drainfield prior to sanitary sewer).

b. Proposed site plan. The site plan shall contain the following information:

(1) The proposed development site, including boundaries, dimensions, and gross area;
(2) Features identified on the existing site analysis maps that are proposed to remain on the site;
(3) Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;
(4) The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
(5) The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;
(6) The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;
(7) The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and curb stops);
(8) Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;
(9) Loading and service areas for waste disposal, loading and delivery;
(10) Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;
(11) Location, type, and height of outdoor lighting;
(12) Location of mail boxes, if known;
(13) Name and address of project designer, if applicable;
(14) Locations of bus stops and other public or private transportation facilities;
(15) Locations, sizes, and types of signs.

c. Architectural drawings. Architectural drawings showing one or all of the following shall be required for new buildings and major remodels:

(1) Building elevations (as determined by the City Planning Official) with building height and width dimensions;
(2) Building materials, colors and type;
(3) The name of the architect or designer.

d. Preliminary grading plan. A preliminary grading plan prepared by a registered engineer shall be required for development sites 1,000 square feet or larger. The preliminary grading plan shall show the location and extent to which grading will take place, indicating general

changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed. Surface water detention and treatment plans may also be required.

e. Landscape plan. A landscape plan may be required and at the direction of the City Planning Official shall show the following:

(1) The location and height of existing and proposed fences, buffering or screening materials;
(2) The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
(3) The location, size, and species of the existing and proposed plant materials (at time of planting);
(4) Existing and proposed building and pavement outlines;
(5) Specifications for soil at time of planting, irrigation if plantings are not drought-tolerant (may be automatic or other approved method of irrigation) and anticipated planting schedule;
(6) Other information as deemed appropriate by the City Planning Official. An arborist's report may be required for sites with mature trees that are protected under The City's tree Ordinance.

f. Sign drawings shall be required in conformance with the City's Sign Code.

g. Deed restrictions. Copies of all existing and proposed restrictions or covenants, including those for access control.

h. Narrative. Letter or narrative report documenting compliance with the applicable approval criteria contained in ARTICLE XI.F.

i. Traffic Impact Study, when required, shall be prepared in accordance with the road authority's requirements. See ARTICLE X., Section I, for relevant standards.

j. Development Checklist required for applications within the Central Business District. See ARTICLE VII.K

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Article XI E.2.j. DOWNTOWN COBURG OVERLAY DISTRICT DEVELOPMENT CHECKLIST

DOWNTOWN CORE PARCEL TYPE

The physical form of buildings on this parcel type is regulated to reflect the town center character of downtown Coburg, with required shopfront on the ground floor where RBL (Required Building Line) exists.
Because the Overlay District is part of Coburg's "Architecturally Controlled Areas," the building form must also reflect the local architectural characteristics, as defined in Section 3.c of the Downtown Coburg Overlay District Code.

	Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #
USE: Refer to Article VII.C.2 of the Coburg Development Code for a complete list of permitted and prohibited uses			
a.	Ground floor of the building(s) serves one or more of the following uses: retail, service, office, trade		
b.	Upper floor(s) of the building(s) serves one or more of the following uses: retail, service, office, trade, residential		
c.	Ground floor residential use is only on non-street-facing parts of the parcel (if applicable)		
d.	Building(s) does not contain uses that create odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries		
PLACEMENT			
a.	The front-most part of the building(s) (i.e. wall, front porch) is built to the RBL of 0 ft from the street edge or the sidewalk (when available)		
b.	Building(s) has a minimum setback of 0 ft from secondary roads and parking		
c.	The building(s) minimum setbacks from other buildings comply with applicable Uniform Fire Code standards		
d.	Building(s) has a minimum rear and side setbacks of 0 ft		
e.	Building(s) on a lot abutting a Traditional Residential parcel is set back at least 1 ft for each foot in building height from the shared property line(s), up to a maximum required setback of 45 ft		
f.	The building(s) primary entrance is located along the Required Entry Zone (REZ) and oriented to the street		
g.	Pedestrian sidewalks or walkways are provided to connect the building(s) primary entrance to the public right of way		
COVERAGE			
a.	Existing lot, subdivisions of an existing lot, or new combination of lots has a minimum width of 25 ft		
b.	Existing lot, subdivisions of an existing lot, or new combination of lots has a minimum area of 1,500 sq ft		
c.	Lot has a maximum coverage of 100%, provided that applicable minimum loading space, stormwater, setbacks, and parking requirements are met		
d.	The building(s) primary street façade is built to the RBL for a minimum 80% of the RBL length		
e.	Building(s) is a maximum 150 ft in width and length		
f.	Building(s) has an exterior building articulation every 40 horizontal feet or less		
HEIGHT			
a.	Building(s) has a minimum of 2 floors		
b.	Building(s) has a maximum of 3 floors		
c.	The building(s) ground floor is elevated a minimum of 0 inches above the sidewalk		
d.	The ground floor of non-street facing residential use is elevated a minimum of 16 inches above grade		
e.	Building(s) has a minimum floor-to-floor height of 10 ft		
f.	Building(s) has a maximum height of 45 ft		
FENESTRATION			
a.	60%-80% of the building(s) ground floor consists of fenestration		
b.	40%-80% of the building(s) upper floor(s) consists of fenestration		

	Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #
PEDESTRIAN AMENITIES			
All new developments are required to provide a minimum two of the following pedestrian amenities:			
a.	Outdoor seating options		
b.	Extra wide sidewalk		
c.	Courtyard or pocket park		
d.	Rain garden and/or planters		
e.	Other opportunities for open spaces: _____		
f.	Plan provides two or more of the above pedestrian amenities		
HISTORIC BUILDING EXTERIOR			
All new constructions and major renovations are required to incorporate the following historic building exterior design elements as detailed in Section 3.c of the Downtown Coburg Overlay District Code "Architecturally Controlled Areas":			
a.	Building(s) has decorative doors, transom, or clerestory windows		
b.	Building(s) has windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district		
c.	60%-80% of the ground floor facade facing the street consists of windows; the lower edge of these windows is no more than 30 inches above the sidewalk		
d.	The pitch and style of rooflines are comparable to existing historic rooflines and within a range of 4:12 - 10:12 pitch; new buildings may have a flat roof		
e.	Blank walls of the building(s) (permitted on non-street facing facades only) have surface detailing and include offsets, windows, siding, murals, or other similar features		
f.	Building(s) provides weather protection for pedestrians (awnings or canopies); no bubble awning or lighted awning is present		
SHOPFRONT			
Shopfronts are required for the ground floor of all Downtown Core buildings and must follow the following design standards:			
a.	Shopfront is composed of a base up to 30 inches tall, with clear glazing that extends from the base to at least eight feet above the sidewalk level		
b.	Windows and doors extend along at least 60% of the length of the shopfront facade; the lower edge of these windows is no more than 30 inches above the sidewalk		
c.	Ground-level shopfront windows facing circulation networks are kept visible (unshuttered) at night		
d.	Storefronts incorporate weather protection element for pedestrians (awnings or canopies); no bubble awning or lighted awning is present		
e.	The location, design, and lighting of signage are integral to the shopfront design; refer to Coburg Sign Ordinance A-155		
PARKING			
a.	Off-street parking is set back a minimum of 30 ft from RBL		
b.	Off-street parking is set back a minimum of 6 ft from parcel lines with no RBL		
c.	Off-street parking on a lot abutting a Traditional Residential parcel is set back a minimum of 20 ft from the shared property line(s)		
d.	Off-street parking, drive, garage, and other vehicle areas are oriented to the alley or located behind or to the side of the building; they cannot be placed between buildings and streets		
e.	Off-street parking is accessed from the alley; when no alley exists, off-street parking is accessed from the side of the building or through a side street for corner lots		
f.	If more than four dwelling units are proposed, an alley or private mid-block lane is provided for vehicle access		
g.	No structural improvements, except road surfacing, are within 10 feet of the centerline of an alley		
h.	All vehicular parking areas are graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property		
i.	Parking areas with more than two off-street spaces are screened with an evergreen hedge or fence at least 4 ft high		

	Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #
PARKING (continued)			
j.	Fences, walls, or other structures screen at least 70 percent of the view when abutting Residential District parcels		
k.	The maximum height of fences and walls is six feet, as measured from the lowest grade at the base of the wall or fence; see Section 5.c.(2).(iii) of the Downtown Coburg Overlay District Code for exceptions		
l.	Any fence, hedge and wall comply with vision clearance standards in Article VIII.A and provide for pedestrian circulation where required		
m.	New off-street parking with five or more spaces is landscaped at minimum of 10% of the gross area of the parking lot		
LANDSCAPING / ON-SITE STORMWATER INFRASTRUCTURE			
a.	Applicant or developer of new development, redevelopment, alteration to the footprint, height, or massing of an existing building, or improvement to parcels, demonstrates post-development runoff at or below pre-development rates		
b.	New development, redevelopment, alteration to the footprint, height, or massing of an existing building, or improvement to parcels provides on-site vegetated stormwater infrastructure as necessary, appropriately sized by the site designers to mitigate any increase in stormwater runoff post-development		

DOWNTOWN FLEX PARCEL TYPE

The physical form of buildings on this parcel type is regulated to support active street and seamless pedestrian experience, with ground floor shopfront for retail, service, and office uses, or street-oriented frontage for residential and live-work uses. Downtown Flex parcels at critical nodes may be required to provide ground floor shopfronts.
Because the Overlay District is part of Coburg's "Architecturally Controlled Areas," the building form must also reflect the local architectural characteristics, as defined in Section 3.c of the Downtown Coburg Overlay District Code.

	Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #
USE: Refer to Article VII.C.2 of the Coburg Development Code for a complete list of permitted and prohibited uses			
a.	Ground floor of the building(s) serves one or more of the following uses: retail, service, office, trade, residential		
b.	Upper floor(s) of the building(s) serves one or more of the following uses: retail, service, office, trade, residential		
c.	Ground floor residential use is only on non-street-facing parts of the parcel (if applicable)		
PLACEMENT			
a.	The front-most part of the building(s) (i.e. wall, front porch) is built to the RBL of between 0 ft and 6 ft from the street edge or the sidewalk (when available)		
b.	Building(s) has a minimum setback of 6 ft from secondary roads and parking		
c.	The building(s) minimum setbacks from other buildings comply with applicable Uniform Fire Code standards		
d.	Building(s) has a minimum rear and side setbacks of 0 ft		
e.	Building(s) on a lot abutting a Traditional Residential parcel is set back at least 1 ft for each foot in building height from the shared property line(s), up to a maximum required setback of 45 ft		
f.	The building(s) primary entrance is located along the Required Entry Zone (REZ) and be oriented to the street		
g.	Pedestrian sidewalks or walkways are provided to connect the building(s) primary entrance to the public right of way		
COVERAGE			
a.	Existing lot, subdivisions of an existing lot, or new combination of lots has a minimum width of 25 ft		
b.	Existing lot, subdivisions of an existing lot, or new combination of lots has a minimum area of 1,500 sq ft		
c.	Lot may has a maximum coverage of 100%, provided that applicable minimum loading space, stormwater, setbacks, and parking requirements are met		
d.	The building(s) primary street façade is built to the RBL for a minimum 60% of the RBL length		
e.	Building(s) is a maximum 150 ft in width and length		
f.	Building(s) has an exterior building articulation every 40 horizontal feet or less		
HEIGHT			
a.	Building(s) has a minimum of 1 floor		
b.	Building(s) has a maximum of 3 floors		
c.	The building(s) ground floor is elevated a minimum of 0 inch above the sidewalk		
d.	When the building ground floor is a residential use, it is elevated a minimum of 16 inches above grade		
e.	Building(s) has a minimum floor-to-floor height of 10 ft		
f.	Building(s) has a maximum height of 45 ft		
FENESTRATION			
a.	50%-70% of the building(s) ground floor consists of fenestration		
b.	40%-70% of the building(s) upper floor(s) consists of fenestration		

Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #

PEDESTRIAN AMENITIES All new developments are required to provide a minimum two of the following pedestrian amenities:			
a.	Outdoor seating options		
b.	Extra wide sidewalk		
c.	Courtyard or pocket park		
d.	Rain garden and/or planters		
e.	Pedestrian-scaled awnings or canopies		
f.	Other opportunities for open spaces: _____		
g.	Plan provides two or more of the above pedestrian amenities		
HISTORIC BUILDING EXTERIOR All new constructions and major renovations are required to incorporate the following historic building exterior design elements as detailed in Section 3.c of the Downtown Coburg Overlay District Code "Architecturally Controlled Areas":			
a.	Building(s) has decorative doors, transom, or clerestory windows		
b.	Building(s) has windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district		
c.	50%-80% of the ground floor facade facing the street consists of windows; the lower edge of these windows is no more than 30 inches above the sidewalk		
d.	The pitch and style of rooflines are comparable to existing historic rooflines and within a range of 4:12 - 10:12 pitch; new buildings may have a flat roof		
e.	Blank walls of the building(s) (permitted on non-street facing facades only) have surface detailing and include offsets, windows, siding, murals, or other similar features		
f.	Building(s) provides weather protection for pedestrians (awnings or canopies); no bubble awning or lighted awning is present		
SHOPFRONT When present on applicable parcels, shopfronts must follow the following design standards:			
a.	Shopfront is composed of a base up to 30 inches tall, with clear glazing that extends from the base to at least eight feet above the sidewalk level		
b.	Windows and doors extend along at least 60% of the length of the shopfront facade; the lower edge of these windows is no more than 30 inches above the sidewalk		
c.	Ground-level shopfront windows facing circulation networks are kept visible (unshuttered) at night		
d.	Storefronts incorporate weather protection element for pedestrians (awnings or canopies); no bubble awning or lighted awning is present		
e.	The location, design, and lighting of signage are integral to the shopfront design; refer to Coburg Sign Ordinance A-155		
PARKING			
a.	Off-street parking is set back a minimum of 20 ft from RBL		
b.	Off-street parking is set back a minimum of 6 ft from parcel lines with no RBL		
c.	Off-street parking on a lot abutting a Traditional Residential parcel is set back a minimum of 20 ft from the shared property line(s)		
d.	Off-street parking, drive, garage, and other vehicle areas are oriented to the alley or located behind or to the side of the building; they cannot be placed between buildings and streets		
e.	Off-street parking is accessed from the alley; when no alley exists, off-street parking is accessed from the side of the building or through a side street for corner lots		
f.	If more than four dwelling units are proposed, an alley or private mid-block lane is provided for vehicle access		
g.	No structural improvements, except road surfacing, are within 10 feet of the centerline of an alley		
h.	All vehicular parking areas are graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property		
i.	Parking areas with more than two off-street spaces are screened with an evergreen hedge or fence at least 4 ft high		

	Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #
PARKING (continued)			
j.	Fences, walls, or other structures screen at least 70 percent of the view when abutting Residential District parcels		
k.	The maximum height of fences and walls is six feet, as measured from the lowest grade at the base of the wall or fence; see Section 5.c.(2).(iii) of the Downtown Coburg Overlay District Code for exceptions		
l.	Any fence, hedge and wall comply with vision clearance standards in Article VIII.A and provide for pedestrian circulation where required		
m.	New off-street parking with five or more spaces is landscaped at minimum of 10% of the gross area of the parking lot		
LANDSCAPING / ON-SITE STORMWATER INFRASTRUCTURE			
a.	Applicant or developer of new development, redevelopment, alteration to the footprint, height, or massing of an existing building, or improvement to parcels, demonstrates post-development runoff at or below pre-development rates		
b.	New development, redevelopment, alteration to the footprint, height, or massing of an existing building, or improvement to parcels provides on-site vegetated stormwater infrastructure as necessary, appropriately sized by the site designers to mitigate any increase in stormwater runoff post-development		

k. Other information determined by the City Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), in conformance with this Code.

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F. Site Design Review Approval Criteria

The review authority shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:

1. The application is complete, as determined in accordance with ARTICLE X Types of Applications and ARTICLE XI.E, above.

2. The application complies with all of the applicable provisions of the underlying Land Use District and Supplementary District Regulations (ARTICLE VII & VIII), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;

3. The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with ARTICLE VI, Non-Conforming Uses;

4. The application complies with all of ARTICLE VII District Regulations and

ARTICLE VIII Supplementary District Regulations and other standards as applicable;

5. Existing conditions of approval required as part of a prior Land Division (ARTICLE XII), Conditional Use Permit (ARTICLE XIII), Master Planned Development (ARTICLE XIV) or other approval shall be met.

G. Bonding and Assurances

1. **Performance Bonds for Public Improvements**. On all projects where public improvements are required, the City shall require a bond in an amount not greater than 100% or other adequate assurances as a condition of site development approval in order to guarantee the public improvements;

2. **Release of Performance Bonds**. The bond or assurance shall be released when the City Planning Official finds the completed project conforms to the site development approval, including all conditions of approval.

3. **Completion of Landscape Installation**. Landscaping shall be installed prior to issuance of occupancy permits, unless security equal to the cost of the landscaping as determined by the City Planning Official or a qualified landscape architect is filed with the City Planning Official assuring such installation within six months after occupancy. If the installation of the landscaping is not completed within the six-month period, the security may be used by the City to complete the installation.

H. Development in Accordance With Permit Approval; Modifications; Permit Expiration

Development shall not commence until the applicant has received all of the appropriate land use and development approvals (i.e., site design review approval) and building permits. Construction of public improvements shall not commence until the City has approved all required public improvement plans (e.g., utilities, streets, public land dedication, etc.). The City may require the applicant to enter into a development agreement (e.g., for phased developments and developments with required off-site public improvements), and may require bonding or other assurances for improvements, in accordance with ARTICLE XI.G. Development Review and Site Design Review approvals shall be subject to all of the following standards and limitations:

1. **Modifications to Approved Plans and Developments**. Minor modifications of an approved plan or existing development, as defined in ARTICLE XV, shall be processed as a Type I procedure and require only Land Use Review. Major modifications, as defined in ARTICLE XV, shall be processed as a Type II or Type III procedure and shall require Site Design Review. For information on

Type I, Type II and Type III procedures, please refer to ARTICLE X. For Modifications approval criteria, please refer to ARTICLE XV.

2. **Approval Period**. Development Review and Site Design Review approvals shall be effective for a period of one year from the date of approval. The approval shall lapse if:

   a. A public improvement plan or building permit application for the project has not been submitted within one year of approval; or

   b. Construction on the site is in violation of the approved plan.

3. **Extension.** The Planning Commission shall, upon written request by the applicant, grant a written extension of the approval period not to exceed six months; provided that:

   a. No changes are made on the original approved site design review plan;

d. The applicant can show intent of initiating construction on the site within the six month extension period;

e. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required; and

   d. The applicant demonstrates that failure to obtain building permits and substantially begin construction within one year of site design approval was beyond the applicant's control.

4. **Phased Development**. Phasing of development may be approved with the Site Design Review application, subject to the following standards and procedures:

   a. A phasing plan shall be submitted with the Site Design Review application.

   b. The Planning Commission shall approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than 2 years without reapplying for site design review.

   c. Approval of a phased site design review proposal requires satisfaction of

all of the following criteria:

(1) The public facilities required to serve each phase are constructed in conjunction with or prior to each phase;
(2) The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required public improvements, in accordance with ARTICLE XI.G. A temporary public facility is any facility not constructed to the applicable City or district standard, subject to review by the City Engineer;
(3) The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as part of the approved development proposal; and
(4) An application for phasing may be approved after Site Design Review approval as a modification to the approved plan, in accordance with the procedures for minor modifications (ARTICLE XV).

ARTICLE XII. LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS

Sections:

A. Purpose and Applicability
B. General Requirements
C. Tentative Approval
D. Final Plat Approval
E. Performance Guarantee
F. Filing and Recording
G. Re-platting and Vacation of Plats
H. Property Line Adjustments

A. Purpose and Applicability

The purpose of this chapter is to:

1. Provide rules, regulations and standards governing the approval of subdivisions, partitions and lot line adjustments.
2. Carry out the City's development pattern, as envisioned by the Comprehensive Plan.
3. Encourage efficient use of land resources, full utilization of urban services, and transportation options.
4. Promote the public health, safety and general welfare through orderly and efficient urbanization.
5. Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards;
6. Encourage the conservation of energy resources.
7. Encourage multi-modal options and secure safety from fire, flood, pollution, and other hazards.

B. General Requirements

1. **Subdivision and Partition Approval Through Two-step Process.** Applications for subdivision or partition approval shall be processed by means of a preliminary plat evaluation and a final plat evaluation, according to the following two steps:

a. The preliminary plat must be approved before the final plat can be submitted for approval consideration; and

b. The final plat must include all conditions of approval of the preliminary plat.

2. **Compliance with ORS Chapter 92.** All subdivision and partition proposals shall conform to state regulations in Oregon Revised Statue (ORS) Chapter 92, Subdivision and Partitions.

3. **Future Re-division Plan.** When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use district), the City shall require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the land use district and this Code. A re-division plan shall be submitted for large lots identifying:

a. Potential future lot division(s), consistent with the density and lot size standards of ARTICLE VII;

b. Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights- of-way;

c. A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the City or property owners, except as may be required through conditions of land division approval. For example, dedication and improvement of rights-of-way within the future plan area may be required to provide needed secondary access and circulation.

4. **Flexible Lot Size**. Lot size requirements may be modified pursuant to ARTICLE VII.A.4.c, ARTICLE VII.B.3.c, or through approval of a Master Planned Development under ARTICLE XIV.

5. **Temporary Sales Office**. A temporary sales office in conjunction with a subdivision may be approved as set forth in ARTICLE XVIII.A Temporary Uses.

6. **Flood Control and Drainage**. All subdivisions and partitions shall be designed based on the need to minimize the risk of flood damage. No new building lots shall be created entirely within a floodway. All new lots shall be buildable without requiring development within the floodway and, where possible, allow

building outside of the flood fringe. Development in a 100-year flood plain shall comply with the National Flood Insurance Program and state building code requirements, including elevating structures above the base flood elevation. The applicant shall be responsible for obtaining floodplain development permit from the NFIP and the City of Coburg. See Coburg Floodplain Ordinance No A-195-A.

Where a development site consists of one (1) or more acres or 25 or more lots, and is located in or near areas prone to inundation for which the base flood elevation has not been mapped, the applicant shall have the base flood elevation prepared by a qualified professional as part of the land division application. All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required.

7. **Need for Adequate Utilities**. All lots created through land division shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems. These systems shall be located and constructed to prevent or minimize flood damage, and to avoid impairment of the system and contamination from them during flooding.

8. **Floodplain, Park, and Open Space Dedications.** Where land filling and/or development is allowed within or adjacent to regulatory flood plain and the Comprehensive Plan designates the subject flood plain for park, open space, or trail use, the City may require the dedication of sufficient open land area for a greenway and/or trail adjoining or within the flood plain for transportation, storm drainage/water quality, or park purposes in the public interest. When practicable, this area shall include portions at a suitable elevation for the construction of a multi-use pathway in accordance with the City's adopted trails plan or pedestrian and bikeway plans, as applicable. The City shall evaluate individual development proposals and determine whether the dedication of land is justified based on the development's impact to the park and/or trail system, or stormwater management requirements, consistent with and assist in obtaining any floodplain permit that may be required.

9. **Reserve Strips.** The City may-require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.

10. **Driveway and lane width.** The minimum width of all shared drives and lanes

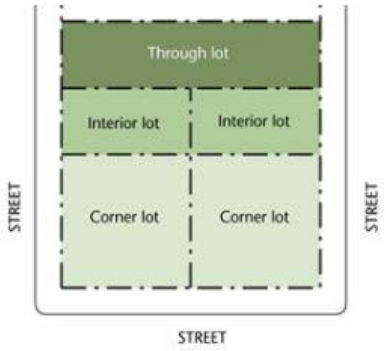
shall be eight feet; the maximum width is 12 feet, except as required by the Uniform Fire Code.

11. **Easement and improvement of drive lane.** The property owner shall record a 20 foot easement benefiting all properties that are to receive vehicle access. The drive lane shall be improved with an all-weather surface approved by the City. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat.

12. **Maximum drive lane length.** The maximum drive lane length is subject to requirements of the Uniform Fire Code, but shall not exceed 150 feet for a shared side drive, and 400 feet for a shared rear drive.

13. **Through Lots and Parcels.**

    a. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arterials or adjacent non-residential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 feet wide and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatibles use. See graphic.



14. **Lot and Parcel Sidelines.**

    a. The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

15. **Drainage.**

    a. Where land in the subdivision or partition is or will be periodically subject to accumulations of surface water or is traversed by any water course, channel, stream or creek, the Planning Commission may require the applicant to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements adequate for the draining

needs of the area. Said easements shall be approved by the Planning Commission.

16. **Grading of Building Sites.** Grading of building sites shall conform to the following standards unless adjusted through the variance procedure in ARTICLE XIX:

    a. Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.

    b. Fill slopes shall not exceed two feet horizontally to one foot vertically.

    c. The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended.

17. **Building Lines.**

    a. If special building setback lines are to be established in a subdivision, they shall be shown on the subdivision plat.

18. **Land for Public Use.**

    a. If the City has an interest in acquiring a portion of proposed subdivision for a public purpose, or if the City has been advised of such an interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the Planning Commission may require that those portions of the subdivision be reserved for public acquisition, for a period not to exceed one year, at a cost not to exceed the value of the land prior to the subdivision.

19. **Park/Park Recreation Acquisitions.**

    a. Within or adjacent to a subdivision of land into 10 or more lots, a parcel of land of not less than six percent of the gross area of the subdivision shall be set aside and dedicated to the public by the subdivider. The parcel shall be approved by the Planning Commission as being suitable and adaptable for park and recreation use. In the event no such area is suitable for park and recreation purposes, or for a subdivision of land into less than 10 lots, the subdivider shall, in lieu of setting aside land, pay into a public land acquisition fund a sum of money equal to one percent of the gross sale price of each lot in the subdivision, which sum of money

shall be paid at the time each lot is developed or sold, whichever occurs first.

C. Tentative Approval

1. Partitions

a. Process. Applications for tentative partition plan review shall be processed as Type II applications in accordance with ARTICLE X.C.

b. Submittal Requirements.

(1) Applications for approval of a tentative partition plan shall be signed by the owner of the property, prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type II process, in accordance with ARTICLE X.C.2, and the following additional items:

(i) A tentative plan map, including the information required by the City's Tentative Partition Plan application form, including all contiguous property under the same ownership as the subject property.
(ii) A current (no older than six months prior to application submittal) preliminary title report.

c. Approval Criteria.

(1) General Approval Criteria. The City may approve, approve with conditions or deny a tentative partition plan based on the following approval criteria:

(i) The proposed tentative partition plan complies with the applicable zoning code provisions and all other applicable ordinances and regulations, including but not limited to lot standards, street standards (ARTICLE VIII.E), required public improvements (ARTICLE VIII.F) and any special development standards.
(ii) The proposed partition will not cause any existing improvements on existing or proposed parcels to be inconsistent with applicable standards in this code.
(iii) Partitions abutting streets under control of an agency that is not the city shall comply with access management guidelines of the agency having jurisdiction over the street.

(iv) Development within the tentative partition plan can be adequately served by City infrastructure.
(v) Proposal contributes to the orderly development of the City's area transportation network of roads, bikeways, and pedestrian facilities, and allows for continuation and expansion of existing public access easements within or adjacent to the partition.
(vi) All applicable engineering design standards for streets, utilities, surface water management, and easements have been satisfied.
(vii) If the proposal involves the creation of a public street, all of the following criteria also apply:

(aa) The proposal will not impede the future use of the remainder of the property under the same ownership or adversely affect the development of the remainder or any adjoining land or access thereto.
(bb) The proposed partition will:

1. Not result in significant risk of fire, flood, geological hazards, or other public health and safety concerns;
2. Provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities;
3. Not hamper the adequate provision of publicly owned open space for recreation needs.
4. The proposed partition provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe, convenient and direct transit circulation, provided the City makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can be reasonably expected to be used by bicyclists.

d. Expiration. Tentative partition plan approval shall be effective for a period of one year from the date of approval. The preliminary plat shall lapse if a final plat has not been submitted within the one-year period, unless an extension, subject to the following criteria, is granted:

(1) The applicant has submitted written intent to file a final plat within the one-year extension period;
(2) An extension of time will not prevent the lawful development of

abutting properties;

(3) There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and

(4) The extension request is made before expiration of the original approved plan.

(5) The applicant has not obtained a previous extension for the subject approval.

2. Subdivisions (non-phased)

a. Process. Applications for tentative ~~partition~~ subdivision plan review shall be processed as Type III applications in accordance with ARTICLE X.D.

b. Submittal Requirements.

(1) Applications for approval of a tentative subdivision plan shall be prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type III process, in accordance with ARTICLE X.D.2, and the following additional items:

(i) A tentative plan map, including the information required by the City's Tentative Subdivision Plan application form, including all contiguous property under the same ownership as the subject property.

(ii) A current (no older than six months prior to application submittal) preliminary title report.

c. Approval Criteria. (1) General Approval Criteria. The City may approve, approve with conditions or deny a tentative subdivision plan based on the following approval criteria:

(1) The proposed tentative subdivision plan complies with the applicable zoning code provisions and all other applicable ordinances and regulations, including but not limited to lot standards, street standards (ARTICLE VIII.E), required public improvements (ARTICLE VIII.F) and any special development standards.

(2) The proposed subdivision will not cause any existing improvements on existing or proposed lots to be inconsistent with applicable standards in this code.

(3) Subdivisions abutting streets under control of an agency that is not

the City shall comply with access management guidelines of the agency having jurisdiction over the street.

(4) Development within the tentative subdivision plan can be adequately served by City infrastructure.

(5) Proposal contributes to the orderly development of the City's area transportation network of roads, bikeways, and pedestrian facilities, and allows for continuation and expansion of existing public access easements within or adjacent to the subdivision.

(6) All applicable engineering design standards for streets, utilities, surface water management, and easements have been satisfied.

(7) If the proposal involves the creation of a public street, all of the following criteria also apply:

(aa) The proposal will not impede the future use of the remainder of the property under the same ownership or adversely affect the development of the remainder or any adjoining land or access thereto.

(bb) The proposed subdivision~~partition~~ will:

1. Not result in significant risk of fire, flood, geological hazards, or other public health and safety concerns;
2. Provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities;
3. Not hamper the adequate provision of publicly owned open space for recreation needs.
4. The proposed subdivision~~partition~~ provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe, convenient and direct transit circulation, provided the City makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can be reasonably expected to be used by bicyclists.

d. Expiration. Tentative subdivision plan approval shall be effective for a period of one year from the date of approval. The preliminary plan shall lapse if a final plat has not been submitted within the one-year period, unless an extension, subject

to the following criteria, is granted:

(1) The applicant has submitted written intent to file a final plat within the one-year extension period;
(2) An extension of time will not prevent the lawful development of abutting properties;
(3) There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and
(4) The extension request is made before expiration of the original approved plan.
(5) The applicant has not obtained a previous extension for the subject approval.

3. Subdivisions (phased)

a. Process. Applications for phased tentative subdivision plan review shall be processed as Type III applications in accordance with ARTICLE X.D. One tentative phased subdivision plan must be approved, with each individual phase receiving separate final plat approval.

b. Submittal Requirements. Applications for approval of a phased tentative subdivision plan shall be prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type III process, in accordance with ARTICLE X.D.2, and the following additional items:

(1) The information required under ARTICLE X.II.C.1b.
(2) Overall tentative subdivision plan shall include phase and unit sequence and a schedule for initiation of improvements and projected completion date.
(3) An overall facility development phasing plan that indicates the tentative boundaries of each phase, the sequencing of the phases, the tentative configuration of lots in each phase, and a plan (including proposed time schedule) for the construction of all required City infrastructure in each phase, including transportation and utility facilities plans that specify the traffic pattern plan for motor vehicles, bicycles, and pedestrians, water system plans, sewer system plans and utility plans.

c. Approval Criteria

(1) The tentative phased subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in ARTICLE XII.C.2.c.

(2) Connectivity for streets and City utilities between each phase ensure the orderly and efficient construction of required public improvements among all phases.
(3) Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.
(4) Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

d. Expiration. The tentative phased subdivision plan approval shall lapse if a final plat for the first phase has not been submitted within one year of tentative plan approval, unless an extension, subject to the following criteria, is granted:

(1) The applicant has submitted written intent to file a final plat within the one-year extension period;
(2) An extension of time will not prevent the lawful development of abutting properties;
(3) There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and
(4) The extension request is made before expiration of the original approved plan.
(5) The applicant has not obtained a previous extension for the subject approval.

Tentative approval for all remaining phases shall lapse if the final plat for each remaining phase has not been submitted within ten years of original tentative phased subdivision plan approval. No extension may be granted for phases after the first phase.

D. <u>Final Plat Approval (Partition and Subdivision)</u>

1. Process. Applications for final partition and subdivision review shall be processed as Type I applications in accordance with ARTICLE X.B.

2. Submittal Requirements. Applications for approval of a final partition or subdivision plat shall be prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type I process, in accordance with ARTICLE X.B, and the following additional items:

a. A final plat, including the information required by the City's Final Subdivision or Partition Plat application form, including all contiguous property under the same ownership as the subject property.

b. Approval Criteria. A final plat shall be approved if the following criteria are met:

(1) The final plat substantially conforms with the approved tentative plan.
(2) Conditions of approval imposed on the tentative plan have been met.
(3) The final plat dedicates to the City, free and clear of all liens and encumbrances and without any reservation or restriction other than reversionary rights upon vacation, all City infrastructure, if such dedication is required by a condition of approval.
(4) Public improvements required by this code or by a condition of approval have been completed or the applicant has provided a performance guarantee pursuant to ARTICLE XII.E.
(5) The City surveyor has approved the final plat for compliance with applicable platting requirements in accordance with state law.

E. Performance Guarantee

1. Performance Guarantee Required. When a performance guarantee is required under ARTICLE XII.E, the subdivider/partitioner shall file an assurance of performance with the City supported by one of the following:

a. An irrevocable letter of credit executed by a financial institution authorized to transact business in the state of Oregon;

b. A surety bond executed by a surety company authorized to transact business in the state of Oregon which remains in force until the surety company is notified by the City in writing that it may be terminated; or

c. Cash.

2. Determination of Sum. The assurance of performance shall be for a sum determined by the City as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses.

3. Itemized Improvement Estimate. The developer shall furnish to the City an itemized improvement estimate, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.

4. Agreement. An agreement between the City and developer shall be

recorded with the final plat. The agreement may be prepared by the City or prepared by the applicant as a letter. It shall not be valid until it is signed and dated by both the applicant and City Planning Official. The agreement shall contain all of the following:

a. The period within which all required improvements and repairs shall be completed;

b. A provision that if work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the applicant;

c. The improvement fees and deposits that are required;

d. An optional provision for the construction of the improvements in stages and for the extension of time under specific conditions therein stated in the contract.

5. **When Subdivider Fails to Perform**. In the event the developer fails to carry out all provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit or letter of credit for reimbursement.

6. **Termination of Performance Guarantee**. The developer shall not cause termination of nor allow expiration of the guarantee without having first secured written authorization from the City.

F. **Filing and Recording**

1. **Filing Plat with County.** Within 60 days of the City approval of the final plat, the applicant shall submit the final plat to Lane County for signatures of County officials as required by ORS Chapter 92.

2. **Proof of Recording.** Upon final recording with the County, the applicant shall submit to the City two paper copies of all sheets of the recorded final plat. This shall occur prior to the issuance of building permits for the newly created lots.

3. **Prerequisites to Recording the Plat.**

a. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on

the tax roll have been paid in the manner provided by ORS Chapter 92;

b. No plat shall be recorded until it is approved by the County Surveyor in the manner provided by ORS Chapter 92.

G. Re-platting and Vacation of Plats.

1. Re-platting and Vacations. Any plat or portion thereof may be re-platted or vacated upon receiving an application signed by all of the owners as appearing on the deed.

2. Procedure. All applications for a re-plat or vacation shall be processed in accordance with the procedures and standards for a subdivision or partition (i.e., the same process used to create the plat shall be used to re-plat or vacate the plat), and ARTICLE XII.G The same appeal rights provided through the subdivision and partition process shall be afforded to the plat vacation process. (See ARTICLE X - Types of Applications and Review Procedures.) The road authority(ies) shall be notified of all applications for re-plats and plat vacations. See also ARTICLE XXIII Vacations.

3. Basis for Denial. A re-plat or vacation application may be denied if it abridges or destroys any public right in any of its public uses, improvements, streets or alleys; or if it fails to meet any applicable criteria. See ARTICLE XXIV.A.2.

4. Recording of Vacations. All approved plat vacations shall be recorded in accordance with ARTICLE XXIII, and the following procedures:

a. Once recorded, a re-plat or vacation shall operate to eliminate the force and effect of the plat prior to vacation; and

b. Vacations shall also divest all public rights in the streets, alleys and public grounds, and all dedications described on the plat.

5. After Sale of Lots. When lots have been sold, the plat may be vacated only in the manner herein, and provided that all of the owners of lots within the platted area consent in writing to the plat vacation.

6. Street Requirement. Except as prohibited by law (e.g., ORS 92.837, Manufactured Home Park), as a condition of plat vacation or re-plat approval, the City may require dedication of access ways, paths or trails in order to establish or maintain a safe, convenient and direct pedestrian and bicycle

circulation system. Such requirements shall be coordinated with the applicable road authority.

H. Property Line Adjustments

1. **Process.** Applications for property line adjustments shall be processed as Type I applications in accordance with ARTICLE X.B.

2. Submittal Requirements. All applications for Property Line Adjustments shall be made on forms provided by the City and shall include information required for a Type I application, ARTICLE X.B. , and the following additional items:

a. A preliminary property line map drawn to scale identifying 1) all existing and proposed property lines and dimensions, 2) footprints and dimensions of existing structures (including accessory structures) 3) location and dimensions of driveways and public and private streets within or abutting the existing properties; 4) the location of sensitive lands and significant vegetation; 5) existing fences and walls.

b. A current (issued within one year of the date of the application) preliminary title report.

c. Legal descriptions for each proposed parcel of land.

d. Proposed property line adjustment deed(s).

3. Approval Criteria. The City Planning Official shall approve or deny a request for a property line adjustment based on the following criteria:

a. Parcel Creation. No additional lot or parcel is created by the property line adjustment.

b. Lot Standards. All lots or parcels created by the property line adjustment conform to the applicable lot standards of the land use districting, including but not limited to, lot area, dimensions, setbacks, and coverage

c. No resulting lot or parcel falls completely within a flood hazard area or jurisdictional wetland.

d. Access and Road authority Standards. All lots and parcels shall conform to applicable access requirements, including ARTICLE VIII.A.2, and all applicable road authority requirements. If a lot is nonconforming to any City or road authority standard, it shall not be

made even less conforming by the property line adjustment.

4. Recording Property Line Adjustments.

a. Recording. Upon the City's approval of the proposed property line adjustment, the applicant shall record the property line adjustment with Lane County within 60 days of approval (or the decision expires), and submit a copy of the recorded survey map to the City, to be filed with the approved application.

b. Time limit. The applicant shall submit a copy of the recorded property line adjustment survey map to the City within 15 days of recording and prior to the issuance of any building permits on the re-configured lots.

5. Extension. The City shall, upon written request by the applicant and payment of the required fee, grant a written extension of the approval period not to exceed one year provided that:

a. No changes are made to the original property line adjustment as approved by the City;

b. The applicant can show intent of recording the approved plan within the six month extension period;

c. There have been no changes in the applicable Code or plan provisions on which the approval was based. In the case where the property line adjustment conflicts with a code change, the extension shall be denied; and

d. The extension request is made before expiration of the original approved plan.

ARTICLE XIII CONDITIONAL USE PERMITS

Sections:

A. Conditional Use Permits - Purpose
B. Conditional Use Permits - Approvals Process
C. Conditional Use Permits - Application Submission Requirements
D. Conditional Use Permits - Criteria, Standards and Conditions of Approval
E. Conditional Use Permits - Additional Development Standards

A. Conditional Use Permits - Purpose

There are certain uses, which, due to the nature of their impacts on surrounding land uses and public facilities, require a case-by-case review and analysis. These are identified as "Conditional Uses" ARTICLE VII – District Regulations. The purpose of this section is to provide standards and procedures under which a conditional use may be permitted, enlarged or altered if the site is appropriate and if other appropriate conditions of approval can be met.

B. Conditional Use Permits - Approvals Process

1. **Initial Application**. An application for a new conditional use shall be processed as a Type III procedure (ARTICLE X.D). The application shall meet submission requirements in Section 4.4.300, and the approval criteria contained in ARTICLE XIII.D.

2. **Modification of Approved or Existing Conditional Use**. Modifications to approved or existing conditional uses shall be processed in accordance with ARTICLE XV - Modifications.

C. Conditional Use Permits - Application Submission Requirements

In addition to the submission requirements required in ARTICLE XI, an application for conditional use approval must include the following information (a-h), as applicable. For a description of each item, please refer to ARTICLE XI.E - Site Design Review Application Submission Requirements:

D. Conditional Use Permits - Criteria, Standards and Conditions of Approval

The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the standards and criteria in 1-3.

1. Use Criteria.

a. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;

b. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; ~~and~~

c. All required public facilities have adequate capacity to serve the proposal; and

d. Formula-Based Businesses less than 10,000 sq ft may be allowed if it does not adversely impact the character of downtown based on consideration of the following criteria:

1. The availability of other similar uses within the district and within the vicinity of the proposed project.
2. The formula-based establishment will contribute to the small business and entrepreneurial environment.
3. The proposed use, together with its design and improvement, is consistent with the unique historic character of Coburg, and would preserve the distinctive visual appearance and shopping experience of Coburg for its residents and visitors.
4. The formula-based establishment will serve an appropriate balance, and be mutually beneficial to surrounding businesses by contributing to the economic health of the whole district.
~~c.~~ 5. The existing commercial vacancy rates within the district and within the vicinity of the proposed project.~~.~~

2. Site Design Standards. The Site Design Review approval criteria (ARTICLE XI.F) shall be met.

3. Conditions of Approval. The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

a. Limiting the hours, days, place and/or manner of operation;

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b. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor and/or dust;

c. Requiring larger setback areas, lot area, and/or lot depth or width;

d. Limiting the building or structure height, size or lot coverage, and/or location on the site;

e. Designating the size, number, location and/or design of vehicle access points or parking areas;

f. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;

g. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;

h. Limiting the number, size, location, height and/or lighting of signs;

i. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;

j. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;

k. Requiring and designating the size, height, location and/or materials for fences;

l. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;

m. Requiring the dedication of sufficient land to the public, and/or construction of pedestrian/bicycle pathways in accordance with the adopted plans, or requiring the recording of a local improvement district non-remonstrance agreement for the same.

4. Land Use Applications on property within the Interchange Area Management Plan (IAMP).

a. The City and County shall coordinate with Oregon Department of Transportation (ODOT) in the review of land use applications on property

that is partially or wholly within the IAMP boundary. Land use actions within the IAMP that may affect the performance of an interchange, such as zone changes, land development applications, and requests for new local access, will be consistent with the adopted IAMP. The City Planner shall include ODOT as an agency referral partner. Actions not consistent with the IAMP may only be approved by also amending the IAMP and related transportation system plans consistent with OAR 660-012-0050 and 0055. IAMP boundary map can be found in ARTICLE X, Map Figure 1.

E. Conditional Use Permits - Additional Development Standards

1. Concurrent Variance Application(s). A conditional use permit shall not grant variances to regulations otherwise prescribed by the Development Code. Variance application(s) may be filed in conjunction with the conditional use application, and both applications may be reviewed at the same hearing.

2. Additional Development Standards. Development standards for specific uses are contained in ARTICLE VII- District Regulations.

ARTICLE XIV MASTER PLANNED DEVELOPMENTS

Sections:

A. Master Planned Development - Purpose
B. Master Planned Development - Applicability
C. Master Planned Development - Review and Approvals Process
D. Master Planned Development - Modification of District Regulations and Supplementary District Regulations (Design Standard)
E. Master Planned Development - Overlay Zone and Concept Plan Submission
F. Master Planned Development - Overlay Zone and Concept Plan Approval Criteria
G. Master Planned Development - Administrative Procedures
H. Master Planned Development - Detailed Development Plan Submission Requirements
I. Master Planned Development - Detailed Development Plan Approval Criteria
J. Master Planned Development - Land Use Review, Site Design Review, Final Plat, and Building Permit Approvals

A. Master Planned Development - Purpose

The purposes of this Section are to:

1. Implement the Comprehensive Plan and applicable land use district(s) by providing a means for master planning large development sites;

2. Encourage innovative planning that results in projects that benefit the community (i.e., through compatible mixed use development, improved protection of open spaces, transportation options and consistent application of standards in phased developments);

3. Encourage developments that recognize the relationship between buildings, their use, open space, and transportation options, providing varied opportunities for innovative and diversified employment environments;

4. Facilitate the efficient use of land;

5. Promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;

6. Preserve to the greatest extent possible the existing landscape features and amenities that may not otherwise be protected through conventional development;

7. Encourage energy conservation and improved air and water quality and;

8. Assist the City in planning and building infrastructure improvements.

B. Master Planned Development – Applicability

The master planned development designation is an overlay zone that may be applied over any of the City's land use districts. An overlay zone allows the City to maintain current zoning designations while providing design controls and phased projects for the applicant. An applicant may elect to develop a project as a master planned development in compliance with the requirements of this section.

1. In addition, the following types of development may be processed using the provisions of master planned development:

   a. Subdivisions of large residential and commercial sites one (1) acre and larger, in accordance with the Master Planned Development standards consistent with ARTICLE VII District Regulations and ARTICLE VIII Supplementary District Regulations and other applicable sections of the Coburg Zoning Code.

   b. District designation for large residential and commercial sites undergoing annexation.

2. The following types of development shall be processed using the provisions of master planned development:

   a. Any proposed development or land use action on property that falls within the IAMP.

   b. Any proposed development or land use action on property within the CI zone or property within the Light Industrial zone east of Interstate 5. Prior to submittal of a master plan application, an applicant shall coordinate with Lane Transit District regarding facilities necessary to support transit, including but not limited to service routes, walkways to transit stops, bus stops, waiting shelters or areas, or turnouts for buses. The City may require the developer to construct or contribute toward construction of transit facilities to the extent allowed by law.

C. Master Planned Development - Review and Approvals Process

1. Review Steps. There are three required steps to planned development approval, which may be reviewed individually or combined into one package for concurrent review:

a. The approval of a planned development overlay zone and concept plan;

b. The approval of a detailed development plan; and

c. The approval of a preliminary subdivision plat(s) and/or site design review
application(s).

2. Approval Process.

a. The Master Planned Development (PD) overlay zone and Concept Plan shall be reviewed together using the Type IV procedure in ARTICLE X.D, the submission requirements in ARTICLE XIV.H, and the approval criteria in ARTICLE XIV.I.

b. The detailed development plan shall be reviewed using the Type III procedure in ARTICLE X.D, to ensure substantial compliance with the approved concept plan.

c. Preliminary subdivision plats and site design review applications for approved planned developments shall be reviewed using a Type III procedure, as governed by ARTICLE X.D.

d. Steps a-c, above, may be combined in any manner, so long as the decision-making sequence follows that in ARTICLE XIV.C, above. Notification and hearings may be combined.

D. <u>Master Planned Development - Modification of District Regulations (ARTICLE VII) and Supplemental District Regulations (Design Standards) (ARTICLE VIII)</u>

The district standards in ARTICLE VII and Supplemental District Regulations (design standards) of ARTICLE VIII may be modified through the master plan approval without the need for variances, except that the following standards within ARTICLES VII and VIII shall not be modified:

1. Public improvement standards and engineering design criteria shall not be modified without variance to such standards approved by the City Engineer. The City may grant such variances concurrently with other Planned Development approvals;

2. Residential densities, as allowed under the Comprehensive Plan; and

3. Industrial and commercial uses, if not otherwise allowed in a Residential District as, e.g. multiuse facilities, shall not be allowed in a Residential District master plan.

E. Master Planned Development - Overlay Zone and Concept Plan Submission

1. General Submission Requirements. The applicant shall submit an application containing all of the general information required for a Type IV procedure, as governed by ARTICLE X.E. In addition, the applicant shall submit the following:

a. A statement of planning objectives to be achieved by the planned development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.

b. A development schedule indicating the approximate dates when construction of the planned development and its various phases are expected to be initiated and completed.

c. Narrative report or letter documenting compliance with the applicable approval criteria contained in ARTICLE XIV.I.

d. Special studies prepared by qualified professionals may be required by the City Planning Official, Planning Commission or City Council to determine potential traffic, geologic, noise, environmental, natural resource and other impacts, and required mitigation.

2. Additional Information. In addition to the general information described in Subsection "1" above, the concept plan, data, and narrative shall include the following exhibits and information:

a. Existing Conditions map, as defined in ARTICLE XI.E - Site Review Permit Application Submission Requirements;

b. Conceptual site plan (e.g., general land use, building envelopes, circulation, open space, utility connections, and other information necessary to convey the concept plan);

c. Grading concept (for hillside or sloping properties, or where extensive grading is anticipated);

d. Landscape concept (e.g., shows retention of existing vegetation and general planting areas);

e. Architectural concept (e.g., information sufficient to describe architectural styles, building heights, and general materials);

f. Sign concept plan (e.g., locations, general size, style and materials of signs);

g. Copy of all existing covenants and restrictions, and general description of proposed restrictions or covenants (e.g., for common areas, access, parking, etc.).

F. Master Planned Development - Overlay Zone and Concept Plan Approval Criteria

The City shall make findings that all of the following criteria are satisfied when approving or approving with conditions, the overlay zone and concept plan. The City shall make findings that not all of the criteria are not satisfied when denying an application:

1. **Comprehensive Plan**. All relevant provisions of the Comprehensive Plan are met;

2. **Land Division Chapter**. All of the requirements for land divisions and subdivisions, as applicable, shall be met in accordance with ARTICLE XII Land Divisions and Property Line Adjustments.

3. **Article 2 and Article 3 Standards**. All of the land use, development, and design standards contained in ARTICLES VII and VIII are met, except as may be modified in ARTICLE XV.D.

4. **Open Space**. Master plans shall contain a minimum of 20 percent open space. Public open space shall be integral to residential master plans. Commercial developments may provide private or restricted open space, though public open space is encouraged in commercial developments. Plans shall emphasize public gathering places such as plazas, neighborhood parks, trails, and other publicly accessible spaces that integrate land use and transportation. Where public or common private open space is designated, the following standards apply:

a. The open space area shall be shown on the final plan and recorded with the final plat or separate instrument; and

b. The open space shall be conveyed in accordance with one of the following methods:

(1) By dedication to the City as publicly owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the City Planning Official with regard to the size, shape, location, improvement, environmental condition (i.e., the

applicant may be required to provide a level one environmental assessment), and budgetary and maintenance abilities;

(2) By leasing or conveying title (including beneficial ownership) to a corporation, home association or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the City.

(3) The property owner may record a conservation easement with maintenance requirements to steward the landscaping and vegetation for either residential or commercial properties.

G. Master Planned Development - Administrative Procedures

1. Land Use District Map Designation. After a planned development overlay zone has been approved, the land use district map shall be amended in accordance with ARTICLE X.VI Land Use District Map and Text Amendments to indicate the approved planned development designation for the subject development site. The approval of the planned development overlay zone shall not expire.

2. Time Limit on Filing of Detailed Development Plan. Within one (1) year after the date of approval of the concept plan, the applicant or his or her successor shall prepare and file with the City a detailed development plan, in conformance with ARTICLE XIV.H-I.

3. Extension. The City shall, upon written request by the applicant and payment of the required fee, grant a written extension of the approval period not to exceed one year provided that:

a. No changes have been made on the original conceptual development plan as approved;

b. The applicant can show intent of applying for detailed development plan review within the one- year extension period;

c. There have been no changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based; and

d. The extension request is made before expiration of the original approval period.

H. Master Planned Development - Detailed Development Plan Submission Requirements

The contents of the detailed development plan shall be determined based on the conditions of approval for the concept plan. At a minimum, the detailed development plan shall identify the final proposed location of all lots, tracts, parcels, open space, rights-of-way, building envelopes and other features, prior to approval of a development permit. The detailed development plan may combine land division, development review, site design review, and/or other applications for concurrent review and approval. The detailed development plan shall be reviewed using a Type III procedure.

I. Master Planned Development - Detailed Development Plan Approval Criteria

The City shall approve the detailed development plan upon finding that the final plan conforms to the concept plan and required conditions of approval. If the detailed plan request combines other land use and development applications, as provided in ARTICLE XIV.I, those applications shall additionally be subject to the applicable approval criteria in ARTICLE X. Minor changes to the approved concept plan may be approved with the detailed plan, when the approval body finds that the modification(s) is/are consistent with the criteria in 1-8, below. Changes exceeding those in subsections 1-8, below, must be reviewed as major modifications under ARTICLE XV, Modifications to Approved Plans and Conditions of Approval.

1. **Increased residential densities** (overall or reallocated between development phases) by no more than 10 percent, provided such increase conforms to the Comprehensive Plan and underlying District;
2. **Increase in lot coverage or impervious surface** (overall or reallocated between development phases) by no more than 10 percent over that which is approved;
3. **Reduction in open space or landscaping** by no more than 10 percent;
4. **Increase in overall automobile parking spaces** by no more than 10 percent;
5. **Land use.** No change in land use shall be permitted without a major modification to the concept plan;
6. **Proposals to add or increase lot coverage within an environmentally sensitive areas (sensitive lands, e.g. wetlands) or areas subject to a potential hazard** shall require a major modification to the concept plan;
7. **Major changes in the location of buildings, proposed streets, parking lot configuration, utility easements, landscaping or other site improvements shall require a Major Modification pursuant to ARTICLE XV, Modifications to Approved Plans and Conditions of Approval.** "Major" in this subsection means by more than 100 feet, or 10 percent, relative to setbacks; and
8. **Other substantial modifications** not listed in 1-8, above, shall require approval of a major modification, in conformance with ARTICLE XV,

Modifications to Approved Plans and Conditions of Approval.

J. Master Planned Development - Land Use Review, Site Design Review, Final Plat, and Building Permit Approvals

1. Land Use and Site Design Reviews. For projects requiring land use or site design review, all such approvals must be final and appeal periods expired before the City issues building permits. ARTICLE XI applies to site design review.

2. Land Divisions. For projects requiring a land division and subdivision, the preliminary land division plats must be final and appeal periods expired before a final plat is approved and building permits issued**.** ARTICLE XII applies to land divisions.

3. Streamlined Review Option. Applications for preliminary land division plats, land use reviews, and site design review applications that are part of an approved master planned development may be reviewed using a Type II procedure, rather than the conventional Type III procedure. This shall be the applicant's option. The variation from the standard procedures of ARTICLE XI - Site Design Review, and ARTICLE XII - Land Divisions is intended to streamline review of projects that **have received master planned development approvals**, since those projects have previously been subject to public review and hearings.

ARTICLE XV. MODIFICATIONS TO APPROVED PLANS AND CONDITIONS OF APPROVAL

Sections:

A. Modifications - Purpose
B. Modifications - Applicability
C. Major Modifications
D. Minor Modifications

A. Modifications - Purpose

The purpose of this Chapter is to provide an efficient process for modifying land use decisions and approved development plans, in recognition of the cost and complexity of land development and the need to conserve City resources.

B. Modifications - Applicability

1. This Chapter applies to all development applications approved through the provisions of ARTICLE X, including:

    a. Land Use Review approvals;

    b. Site Design Review approvals;

    c. Subdivisions, Partitions, and Property Line Adjustments;

    d. Conditional Use Permits;

    e. Master Planned Developments; and

    f. Conditions of approval on any of the above permit types.

2. This Chapter does not apply to Comprehensive Plan amendments, land use district changes, text amendments, annexations, temporary use permits, or other permits not listed in subsection 1.

C. Major Modifications

1. Major Modification Defined. The City Planning Official shall determine that a major modification(s) is required if one or more of the changes

listed below are proposed:

a. A change in land use;

b. An increase in density by more than ten (10) percent, provided the resulting density does not exceed that allowed by the land use district;

c. A change in setbacks or lot coverage by more than 10 percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district;

d. A change in the type and/or location of access-ways, drives or parking areas affecting off-site traffic;

e. An increase in the floor area proposed for non-residential use by more than 15 percent where previously specified;

f. A reduction of more than 10 percent of the area reserved for common open space; or

g. Change to a condition of approval, or a change similar to items 1-6, that could have a detrimental impact on adjoining properties. The City Planning Official shall have discretion in determining detrimental impacts warranting a major modification.

2. Major Modification Applications; Approval Criteria. An applicant may request a major modification using a Type II or Type III review procedure, as follows:

a. Upon the City Planning Official determining that the proposed modification is a major modification, the applicant shall submit an application form, filing fee and narrative, and a site plan using the same plan format as in the original approval. The Planning Official may require other relevant information, as necessary, to evaluate the request.

b. The application shall be subject to the same review procedure (Type II or III), decision making body, and approval criteria used for the initial project approval, except that adding a conditional use to an approved project shall be reviewed using a Type III procedure.

c. The scope of review shall be limited to the modification request. For example, a request to modify a parking lot shall require site design review only for the proposed parking lot and any changes to associated access, circulation, pathways, lighting, trees, and landscaping. Notice shall be

provided in accordance with ARTICLE X.

d. The decision making body shall approve, deny, or approve with conditions an
application for major modification based on written findings on the criteria.

D. Minor Modifications

1. Minor Modification. Any modification to a land use decision or approved development plan that is not within the description of a major modification as provided in ARTICLE XV. ~~Section 4.6.300.A, above~~.

2. Minor Modification Review Procedure. An application for approval of a minor modification shall be reviewed by the Planning Official using a Type I or a Type II review procedure under ARTICLE X.B or C. The Planning Official is responsible for determining the appropriate review procedure based on the following criteria:

a. Minor modifications that involve only clear and objective code standards may be reviewed using a Type I procedure;

b. Minor modifications that involve one or more discretionary standards shall be reviewed through Type II procedure; and

c. When the code is unclear on whether the application should be a Type I or Type II review, a Type II procedure shall be used.

3. Minor Modification Applications. An application for minor modification shall include an application form, filing fee and narrative, and a site plan using the same plan format as in the original approval. The Planning Official may require other relevant information, as necessary, to evaluate the request.

4. Minor Modification Approval Criteria. The Planning Official shall approve, deny, or approve with conditions an application for minor modification based on written findings that the modification is in compliance with all applicable requirements of the Development Code and conditions of approval on the original decision, and the modification is not a major modification as described in ARTICLE XV.C, above.

ARTICLE XVI. LAND USE DISTRICT MAP AND TEXT AMENDMENTS

Sections:

A. Amendments - Purpose
B. Legislative Amendments
C. Quasi-Judicial Amendments
D. Conditions of Approval on Quasi-Judicial Amendments
E. Record of Amendments
F. Transportation Planning Rule Compliance

A. Amendments - Purpose

The purpose of this chapter is to provide standards and procedures for legislative and quasi-judicial amendments to this Code and the land use district map. These will be referred to as "map and text amendments." Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.

B. Legislative Amendments

Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in ARTICLE XI.E and shall conform to the Transportation Planning Rule provisions in ARTICLE XVI.F, as applicable.

C. Quasi-Judicial Amendments

1. **Applicability of Quasi-Judicial Amendments**. Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial district map amendments shall follow the Type III procedure, as governed by ARTICLE X.D, using standards of approval in ARTICLE XVI.C.2. The approval authority shall be as follows:

    a. The Planning Commission shall review and recommend land use district map changes that do not involve comprehensive plan map amendments;

    b. The Planning Commission shall make a recommendation to the City Council on an application for a comprehensive plan map amendment. The City Council shall decide such applications; and

c. The Planning Commission shall make a recommendation to the City Council on a land use district change application that also involves a comprehensive plan map amendment application. The City Council shall decide both applications.

2. Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

a. Approval of the request is consistent with the Statewide Planning Goals;

b. Approval of the request is consistent with the Comprehensive Plan;

c. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and

d. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding the property which is the subject of the application; and

e. The amendment conforms to the Transportation Planning Rule provisions under
ARTICLE XVI.F.

D. Conditions of Approval for Quasi-Judicial Amendments

A quasi-judicial decision may be for denial, approval, or approval with conditions; conditions shall be based on applicable regulations and factual evidence in the record. A legislative amendment may only be approved or denied.

E. Record of Amendments

The City Recorder shall maintain a record of amendments to the text of this Code and the land use districts map in a format convenient for public use.

F. Transportation Planning Rule Compliance

1. Review of Applications for Effect on Transportation Facilities. When a development application includes a proposed comprehensive plan

amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – TPR) and the Traffic Impact Study provisions of Section 4.1.900. "Significant" means the proposal would:

a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the City's Transportation System Plan ("TSP"); or

b. Change the standards implementing a functional classification system; or

c. As measured at the end of the planning period [identified in the road authority's adopted transportation system plan (TSP) / City's Comprehensive Plan allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; or

d. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the [road authority's transportation system plan (TSP) / City's Comprehensive Plan]; or

e. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the [road authority's transportation system plan (TSP) / City's Comprehensive Plan.

2. Amendments That Affect Transportation Facilities. Except as provided in subsection C, amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility. This shall be accomplished by one of the following:

a. Adopting measures that demonstrate that allowed land uses are consistent with the planned function of the transportation facility; or

b. Amending the TSP or Comprehensive Plan to provide transportation facilities, improvements, or services adequate to support the proposed land uses; such amendments shall include a funding plan to ensure the

facility, improvement, or service will be provided by the end of the planning period; or,

c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or

d. Amending the planned function, capacity or performance standards of the
transportation facility; or

e. Providing other measures as a condition of development or through a development agreement or similar funding method, specifying when such measures will be provided.

3. **Exceptions.** Amendments to the Comprehensive Plan or land use regulations with a significant effect on a transportation facility, where the facility is already performing below the minimum acceptable performance standard identified in the [road authority's TSP / City's Comprehensive Plan, may be approved when all of the following criteria are met:

a. The amendment does not include property located in an interchange area, as defined under applicable law;

b. The currently planned facilities, improvements or services are not adequate to achieve the standard;

c. Development resulting from the amendment will, at a minimum, mitigates the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development; and

d. The road authority provides a written statement that the proposed funding and timing for the proposed development mitigation are sufficient to avoid further degradation to the facility.

ARTICLE XVII. CODE INTERPRETATIONS

Sections:

A. Interpretations - Purpose
B. Code Interpretation Procedure

A. Interpretations - Purpose

Some terms or phrases within the Code may have two or more reasonable meanings. This section provides a process for resolving differences in the interpretation of the Code text.

B. Code Interpretation Procedure

1. **Requests**. A request for a code interpretation shall be made in writing to the City Planning Official.

2. **Decision to Issue Interpretation**. The Planning Official shall have the authority to interpret the code, or refer the request to the Planning Commission for its interpretation. The Planning Official shall advise the person making the inquiry in writing within 14 days after the request is made, on whether or not the City will make an interpretation.

3. **Written Interpretation**. If the City decides to issue an interpretation, it shall be issued in writing and shall be mailed or delivered to the person requesting the interpretation and any other person who specifically requested a copy. The written interpretation shall be issued within 14 days of the request. The decision shall become effective 14 days later, unless an appeal is filed in accordance with 4-5 below.

4. **Type II Procedure**. Code Interpretations shall be made using a Type II procedure under ARTICLE X.C.

5. **Appeals**. The applicant and any party who received notice or who participated in the proceedings through the submission of written or verbal evidence may appeal the decision to the Planning Commission for a Type III decision. The appeal must be filed within 14 days after the interpretation was mailed or delivered to the applicant. Initiating an appeal requires filing a notice of appeal with the City Planning Official pursuant to ARTICLE X.F.

6. **Interpretations On File.** The City shall keep on file a record of all code interpretations.

ARTICLE XVIII. MISCELLANEOUS PERMITS

Sections:

A. Temporary Use Permits
B. Home Occupation Permits

A. Temporary Use Permits

Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Temporary uses include, but are not limited to: construction trailers, leasing offices, temporary carnivals and fairs, parking lot sales, retail warehouse sales, and seasonal sales such as Christmas tree sales and vegetable stands. Three types of temporary uses require permit approval (See 1, 2 and 3):

1. **Seasonal and Special Events**. These types of uses occur only once in a calendar year and for no longer a period than 30 days. **For events not covered by the Coburg Special Events Ordinance,** using the Type II procedure under ARTICLE X.C, the City shall approve, approve with conditions or deny a temporary use permit based on findings that all of the following criteria are satisfied:

a. The use is permitted in the underlying land use district and does not violate any conditions of approval for the property (e.g., prior development permit approval);

b. The applicant has proof of the property-owner's permission to place the use on his/her property;

c. No parking will be utilized by customers and employees of the temporary use which is needed by the property owner to meet their minimum parking requirement under ARTICLE VIII Supplementary District Regulations Vehicle and Bicycle Parking;

d. The use provides adequate vision clearance, as required by ARTICLE VIII Supplementary District Regulations, and shall not obstruct pedestrian access on public streets;

e. Ingress and egress are safe and adequate when combined with the other uses of the property; as required by ARTICLE VIII Supplementary District

Regulations - Vehicular Access and Circulation;

f. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare or lights that affect an adjoining use in a manner in which other uses allowed outright in the district do not affect the adjoining use; and

g. The use is adequately served by sewer or septic system and water, if applicable. (The applicant shall be responsible for obtaining any related permits.)

2. Temporary Sales Office or Model Home. Using a Type I procedure under ARTICLE X.B, the City may approve, approve with conditions or deny an application for the use of any real property within the City as a temporary sales office, offices for the purpose of facilitating the sale of real property, or model home in any subdivision or tract of land within the City, but for no other purpose, based on the following criteria:

a. Temporary sales office:

(1) The temporary sales office shall be located within the boundaries of the subdivision or tract of land in which the real property is to be sold;
(2) The property to be used for a temporary sales office shall not be permanently improved for that purpose;
(3) Conditions may be imposed regarding temporary utility connections, and as necessary to protect public health, safety, or welfare.

b. Model house:

(1) The model house shall be located within the boundaries of the subdivision or tract of land where the real property to be sold is situated; and
(2) The model house shall be designed as a permanent structure that meets all relevant requirements of this Code and other applicable codes and permit requirements.

3. Temporary Building, Trailer, Kiosk, or Structure. Temporary or permanent placement of a building, trailer, kiosk, or structure, including but not limited to prefabricated building(s), for use on any real commercial or industrial property within the City shall require a development permit. Using a Type II procedure, as governed by Section 4.1.400, the City may approve, approve with conditions or deny an application for a placement of a building, trailer,

kiosk, or structure for temporary use, or temporary placement, such as a temporary commercial or industrial use or space associated with the primary use on the property, based on following criteria:

a. The temporary trailer or building shall be located within the specified property line setbacks of the parcel of land on which it is located;

b. The primary use on the property to be used for a temporary trailer is already developed;

c. Ingress and egress are safe and adequate as demonstrated by an approach permit approved by the road authority, as applicable. See also, ARTICLE VIII Supplemental District Regulations - Vehicular Access and Circulation;

d. There is adequate parking for the customers or users of the temporary use as required by ARTICLE VIII Supplemental District Regulations - Bicycle and Vehicle Parking;

e. The use will not result in vehicular congestion on streets;

f. The use will pose no impediment or hazard to pedestrians in the area of the use;

g. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare or lights that affect an adjoining use in a manner which other uses allowed outright in the district do not affect the adjoining use;

h. The building complies with applicable building codes;

i. The use can be adequately served by sewer or septic system and water, if applicable. (The applicant shall be responsible for obtaining any related permits);

j. The length of time that the temporary building will be used does not exceed 6 months. When a temporary building exceeds this time frame, the applicant shall be required to remove the building, or renew the temporary use permit;

k. Conditions may be imposed regarding temporary utility connections, and as necessary to protect public health, safety, or welfare.

B. Home Occupation Permits

1. Purpose

The purpose of this Section is to encourage those who are engaged in small commercial ventures that do not conform to the District Regulations. The standards referenced above allow home occupations as outright permitted uses that do not require Development Review or Site Design Review.

ARTICLE XVIII.B provides a process for more intense home occupations to be allowed with Site Design Review by the Planning Commission and notice to surrounding property owners. These home occupations may be permitted, with conditions of approval when appropriate, in order to increase the benefits of people working and living in the same place, while protecting neighboring residents from adverse impacts of home occupation activities. These benefits to the business owner and to the general public include: reduced number of commute-to-work trips, day-time "eyes on the street" at the residence, and a neighborhood-scale version of mixed residential and commercial uses.

2. Approval Process and Criteria

a. Home Occupation Permit. Applications for proposals that cannot meet all of the standards shall be processed using a Type III procedure, as governed by ARTICLE X.D using the approval criteria in subsection 2, below. In addition to the application requirements contained in ARTICLE X.D, the applicant shall provide:

(1) A written narrative or letter:

(i) Describing the proposed home occupation;
(ii) Demonstrating compliance with that the standards have be met, and explaining why the other standards cannot be met, and
(iii) Demonstrating compliance with the criteria in subsection 2 below;

(2) A site plan, not necessarily to scale, of the lot proposed for the home occupation, including:

(i) The property lines and their dimensions;
(ii) Outlines of the foundations of all buildings proposed for home occupation use with dimensions for each wall, and the distances from each wall to the nearest property line;
(iii) Boundaries and dimensions of driveways and parking areas,

indicating areas for use by home occupation employees and customers;

(iv) Outlines of the foundations of abutting residences, and the distances from the shared property line to the nearest wall of each neighboring residence; and

(v) Identifying the buildings and areas of those buildings in which home occupation activities will take place, and identifying which activities will take place in which buildings and areas.

b. The City shall approve, approve with conditions, or deny an application for a Type III home occupation based on all of the following criteria:

(1) The proposed use will not be materially detrimental to the stated purposes of applicable Code requirements and to other properties within a radius of 100 feet of the subject property;

(2) Impacts to surrounding properties may exist but can be mitigated;

(3) Existing physical and natural systems, such as, but not limited to drainage, natural resources, and parks, will not be adversely affected any more than would occur if the development occurred in compliance with the Home Occupation standards.

ARTICLE XIX. VARIANCES

Sections:

A. Purpose
B. Applicability
C. Variance Procedure

A. Purpose

This section provides procedures for variances, which are modifications to land use or development standards that are not otherwise permitted elsewhere in this Code as exceptions to code standards. This Code cannot provide standards to fit every potential development situation. The City acknowledges that complexities of land development require flexibility. A variance process provides flexibility, while maintaining the purposes and intent of the Code. The variance procedures provide relief from specific code provisions when they have the unintended effect of preventing reasonable development in conformance with all other codes.

B. Variances - Applicability

1. **Exceptions and Modifications versus Variances.** A code standard or approval criterion ("code section") may be modified without approval of a variance if the applicable code section expressly allows exceptions or modifications. If the code section does not expressly provide for exceptions or modifications, then a variance is required to modify that code section and the provisions of Chapter 5.1 apply.

2. **Combining Variances with Other Approvals; Permit Approvals by Other Agencies.** Variance requests may be combined with and reviewed concurrently by the City approval body with other land use and development applications (e.g., development review, site design review, subdivision, conditional use, etc.), however, some variances may be subject to approval by other permitting agencies, such as ODOT in the case of State Highway access.

C. Variance Procedure

A variance from the terms of this ordinance shall not be granted by the Planning Commission unless and until:

1. **A written application for a variance is submitted demonstrating:**

a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

b. That literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district, under the terms of this Code;

c. That the special conditions and circumstances do not result from the actions of the applicant;

d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, structures, or buildings in the same district.

e. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

2. **Notice.** Notice of public hearing shall be given in accordance with a Type III procedure ARTICLE X.D.

3. **Approval Criteria**

a. The Planning Commission shall make findings that the requirements of ARTICLE X.IX.C.1, above, have been met by the applicant for a variance.

b. The Planning Commission shall I further make a finding that the reasons set forth in the application, justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

c. The Planning Commission shall I further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

d. In granting any variance, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this Code. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Code and punishable under ARTICLE XXIV. of this Code.

e. Under no circumstances, shall the Planning Commission grant a variance to allow a use not permissible under the terms of this Code in the district involved or any use expressly or by implication prohibited by the terms of this Code in said district.

ARTICLE XX. BOUNDARY CHANGES (ANNEXATION)

Sections:

A. Annexation and Withdrawal Procedures and Criteria
B. Extraterritorial Extension of Water, Storm water and Sewer Service
C. Definitions

A. Annexation and Withdrawal Procedures and Criteria

1. **Annexation Initiation and Review**. An annexation application may be initiated by City Council resolution, or by written consents from electors and/or property owners as provided for in ARTICLE X.X.C.18. Annexation applications are reviewed under Type II procedures per ARTICLE X.C. The City Council shall approve proposed annexations by Ordinance. Other annexation proposals permitted by ORS 222 shall be processed as provided in ORS 222.

2. **Application Requirements**. In addition to the provisions specified in other articles of this Code, an annexation application shall include the following:

a. A list of all owners, including partial holders of owner interest, within the affected territory, indicating for each owner:

(1) The affected tax lots, including the township, section and range numbers;
(2) The street or site addresses within the affected territory as shown in the Lane County Regional Land Information Database system (RLID);
(3) A list of all eligible electors registered at an address within the affected territory; and
(4) Signed petitions, as may be required.

b. Written consents on City-approved petition forms that are:

(1) Completed and signed, in accordance with ORS 222.125, by:

(i) All of the owners within the affected territory; and
(ii) Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or

(2) Completed and signed, in accordance with ORS 222.170, by:

(i) More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory; or

(ii) A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land.

(iii) Publicly owned rights-of-way can be added to annexations initiated by these two methods without any consents.

c. A City Council resolution to initiate a boundary change, including but not limited to rights-of way.

d. In lieu of a petition form described in ARTICLE X.X.A.2.b2 above, an owner's consent may be indicated on a previously executed Consent to Annex form that has not yet expired as specified in ORS 222.173.

e. Verification of Property Owners form signed by the Lane County Department of Assessment and Taxation.

f. A Certificate of Electors form signed by the Lane County Elections/Voter Registration Department including the name and address of each elector.

g. An ORS 197.352 waiver form signed by each owner within the affected territory.

h. A waiver form signed by each owner within the affected territory as allowed by ORS 222.173.

i. A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.

j. A Lane County Assessor's Cadastral Map to scale highlighting the affected territory and its relationship to the city limits.

k. A vicinity map.

l. A list of the special districts providing services to the affected territory.

m. A public/private utility plan describing how the proposed affected territory can be served by key facilities and services.

n. A signed Annexation Agreement to resolve fiscal impacts upon the City caused by the proposed annexation. The Annexation Agreement shall address, at a minimum, connection to and extension of public facilities and services. Connection to public facilities and services shall be at the discretion of the City, unless otherwise required by ORS. Where public facilities and services are available and can be extended, the applicant shall be required to do so.

o. A written narrative addressing the proposal's consistency with the approval criteria specified in ARTICLE X.X.A.4.

3. **Notice**. In addition to the requirements of ARTICLE X, the following notice requirements are also required for annexations:

a. Mailed Notice. Notice of the annexation application shall be mailed to:

(1) The applicant, property owner and active electors in the affected territory;
(2) Owners and occupants of properties located within 300 feet of the perimeter of the affected territory;
(3) Affected special districts and all other public utility providers; and
(4) Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.

b. Posted Notice. Notice of the public hearing at which an annexation application will be considered shall be posted in four public places in the City for two successive weeks prior to the hearing date.

4. **Criteria**. An annexation application may be approved only if the City Council finds that the proposal conforms to the following criteria:

a. The affected territory proposed to be annexed is within the City's urban growth boundary, and is;

(1) Contiguous to the City limits; or
(2) Separated from the City only by a public right-of-way or a stream, lake or other body of water.

b. The proposed annexation is consistent with applicable policies in the Coburg Comprehensive Plan and in any applicable refinement plans;

c. The proposed annexation will result in a boundary in which key services can be provided.

d. Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

5. Application of Zoning Districts

a. Upon approval of the annexation by the City Council, the underlying Comprehensive Plan designation and current zoning consistent with the Comprehensive Plan designation shall apply.

b. An applicant may submit for a zoning map and Comprehensive Plan map amendment. The Commission will not deem an application complete for a zoning map amendment until the annexation has been approved by the City Council and becomes effective, as that term is described in ARTICLE X.X.A.5, and ARTICLE X.X.A.6 that follows.

6. Effective Date and Filing of Approved Annexation

a. The effective date of an approved annexation shall be set in accordance with ORS 222.040, 222.180 or 222.465.

b. Filing of Approved Annexation.

(1) Not later than 10 working days after the passage of an Ordinance approving an annexation, the City shall:

(i) Send by certified mail a notice to public utilities (as defined in ORS 757.005), electric cooperatives, and telecommunications carriers (as defined in ORS 133.721) operating within the City; and

(ii) Mail a notice of the annexation to the Secretary of State, Department of Revenue, Lane County Clerk, Lane County Assessor, affected districts, and owners and electors in the affected territory. The notice shall include:

(aa) A copy of the Ordinance approving the annexation;
(bb) A legal description and map of the annexed territory;
(cc) The findings; and
(dd) Each site address to be annexed as recorded on Lane County assessment and taxation rolls or found in RLID.

(iii) The notice to the Secretary of State will also include copies of the petitions signed by electors and/or owners of the affected territory as required in this Section.

(2) If the effective date of an annexation is more than one year after the City Council passes the Ordinance approving it, the City shall mail a notice of the annexation to the Lane County Clerk not sooner than 120 days and not later than 90 days prior to the effective date of the annexation.

7. Withdrawals Authorized by ORS 222.510 – 222.580

a. Withdrawal from special districts may occur concurrently with the approved annexation Ordinance or after the effective date of the annexation of territory to the City. The City Council shall consider the withdrawal of the annexed territory from special districts as specified in ORS 222.

b. Withdrawal from special districts processed separate from the process annexing the territory to the City requires a Public Hearing with notice as required in this Article and ARTICLE X.

c. Criteria. In determining whether to withdraw the territory, the City Council shall determine whether the withdrawal is in the best interest of the City.

d. Effective Date. The effective date of the withdrawal shall be as specified in ORS 222.465 as applicable.

e. Notice of Withdrawal. Notice will be provided in the same manner as specified in this Article and ARTICLE X.

8. Appeals. Appeals of any City Council decision made under ARTICLE X shall be to the Land Use Board of Appeals, as specified in ARTICLE X.

B. <u>Extraterritorial Extension of Water, Stormwater and Sewer Service</u>

1. Purpose

a. These regulations govern the approval of requests for the extension of water, stormwater, or sewer facilities outside of the city limits within the urban growth boundary or extensions that go beyond the city limits and urban growth boundary to serve property within the urban growth boundary. These regulations are intended to accomplish the orderly

development of land within the community, ensure the adequate provision of public facilities and services, protect the public health and safety of the community, and enable development to occur consistent with applicable provisions of the Comprehensive Plan.

b. The City shall not extend water, stormwater, or sanitary sewer service outside the urban growth boundary, unless a health hazard, as defined in ORS 222.840 - 222.915 is determined to exist. Annexation of the territory so served is required if the territory is within the urban growth boundary and is contiguous to the city limits. An alternative to annexation, if agreed to by the City and the owners of the affected property, may occur in the place of annexation.

c. Extraterritorial Service/Facility Contracts between a property owner and the City shall be initiated at the sole discretion of the City Council. The provisions of this contract shall be as directed by the City Council in response to the circumstances and conditions within the affected territory that are causative of the request for extraterritorial service.

2. **Applicability**. Regulations within this Article apply to applications requesting the extension and/or connection of water service or sewer service outside of the city limits and within the urban growth boundary, and stormwater service outside of the city limits and within or outside the urban growth boundary.

3. **Application Requirements**. In addition to the provisions specified in this Code, an extraterritorial extension of service application shall include the following:

a. A list of all tax lots proposed to be served, including street addresses and property owner names;

b. A legal description of the property to be served with water or sewer service;

c. A signed Consent to Annex form for the property proposed to be served;

d. A map drawn to scale showing the proposed extension of water, stormwater, or sanitary sewer lines to include the proposed number of service connections and their sizes and locations; and

e. A written narrative addressing the proposal's consistency with the approval criteria in ARTICLE X.X.B.4.

4. **Criteria**. The City Council shall review the application for extraterritorial extension of water, stormwater, or sewer service based on the approval criteria specified in (a) – (g) that follows:

a. The property proposed for water or sewer service is located within the city's urban growth boundary, or the property proposed for stormwater service is located within or outside the city's urban growth boundary;

b. Annexation of the property proposed to be served is currently not possible due to the inability to meet the criteria for annexation in ARTICLE XX.A;

c. The property proposed for service is not vacant;

d. The provision of service will not prolong uses that are nonconforming uses as specified in ARTICLE VI;

e. In the case of an application for extension of water service, the property to be served is connected with an approved means of sewage disposal;

f. The proposed extension is consistent with adopted resolutions, policies, plans, and ordinances concerning extraterritorial extensions; and

g. Even if a proposed extension is inconsistent with the criteria above, the City may approve an extraterritorial extension of water, stormwater, or sewer service:

(1) Where a communicable disease hazard exists and the extension is the only practical remedy as specified in ORS 222.840 - 222.915; or
(2) To property within a dissolved water district within which the City is providing service to some properties.

h. Even if a proposed extension is inconsistent with the criteria above, where the City currently provides water outside the urban growth boundary, the City shall consider new service connection requests only when an applicant can demonstrate that a health condition exists that will negatively impact the City of Coburg.

C. Definitions

Boundary Change-Related - Specific examples of terms related to boundary changes are as follows:

1. **Affected City**. A city, city-county or cities, named in a petition, for which a boundary change is proposed or a city, city-county or cities, named in an ordinance or order, for which a boundary change is ordered.

2. **Affected County**. Each county that contains any territory for which a boundary change is proposed or ordered.

3. **Affected District**. Each special district named in a petition that contains or would contain territory for which a boundary change is proposed or ordered. Affected district also means a district or districts, named in a petition, for which a boundary change is proposed or ordered.

4. **Affected Territory**. Territory described in a petition. Affected territory also means an area within the urban growth boundary of a city that is otherwise eligible for annexation to a city where there exists an actual or alleged danger to public health as defined in ORS 222.

5. **Annexation**. The attachment or addition of territory to, or inclusion of territory in, an existing city or district.

6. **Annexation Agreement**. A written agreement between the City and owners of land requesting annexation that states the terms, conditions and obligations of the parties to mitigate fiscal and service impacts to the City associated with the annexation and future development of the property. The agreement may be used to ensure annexation consistent with the Comprehensive Plan.

7. **Annexation Contract**. A contract between a city and a landowner relating to extraterritorial provision of service and consent to eventual annexation of property of the landowner. The contract shall be recorded and shall be binding on all successors with an interest in that property.

8. **Boundary Change**. An action by the City Council duly authorized by ORS 222 that results in the adjustment of the City limits or the boundary of a special district.

9. **Cadastral Map**. A map prepared by the Lane County Assessor's office showing bearings and distances and the boundaries of parcels, lots, and tracts of land.

10. **Consent to Annex**. Forms provided by the affected City that must be signed by the owner when urban services are provided to property that cannot annex. The Consent to Annex commits the property to future annexation, is recorded, and is binding on any successive owner or owners. The signature of the owner of part or all of the affected territory and electors, if any, is required, as applicable.

11. **Contiguous.** Territory that abuts the City limits at any point along the property's exterior boundary or separated from the City limits by a public right-of-way or a stream, bay, lake, or other body of water.

12. **Effective Date of Annexation**. The effective date of the boundary change as prescribed in ORS 222.040, 222.180, or 222.465.

13. **Elector**. An active registered voter at an address within the affected territory.

14. **Extraterritorial Connection of Service**. The connection of water or sanitary sewer service to developed property located outside the City limits and within the urban growth boundary.

15. **Extraterritorial Extension of a Facility**. The extension of a water or sanitary sewer line outside the City limits and within the urban growth boundary.

16. **Extraterritorial Service/Facility Contract**. A contract between the owner of property proposed to be served and the City specifying and identifying service provisions, obligations of the City and cost obligations of the owner of the affected territory. The decision to enter into such contract shall be initiated at the sole discretion of the City Council.

17. **Filing**. The submittal of materials to initiate a boundary change process.

18. **Initiation Methods**. Any of the following descriptions of participants and documentation necessary for commencement of City annexation process:

    a. All of the owners of land in the territory proposed to be annexed, and not less than 50 percent of the electors, if any, residing in the territory proposed to be annexed, have consented in writing to the annexation and file a statement of their consent to annexation with the City;

    b. More than half of the owners of land in the territory proposed for annexation who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in

writing to the annexation and file a statement of their consent to annexation with the City;

c. A majority of the electors registered in the territory proposed to be annexed and owners of more than half of the land in that territory consent in writing to the annexation and file a statement of their consent to annexation with the City;

d. The City Council may, without any vote or any consent by the owners, annex territory within the urban growth boundary if it is found that a danger to public health exists within that territory and that such condition can be removed or alleviated by sanitary, water or other facilities ordinarily provided by incorporated cities; or

e. The City Council may by resolution initiate annexation of right-of-way or other public land contiguous to the city limits.

19. **Legal Description**. As defined in ORS 308.225(2), which states: the legal description of the boundary change shall consist of a series of courses in which the first course shall start at a point of beginning and the final course shall end at that point of beginning. Each course shall be identified by bearings and distances and, when available, refer to deed lines, deed corners, and other monuments, or, in lieu of bearings and distances, be identified by reference to:

a. Township, range, section, or section subdivision lines of the U.S. Rectangular survey system.

b. Survey centerline or right-of-way lines of public roads, streets or highways.

c. Ordinary high water or ordinary low water of tidal lands.

d. Right-of-way lines of railroads.

e. Any line identified on the plat of any recorded subdivision defined in ORS 92.010.

f. Donation land claims.

g. Line of ordinary high water and line of ordinary low water of rivers and streams, as defined in ORS 274.005, or the thread of rivers and streams.

In lieu of the requirements of the above, boundary change areas conforming to areas of the U.S. Rectangular survey may be described by township, section,

quarter-section or quarter-quarter section, or if the areas conform to subdivision lots and blocks, may be described by lot and block description.

20. **Notice**. An ordinance, resolution, order, or other similar matter providing notice authorized or required to be published, posted, or mailed.

21. **Owner**. The legal owner of record according to the latest available Lane County tax assessment roll or, where there is an existing recorded land contract that is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land, each consenting owner is counted as a fraction to the same extent as the interest of the other owners and the same fraction is applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in the affected territory, the corporation must be considered the individual owner of that land.

22. **Petition**. Any document such as signature sheets, resolutions, orders, or articles of incorporation, required for initiating an annexation, withdrawal, or provision of extraterritorial services. In the case of a petition initiated by property owners, the person signing on behalf of a corporation or business must provide evidence showing that person is authorized to sign legal documents for the firm.

23. **Proceeding**. A proceeding to consider a boundary change.

24. **Proposal**. The set of documents required to initiate proceedings for a boundary change.

25. **Special District**. Any of the districts identified in ORS 198.

26. **Urbanizable Land**. Those lands between the city limits and Urban Growth Boundary.

27. **Urban Growth Boundary**. A site-specific line, delineated on a map or by written description that separates urban and urbanizable land from rural lands, that is part of a Comprehensive Plan.

29. **Withdrawal**. The detachment, disconnection or exclusion of territory from an existing city or district.

ARTICLE XXI. ZONE CHANGES

Sections:

A. Zone Change Procedures and Criteria

A. Zone Change Procedures and Criteria

1. Procedures for Amending Major Zoning Districts and Special Purpose Districts

A proposal to change the zoning of a special purpose district designation of a particular piece of property or area of the City may be initiated by the Planning Commission, City Council, or by petition of not less than half of the property owners representing more than half of the land area involved. Such proposals shall be considered under the Type II procedures an outlined in ARTICLE X.C. or by legislative action as provided for in Subsection B of ARTICLE X.VI of this Code. A Type II procedure may be used to change the designation of a special purpose district when the Commission established that the circumstance which created 'the special purpose district has been altered to the point that the additional requirements of the Special District would no longer serve the intended purpose for which they were created.

All proposals for District amendments shall be submitted to the Planning Commission on a form prescribed by the City and shall include payment of required fees prior to processing. When the President has determined that all of the required information has been submitted, the application shall be processed as required.

2. District Amendment Criteria

Any zoning or special purpose district amendment proposal considered under a Type II procedure must be demonstrated to be in conformance with each of the following criteria:

a. The proposed amendment conforms to the Comprehensive Plan or substantial changes have occurred which render the Comprehensive Plan inapplicable to the requested change and the Plan should be amended as proposed by the proponent of the change (in which case the Plan must be amended prior to final action on the District Amendment).

b. The proposed amendment fulfills a demonstrated public need for a particular activity or use of land within the area in question.

c. If residential zoning is involved, the proposed residential zone or zones best satisfies the objectives of the Comprehensive Plan and does not exclude opportunities for adequate provision of low and moderate housing within the subject neighborhood area.

d. When an application is received to change the zone of property which includes all or part of a mobile home park, written notice by first class mail shall be sent to each existing mailing address for tenants of the mobile home park at least 20 days but not more than 40 days before the date of the first hearing on the application.

[Adopted A-133C 12/12/89]

3. Land Use Applications that fall within the IAMP.

a. The City and County shall coordinate with ODOT in the review of land use applications for areas within the IAMP boundary. Land use actions within the IAMP that may affect the performance of an interchange, such as zone changes will be consistent with the adopted IAMP. The City Planner shall include ODOT as an agency referral partner. Actions not consistent with the IAMP may only be approved by also amending the IAMP and related transportation system plans consistent with OAR 660-012-0050 and 0055. Lands bounded by IAMP can be found in ARTICLE X.

ARTICLE XXII. COMPREHENSIVE PLAN AMENDMENTS

Sections:

A. Comprehensive Plan Amendment Procedures and Criteria
B. Plan Amendment Criteria

A. Comprehensive Plan Amendment Procedures and Criteria

1. Procedures for Amending the Comprehensive Land Use Plan

A proposal to amend the Comprehensive Land Use Plan including text, policies, Urban Growth Boundary, or map designations may be initiated by the Planning Commission, City Council or by petition of owners. Such proposals shall be considered under Type IV procedures as outlined in ARTICLE X.E.

B. Plan Amendment Criteria

1. Plan Amendment Criteria for Amending the Comprehensive Land Use Plan

In reaching a decision on a Comprehensive Plan Amendment proposal, the Planning Commission and City Council shall adopt findings in consideration of the following:

a. Conformance with goals and policies of the Plan or demonstration of change in circumstance which would necessitate a change in the goal and/or policies.

b. Citizen review and comment.

c. Applicable Statewide Planning Goals.

d. Input from affected governmental units and other agencies.

e. Short- and long-term impacts of the proposed change.

f. A demonstration of public need for the change.

g. A demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.

h. Additional information as required by the Planning Commission or City Council.

i. In lieu of f. and g. above, demonstration that the Plan was adopted in error.

ARTICLE XXIII. VACATION

A. Vacation Procedures and Criteria

1. Vacation Procedures

A proposal to vacate an easement, right-of-way, or plat may be initiated by the City Council or by petition of adjoining and area owners in accordance with ORS 271.080. Type IV procedures as outlined in ARTICLE X.E. shall be used as supplemented by the provisions of ORS Chapter 271. Petitions for vacations shall be submitted on a form prescribed by the City and shall be accompanied by the required application fee.

2. Vacation Criteria

The Council shall give consideration to the following criteria in reaching a decision on a vacation request:

a. Conformance to applicable Comprehensive Plan policies and maps.

b. Potential conflict with any minor or major street plan.

c. Consistent with the City of Coburg Transportation System Plan, consider the potential to establish or maintain accessways, paths, or trails, prior to vacation of any public easement or right-of-way, in addition to effect on access, traffic circulation, and emergency service protection.

d. Need for access to existing properties or potential lots which would otherwise be without access to a public way.

3. Street Requirement.

Except as prohibited by law (e.g., ORS 92.837, Manufactured Home Park), as a condition of approval of a request to vacate an easement or right-of-way, the City may require dedication of access ways, paths or trails as a condition of the vacation of any public easement or right-of-way, in order to establish or maintain a safe, convenient and direct pedestrian and bicycle circulation system. Such requirements shall be coordinated with the applicable road authority.

ARTICLE XXIV. PENALTIES FOR ZONING CODE VIOLATIONS

Sections:

A. Penalties for Violations
B. Nuisance Procedures

A. Penalties for Violations

Violations of the provisions of this Code, and failures to comply with any of its requirements, are prohibited, and shall subject the violator to penalties. Penalties of a different type may be applied separately, and no penalty is exclusive.

1. Violation of the provisions of this Code or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this Code or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than $100 or imprisoned for not more than 30 days or both and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

2. Violations of the provisions of this Code or failure to comply with any of its requirements shall constitute a nuisance. The City Administrator may institute Administrative Civil Penalty proceedings against the responsible person as set forth in Subsection J of this section. Each day such a nuisance continues shall be considered a separate violation. The maximum Civil Penalty for any violation of this Code shall be $500 for a violation occurring on residential property, $1000 for a violation occurring on other property.

B. Nuisance Procedures

1. Definitions. For purposes of this subsection, the following terms are defined as follows:

a. Admissible Evidence. Evidence of a character or nature such as is commonly relied upon by ordinary persons making important decisions in the course of their lives shall be admissible in any proceeding to determine the existence or severity of a nuisance subject to any City ordinance.

b. Administrative Civil Penalty. May include a monetary penalty, restitution, costs and assessments, the cancellation of permits associated with the violation, and an order of abatement.

c. Failure to Comply. An action done in violation of a City permit or ordinance or otherwise causing a situation to exist that is contrary to the express intention of a City ordinance that assigns responsibility for an action or condition to an identifiable responsible person.

d. City Administrator. The City Administrator or the Administrator's designee.

e. Responsible Person. The owner of a building or property where a violation or failure to comply has occurred, the person in charge of the building or property, the violator or the person failing to comply with the ordinance, and where such person works for a contractor, either as an employee, subcontractor, or independent contractor, the contractor and/or other employer; and any licensee, permittee, or agent, manager, or person in charge causing or directing the violation.

2. Establishment of Administrative Enforcement Procedures.
Administrative enforcement procedures are hereby established for the purpose of providing for the remediation of nuisances, and of any failure to comply with City ordinances. It is further intended that a civil administrative process be established to provide a convenient and practical forum for the administrative hearing and determination of cases arising out of nuisances and for the hearing and determination of factual issues as may be relevant in connection with, but not limited to, nuisance abatement and license and permit revocation proceedings.

3. Establishment of Administrative Civil Penalties.

a. When the City Administrator determines that a responsible person has failed to comply with any permit issued by the City or with provision of a City ordinance that directs or requires performance or that provides that the violation of any provision of that ordinance is a nuisance, or is otherwise responsible for the creation and maintenance of a nuisance, as declared by any City ordinance, the City Administrator may impose an administrative civil penalty as provided in this Ordinance. For purposes of this section, a responsible person shall mean a responsible person as defined by this Ordinance above, unless otherwise defined by the specific Code provision declaring the nuisance to exist.

b. Prior to imposing an administrative civil penalty under this section the City Administrator shall pursue reasonable attempts to secure voluntary correction.

c. Upon failure to secure voluntary correction, the City Administrator may issue an order to comply to one or more of the responsible persons. Except where the City Administrator determines that conditions set forth in subsection (5) exist, the time for correction shall not be less than five calendar days. In cases where the nuisance in question is of a character that can be abated, the order to comply may be an order to abate.

d. Following the date by which the correction must be completed as required by an order to comply, the City Administrator shall determine whether such correction has been completed. If the required correction has not been completed by the date specified in the order, the City Administrator may issue a notice of failure to comply to each person to whom an order to comply was issued. Each day the failure to comply continues to exist after the date specified in an order to comply shall constitute a separate failure to comply.

e. The City Administrator may issue a notice of failure to comply without having issued an order to comply or made attempts to secure voluntary correction, where the City Administrator determines that the failure to comply reasonably appears to:

(1) pose an immediate threat to public health, safety or welfare, or
(2) be immediately remediable by a person in charge of the property, or
(3) be the same act or condition that served as the basis for a previous order to comply, or
(4) be done deliberately by a responsible person who had knowledge that the actions in question would constitute a failure to comply, or
(5) be a single incident identified by a City ordinance as a nuisance, and classifiable under this ordinance as meriting the imposition of an administrative civil penalty for such a single failure to comply.

f. No monetary penalty imposed under this section shall exceed $1,000 per day. In imposing a penalty authorized by this chapter, the City Administrator shall consider:

(1) The responsible person's past history in taking all feasible steps or procedures necessary or appropriate to correct the violation or failure to comply;

(2) Any prior violations of, or failures to comply with statutes, rules, orders and permits;
(3) The gravity and magnitude of the failure to comply;
(4) Whether the failure to comply was repeated or continuous;
(5) Whether the cause of the failure to comply was an inadvertent, negligent or an intentional act;
(6) The alleged responsible person's cooperativeness and efforts to correct the failure to comply; and
(7) Any relevant rule of the City Administrator.

g. The notice of failure to comply shall either be served by personal service or shall be sent by registered or certified mail and by first class mail. Any such notice served by mail shall be deemed received for purposes of any time computations hereunder three days after the date mailed if to an address within this state, and seven days after the date mailed if to an address outside of this state. A notice of failure to comply shall include:

(1) Reference to the particular Ordinance provision or rule involved;
(2) A short and plain statement of the matters asserted or charged;
(3) A statement of the amount of the penalty or penalties imposed;
(4) The date on which the order to comply was issued and the date by which correction was to be made;
(5) Where appropriate, a statement that abatement is required and that failure to abate the act or condition may result in continued administrative penalties, accruing on a daily basis at the stated amount until proof of completion of abatement is received;
(6) A statement of the party's right to appeal the notice of failure to comply.

h. Any person who is issued a notice of failure to comply may appeal the penalty. All appeals shall be submitted in writing to, and received by, the City Administrator within 10 days of when notice is deemed received. Appeals shall be accompanied by a fee to help defray the costs of processing the appeal. The fee shall equal $200. However, this fee may be waived for persons determined by the City Administrator to be indigent. The appeal fee shall be refunded if the appeal is upheld on appeal. Filing of an appeal shall not cause the penalty to cease accruing on a daily basis. In the event the appeal is not upheld, the accrued penalty shall immediately become due and payable, and the penalty shall thereafter continue to accrue until such time as the responsible person submits to the City Administrator proof of having abated the act or condition constituting the failure to comply.

i. Any administrative civil penalty imposed shall become final upon expiration of the time for filing an appeal, unless the responsible person appeals the notice of failure to comply pursuant to, and within the time limits established by this Ordinance. The City Administrator shall issue an order of civil penalty upon the civil penalty becoming final. If the responsible person appeals the civil penalty, the civil penalty shall become final, if at all, upon issuance of a decision affirming the imposition of an administrative civil penalty and containing an order of civil penalty. An order of civil penalty shall include a statement identifying an amount of daily penalty that will continue to accrue until the failure to comply is rectified. An order of civil penalty may authorize the City Administrator to take action to abate the failure to comply.

j. Failure to pay a penalty imposed hereunder within ten days after the penalty becomes final as provided above shall constitute a failure to comply with this section. Each day after the initial 10-day period for payment that the penalty is not paid shall constitute a separate failure to comply. The City Administrator is also authorized to collect the penalty by any administrative or judicial action or proceeding authorized state statutes, and may enforce delinquent liens or assessments pursuant to ORS 223.505 to 223.595.

k. The administrative civil penalty authorized by this section shall be in addition to:

(1) Assessments or fees for any costs incurred by the City in remediation, cleanup or abatement, and
(2) Any other actions authorized by law.

l. If an administrative civil penalty is imposed on a responsible person because of a failure to comply with any provision of a city ordinance resulting from a prohibited act, use or condition on real property, and notice thereof has been sent by certified mail to the person listed on the County tax records as the owner of the property, and the penalty remains unpaid 60 days after such penalty becomes final, the order of civil penalty may be recorded, as a lien, in the City Clerk's Lien Record. At the time such an assessment is made, the City Administrator shall notify the responsible person and the aforementioned owner that the penalty has been assessed against the real property upon which the failure to comply occurred, and has been entered in the City Clerk's Lien Record. The lien may be enforced in the same manner as a judgment, or as a lien for street improvements, and shall bear interest at the rate prescribed in ORS 82.010. The interest shall commence from the date of the order of

civil penalty. The City may sell or assign said lien, any such assignment to be made without recourse to the City.

m. In addition to enforcement mechanisms authorized elsewhere in this Code, failure to pay an administrative civil penalty imposed pursuant to this ordinance shall be grounds for withholding issuance of requested permits or licenses, issuance of a stop work order, if applicable, or revocation or suspension of any issued permits or licenses.

4. Abatement by City; Costs; Waiver; Lien.

a. If an order of abatement has been issued by the City Administrator and, 10 days following the notice mailed pursuant to this ordinance, specifying said abatement, the act or condition remains unabated, the City Administrator may cause abatement of the nuisance. Accurate record of the abatement costs shall be kept and shall include a surcharge of 25% of the cost of the abatement for administrative overhead. A billing for the amount of the costs shall be forwarded by certified or registered mail, return receipt requested, to the owner. Payment shall be due to the City Administrator within 30 days from the date of the billing.

b. The cost of abatement may be waived for indigent persons, if upon timely application it appears to the City Administrator that the following conditions are met:

(1) The owner is indigent, as that determination is provided for in ORS 151.485;
(2) The owner is living on the property from which the nuisance is to be abated; and
(3) The nuisance is incapable of being remediated by the owner.

c. Applications for waiver of abatement costs shall be filed with the City Administrator on forms supplied by the City within ten days from the date of notice of the amount of cost of abatement. All information required to be given on the forms shall be supplied by and verified by the applicant. An application for waiver of nuisance abatement costs must be submitted for each cost of abatement notice sent to the applicant.

d. The City Administrator shall file a lien against the property if payment is not made or waived.

e. The lien for abatement shall be given priority over all liens except those for taxes and assessments and shall include interest at the legal rate accruing from the date billing is sent to the owner of property.

5. Appeal Hearing.

a. Every hearing to determine whether a failure to comply has occurred shall be held before City Administrator where the City Administrator has previously delegated the administrative penalty proceedings to another City employee. In the event that no such delegation was made, the City Administrator shall arrange with the Mayor for selection of another person to serve as a hearings officer.. The City must prove the failure to comply by a preponderance of the evidence. The hearing shall be limited to admissible evidence. The City Administrator may prescribe by rule or regulation the procedures for the conduct of the hearings in conformity with applicable state statutes.

b. The person conducting the hearing has the authority to administer oaths and take testimony of witnesses. Upon the request of the person alleged to have committed the failure to comply, or upon his or her own motion, the person conducting the hearing may issue subpoenas in accordance with the Oregon Rules of Civil Procedure, which shall apply to procedural questions not otherwise addressed by this chapter or by rule of the City Administrator. If the person alleged to have committed the failure to comply desires that witnesses be ordered to appear by subpoena, he or she must so request in writing at any time before five days prior to the scheduled hearing. A $15 deposit for each witness shall accompany each request, such deposit to be refunded as appropriate if the witness cost is less than the amount deposited. Subject to the same five-day limitation, the complaining City officer or City Counsel, as appropriate, may also request of the person conducting the hearing that certain witnesses be ordered to appear by subpoena. The person conducting the hearing may waive the five-day limitation for good cause. Witnesses ordered to appear by subpoena shall be allowed the same fees and mileage as allowed in civil cases. If an administrative civil penalty is declared in the final order, the order shall also provide that the person ordered to pay the monetary penalty shall also pay any witness fees attributable to the hearing.

c. The person alleged to have committed the failure to comply shall have the right to cross-examine witnesses who testify and shall have the right to submit evidence on his or her behalf, but cannot be compelled to do so.

d. After due consideration of the evidence and arguments, the person conducting the hearing shall determine whether the failure to comply alleged in the notice of failure to comply has been established. When the failure to comply has not been established, an order dismissing same shall be entered. When the determination is that the failure to comply has been established, an appropriate order shall be entered in the records. A copy of the order shall be delivered to the person named in the order personally or by mail or to their attorney of record. Any motion to reconsider the order of the person conducting the hearing must be filed within 10 days of the original order.

e. Monetary penalties collected pursuant to the provisions of this chapter shall be paid to the City of Coburg.

f. Hearings shall be conducted within the City of Coburg.

g. A tape recording shall be made of the hearing unless waived by both parties, which tape shall be retained for at least 90 days following the hearing or final judgment on appeal.

6. Classification of Failure to Comply.

A failure to comply with this ordinance, and any other ordinance declaring a nuisance or identifying failure to comply as a nuisance, unless provided otherwise, shall be classified for the purposes of establishing administrative civil penalties into one of the following categories with the following monetary penalties. Any failure to comply not otherwise classified in this code shall be an unclassified failure to comply and, where no specified monetary penalty is provided, an unclassified failure to comply shall be subject to a monetary penalty not to exceed $1,000 per day. In the following classifications, the amounts given as penalties shall, unless specified by the City Administrator at the time of the notice to comply, be the maximum amount for each occurrence, or each day of a continuing violation. A subsequent occurrence shall be found to exist if, after a notice of failure to comply is given to the responsible person, and the failure to comply is addressed to the satisfaction of the City Administrator, subsequent actions create or bring about an additional failure to comply notice.

a. Class 1 Failure to Comply. A Class 1 failure to comply shall be the violation of or failure to comply with any city ordinance that declares the violation thereof to be a nuisance where the City Administrator determines that the failure to comply creates an immediate risk to public health or safety. A Class 1 failure to comply shall also include the violation of or failure to comply where the City Administrator determines that there is a violation of this zoning ordinance occurring on property

that is zoned for Industrial or Commercial use or is being used for commercial purposes. For a Class 1 failure to comply, the monetary penalty shall be no less than $100, nor more than $1000 for a first occurrence. For a second Class 1 failure to comply occurring within 12 months from the date of the first occurrence the monetary penalty shall be no less than $200, nor more than $1000. For a third Class 1 failure to comply occurring within a 12-month period from the date of the first occurrence, the monetary penalty shall be $1000. The City Administrator may also cancel or revoke any zoning or land use permit that is the source of or related to the failure to comply.

b. Class 2 Failure to Comply. A Class 2 failure to comply shall be a violation of or failure to comply with this ordinance where the City Administrator determines that there is a violation or failure to comply occurring on property that is zoned for residential use and is not otherwise being used for commercial purposes. For a Class 2 failure to comply, the monetary penalty shall be no less than $50, nor more than $500 for a first occurrence. If the responsible person had a prior occurrence of a Class 1 or 2 failure to comply within 12 months from the date of the first occurrence, the monetary penalty shall be no less than $100 nor more than $500. If the responsible person had two prior occurrences for a Class 1 or 2 failure to comply within a 12-month period from the date of the first occurrence, the monetary penalty shall be $500. The City Administrator may also cancel or revoke any zoning or land use permit that is the source of or related to the failure to comply.

c. Class 3 Failure to Comply. A Class 3 failure to Comply shall be a violation of or failure to comply with any City ordinance that declares the violation thereof to be a nuisance where there is no determination by the City Administrator that the failure to comply creates an immediate risk to public health or safety. For a Class 3 failure to comply the monetary penalty shall be no less than $10, nor more than $250 for a first occurrence. If the responsible person had a prior occurrence of a Class 1, 2 or 3 failure to comply within 12 months from the date of the first occurrence, the fine shall be no less than $40, nor more than $250. If the responsible person had two prior occurrences of a Class 1, 2 or 3 failure to comply within 12 months of the date of the first offense, the monetary penalty shall be $250.

d. Class 4 Failure to Comply. A Class 4 failure to comply shall be any failure to comply with a city ordinance that directs or compels certain behavior but which does not contain any penalty or nuisance provisions. For a Class 4 failure to comply the monetary penalty shall be $25 for the first occurrence, $35 for the second occurrence, $45 for the third occurrence, and $55 for each subsequent occurrence within any 12 month period of time.

ARTICLE XXV. DEFINITIONS

A. Integration

For the purpose of this Code, certain terms or words used herein shall be interpreted as follows:

1. The word "person" includes firm, association, organization, partnership, trust, company or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular.
3. The words "shall" and "will" are mandatory, the word may is permissive.
4. The words "uses" or "occupied" include the words intended, designed or arranged to be used or occupied.
5. The word "lot" includes the words plot or parcel.

B. Definitions

Abut or Abutting. Having a common border with, or separated from such a common border, by a right-of-way, alley, or easement.

Accessory Use or Structure. A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Accessory dwelling Unit. *See Dwelling Unit, Accessory.*

Adjoining. Having a common border with, or separated from such a common border by right-of-way, alley, or easement.

Alley. A public or private vehicular passageway dedicated or permanently reserved as a means of secondary access to abutting property and designated an alley on a final plat. An alley is not a street.

Amusement Establishments. An establishment offering sports, theatrical productions, game playing, or similar amusements to the public within a fully enclosed building. This shall include, but is not limited to, theaters, bowling alleys, billiard parlors, and skating rinks.

Area, Gross. Total area of a parcel or site, usually expressed in acres.

Area, Net. Total area of a parcel or site (usually expressed in acres), excluding existing public street rights-of-way, public parks, and other areas permanently precluded from development due to development constraints, conservation easements, or other legal restrictions. Planned streets shall not be excluded from the net area.

Articulation, Exterior Building. Articulation on the exterior of buildings is to provide relief from large expansions of uninterrupted building surface. Articulation includes design features such as: offsets or breaks in roof elevations, balconies, projections, window reveals, or similar elements along the vertical face of a structure, such features shall occur at a minimum of every 30 feet.

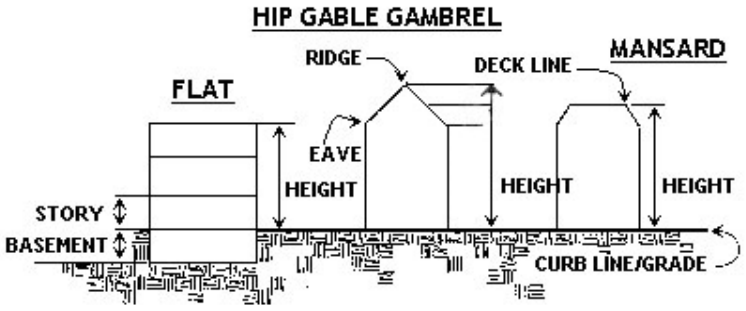
Automobile Service. Auto service means maintenance and repair as well as sales of cars (or other motor vehicles) (e.g., car sales, repair, storage, self-serve car wash, etc.).

Automobile-Dependent. Auto-dependent means the transaction takes place in an automobile (e.g., drive-up window, gas station, drive-through car washes, etc.).

Bed and Breakfast Inn. A private, owner-occupied business where overnight accommodations and a morning meal are provided to transients for compensation and where the bed-and-breakfast inn is operated primarily as a business

Buildable Area. The portion of a lot remaining after required yards have been provided.

Height of Buildings. The vertical distance above natural grade measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to height of the highest gable of a pitched or hipped roof.



The height of a stepped or terraced building is the maximum height of any segment of the building.

Child Care Center. Any institution, establishment, or place in which are commonly received at one time three or more children not of common parentage, under the age of seven years, for a period or periods not exceeding 12 hours, for the purpose of being given board, care, or training apart from their parents or guardians for compensation or reward.

Conditional Use. A use that requires a Conditional Use Permit.

Cottage. See Dwelling, Cottage.

Cottage Housing. See Dwelling, Cottage Housing.

Density. Number of dwelling units per acre of land, calculated in accordance with the definition of Density Calculation.

Density Calculation.–

(a) **Maximum density** shall be calculated based on Gross Area within the development site, per the definition of Area, Gross. The formula shall be as follows:

Gross Area (expressed in acres) X Maximum Density per Acre established for the Zone = Maximum Density

When a fractional result for the number of dwelling units allowed is equal to or greater than .5, an additional dwelling unit may be allowed, but is not required.

(b) **Minimum density** shall be calculated based on the Net Area within the development site, per the definition of Area, Net. The formula shall be as follows:

Net Area (expressed in acres) X Minimum Density per Acre established for the Zone = Minimum Density

When a fractional result for the number of dwelling units required is equal to or greater than .5, an additional dwelling unit is allowed.

Distribution Center. A warehouse or other specialized building, often with refrigeration or air conditioning that is stacked with products to be redistributed to retailers, wholesalers, or directly to consumers. *See Warehouse.*

Driveway. A paved way for vehicular traffic extending from the roadway to the property line across a sidewalk, whether or not such sidewalk is improved, for the purpose of providing access to parking or maneuvering space on abutting property.

Drive-In Restaurant or Refreshment Stand. Any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

Dwelling, Cottage. A single-family detached dwelling unit that is part of a cottage housing development.

Dwelling, Cottage Housing. A cluster of between four and ten cottages developed under a single land development plan.

Dwelling, Manufactured Home/Manufactured Dwelling. A "manufactured home" is a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction. A "manufactured dwelling" includes a residential trailer, a mobile home (see Dwelling, Mobile Home), and a manufactured home meeting the above requirements. "Manufactured dwelling" does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational vehicle by the manufacturer. A manufactured home accessory building or structure includes:

(a) Any portable, demountable or permanent structure established for use of the occupant of the manufactured structure and as further defined by rule of the Director of the State Department of Consumer and Business Services.

Dwelling, Mobile Home. A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

Dwelling, Multiple-family. A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, Single-family. A detached residential dwelling unit other than a mobile home, designed for and occupied by one household only.

Dwelling, Two-family. A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

Dwelling Unit. One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Dwelling Unit, Accessory. A small housing unit that is subordinate and incidental to the primary single-family dwelling on a single family lot.

Dwelling Unit, Accessory, Attached. An accessory dwelling unit that that shares a wall, floor or ceiling with the primary single-family dwelling for a minimum length of 8 feet.

Dwelling Unit, Accessory, Detached. Any accessory dwelling unit that is not attached.

Group Care Home. A residence for five or fewer unrelated physically or mentally handicapped persons and for staff persons who need not be related to each other or to any other home resident.

Formula-based Business: A business which is required by contractual or other arrangement to maintain one or more of the following items: standardized ("formula") array of services and/or merchandise, trademark, logo, service mark, symbol, decor, architecture, layout, uniform, or similar standardized features and which causes it to be substantially identical to more than five (5) other businesses regardless of ownership or location. Formula businesses can include, but are not limited to: restaurants, retail stores, banks, real estate sales offices, spas, hair and nail salons, and hotel/motel/inn/B&B.

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Home Occupation. An activity that is clearly incidental and secondary to a dwelling's residential use and which involves the profit or non-profit exchange of goods or services.

Hotel. A building (or portion thereof), or group of buildings, used for occupancy of transient individuals, with access to units from interior lobbies, courts, or halls.

Household. The person or persons occupying a dwelling unit.

Loading Space, Off-Street. Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lot. A unit of land that is created by the subdivision of land as provided in this development code. Otherwise, the words "lot" and "parcel" are used interchangeably.

Lot, Corner. *See Lot Types*

Lot, Interior. *See Lot Types*

Lot, Through. *See Lot Types*
Lot Coverage. That portion of a lot which, when viewed directly from above, would be covered by a building or stricture, or any part thereof, except that the following structures or parts of structures shall themselves not be included in calculating lot coverage:

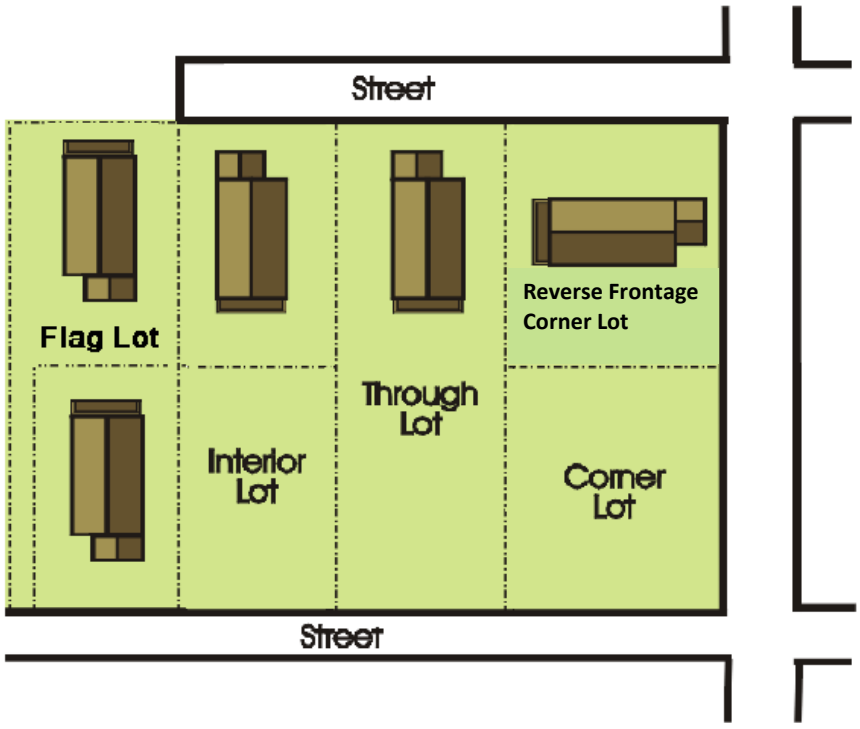
(a) Any part of a structure without a roof.
(b) Roof eaves.
(c) Carports, porches, and balconies.
(d) Accessory structures less than 200 square feet.

Lot Frontage. The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under Yards in this Section.

Lot of Record. A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types. The diagram below (Figure 2) illustrates terminology used in this Code with reference to flag lots, corner lots, interior lots, through lots, reversed frontage corner lots, and reverse frontage through lots:

Figure 2.



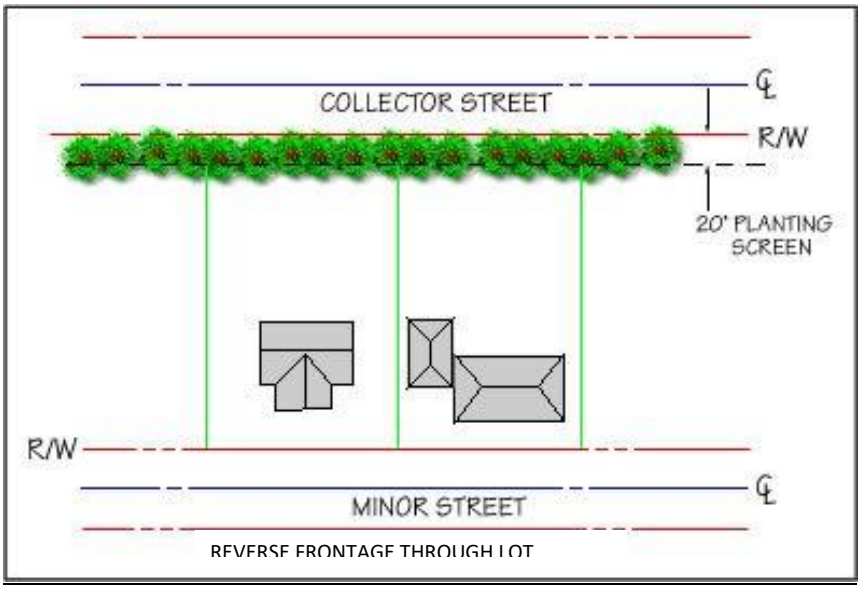
Lot, Corner. A lot that has frontage on more than one intersecting street, and where the lot frontages intersect. A street that curves with angles that are 120 degrees or

less, measured from the center line of the street, in considered two intersecting streets for the purpose of evaluating whether a lot is a corner lot.

Lot, Flag. A lot that has access to a public right-of-way by means of a narrow strip of land.

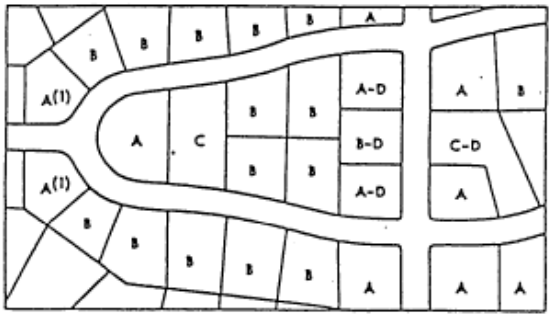
Lot, Reversed Frontage Through. A through lot, the rear line of which abuts an arterial, other primary street, railroad right-of-way, or other feature that precludes access. *See Figure 3 below.*

Figure 3.



Lot, Reversed Frontage Corner. A corner lot, the rear of which abuts the side of another lot.

Lot, Through. A lot that has frontage on two streets, and where the lot frontages do not intersect.



Lot, Width. The horizontal distance between the midpoints of the side lot lines.

Manufactured Home/ Manufactured Dwelling . *See Dwelling, Manufactured Home*. A "manufactured home" is a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction. A "manufactured dwelling" includes 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, that is being used for residential purposes and was constructed before January 1, 1962, a mobile home meeting the above requirements that was constructed between January 1, 1962 and June 15, 1976 and met the construction requirements of Oregon mobile home law in effect at the time of construction, and a manufactured home meeting the above requirements. "Manufactured dwelling" does not mean any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational vehicle by the manufacturer. A manufactured home accessory building or structure includes:

(a) Any portable, demountable or permanent structure established for use of the occupant of the manufactured structure and as further defined by rule of the Director of the State Department of Consumer and Business Services. Manufactured homes do not include residential trailers constructed before 1962, mobile homes constructed between 1962 and 1976, or Recreational Vehicles.

Minor Street. A street, usually of limited continuity, which serves primarily to provide the principal means of access to abutting property only.

Mobile Food Carts. A vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street or highway, on which food is prepared or processed, or converted, or which is used in selling and dispensing food to the ultimate consumer.

Motel. A building (or portion thereof), or group of buildings, used for occupancy of transient individuals, with access to units through exterior doors.

Negotiate. Any activity preliminary to the execution of a binding agreement for the sale of land in a subdivision or partition, including but not limited to advertising, solicitation and promotion of sale of such land.

Nonconforming Use. A use of land that does not comply with the use regulations for its zoning district, but which complied with applicable use regulations at the time the use was established.

Outdoor Advertising Business. Provision of outdoor displays or display space on a lease or rental basis only.

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

Parking Space, Off-Street. For the purposes of this Code, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk or alley, and so that any automobile may be parked and un-parked without moving another.

For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provide and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the city.

Partition. Either an act of partitioning land or an area or tract of land partitioned as defined in [Partition Land]

Partition Land. 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. "Partition land" does not include divisions of land resulting from lien foreclosures, divisions of land resulting from divisions of land resulting from foreclosure of recorded contracts for the sale or real property and divisions of land resulting from the creation of cemetery lots; and "partition land" does not include any adjustment of a lot line by the relocation of a

common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot sized established by the zoning code. "Partition land" does not include the sale of a lot in a recorded subdivision, even though the lot may have been acquired prior to the sale with other contiguous lots or property by a single owner.

Plat. Includes a final map, diagram, drawing, replat or other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

Private Open Space. Outdoor space directly adjacent to a dwelling unit providing an outdoor area for private use by the occupants of the dwelling unit.

Property line adjustment . Means a relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel.

Recreational Vehicle. A vehicle designed to be used primarily as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motor power or is mounted on or towed by another vehicle, including, but not limited to camping trailers, fifth wheel trailers, motor homes, travel trailers and truck campers.

Residential Home. A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with treatment or training or combination thereof for 5 or fewer individuals who need not be related. Staff person required to meet Department of Human Resources licensing requirements shall both be counted in the number of facility residents, and need not be related to each other or to any other resident of the residential home. This definition includes residential treatment homes, residential training homes and adult foster homes.

Residential Facility. A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof for 6 to 15 individuals who need not be related. Staff persons required to meet Department of Human Resources 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. This definition includes the following: residential facilities, residential care facilities, residential treatment facilities and residential training facilities

Reversed Frontage. *See Lot Types.*

Right-of-way. Land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer, or other public use.

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

School. An institution for the teaching of children or adults including primary and secondary schools, colleges professional schools, dance schools, business schools, trade schools, art schools, and similar facilities.

Service Station. Buildings and premises where fuel, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed, and where in addition the following services may be rendered and sales made, and no other:

(a) Sale and servicing of spark plugs, batteries, and distributors and distributor parts;
(b) Tire servicing and repair, but not recapping or re-grooving;
(c) Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like;
(d) Radiator cleaning and flushing;
(e) Washing and polishing, and sales of automotive washing and polishing materials;
(f) Greasing and lubrication;
(g) Providing and repairing fuel pumps, oil pumps, and lines;
(h) Minor servicing and repair of carburetors;
(i) Emergency wiring repairs;
(j) Adjusting and repairing brakes;
(k) Minor motor adjustments not involving removal of the head or crankcase or racing the motor;
(l) Sales of cold drinks, packaged foods, tobacco, and similar convenience goods for service station's customers, as accessory and incidental to principal operation;
(m) Provision of road maps and other informational material to customers; provision of restroom facilities.

Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other characteristics to an

extent greater than normally found in filling stations. A service station is not a repair garage nor a body shop.

Service Station Site. The developed area of a service station (buildings, fuel pumps, garbage storage area, and parking), including a 200-foot perimeter around the developed area.

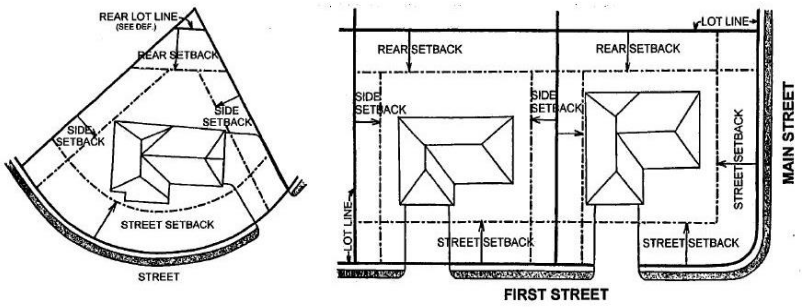
Setback. The required minimum horizontal distance between the location of structures or uses and the related front, side, or rear lot line measured perpendicular to such lot line.

(a) Front- a setback extending across the full width of the lot measured perpendicular to the front lot line.

(b) Rear- a setback extending across the full width of the lot measured perpendicular to the rear lot line.

(c) Side – a setback extending from the front lot line to the rear setback measured perpendicular to the side lot line.

(d) Street – a setback extending across the full width of the lot measured perpendicular to the font lot line.



Sign. *(See Ord. A-155-A for definitions related to signs).* Any device designed to inform or attract the attention of persons not on the premises on which the sign is located provided, however, that the following shall not be included in the application of the regulations herein:

(a) Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;

(b) Flags and insignia of any government except when displayed in connection with commercial promotion;

(c) Legal notices; identification, informational, or directional signs erected or required by governmental bodies;

(d) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;

(e) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

Signs, Number and Surface Area. For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, or composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

The surface area of a sign shall be computed as including the entire area within a regular geometric form of combination or regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

Sign, On-Site. A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

Sign, Off-Site. A sign other than an on-site sign.

Special Exception. A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division or district, but which, if controlled as a number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as special exceptions, if specific provision for such special exceptions is made in this Code.

Story. The space between two adjacent floors, or between a floor and the roof of a building.

Street. *See "Road"*

Street Line. The right-of-way line of a street.

Structure. Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards, and poster panels.

Subdivide Land. To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

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

Through Lot or Parcel. *See Lot Types.*

Travel Trailer. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet.

Truck Stop. An establishment engaged primarily in the fueling, servicing, repair, or parking of tractor trucks, heavy commercial vehicles, and other motor vehicles; including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers, or restaurant facilities.

Variance. A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owning to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

Warehouse. Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage and facilities in which the primary purpose of storage is for wholesaling. Warehouse includes a distribution center or facility designed and intended to be used for the rental of storage units to individuals for the safekeeping of personal items. See Distribution Center.

Warehousing. The act of receiving and storing goods that will be sold or distributed later

Wholesaling. The act of selling merchandise to retailers; industrial, commercial, institutional, or professional business users; other wholesalers; or acting as agents or brokers in buying merchandise for, or selling merchandise to, such persons or companies.

Yard. An open unoccupied space on a lot that is unobstructed by a structure and measured from a property line to the nearest point of a building.

Yard, Front. A yard extending between side lot lines across the front of a lot adjoining a public street.

Yard, Side. A yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot lien to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after full- and half-depth front yards have been established shall be considered side yards.

Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

Yard, Rear. A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

Yard Set Back. An area where buildings and certain structures cannot be constructed, measured from the property line to the exterior wall of a building. A setback may be referred to as "front yard," "interior side yard," "street side yard," or “rear yard."

ARTICLE XXVI. SEVERABILITY CLAUSE

Should any section or provision of this Code be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Code as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

EXHIBIT B

Findings in Support of Ordinance A-200-L

Ordinance A-200-L provides a form-based code for the Central Business District, regulations for formula-based businesses within the Central Business District, and adopts other housekeeping items to protect Coburg's distinctive character.

The historic downtown commercial district is a special and unique asset within the City of Coburg that could be negatively impacted by the presence of formula establishments that are out of harmony with the historic downtown commercial district, and which may not contribute to the small business and entrepreneurial atmosphere.

APPROVAL CRITERIA

ARTICLE X.E TYPES OF REVIEW PROCEDURES, TYPE IV PROCEDURE

E. Type IV Procedure (Legislative).

1. Pre-Application Conference. *A pre-application conference is required for all Type IV applications initiated by a party other than the City of Coburg. The requirements and procedures for a pre-application conference are described in Section F.*

FINDING: The City of Coburg initiated this procedure. This criterion is not applicable.

2. Timing of Requests. *The City accepts legislative requests twice yearly, meeting January and July application timeline requirements. The City Council may initiate its own legislative proposals at any time.*

FINDING: The City of Coburg initiated this procedure. This criterion is met.

3. Application Requirements.

a. Application forms. *Type IV applications shall be made on forms provided by the City Planning Official or designee.*

b. Submittal Information. *The application shall contain:*

(1) The information requested on the application form;

(2) A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);

(3) The required fee; and

(4) One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards.

FINDING: The City of Coburg initiated this procedure. These criteria are not applicable.

4. Notice of Hearing.

a. Required hearings. *A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications, except annexations where only a hearing by the City Council is required.*

b. Notification requirements. *Notice of public hearings for the request shall be given by the City Planning Official or designee in the following manner:*

(1) At least 10 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.175 and mailed to:

(i) Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment);

(ii) Any affected governmental agency;

(iii) Any person who requests notice in writing;

(iv) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;

(2) At least 10 days before the scheduled Planning Commission public hearing date, and 10 days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.

(3) The City Planning Official or designee shall:

(i) For each mailing of notice, file an affidavit of mailing in the record as provided by subsection 1; and

(ii) For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection 2.

(4) The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least 45 days before the first public hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD Certificate of Mailing.

(5) Notifications for annexation shall follow the provisions of this Chapter.

FINDING: The proposed amendment does not rezone any property in the City. However, Measure 56 notice and Type IV mailing notice was sent to every property owner in Coburg City limits using the Lane County Assessors roll through RLID. Agency referral was sent to affected agencies on May 24, 2022. The notice of public hearings at Planning Commission and City Council was published in the Register Guard. Staff notified DLCD through their online Post Amendment Plan Acknowledgement (PAPA) process in March 2022. These criteria are met.

7. Decision-Making Criteria. *The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:*

a. Approval of the request is consistent with the Statewide Planning Goals;

FINDING: As explained below, the request is consistent with the Statewide Planning Goals. This criterion is met.

APPLICABLE STATEWIDE PLANNING GOALS:

GOAL 1: Citizen Involvement

FINDING: The Ad-Hoc Code Review Committee held several public meetings and work sessions while reviewing and suggesting new language for the proposed amendments. As part of the adoption process, two public hearings are scheduled, July 20, 2022 with the Planning Commission and July 26, 2022 with the City Council, followed by a second reading of the ordinance at the August 9th City Council meeting.

GOAL 2: Land Use Planning

FINDING: The proposed amendments enhance the Coburg Zoning Code, and are based on the Comprehensive Plan relevant policies as required by Goal 2.

GOAL 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

FINDING: The proposed amendments preserve the historic architectural character of the Central Business District, which is within Coburg's National Historic District. The intention of the amendments within the Central Business District is to protect the historic assets and special environment, both natural and manmade, of the community so that the uniqueness of Coburg may flourish without inappropriate changes.

GOAL 9: Economic Development

FINDING: The proposed amendments to the Coburg Zoning Code enhance the code for further economic opportunity in the Central Business district as required by Goal 9. Reducing formula based businesses fosters a more hospitable business environment for small businesses and entrepreneurs.

STATEWIDE PLANNING GOALS 3,4, 6,7,8, 10 -19 are not applicable to this amendment.

CONCLUSION: The proposed amendments to the Coburg Zoning Code meet the necessary requirements of the applicable Statewide Planning Goals. This amendment does not change the priority or inventory of those related requirements. These criteria are met.

b. Approval of the request is consistent with the Comprehensive Plan; and

FINDING: As explained below, the request is consistent with the Comprehensive Plan. This criterion is met.

APPLICABLE COMPREHENSIVE PLAN POLICIES AND GOALS

GOAL 1: Citizen Involvement

FINDING: The Ad-Hoc Code Review Committee held several public meetings and work sessions while reviewing and suggesting new language for the proposed amendments. As part of the adoption process, two public hearings are scheduled, July 20, 2022 with the Planning Commission and July 26, 2022 with the City Council, followed by a second reading of the ordinance at the August 9th City Council meeting. Notice was sent to every property owner in the City. Information and invitations to comment were put in the newsletter and on the City's website.

GOAL 2: Land Use

Policy 11: *Central Business District – The Central Business District (CBD) designation is intended to establish the downtown area as the historic heart of Coburg. The CBD is the location for smaller scale commercial and business facilities, civic buildings and city functions, and mixed use. The Central Business district will be historic and pedestrian-oriented in character.*

Finding: The proposed amendments largely affect the Central Business District development regulations in the zoning code. This district contains vacant properties where development will significantly contribute to the character of the historic downtown corridor. The intention of the proposed amendments within the Central Business District, both the form-based code overlay and formula business restrictions, is to protect the historic assets and special environment, both natural and manmade, of the community so that the uniqueness of Coburg may flourish without inappropriate changes. The unregulated proliferation of formula businesses would frustrate this goal and lessen the Central Business District's appeal.

The Council has thus opted for regulation of formula-based businesses in the CBD that balances the competing interests. Larger formula-based businesses (larger than 10,000 square feet) are prohibited outright in the CBD because it is determined that large-scale formula-based businesses conflict with the historic, small-town character of the downtown area. However, smaller formula-based businesses will not necessarily conflict with Policy 11. Accordingly, the proposed code allows these smaller businesses as conditional uses, with the ability of the Planning Commission to approve or deny, based on relevant considerations and a

determination whether the use as proposed would adversely impact the character of downtown.

The Council concludes that this flexible approach satisfies Goal 2, Policy 11.

Policy 17*: Public Facility – This designation is intended to provide lands for public facilities and uses such as water reservoirs, sewage treatment plants, pump stations, major electric utilities and similar uses.*

Finding: The addition of a Public Facilities section to the Zoning Code will promote and ensure the purpose of this designation.

GOAL 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Coburg Objective: To protect, restore and enhance open space, scenic and historic areas, and, to promote a healthy and visually attractive environment in harmony with the natural landscape.

Finding: Restrictions on formula-based businesses will protect and enhance the charm of the historic downtown, maintain the unique character of the community and the appeal of the Central Business District, which is within Coburg's National Historic District. Inappropriate formula businesses would detract from the community's uniqueness. The formula business restrictions and form-based code overlay will retain the health and vitality of the existing downtown. The findings supporting Goal 2, Policy 11 (above) are incorporated herein by reference.

GOAL 9: Economy

Coburg Objective: **To guide community development in such a way that the local economy is improved while maintaining Coburg's small town atmosphere.**

Policy 11: *The City shall promote quality of life and compatibility of commercial and industrial uses with the small town, historic character of the community.*

Policy 15: *The City shall support existing businesses*

Policy 20: *The downtown area of Coburg should reflect the rural and historic character of the area. Businesses are encouraged to provide attractive building exteriors, signs, landscaping and parking lots that are in keeping with character of the downtown area. The downtown area is the heart of Coburg and essential businesses and city functions should be located in this area. The downtown area should invite citizens and other customers to use alternative modes of transportation, including walking and bicycling to patronize these businesses.*

Policy 21*: The Coburg Development Code shall include standards that ensure development in the downtown reflects the rural and historic character of the area, and provides an attractive, pedestrian-oriented character for the downtown.*

Policy 22: *The City shall encourage a vital downtown area as a key strategy to maintaining the City's quality of life.*

Policy 23: *The City shall encourage mixed-use in the Central Business District, and where appropriate, in adjacent areas.*

Policy 24: *The City shall encourage small-scale downtown commercial uses that are pedestrian-friendly and compatible with the community's small town, historic character**.***

Policy 26*: The City shall utilize design standards for commercial and industrial development uses.*

Finding: The proposed amendments to the Coburg Zoning Code enhance economic opportunity and vitality in the Central Business District. The form-based code overlay will ensure development in the downtown reflects the rural and historic character of the area and provide an attractive, pedestrian-oriented built environment within the downtown. The formula-based business restrictions prohibit large commercial structures but allow for smaller formula-based commercial establishments as conditional uses, based on consideration of relevant issues such as the existence of other similar business in the vicinity and the mutual benefits the proposed use would have on the downtown and other existing businesses. The regulations addressing formula-based businesses will foster a hospitable business environment for small businesses and entrepreneurs, protecting the community's economic vitality by ensuring a diversity of businesses with sufficient opportunities for independent entrepreneurs, as well as supporting existing businesses. In this way, the regulations satisfy the policies of Goal 9.

GOAL 11: Public Facilities and Services

Coburg Objective: To provide the residents of Coburg the public facilities and services which make possible a safe, healthy and satisfying living environment.

Finding: The addition of a Public Facilities section to the Zoning Code will promote and ensure the purpose of the designation.

GOAL 12: Transportation

Policy 3: *Improve the aesthetics of streets and streetscapes, especially at City entrance ways such as Interstate5 interchange area. Aesthetic improvements may address: street design, trees, lighting, utility lines, sidewalks, park strips, noise abatement, etc.*

Finding: Alternative street design standards for existing streets are meant to provide flexibility, improve aesthetics and preserve the historic character of the community.

GOALS 3,4, 6,7,8, 10, 13, 14 are not applicable to this amendment

CONCLUSION: The proposed amendments to the Coburg Zoning Code support and promote goals, objectives and policies of the Comprehensive Plan. These criteria are met.

c. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

FINDING: The proposed amendments do not change any physical aspect of any property. This criterion is not applicable.

8. Approval Process and Authority.

a. The Planning Commission shall:

(1) After notice and a public hearing, vote on and prepare a recommendation to the City Council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and

b. Any member of the Planning Commission who votes in opposition to the Planning Commission's majority recommendation may file a written statement of opposition with the City Planning Official or designee before the Council public hearing on the proposal. The City Planning Official or designee shall send a copy to each Council member and place a copy in the record;

c. If the Planning Commission fails to adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within 60 days of its first public hearing on the proposed change, the City Planning Official or designee shall:

(1) Report the failure together with the proposed change to the City Council; and

(2) Provide notice and put the matter on the City Council's agenda for the City Council to hold a public hearing make a decision. No further action shall be taken by the Commission.

FINDING: The hearing and approval process and procedure shall be as normal. These findings will be updated following the Planning Commission hearing to reflect the recommendation made. These criteria will be met.

d. The City Council shall:

(1) Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the Planning Commission for rehearing and reconsideration on all or part of the application;

(2) Consider the recommendation of the Planning Commission; however, the City Council is not bound by the Commission's recommendation; and

(3) Act by ordinance, which shall be signed by the Mayor after the Council's adoption of the ordinance.

FINDING: The hearing and approval process and procedure shall be as normal. These criteria will be met.

9. Vote Required for a Legislative Change.

a. A vote by a majority of the qualified voting members of the Planning Commission present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.

b. A vote by a majority of the qualified members of the City Council present is required to decide any motion made on the proposal.

FINDING: The hearing and approval process and procedure shall be as normal. These criteria will be met.

10. Notice of Decision. *Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development, within five business days after the City Council decision is filed with the City Planning Official or designee. The City shall also provide notice to all persons as required by other applicable laws.*

FINDING: Staff shall follow up with correct noticing procedures should the City Council vote to approve the amendments. This criterion will be met.

11. Final Decision and Effective Date. *A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon mailing of the notice of decision to the applicant.*

FINDING: Should Planning Commission and City Council vote to approve the amendment, the ordinance shall specify an effective date. This criterion will be met.

12. Record of the Public Hearing.

a. A record of the proceeding shall be made by a minutes recorder, stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record. The minutes and other evidence presented as a part of the hearing shall be part of the record;

b. All exhibits received and displayed shall be marked to provide identification and shall be part of the record;

c. The official record shall include:

(1) All materials considered by the hearings body;

(2) All materials submitted by the City Planning Official or designee to the hearings body regarding the application;

(3) The v record made by the minutes recorder, stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;

(4) The final ordinance;

(5) All correspondence; and

(6) A copy of the notices that were given as required by this Chapter.

FINDING: The City shall follow record procedures as described. These criteria will be met.

CITY OF COBURG PROPOSED CODE AMENDMENT MATRIX (JULY 2022)

Code Section	Current Code Language or Description	Potential Amendments	Page Number
Title Page	*City of Coburg Development Code May, 2018 (Amended November, 2019)*	Change title to the **Coburg, Oregon Zoning Code**, as the document is referenced in Article 1. Title (page 1)	Title page
Table of Contents	*Ordinance No. A-200-I*	Update to current ordinance **Ordinance No. A-200-L**	i
ARTICLE VII. DISTRICT REGULATIONS			
C. Central Business District	*Section C.2.c Conditional Uses*	Add **(9) Formula based businesses with a total area of floor space less than 10,000 square feet**	20
	Section C.2.d Prohibited Uses	Add **(8) Formula based businesses with a total area of floor space of 10,000 square feet or greater** (to be defined in Article XXV. Definitions) Renumber **(9)** All uses not listed as permitted, accessory, or conditional uses	20-21
	Section C. 3. Building or Structural Height Standards, 4. Lot Dimensions, 5. Maximum Lot Coverage, 6. Minimum Yard Requirements, 7. Parking and Access Requirements, 8. Street Standards, 9. Pedestrian Amenities, 10. Building Orientation, and 11. Historic Building Design	All of these regulations are in the new form-based code overlay (District Regulations Section K.) ~~Building or Structural Height Standards, Lot Dimensions, Maximum Lot Coverage, Minimum Yard Requirements, Parking and Access Requirements, Street Standards, Pedestrian Amenities, Building Orientation, and Historic Building Design~~	21-23 strikethrough
		Add reference to Article VII. Section K. Form Based Code Overlay:	23

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Code Section	Current Code Language or Description	Potential Amendments	Page Number
		3. See Article VII Section K. Downtown Coburg Form Based Code Overlay for Central Business District for building standards and other regulations and requirements in this zoning district. (Attachment B)	
D. Highway Commercial District	.	Add a new image showing what potential development could look like titled Figure VII.D.14.f **Add rendering/illustration Figure VII.D.14.f** (Attachment C)	34-35
E. Light Industrial District	*Add Section 2.a(2)(xv)*	Add beer and wine as permitted use **Section 2.a(2)(xv) Beer and Wine**	36
F. Campus Industrial District	*F.2.a(2) (2) Manufacturing and Assembly, and including Associated Sales, where the use does not require a permit from an air quality public agency and where any industrial activity occurs within an enclosed building*	Remove air quality permit language as recommended by Lane Regional Air Protection Agency (LRAPA) **(2) Manufacturing and Assembly, ~~and~~ including Associated Sales, ~~where the use does not require a permit from an air quality public agency and~~ where any industrial activity occurs within an enclosed building.**	41 strikethrough
New Section J. Public Facilities	*Add new Section. There is no Public Facilities section or regulations currently*	Add **Section J. Public Facilities**. (Attachment E)	52
New Section K. Form Based Code Central Business District Overlay	*Add new Section for Downtown Coburg Overlay District*	Add **Section K. Downtown Coburg Overlay District** (Attachment B)	55-72
ARTICLE VIII. SUPPLEMENTARY DISTRICT REGULATIONS			
E. Streets, Alleys and Other Public Way Standards	*Table VIII(E)(1)(b)(i): Coburg Street Design Standards*	Relabel Table VIII(E)(1)(b)(i): Coburg Street Design Standards to specify standards pertain to new roadways Table VIII(E)(1)(b)(i): Coburg Street Design Standards – **New Roadways**	82

Code Section	Current Code Language or Description	Potential Amendments	Page Number
		Adding table of alternative design standards for existing roadways **Table VIII(E)(1)(b)(vii): Coburg Street Design Standards – Existing Roadways** **Table VIII(E)(1)(b)(vii): Coburg Street Design Standards – Existing Roadways** (Attachment D)	89
K. Accessory Dwelling Units	*1.e Owner/Occupancy Requirements* *Owner/Occupancy Requirements. Either the primary dwelling or the ADU shall be the principal residence of the property owner. The principal residence must be occupied for a minimum of 6 months of each calendar* *year by a property owner who is the majority owner of the property as shown in the most recent Lane County Assessor's roll. If there is more than one property owner of record, the owner with the majority interest in the property shall be deemed the property owner. Prior to issuance of a building permit for an ADU, the property owner must provide the City with a copy of the property deed to verify ownership, and two forms of documentation to verify occupancy of the primary residence. Acceptable documentation for this purpose includes voter's registration, driver's license, homeowner's insurance, income tax filing, and/or utility bill. When both the primary and ADU are constructed*	Remove **1.e Owner/Occupancy Requirements** ~~1.e Owner/Occupancy Requirements~~ ~~Owner/Occupancy Requirements. Either the primary dwelling or the ADU shall be the principal residence of the property owner. The principal residence must be occupied for a minimum of 6 months of each calendar~~ ~~year by a property owner who is the majority owner of the property as shown in the most recent Lane County Assessor's roll. If there is more than one property owner of record, the owner with the majority interest in the property shall be deemed the property owner. Prior to issuance of a building permit for an ADU, the property owner must provide the City with a copy of the property deed to verify ownership, and two forms of documentation to verify occupancy of the primary residence. Acceptable documentation for this purpose includes voter's registration, driver's license, homeowner's insurance, income tax filing, and/or utility bill. When both the primary and ADU are constructed at the same time, such documentation must be provided prior to final occupancy.~~	100 strikethrough

Code Section	Current Code Language or Description	Potential Amendments	Page Number
	at the same time, such documentation must be provided prior to final occupancy.		
	f. Temporary Leave. A property owner may temporarily vacate the principal residence up to one year due to a temporary leave of absence for an employment, educational, volunteer opportunity, or medical need. The property owner must provide the City proof of temporary leave status from the property owner's employer, educational facility, volunteer organization or medical provider, and a notarized statement that the property owner intends to resume occupancy of the principal residence after the one year limit. During the temporary leave, the property owner may rent or lease both units on the property. Leaves in which property owner is temporarily absent shall not be consecutive and shall not occur more than once every 5 years. This standard may be adjusted at the discretion of the City.	Remove 1.f Temporary Leave ~~f. Temporary Leave. A property owner may temporarily vacate the principal residence up to one year due to a temporary leave of absence for an employment, educational, volunteer opportunity, or medical need. The property owner must provide the City proof of temporary leave status from the property owner's employer, educational facility, volunteer organization or medical provider, and a notarized statement that the property owner intends to resume occupancy of the principal residence after the one year limit. During the temporary leave, the property owner may rent or lease both units on the property. Leaves in which property owner is temporarily absent shall not be consecutive and shall not occur more than once every 5 years. This standard may be adjusted at the discretion of the City.~~	100-101 strikethrough
L. Design Standards and Guidelines			
	3.a. Purpose – The purpose statement explains the intent of the standard for use in interpretations and discretionary reviews where the standards are applied. Design Standard – The design standards are clear and objective standards that shall be applied during administrative and/or discretionary reviews.	"Design Standard" should have its own numbering instead of being tucked in with "a. Purpose". Indent Design Standard and renumber Design Guideline: 3.a. Purpose – The purpose statement explains the intent of the standard for use in interpretations and discretionary reviews where the standards are applied.	102

Code Section	Current Code Language or Description	Potential Amendments	Page Number
	b. Design Guidelines – The design guidelines are encouraged but not required as part of administrative reviews. They may be required as part of discretionary reviews.	**b. Design Standard** – The design standards are clear and objective standards that shall be applied during administrative and/or discretionary reviews. **c**. Design Guidelines – The design guidelines are encouraged but not required as part of administrative reviews. They may be required as part of discretionary reviews.	
	4.a(2)(ii) *The minimum finished height of a front porch is 16 inches above grade. The maximum-finished grade for an entry porch in a single-family residential zone is 3 feet above grade.*	Reducing the minimum to 13 inches: The minimum finished height of a front porch is **13** inches above grade. The maximum-finished grade for an entry porch in a single-family residential zone is 3 feet above grade.	102
	4.b(2)(ii) *(ii) No more than 30 percent of the front yard area shall be pavement.*	Adding clarification that a driveway is not included in the calculation: (ii) No more than 30 percent of the front yard area shall be pavement. **Driveway area is not included in this calculation.**	103
		Add standard 4.f(iii) to Materials section **4.f(iii) The use of metal siding is prohibited on accessory structures over 200 sq. ft.**	106
M. Mixed Use	*The maximum height allowed in the zone may be increased by 10 feet above the maximum otherwise allowed where residential uses are provided above the ground floor (vertical mixed use) and where no height variance has been approved*	The maximum height allowed in the zone may be increased by 10 feet above the maximum otherwise allowed where residential uses are provided above the ground floor (vertical mixed use) and where no height variance has been approved **to a maximum height of 45 feet.**	115
	2.b(1) *(1) Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys or located in*	Strikethrough the recess requirement for garages (1) Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages,	115

Code Section	Current Code Language or Description	Potential Amendments	Page Number
	parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side street when access cannot be provided from an alley. These standards do not apply when prevented by existing developments or topography. Each dwelling unit shall provide the required number of parking and bicycle spaces as required in Article VIII.	shall be oriented to alleys or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. ~~All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet.~~ On corner lots, garage entrances shall be oriented to a side street when access cannot be provided from an alley. These standards do not apply when prevented by existing developments or topography. Each dwelling unit shall provide the required number of parking and bicycle spaces as required in Article VIII.	
N. Mobile Food Vending		N.2 Design Standards Add: **f. Mobile food carts must be set back 5 feet from all other structures including the outside of awnings and other food carts.**	117
		N.3 Utilities Add: **e. A fire extinguisher is required.** **f. The maximum propane (LPG) is 200 lbs.**	117
		N.6 Approvals Add **c. Mobile Food Cart operators shall meet Oregon fire code as required** **d. Type I Procedure**	118

Code Section	Current Code Language or Description	Potential Amendments	Page Number
ARTICLE IX. SPECIAL DISTRICTS			
New Section C. Downtown Coburg Overlay District		Add Section C. **Downtown Coburg Overlay District** to Central Business District boundaries. (Attachment B) **See Article VII District Regulations Section K. Downtown Coburg Overlay District** See Attachment B for full Section including regulating plan and development checklist	127
ARTICLE X. TYPES OF REVIEW PROCEDURES			
Table X.1	*Subdivision – Final Type III*	The final plat should be a Type I administrative procedure. It is clear and objective. Update table to: Subdivision – Final Type **I**	129
		Adding the type of review procedure for Mobile Food Vending **Mobile Food Vending – Type I -- see ARTICLE VIII Supplementary District Regulations**	129
E. Type IV Procedure (Legislative).	*E.4(b)(4)* *(4) The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least 45 days before the first public* *hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD Certificate of Mailing.*	Adjust for "35/45-day" notice rule. DLCD changed notice requirement to 35 days instead of 45 days. Further, notices are now able to be submitted online instead of postal mail. (4) The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing **or through the online PAPA process** of proposed comprehensive plan and development code amendments at least **35 days** before the first public hearing at which public testimony or new evidence will be received. ~~The notice to DLCD shall include a DLCD Certificate of Mailing.~~	143

Code Section	Current Code Language or Description	Potential Amendments	Page Number
ARTICLE XI. LAND USE REVIEW AND SITE DESIGN REVIEW			
E. Site Design Review- Application Submission Requirements	*Article XI.E.2.j Other information determined by the City Planning Official*	Add the development checklist as j. and renumber other information to k. **Article XI.E.2.j Development Checklist** (Attachment B) **required for applications within the Central Business District. See ARTICLE VII.K** Article XI.E.2.**k** Other information determined by the City Planning Official	164-170
ARTICLE XII. LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS			
C. Tentative Approval	*2(a), 7(bb),7(bb)(4)* *a. Process. Applications for tentative partition plan review shall be processed as Type III applications in accordance with ARTICLE X.D.* *(bb) The proposed partition will:* *4. The proposed partition provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe, convenient and direct transit circulation, provided the City makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians,*	There is currently a scrivener's error where "partition" should be replaced with "subdivision". It appears this was a copy and paste error. **Replace "partition" with "subdivision"** where partition was placed in error 2(a),2.c(7)(bb),2.c(7)(bb).4 a. Process. Applications for tentative ~~partition~~ **subdivision** plan review shall be processed as Type III applications in accordance with ARTICLE X.D. (bb) The proposed ~~partition~~ **subdivision** will: 4. The proposed ~~partition~~ **subdivision** provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and	181-182

Code Section	Current Code Language or Description	Potential Amendments	Page Number
	and uses within 2 miles that can be reasonably expected to be used by bicyclists.	industrial areas, and provides safe, convenient and direct transit circulation, provided the City makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can be reasonably expected to be used by bicyclists.	
ARTICLE XIII CONDITIONAL USE PERMITS			
	Article XIII.D.1 *1. Use Criteria.* *a. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;* *b. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and* *c. All required public facilities have adequate capacity to serve the proposal.*	Add **d. Formula-Based Businesses less than 10,000 sq ft may be allowed if it does not adversely impact the character of downtown based on consideration of the following criteria:** **1. The availability of other similar uses within the district and within the vicinity of the proposed project.** **2. The formula-based establishment will contribute to the small business and entrepreneurial environment.** **3. The proposed use, together with its design and improvement, is consistent with the unique historic character of Coburg, and would preserve the distinctive visual appearance and shopping experience of Coburg for its residents and visitors.** **4. The formula-based establishment will serve an appropriate balance, and be mutually beneficial to surrounding businesses by contributing to the economic health of the whole district.** **5. The existing commercial vacancy rates within the district and within the vicinity of the proposed project.**	191

Code Section	Current Code Language or Description	Potential Amendments	Page Number
ARTICLE XXV. DEFINITIONS			
		Formula based business: A business which is required by contractual or other arrangement to maintain one or more of the following items: standardized ("formula") array of services and/or merchandise, trademark, logo, service mark, symbol, decor, architecture, layout, uniform, or similar standardized features and which causes it to be substantially identical to more than five (5) other businesses regardless of ownership or location. Formula businesses can include, but are not limited to: restaurants, retail stores, banks, real estate sales offices, spas, hair and nail salons, and hotel/motel/inn/B&B.	245

Downtown Coburg Overlay District

1. **Intent.** The intent of the Downtown Coburg Overlay District is to:

   a. Encourage and direct development within the boundaries of the Downtown Coburg Overlay District;

   b. Encourage a form of development that will achieve the physical qualities necessary to preserve and enhance the downtown area as the historic heart of the community, reflect the small town and historic architectural character of Coburg, and provide an attractive, pedestrian-oriented setting; and

   c. Encourage smaller-scale commercial and business facilities, civic building and city functions, and mixed use, as stated in the Coburg Comprehensive Plan, Policy 11.

2. **Applicability.**

   a. The Downtown Coburg Overlay District shall be an overlay district that applies over the existing C-1 zoning district.

   b. Use and development of land within the Downtown Coburg Overlay District shall be regulated as follows:

      (1) Any existing use shall be permitted to continue and the use shall be subject to the underlying zoning requirements and not the Downtown Coburg Overlay District.

      (2) Any alteration to the footprint, height, or massing of the existing building, or alteration of any parcel shall subject the entire building to the requirements of the Downtown Coburg Overlay District and shall be brought into compliance with the requirements of the Downtown Coburg Overlay District to the maximum extent practical, as determined by the Planning Commission.

      (3) Where a new building is proposed, the site shall be subject to the requirements of the Downtown Coburg Overlay District.

   c. Development applications within the Downtown Coburg Overlay District shall be required to follow the Review Procedures contained in Article X.

3. **Regulating Plan.**

   a. Purpose and Applicability

      (1) A Downtown Coburg Overlay District Regulating Plan has been adopted that divides the Downtown Coburg Overlay District into parcel types. Each parcel type designated on the Regulating Plan prescribes requirements for building form, height and massing which ensures that future growth helps meet the community's goals and vision for the district.

      (2) All new development, redevelopment, alteration to the footprint, height, or massing of an existing building, and improvement to parcels within the Downtown Coburg Overlay District must comply with regulations for the applicable Parcel Type as well as applicable regulations in the City of Coburg Development Code.

b. **Parcel Types.** The following list defines the intent of each Parcel Type.

(1) Downtown Core Parcel Type

(i) The primary intent of this parcel type is to create a vibrant, high density, pedestrian-oriented Main Street along N Willamette St.

(ii) The mixed-use character of this parcel type is reflected in the verticality of its buildings, where each floor typically hosts a different use. Typically along streetfronts, retail or service uses are located on the ground floor of the building, and residential (lofts), office, retail, trade or service uses are located on the upper floor(s).

(2) Downtown Flex Parcel Type

(i) The primary intent of this parcel type is to encourage vibrant, pedestrian-oriented, mixed-use development throughout the Downtown Coburg Overlay District.

(ii) The mixed-use character of this parcel type is defined by the flexibility and compatibility in use, in a sense that no parcel is restricted to a single use. This allows retail, service, office, live-work, and residential (townhomes or lofts) uses to be within proximity of each other, vertically or horizontally.

4. Building Standards

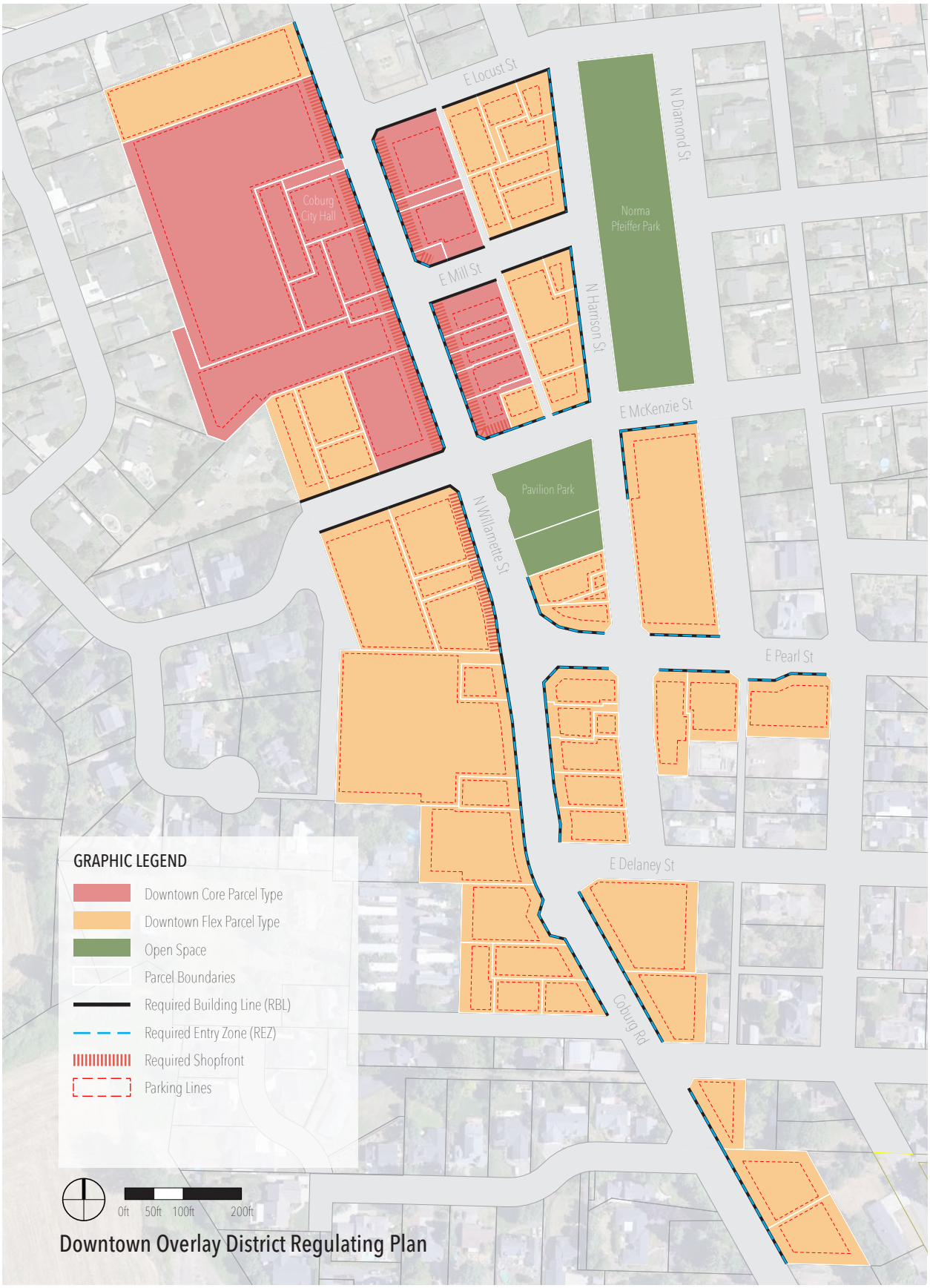
a. Purpose and Applicability

(1) The purpose of this section is to set forth regulations for Building Standards and design guidelines applicable to Parcel Types within the Downtown Coburg Overlay District. These standards are intended to ensure that new developments strengthen and enhance the existing architectural character and neighborhood scale of Downtown Coburg.

(2) The requirements in this section apply to all proposed development within the Downtown Coburg Overlay District and must be considered in relation to the intent and general architectural and neighborhood character of the district. The Building Standards also apply to any alteration to the footprint, height, or massing of the existing building, or alteration of any parcel.

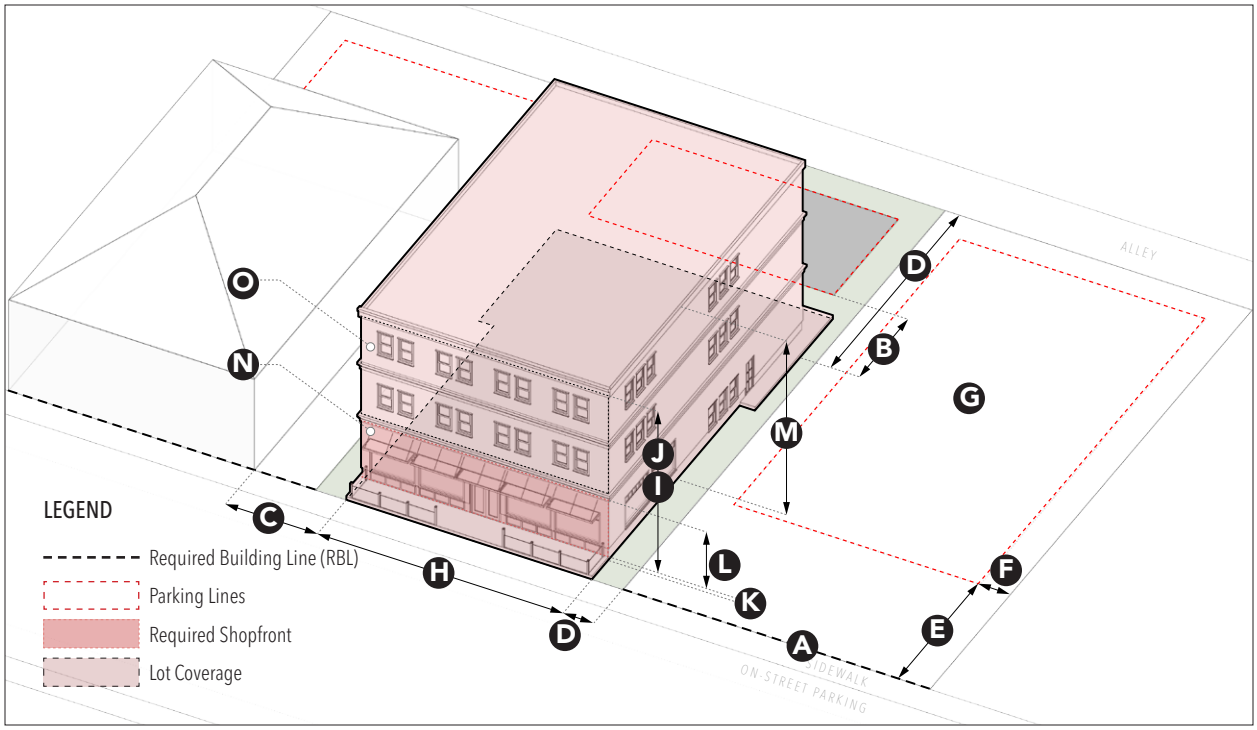
(3) These Building Standards do not apply to the existing use of any buildings or parcel and will not prevent the restoration of a building damaged not more than fifty (50) percent of its assessed valuation by fire, explosion, or extreme weather event.

b. **Building Standards.** The following pages illustrate and detail requirements regarding building forms for each Parcel Type.



Downtown Overlay District Regulating Plan

A. DOWNTOWN CORE BUILDING STANDARDS



Use		
Ground floor:	retail, service, office, trade; residential permitted on non-street-facing part(s) of the lot	
Upper floor(s):	retail, service, office, trade, residential	
Placement		
Front required building line (RBL)	0 ft; the front-most part of the building (i.e. wall, front porch) must be built to the RBL	A
Setback from secondary roads and parking	0 ft min.	B
Setback from other buildings	comply with applicable Uniform Fire Code standards	C
Rear and side setbacks	0 ft min.; see Notes when abutting Traditional Residential parcel	D
Parking setback from RBL	30 ft min.	E
Parking setback from parcel lines with no RBL	6 ft min.; 20 ft min. when abutting Traditional Residential parcel	F
Coverage		
Lot size	25 ft min. width; 1,500 sq ft min. area	G
Lot coverage	100% max.; see Notes for prerequisites	
Primary street facade built to RBL	80% min. of RBL length	H
Building width and length	150 ft max.; exterior building articulation required every 40 horizontal feet or less	
Height		
Minimum number of floors	2 floors	I
Maximum number of floors	3 floors	J
Ground floor elevation	0 in min. above sidewalk; see Notes for residential use	K
Floor to floor height	10 ft min.	L
Building height	45 ft max.; see Notes when abutting Traditional Residential parcel	M
Fenestration		
Percent of facade area (ground floor)	60%-80%	N
Percent of facade area (upper floors)	40%-80%	O

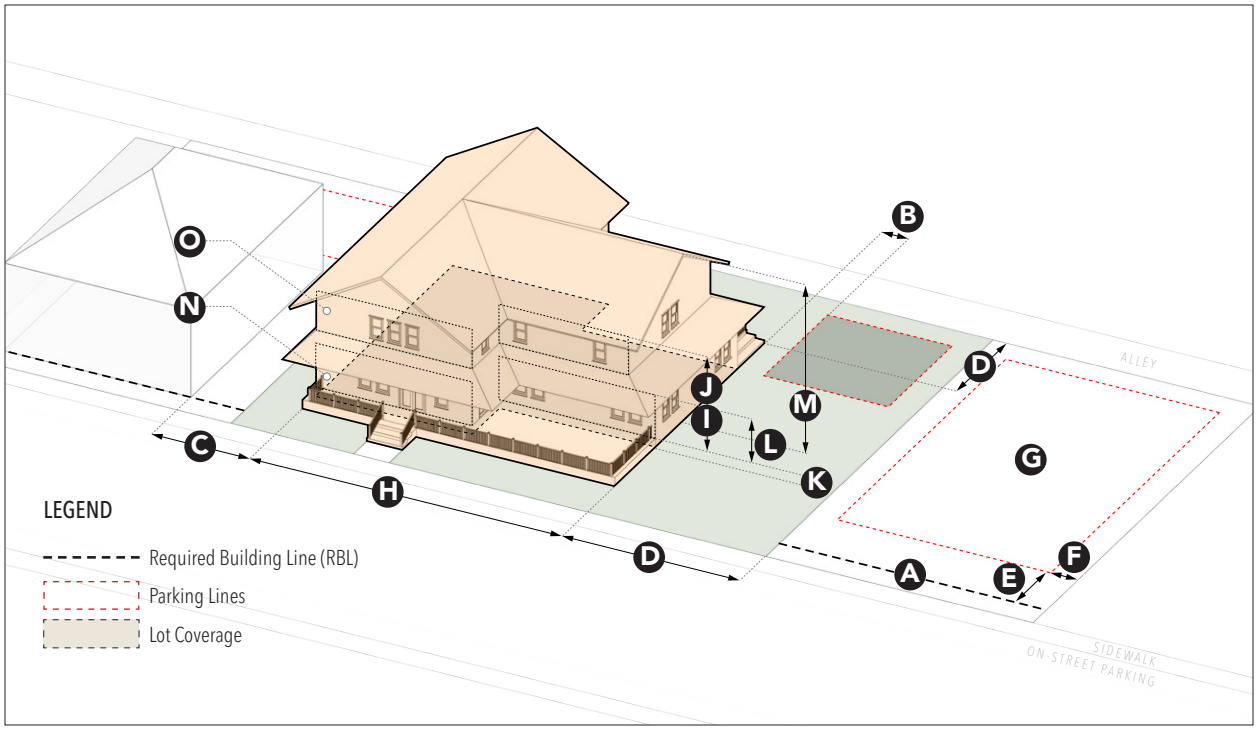
DOWNTOWN CORE BUILDING STANDARDS

The physical form of buildings on this parcel type is regulated to reflect the town center character of downtown, with required shopfront on the ground floor where RBL exists. Because the Downtown Coburg Overlay District is part of Coburg's "Architecturally Controlled Areas," the building form must also reflect the local architectural characteristics, as defined in Section 3.c of this Overlay Code.

Notes

- Buildings on parcels that abut a Traditional Residential parcel must be set back at least one foot for each foot in building height from the shared property line(s), up to a maximum required setback of 45 ft; building height is measured from the average grade to the top of the wall facing the shared property line or to the top of the highest window or door, whichever is higher
- One hundred percent coverage is allowable when applicable minimum loading space, stormwater, and setback requirements are met
- The ground floor of non-street-facing residential use must be elevated a minimum of 16 inches above grade
- Primary building entrance must be located along the Required Entry Zone (REZ) and be oriented to the street
- Pedestrian sidewalks or walkways must be provided to connect the building primary entrance to the public right of way
- Uses that create odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries are prohibited
- All new developments are required to provide a minimum of two of the following pedestrian amenities
  - Outdoor seating options
  - Extra wide sidewalk
  - Courtyard or pocket park
  - Rain garden and/or planters
  - Other opportunities for open spaces
- All new constructions and major renovations are required to incorporate historic building exterior design elements as detailed in Section 3.c of this Overlay Code "Architecturally Controlled Areas"
- The the Downtown Coburg Overlay District is exempt from the minimum off-street parking requirements under Article VIII.B Section 2(b) of the Coburg Development Code, except for employees parking and work vehicles that are stored on site
- Refer to Article VIII.M.2.b.(1) for off-street vehicle parking standards for mixed-use development in the Downtown Coburg Overlay District
- If more than four dwelling units are proposed, an alley or private mid-block lane are required for vehicle access
- No structural improvements, except road surfacing, are allowed within 10 feet of the centerline of an alley
- Any ground-level shopfront windows facing circulation networks must be kept visible (unshuttered) at night

B. DOWNTOWN FLEX BUILDING STANDARDS



Use		
Ground floor:	retail, service, office, trade, residential	
Upper floor(s):	retail, service, office, trade, residential	
Placement		
Front required building line (RBL)	0 ft min. - 6 ft. max.; the front-most part of the building (i.e. wall, front porch) must be built to the RBL	A
Setback from secondary roads and parking	6 ft min.	B
Setback from other buildings	comply with applicable Uniform Fire Code standards	C
Rear and side setbacks	0 ft min.; see Notes when abutting Traditional Residential parcel	D
Parking setback from RBL	20 ft min.	E
Parking setback from parcel lines with no RBL	6 ft min.; 20 ft min. when abutting Traditional Residential parcel	F
Coverage		
Lot size	25 ft min. width; 1,500 sq ft min. area	G
Lot coverage	100% max.; see Notes for prerequisites	
Primary street facade built to RBL	60% min. of RBL length	H
Building width and length	150 ft max.; exterior building articulation required every 40 horizontal feet or less	
Height		
Minimum number of floors	1 floors	I
Maximum number of floors	3 floors	J
Ground floor elevation	0 in min. above sidewalk; 16 in min. for above-grade residential use	K
Floor to floor height	10 ft min.	L
Building height	45 ft max.; see Notes when abutting Traditional Residential parcel	M
Fenestration		
Percent of facade area (ground floor)	50%-80%	N
Percent of facade area (upper floors)	40%-80%	O

DOWNTOWN FLEX BUILDING STANDARDS

The physical form of buildings on this parcel type is regulated to support active street and seamless pedestrian experience, with ground floor shopfront for retail, service, and office uses, or street-oriented frontage for residential and live-work uses. Downtown Flex parcels at critical nodes may be required to provide ground floor shopfronts. Because the Downtown Coburg Overlay District is part of Coburg's "Architecturally Controlled Areas," the building form must also reflect the local architectural characteristics, as defined in Section 3.c of this Overlay Code.

Notes

- Buildings on parcels that abut a Traditional Residential parcel must be set back at least one foot for each foot in building height from the shared property line(s), up to a maximum required setback of 45 ft; building height is measured from the average grade to the top of the wall facing the shared property line or to the top of the highest window or door, whichever is higher
- One hundred percent coverage is allowable when applicable minimum loading space, stormwater, setbacks, and parking requirements are met
- Primary building entrance must be located along the Required Entry Zone (REZ) and be oriented to the street
- Pedestrian sidewalks or walkways must be provided to connect the building primary entrance to the public right of way
- Uses that create odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries are prohibited
- All new developments are required to provide a minimum of two of the following pedestrian amenities
  - Outdoor seating options
  - Extra wide sidewalk
  - Courtyard or pocket park
  - Rain garden and/or planters
  - Pedestrian-scaled awnings or canopies
  - Other opportunities for open spaces
- All new constructions and major renovations are required to incorporate historic building exterior design elements as detailed in Section 3.c of this Overlay Code "Architecturally Controlled Areas."
- The the Downtown Coburg Overlay District is exempt from the minimum off-street parking requirements under Article VIII.B Section 2(b) of the Coburg Development Code, except for employees parking and work vehicles that are stored on site
- Refer to Article VIII.M.2.b.(1) for off-street vehicle parking standards for mixed-use development in the Downtown Coburg Overlay District
- If more than four dwelling units are proposed, an alley or private mid-block lane are required for vehicle access
- No structural improvements, except road surfacing, are allowed within 10 feet of the centerline of an alley

c. **Architecturally Controlled Areas.** Building Standards are not intended to indicate or suggest any specific architectural style. However, because the Downtown Coburg Overlay District is part of Coburg's "Architecturally Controlled Areas," the physical form of buildings in this district is regulated to reflect the local historic architectural characteristics.

(1) The following historic building exterior design elements are required for all new construction and major renovations in order to maintain and improve the historic storefront character of the downtown. Historic Structures are also subject to the conditional use criteria in Article XIV.

(i) Decorative doors, transom, or clerestory windows.

(ii) Windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district.

(iii) Certain percentage of the ground floor facade facing the street must have windows. The lower edge of these windows must be no more than 30 inches above the sidewalk. Refer to the corresponding Parcel Type's Building Standards for applicable range of fenestration percentages.

(iv) The pitch and style of rooflines must be comparable to existing historic rooflines.

(v) Surface detailing is required for blank walls (permitted on non-street facing facades only) and must include offsets, windows, siding, murals, or other similar features.

(vi) Weather protection for pedestrians (awnings or canopies). Lighted or bubble awnings are not allowed.

d. **Shopfront Design Standards.** Building frontage, which is the intersection between the ground floor of the building and the public sidewalks, defines the character of each building. Collectively, building frontages define the built character of a neighborhood. Therefore, welcoming frontages are a critical ingredient in achieving the intent of creating a walkable, interactive, and vibrant public realm in downtown Coburg.

(1) Shopfronts are required for the ground floor of all Downtown Core buildings that face the main street (N Willamette St) and Pavilion Park.

(2) The following shopfront design standards detail frontage elements that can help provide streets and the general public realm with a comfortable, human-scale, lived-in appearance.

(i) Shopfronts must be composed of a base up to 30 inches tall, with clear glazing that extends from the base to at least eight feet above the sidewalk level.

(ii) Windows and doors must extend along at least 60 percent of the length of the shopfront facade. The lower edge of these windows must be no higher than 30 inches above the sidewalk. Any ground-level shopfront windows facing circulation networks must be kept visible (unshuttered) at night.

(iii) Storefronts must incorporate weather protection elements for pedestrians (awnings or canopies); lighted or bubble awnings are not allowed.

(iv) The location, design, and lighting of signage is integral to the shopfront design; refer to Coburg Sign Ordinance A-155.

This conceptual rendering looking north at the corner of E Mill Street and N Harrison Street shows how future development under Downtown Flex could help to frame Pfeiffer Park and activate the street corner for pedestrians.

Current state

5. Sustainable Landscape Standards for Downtown Coburg

a. Purpose and Applicability

(1) Landscape plays a number of very important roles in the built environment, both at the parcel level and at the larger, neighborhood level. Its more conventional role includes helping generate a network of comfortable, habitable, and beautiful public and private open spaces that support pedestrian functions and a full range of activities in a vibrant public realm.

The role of landscape has also evolved to promote environmental stewardship, addressing sustainability concerns particularly in relation to biofiltration stormwater management. This section focuses on the ways in which site designs can integrate practices of sustainable stormwater management known as "Low Impact Development (LID)."

(2) Applicant or developer of all new development, redevelopment, alteration to the footprint, height, or massing of an existing building, and improvement to parcels, must demonstrate post-development runoff at or below pre-development rates.

(3) New developments must provide on-site vegetated stormwater infrastructure as necessary, appropriately sized by the site designers to mitigate any increase in stormwater runoff post-development.

(4) Article VII.C.4.c Parking Lot Design pertains to landscape-related design standards for parking lots in the Downtown Coburg Overlay District. For parking lot regulations outside of landscaping, refer to Article VIII.B. Parking Regulation as part of the Supplementary District Regulations.

b. On-site Stormwater Infrastructure

(1) LID is an approach to land development that works with nature in managing stormwater as close to its source as possible to minimize stormwater runoff from buildings and impervious surfaces. Unlike a conventional system that would simply pipe unfiltered stormwater through metal grates straight into drainage channels, LID-based stormwater management approach relies on vegetated natural systems to collect, infiltrate, and filter rainwater on site, often reducing the need for costly underground structures.

(2) The following list introduces some examples of the different types of best management practices (BMP) for on-site stormwater management commonly adopted in the site development process.

RAIN GARDEN

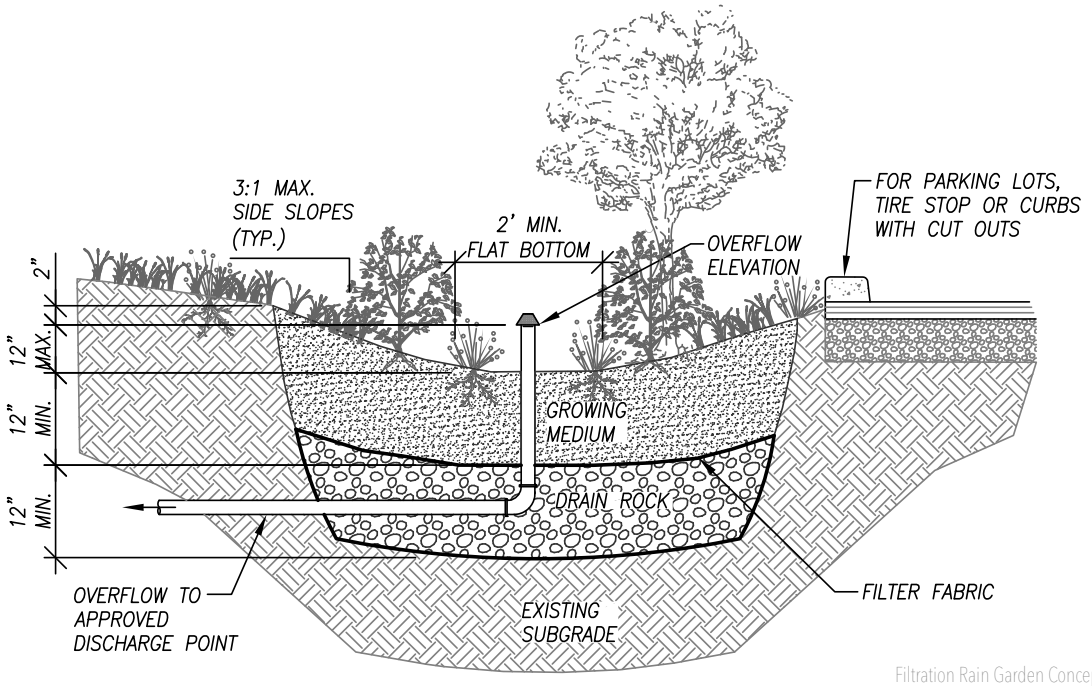
Rain gardens are vegetated, flat bottomed, shallow landscape depression that collect and hold stormwater runoff, allowing pollutants to settle and filter out as water infiltrates into the ground. Rain gardens are generally smaller and more appropriate for residential systems than bioswales. Rain gardens can be installed in almost any unpaved space. They have the versatility to be configured in a number of different shapes and sizes, such as a standalone landscape amenity, part of a larger garden, or as a strip bordering hardscapes such as parking lots, driveways, or sidewalks.

The entire rain garden must maintain 90 percent vegetation coverage. Plants selected for a rain garden need to be able to withstand moisture conditions ranging from flooded to dry, an edge that native plants often have. More complex rain gardens are equipped with drainage systems and amended soils, often referred to as bioretention or bioinfiltration cells. As water percolates, the layers of vegetation and soil mediums filter pollutants out of water before it infiltrates into the ground below or gets piped to its downstream destination. Rainfall infiltrates into the ground until the soil reaches its absorption capacity, which under ordinary rainfall events should manage most of the volume. During heavy rainfalls, any overflow will be piped to its downstream destination.

Rain gardens can be used to fulfill applicable requirement for site landscaping area, and should be integrated into the overall site design.

Rain garden as part of an urban green infrastructure
Source: U.S. Environmental Protection Agency

Rain garden on a residential property
Source: Stormwater Report, Water Environment Federation



Filtration Rain Garden Concept Details
Source: City of Coburg Standard Drawing SS-004

VEGETATED SWALE

Vegetated swales are an open channel stormwater system that provide an alternative to the conventional storm sewer piping. They can absorb low flows or cary runoff from heavy rains to storm sewer inlets or directly to surface waters. Additionally, vegetated swales improve water quality by infiltrating the first flush of stormwater runoff and filtering the large storm flows they convey. Because most of the annual precipitation comes from frequent, small rain events, these swales are able to infiltrate and filter nearly all of this water, provided that they are appropriately sized.

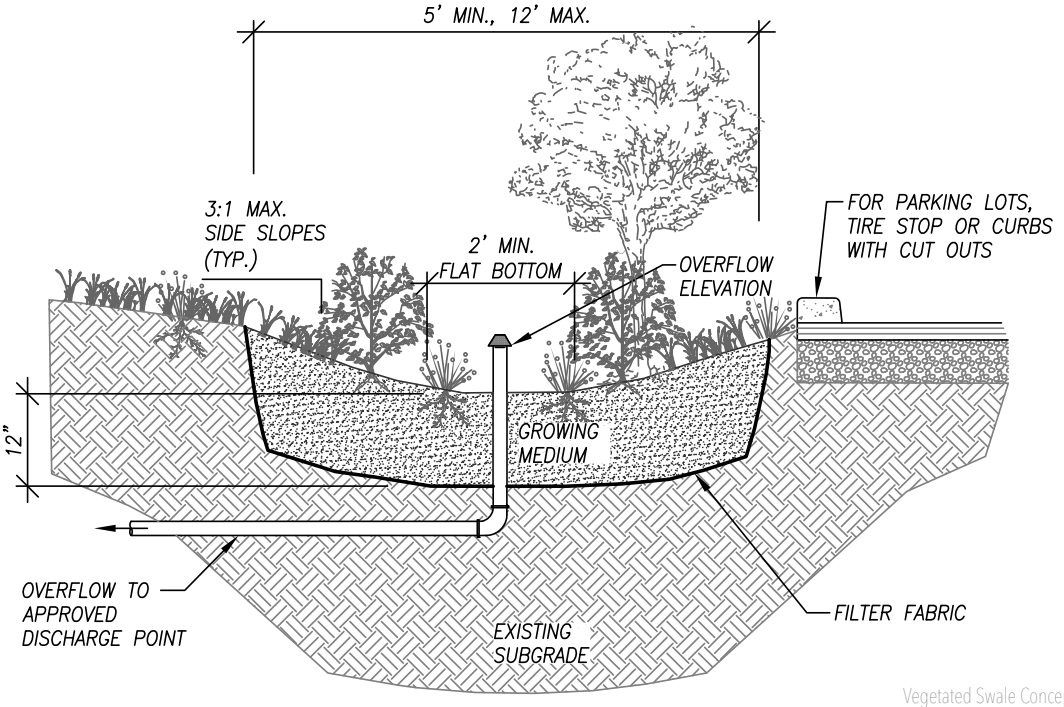
Because they are a stormwater runoff conveyance system, vegetated swales are typically a linear system that is long and narrow. Because they tend to be larger in size compared to rain gardens, vegetated swales are prepared to manage a large amount of runoff from large impervious surfaces, such as roadways and parking lots.

Like rain gardens, vegetated swales are vegetated with plants that can withstand both heavy watering and drought, which are often native plants. Whenever possible, design vegetated swales to utilize and enhance existing natural drainage depressions.

Vegetated swales can be used to fulfill applicable requirement for site landscaping area, and should be integrated into the overall site design.

Vegetated swale as part of a larger landscape
Source: Sustainable Campus, Cornell University

The use of vegetated swale along a surface parking lot
Source: University of California, Santa Barbara



Vegetated Swale Concept Details
Source: City of Coburg Standard Drawing SS-002

GRASSED SWALE

Grassed swales are an open channel stormwater system akin to vegetated swales, but only planted with grasses and are essentially drainage ditches. Because grassed swales have less vegetation, they are typically less costly and require lower maintenance than vegetated swales. However, grassed swales tend to provide significantly less infiltration and pollutant filtration opportunities. Nevertheless, when properly designed and sized, grassed swales can still result in a significant improvement over catch basins and conventional pipes in both the slowing and cleaning of stormwater runoff.

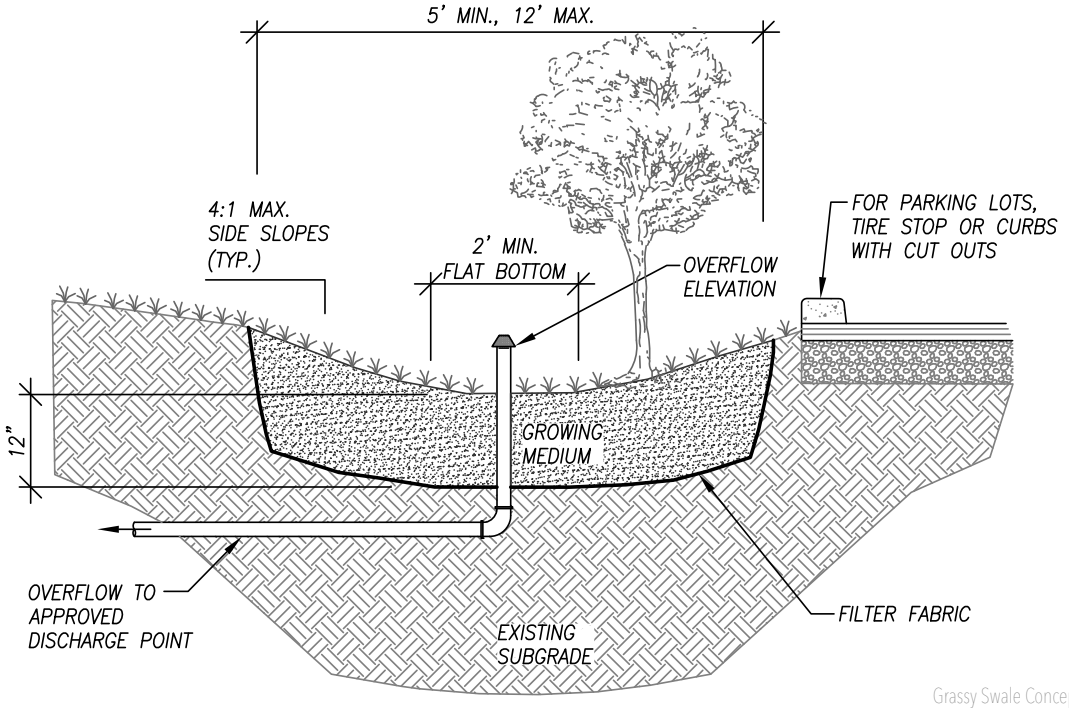
Grassed swales are generally used to treat relatively small drainage areas of five acres or less. Vegetated swales or grassed swales that are constructed in tandem with other stormwater management practices are recommended for more urbanized areas or highly impervious areas.

Select grass species that produce fine, uniform, and dense cover and that can withstand a range of moisture conditions. Avoid cutting grass shorter than the design flow depth because it may reduce the grass' effectiveness in slowing and cleaning stormwater runoff.

Grassed swales can be used to fulfill applicable requirement for site landscaping area, and should be integrated into the overall site design.

Grassed swale along a divided highway
Source: U.S. Geological Survey

Grassed swale construction
Source: City of Coeur d'Alene, Idaho



Grassy Swale Concept Details
Source: City of Coburg Standard Drawing SS-001

c. Parking Lot Design

(1) **Parking Lot Grading.** All vehicular parking areas must be graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property.

(2) **Parking Lot Screening.** Parking areas with more than two off-street spaces must be screened with an evergreen hedge or fence at least four feet high.

(i) Parking areas must be located to the rear or side of the primary structure. To the greatest extent practicable, such parking areas must be situated away from neighboring residential units.

(ii) Fences, walls, or other structures must screen at least 70 percent of the view when abutting Residential District parcels. A hedge must, within one year of planting, screen 70 percent of the view between the districts.

(iii) The maximum allowable height of fences and walls is six feet, as measured from the lowest grade at the base of the wall or fence. A building permit is required for walls exceeding six feet in height, in conformance with the Uniform Building Code.

(iv) If vegetation is used, it must remain living after planting and must be continuously maintained by the property owner. If the vegetation fails to survive or is otherwise not maintained in good condition, the property owner must replace them with an equivalent species and size within 180 days.

(v) Any fence, hedge and wall must comply with vision clearance standards in Article VIII.A and provide for pedestrian circulation where required.

(3) **Parking Lot Landscaping.** New off-street parking with five or more spaces must be landscaped and is highly encouraged to incorporate on-site stormwater management strategies introduced in Section 4.b of this Overlay Code.

(i) Purpose

- Landscaping helps screen the parking area both from the development and the right-of-way.
- Landscaping enhances the site through the careful placement of plantings and other landscape features.
- Landscaping helps lessen stormwater run-off by reducing the amount of impervious surface. Surface stormwater runoff and water pollution are a major concern in parking lot developments, which typically involve a vast amount of impervious surface.

(ii) Landscaping using a combination of vegetated stormwater infrastructure, planters, and shade trees within and/or around the

parking area must be provided at a minimum ratio of 10 percent of the gross area of the parking lot. The parking area is computed by adding all areas used for access drives, aisles, stalls, and maneuvering within the portion of the site that is devoted to parking and circulation.

(iii) A minimum of one shade tree should be provided for every five parking spaces, or to achieve a minimum of 40 percent canopy coverage of paved area at maturity, whichever is greater.

(iv) Landscaping should be evenly dispersed throughout the parking area, with trees planted around the perimeter.

(v) Planning staff will confirm that the proposed off-street parking area meets the standard based on an authoritative tree guide, or on a landscaping plan prepared by a licensed landscape architect or arborist certified by the International Society of Arboriculture.

(4) Parking Lot Paving. Another way to minimize surface stormwater runoff and water pollution is to reduce the amount of run-off generating surface area. Pavement plays a major role in transporting stormwater runoff and polluted water from roofs and cars to streams, rivers, and groundwater. When soil and site conditions are suitable, use alternative paving materials for parking areas to achieve filtration and partial storage during storm events, thereby reducing stormwater runoff and decreasing downstream flooding and water pollution.

(i) Pervious pavements are load-bearing surfaces that allow water to filter and infiltrate into the ground instead of running off the site into storm drains. They can be used for walkways, patios, plazas, driveways, and parking lots. They may also be used for some portions of streets, subject to compliance with local building codes.

(ii) Pervious pavements offer a range of benefits, including:

- Reducing the amount of stormwater runoff and keeping associated pollutants from entering nearby streams
- Allowing groundwater recharge and reducing localized flooding during rain events
- Minimizing standing water
- Minimizing the need to irrigate nearby planting areas

(iii) The following list introduces several types of commonly accepted pervious pavement.

Porous asphalt is a good option for areas needing a larger, more stable surface such as parking lots. It looks very similar to traditional asphalt, but is comprised almost entirely of stone aggregate and asphalt binder with very little fine aggregate. With proper design and installation, porous asphalt can span more than 20 years.

Pervious concrete typically has a permeability rate of 12 inches per hour and has the appearance of exposed aggregate concrete. Pervious concrete is manufactured without 'fine' materials and incorporate void spaces to allow water to percolate through the pavement and infiltrate the ground.

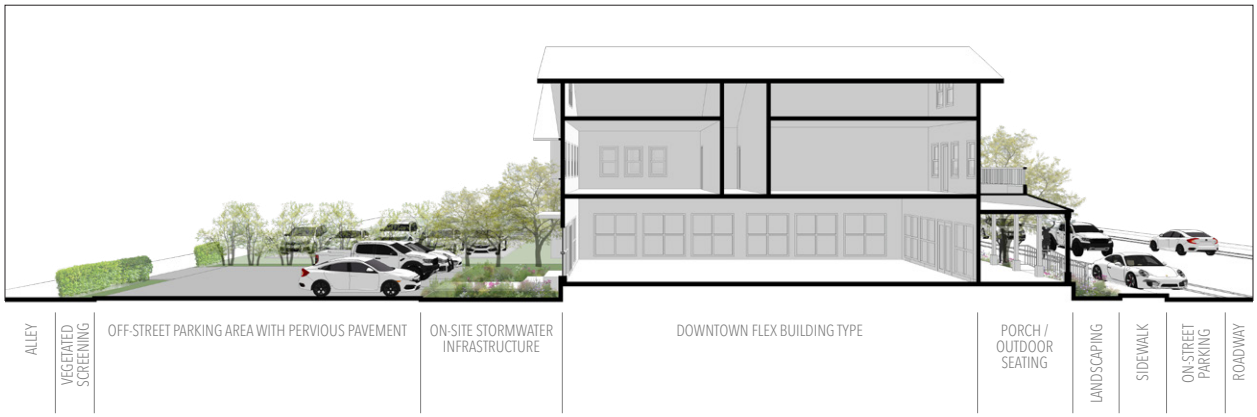
Reinforced grass pavers (turf blocks) are concrete interlocking blocks or synthetic grid system with open spaces designed to allow grass to grow in between the pavers. They create a visually appealing parking lot, driveway, or pathway that blends in with the surrounding landscape while allowing water to filter into the ground.

Reinforced gravel paver is a stabilized gravel system that consists of a connected honeycomb- or diamond-celled panels foundation. Once filled with gravel, this system has the strength and durability to withstand vehicle traffic. This porous system can be a more affordable alternative to asphalt, concrete, or block pavers.

Unit paving pads, bricks, or stones can provide high permeability when spaced out to expose the permeable base underneath. Spaced concrete pads with ample permeable material in between can also be used for areas with light vehicle traffic.

Other pervious surfaces may be appropriate upon demonstrating permeability.

d. **Example of on-site application.** Using a combination of multiple sustainable landscape strategies allows for a wider range of infiltration opportunities. When possible, locate permeable pavement area adjacent to a rain garden, bioswale, or other vegetated stormwater infrastructure to allow overflow to drain into an infiltration area.



Article XI E.2.j. DOWNTOWN COBURG OVERLAY DISTRICT DEVELOPMENT CHECKLIST

DOWNTOWN CORE PARCEL TYPE

The physical form of buildings on this parcel type is regulated to reflect the town center character of downtown Coburg, with required shopfront on the ground floor where RBL (Required Building Line) exists.
Because the Overlay District is part of Coburg's "Architecturally Controlled Areas," the building form must also reflect the local architectural characteristics, as defined in Section 3.c of the Downtown Coburg Overlay District Code.

	Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #
USE: Refer to Article VII.C.2 of the Coburg Development Code for a complete list of permitted and prohibited uses			
a.	Ground floor of the building(s) serves one or more of the following uses: retail, service, office, trade		
b.	Upper floor(s) of the building(s) serves one or more of the following uses: retail, service, office, trade, residential		
c.	Ground floor residential use is only on non-street-facing parts of the parcel (if applicable)		
d.	Building(s) does not contain uses that create odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries		
PLACEMENT			
a.	The front-most part of the building(s) (i.e. wall, front porch) is built to the RBL of 0 ft from the street edge or the sidewalk (when available)		
b.	Building(s) has a minimum setback of 0 ft from secondary roads and parking		
c.	The building(s) minimum setbacks from other buildings comply with applicable Uniform Fire Code standards		
d.	Building(s) has a minimum rear and side setbacks of 0 ft		
e.	Building(s) on a lot abutting a Traditional Residential parcel is set back at least 1 ft for each foot in building height from the shared property line(s), up to a maximum required setback of 45 ft		
f.	The building(s) primary entrance is located along the Required Entry Zone (REZ) and oriented to the street		
g.	Pedestrian sidewalks or walkways are provided to connect the building(s) primary entrance to the public right of way		
COVERAGE			
a.	Existing lot, subdivisions of an existing lot, or new combination of lots has a minimum width of 25 ft		
b.	Existing lot, subdivisions of an existing lot, or new combination of lots has a minimum area of 1,500 sq ft		
c.	Lot has a maximum coverage of 100%, provided that applicable minimum loading space, stormwater, setbacks, and parking requirements are met		
d.	The building(s) primary street façade is built to the RBL for a minimum 80% of the RBL length		
e.	Building(s) is a maximum 150 ft in width and length		
f.	Building(s) has an exterior building articulation every 40 horizontal feet or less		
HEIGHT			
a.	Building(s) has a minimum of 2 floors		
b.	Building(s) has a maximum of 3 floors		
c.	The building(s) ground floor is elevated a minimum of 0 inches above the sidewalk		
d.	The ground floor of non-street facing residential use is elevated a minimum of 16 inches above grade		
e.	Building(s) has a minimum floor-to-floor height of 10 ft		
f.	Building(s) has a maximum height of 45 ft		
FENESTRATION			
a.	60%-80% of the building(s) ground floor consists of fenestration		
b.	40%-80% of the building(s) upper floor(s) consists of fenestration		

	Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #
PEDESTRIAN AMENITIES All new developments are required to provide a minimum two of the following pedestrian amenities:			
a.	Outdoor seating options		
b.	Extra wide sidewalk		
c.	Courtyard or pocket park		
d.	Rain garden and/or planters		
e.	Other opportunities for open spaces: _____		
f.	Plan provides two or more of the above pedestrian amenities		
HISTORIC BUILDING EXTERIOR All new constructions and major renovations are required to incorporate the following historic building exterior design elements as detailed in Section 3.c of the Downtown Coburg Overlay District Code "Architecturally Controlled Areas":			
a.	Building(s) has decorative doors, transom, or clerestory windows		
b.	Building(s) has windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district		
c.	60%-80% of the ground floor facade facing the street consists of windows; the lower edge of these windows is no more than 30 inches above the sidewalk		
d.	The pitch and style of rooflines are comparable to existing historic rooflines and within a range of 4:12 - 10:12 pitch; new buildings may have a flat roof		
e.	Blank walls of the building(s) (permitted on non-street facing facades only) have surface detailing and include offsets, windows, siding, murals, or other similar features		
f.	Building(s) provides weather protection for pedestrians (awnings or canopies); no bubble awning or lighted awning is present		
SHOPFRONT Shopfronts are required for the ground floor of all Downtown Core buildings and must follow the following design standards:			
a.	Shopfront is composed of a base up to 30 inches tall, with clear glazing that extends from the base to at least eight feet above the sidewalk level		
b.	Windows and doors extend along at least 60% of the length of the shopfront facade; the lower edge of these windows is no more than 30 inches above the sidewalk		
c.	Ground-level shopfront windows facing circulation networks are kept visible (unshuttered) at night		
d.	Storefronts incorporate weather protection element for pedestrians (awnings or canopies); no bubble awning or lighted awning is present		
e.	The location, design, and lighting of signage are integral to the shopfront design; refer to Coburg Sign Ordinance A-155		
PARKING			
a.	Off-street parking is set back a minimum of 30 ft from RBL		
b.	Off-street parking is set back a minimum of 6 ft from parcel lines with no RBL		
c.	Off-street parking on a lot abutting a Traditional Residential parcel is set back a minimum of 20 ft from the shared property line(s)		
d.	Off-street parking, drive, garage, and other vehicle areas are oriented to the alley or located behind or to the side of the building; they cannot be placed between buildings and streets		
e.	Off-street parking is accessed from the alley; when no alley exists, off-street parking is accessed from the side of the building or through a side street for corner lots		
f.	If more than four dwelling units are proposed, an alley or private mid-block lane is provided for vehicle access		
g.	No structural improvements, except road surfacing, are within 10 feet of the centerline of an alley		
h.	All vehicular parking areas are graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property		
i.	Parking areas with more than two off-street spaces are screened with an evergreen hedge or fence at least 4 ft high		

Design Standards		Site Plan Complies (Y/N/NA)	See Comment Sheet #
PARKING (continued)			
j.	Fences, walls, or other structures screen at least 70 percent of the view when abutting Residential District parcels		
k.	The maximum height of fences and walls is six feet, as measured from the lowest grade at the base of the wall or fence; see Section 5.c.(2).(iii) of the Downtown Coburg Overlay District Code for exceptions		
l.	Any fence, hedge and wall comply with vision clearance standards in Article VIII.A and provide for pedestrian circulation where required		
m.	New off-street parking with five or more spaces is landscaped at minimum of 10% of the gross area of the parking lot		
LANDSCAPING / ON-SITE STORMWATER INFRASTRUCTURE			
a.	Applicant or developer of new development, redevelopment, alteration to the footprint, height, or massing of an existing building, or improvement to parcels, demonstrates post-development runoff at or below pre-development rates		
b.	New development, redevelopment, alteration to the footprint, height, or massing of an existing building, or improvement to parcels provides on-site vegetated stormwater infrastructure as necessary, appropriately sized by the site designers to mitigate any increase in stormwater runoff post-development		

DOWNTOWN FLEX PARCEL TYPE

The physical form of buildings on this parcel type is regulated to support active street and seamless pedestrian experience, with ground floor shopfront for retail, service, and office uses, or street-oriented frontage for residential and live-work uses. Downtown Flex parcels at critical nodes may be required to provide ground floor shopfronts.
Because the Overlay District is part of Coburg's "Architecturally Controlled Areas," the building form must also reflect the local architectural characteristics, as defined in Section 3.c of the Downtown Coburg Overlay District Code.

	Design Standards	Site Plan Complies (Y/N/NA)	See Comment Sheet #
USE: Refer to Article VII.C.2 of the Coburg Development Code for a complete list of permitted and prohibited uses			
a.	Ground floor of the building(s) serves one or more of the following uses: retail, service, office, trade, residential		
b.	Upper floor(s) of the building(s) serves one or more of the following uses: retail, service, office, trade, residential		
c.	Ground floor residential use is only on non-street-facing parts of the parcel (if applicable)		
PLACEMENT			
a.	The front-most part of the building(s) (i.e. wall, front porch) is built to the RBL of between 0 ft and 6 ft from the street edge or the sidewalk (when available)		
b.	Building(s) has a minimum setback of 6 ft from secondary roads and parking		
c.	The building(s) minimum setbacks from other buildings comply with applicable Uniform Fire Code standards		
d.	Building(s) has a minimum rear and side setbacks of 0 ft		
e.	Building(s) on a lot abutting a Traditional Residential parcel is set back at least 1 ft for each foot in building height from the shared property line(s), up to a maximum required setback of 45 ft		
f.	The building(s) primary entrance is located along the Required Entry Zone (REZ) and be oriented to the street		
g.	Pedestrian sidewalks or walkways are provided to connect the building(s) primary entrance to the public right of way		
COVERAGE			
a.	Existing lot, subdivisions of an existing lot, or new combination of lots has a minimum width of 25 ft		
b.	Existing lot, subdivisions of an existing lot, or new combination of lots has a minimum area of 1,500 sq ft		
c.	Lot may has a maximum coverage of 100%, provided that applicable minimum loading space, stormwater, setbacks, and parking requirements are met		
d.	The building(s) primary street façade is built to the RBL for a minimum 60% of the RBL length		
e.	Building(s) is a maximum 150 ft in width and length		
f.	Building(s) has an exterior building articulation every 40 horizontal feet or less		
HEIGHT			
a.	Building(s) has a minimum of 1 floor		
b.	Building(s) has a maximum of 3 floors		
c.	The building(s) ground floor is elevated a minimum of 0 inch above the sidewalk		
d.	When the building ground floor is a residential use, it is elevated a minimum of 16 inches above grade		
e.	Building(s) has a minimum floor-to-floor height of 10 ft		
f.	Building(s) has a maximum height of 45 ft		
FENESTRATION			
a.	50%-70% of the building(s) ground floor consists of fenestration		
b.	40%-70% of the building(s) upper floor(s) consists of fenestration		

Design Standards		Site Plan Complies (Y/N/NA)	See Comment Sheet #
PEDESTRIAN AMENITIES All new developments are required to provide a minimum two of the following pedestrian amenities:			
a.	Outdoor seating options		
b.	Extra wide sidewalk		
c.	Courtyard or pocket park		
d.	Rain garden and/or planters		
e.	Pedestrian-scaled awnings or canopies		
f.	Other opportunities for open spaces: _____		
g.	Plan provides two or more of the above pedestrian amenities		
HISTORIC BUILDING EXTERIOR All new constructions and major renovations are required to incorporate the following historic building exterior design elements as detailed in Section 3.c of the Downtown Coburg Overlay District Code "Architecturally Controlled Areas":			
a.	Building(s) has decorative doors, transom, or clerestory windows		
b.	Building(s) has windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district		
c.	50%-80% of the ground floor facade facing the street consists of windows; the lower edge of these windows is no more than 30 inches above the sidewalk		
d.	The pitch and style of rooflines are comparable to existing historic rooflines and within a range of 4:12 - 10:12 pitch; new buildings may have a flat roof		
e.	Blank walls of the building(s) (permitted on non-street facing facades only) have surface detailing and include offsets, windows, siding, murals, or other similar features		
f.	Building(s) provides weather protection for pedestrians (awnings or canopies); no bubble awning or lighted awning is present		
SHOPFRONT When present on applicable parcels, shopfronts must follow the following design standards:			
a.	Shopfront is composed of a base up to 30 inches tall, with clear glazing that extends from the base to at least eight feet above the sidewalk level		
b.	Windows and doors extend along at least 60% of the length of the shopfront facade; the lower edge of these windows is no more than 30 inches above the sidewalk		
c.	Ground-level shopfront windows facing circulation networks are kept visible (unshuttered) at night		
d.	Storefronts incorporate weather protection element for pedestrians (awnings or canopies); no bubble awning or lighted awning is present		
e.	The location, design, and lighting of signage are integral to the shopfront design; refer to Coburg Sign Ordinance A-155		
PARKING			
a.	Off-street parking is set back a minimum of 20 ft from RBL		
b.	Off-street parking is set back a minimum of 6 ft from parcel lines with no RBL		
c.	Off-street parking on a lot abutting a Traditional Residential parcel is set back a minimum of 20 ft from the shared property line(s)		
d.	Off-street parking, drive, garage, and other vehicle areas are oriented to the alley or located behind or to the side of the building; they cannot be placed between buildings and streets		
e.	Off-street parking is accessed from the alley; when no alley exists, off-street parking is accessed from the side of the building or through a side street for corner lots		
f.	If more than four dwelling units are proposed, an alley or private mid-block lane is provided for vehicle access		
g.	No structural improvements, except road surfacing, are within 10 feet of the centerline of an alley		
h.	All vehicular parking areas are graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property		
i.	Parking areas with more than two off-street spaces are screened with an evergreen hedge or fence at least 4 ft high		

Design Standards		Site Plan Complies (Y/N/NA)	See Comment Sheet #
PARKING (continued)			
j.	Fences, walls, or other structures screen at least 70 percent of the view when abutting Residential District parcels		
k.	The maximum height of fences and walls is six feet, as measured from the lowest grade at the base of the wall or fence; see Section 5.c.(2).(iii) of the Downtown Coburg Overlay District Code for exceptions		
l.	Any fence, hedge and wall comply with vision clearance standards in Article VIII.A and provide for pedestrian circulation where required		
m.	New off-street parking with five or more spaces is landscaped at minimum of 10% of the gross area of the parking lot		
LANDSCAPING / ON-SITE STORMWATER INFRASTRUCTURE			
a.	Applicant or developer of new development, redevelopment, alteration to the footprint, height, or massing of an existing building, or improvement to parcels, demonstrates post-development runoff at or below pre-development rates		
b.	New development, redevelopment, alteration to the footprint, height, or massing of an existing building, or improvement to parcels provides on-site vegetated stormwater infrastructure as necessary, appropriately sized by the site designers to mitigate any increase in stormwater runoff post-development		

REVIEW COMMENT SHEET			
Comment Number	Plan Component	Reviewer Name	Comment

This conceptual rendering looking north at the corner of Pearl and Coburg Industrial Way shows how future development of Highway Commercial could help create compatible commercial development across from existing residential while providing a slip street for slower traffic and on-street parking.

Current state

Coburg Street Design Standards - New Roadways							
Functional Class	**Min. ROW Width**	**Travel Lanes**	**Planter w/ Street Trees or Swale w/ Street Trees**	**On-Street Parking**	**Sidewalks, Curbs, and Gutters**	**Soft Shoulder**	**Bicycle Lanes**
Alley	16'	12' min. paved width	none	Prohibited	None	None	None
Local Access	45'	10' min., 12' max	Swale - 4' min., 8' max, both sides	Max: 2 per 100 LF Min: 2 per 200 LF	None	3' min., 5' max, one side min. (striped)	None
Highway Commercial and Industrial Local	51'	11' min., 12' max	Planter - 6' min.	7', one side	5' min. sidewalk; curb and gutter both sides	None	None
Collectors	55'	11' min., 12' max	Planter - 4' min., 8' max, both sides	7' min., if required	5' min. sidewalk; curb and gutter both sides	None	Required in Commercial and Industrial Zones and per the City's TSP and Parks and Open Space Master Plan. If required, 5' min.
Coburg Loop Off-Road Paths	16'	10' min. paved width	none	N/A	N/A	2' gravel, each side	N/A

Coburg Street Design Standards - Existing Roadways							
Functional Class	**Min. ROW Width**	**(Number) of Travel Lanes/ Widths**	**Planter w/ Street Trees or Swale w/ Street Trees**	**On-Street Parking**	**Sidewalks, Curbs, and Gutters**	**Soft Shoulder**	**Bicycle Lanes**
Alley	N/A	Existing ROW width max	None	Prohibited	None	None	None
Local Access	N/A	(2)/8' min.*	Swale as needed for drainage	Max: 2 per 100 LF No min.	Match Existing, or None	Match Existing	None
Highway Commercial and Industrial Local	N/A	(2-min.)/11' min.	Match Existing	Match Existing	5' min., one side min.	None	None
Collectors	N/A	(2-min.)/10' min.	Match Existing or 4' min. with new sidewalk	Match Existing	5' min; one side min. sidewalk; Match Existing curb and gutter	Match Existing	Per City's TSP
Coburg Loop Off-Road Paths	N/A	10' min.	None	N/A	N/A	Match Existing	N/A

*Any roadway narrower than 20' shall have compacted gravel shoulders equaling a total width of 20' of hard surface.

ATTACHMENT F

Section J. - PUBLIC FACILITIES. DISTRICT (PF)

1. PURPOSE

The City of Coburg recognizes the need to develop and modify public facilities. This designation is intended to provide lands for public facilities and uses such as water reservoirs, sewage treatment plants, pump stations, major electric utilities and similar uses.

USES AND STRUCTURES

(a) Permitted Principal Uses and Structures.

(1.) Communication facilities and structures including:

(i) Radio broadcasting studios, stations and towers;

(ii) Telegraph message centers, transmitting and receiving stations;

(iii) Telephone exchange stations and relay towers; and

(iv) Television broadcasting studios, transmitting stations and relay towers.

(b) Governmental services including:

(i) City Hall;

(ii) City or county maintenance facilities;

(iii) Community buildings;

(iv) County Courthouse;

(v) Fire stations;

(vi) Police stations;

(vii) Post offices;

(viii) Public cemeteries;

(ix) Public hospitals;

(x) Public libraries;

(xi) Public museums;

(xii) Public restrooms;

(xiii) Senior centers;

(xiv) Any building or structure erected by a governmental entity not listed above;

DRAFT

(xv) Accessory structures for any of the above.

(c) Park land and open space:

(i) Public open space;

(ii) Public parks;

(iii) Recreational activities, such as fishing, swimming, hiking, bike paths.

(d) Utilities essential to the physical and social welfare of an area including:

(i) Electric utility, electric transmission right-of-way, electric generation plants, electricity regulating substation;

(ii) Gas utility, gas pipeline right-of-way, natural or manufactured gas storage and distribution points, gas pressure control stations;

(iii) Sewage disposal, sewage treatment plants, sewage sludge drying beds, sewage pressure control stations;

(iv) Solid waste disposal, refuse incineration, central garbage grinding stations, composting plants, sanitary landfills and refuse disposal;

(v) Water utility, production of domestic water supply, water pipeline right-of-way, water and wastewater treatment plants, water storage.

3. SITING REQUIREMENTS

Development of all uses in this district are subject to Site Plan Review if deemed necessary by Planning Official.

4. LOT REQUIREMENTS

(a.) For structures:

(1) The minimum lot width shall be 25 feet.

(2) One hundred percent lot coverage is allowable when minimum loading space, yards, landscaping and parking are provided.

(b) For parks and open spaces: none.

5. YARD REQUIREMENTS

(1) Corner lots shall have ten feet next to a side street right-of-way.

(2) All non-recreation or open space uses shall be set back 20 feet from adjacent residential property lines.

DRAFT

6. MAXIMUM HEIGHT STANDARDS

The maximum structural height for any building shall be three stories or 35 feet, whichever is the lesser. Water towers are exempt from this standard.

7. FENCES. WALLS AND OTHER STRUCTURES

No fences, walls or other structures are required unless imposed by conditions of the site plan review process.

8. SIGNS

All signs must conform to Ordinance A-155-A Sign Ordinance

DRAFT

ATTACHMENT G

MEMORANDUM

TO: Coburg City Council

FROM: Ad Hoc Committee on Development Code Review

DATE: June 9, 2022

RE: Report and Recommendation for Development Code Update

This report has been submitted to the Coburg City Council to document the recommendations to date of the Ad-Hoc Committee on Development Code Review.

FORMATION OF THE COMMITTEE: Council Direction, December 2020, Resolution number 2020-22.

MEMBERS OF THE COMMITTEE: John Fox (City Councilor), Patty McConnell (City Councilor), Paul Thompson (Planning Commission Chair), Marissa Doyle (Planning Commissioner), Alan Wells (Planning Commissioner, Business Owner), Cathy Engebretson (Citizen-at-large), and Jerry Behney (Citizen-at-large).

TASK OF THE COMMITTEE

1. **Subject Matter:** The Committee was tasked with reviewing Coburg's Development Code and recommending Code revisions to the Planning Commission and City Council.
1. **Resources:**
    a. The City of Coburg engaged a reputable third-party Land Use consultant, The Urban Collaborative, to provide guidance to the Ad Hoc Committee on standard and best practices for Land Use regulations and Development Code, and to draft the technical language and layout that will form the basis of the Committee's recommended revisions to the Development Code.
    b. The Committee also reviewed Coburg's existing Development Code, as well as excerpts of Development Code from several other cities of varying sizes and locales that Committee members thought were relevant to Coburg's architectural and built environment design goals.

2. **Scope for <u>Phase 1 (2021 – 2022)</u>:**
    a. **C1 Zone (Central Business District):** review the existing Development Code for the C1 District (aka Zone), the Build-Out Scenario Project report from 2020 on the C1 District, and public feedback to the Build-Out report.
    b. **All other zones - "low hanging fruit" for Current Phase:** In addition, review Coburg's Development Code in all other Districts (aka Zones) for revisions needed that are simple and/or straightforward; (in the interest of time, more complex issues in Zones *other than* C1, will be tabled, for further discussion after the Current Phase recommendations are acted upon by Planning Commission and City Council).
    c. **All Zones - list of issues for Ad Hoc Committee to review in <u>Phase 2 (ASAP)</u>:** Identify and list Development Code items that need to be reviewed and revised in a future phase. *

    * Phase 2 is TBD as of the date of this memo; however, the Ad Hoc Committee recommends this work commence as soon as possible after the Phase 1. This is due to deficiencies in the existing Development Code that put the community at risk of losing its highly sought-after traditional small-town layout and architecture, and that create confusion and frustration for applicants, staff and the public.

RECOMMENDATION

At the June 9, 2022 meeting of the Ad-Hoc Development Code Review Committee, the committee voted unanimously to recommend the Planning Commission and City Council adopt the attached Exhibits A through E, <u>as amended on June 9, 2022</u>:

Exhibit A**: Code matrix showing the existing Development Code language and proposed amendments.

Note: **Exhibit A serves as both a general summary of the proposed changes, and also includes specific proposed changes to development code language for multiple Land Use Districts (aka Zones) in Coburg.

Exhibit B: Draft regulating plan, development checklist and rendering for the form-based code for the Central Business District (C-1) zoning district.

Exhibit C: Highway Commercial zoning district rendering.

Exhibit D: Draft Public Facilities section.

Exhibit E: Draft alternative street standards.

PUBLIC OUTREACH

The Committee's recommendations will be presented to the Coburg Planning Commission and City Council. Each body will hold one or more Public Hearings on the proposal, which include multiple opportunities for public comment.

FUTURE OF COMMITTEE

The committee is requesting its continuance through at least Phase 2 of the Development Code review.

ATTACHMENTS

1. Recommended changes to Coburg's C1 (Central Business District) District Regulations and to other zoning District regulations:
    a. Exhibit A**: Code matrix showing the existing Development Code language and proposed amendments.

        Note: **Exhibit A serves as both a general summary of the proposed changes, and also includes specific proposed changes to development code language for multiple Land Use Districts (aka Zones) in Coburg.
    b. Exhibit B: Draft regulating plan, development checklist and rendering for the form-based code for the Central Business District (C-1) zoning district.
    c. Exhibit C: Highway Commercial zoning district rendering.
    d. Exhibit D: Draft Public Facilities section.
    e. Exhibit E: Draft alternative street standards.
2. Meeting Minutes of the Ad-Hoc Committee on Development Code Review.

Agency Referral

May 24, 2022

Enclosed please find proposed amendments to the Coburg Development Code. **The City of Coburg is proposing changes to the Development Code (PA 01-22) including but not limited to a form-based code for the Central Business District, adding alternative street standards and a Public Facilities section, and correcting typographical errors.** The proposed amendments will be reviewed by the Coburg Planning Commission and City Council at public hearings on June 15th and July 12th respectively. I will incorporate your comments on these proposed changes if you return them by **Tuesday, June 7th, 2022.** If you have additional questions, please feel free to contact Megan Winner at Megan.Winner@ci.coburg.or.us.

Regards,

Megan Winner
Planner
City of Coburg
P.O. Box 8316
541-682-7862

P.S. Emailed comments are the preferred method, but any format is acceptable.

CC:

Branch Engineering	DLCD	Charter Communications
Coburg Public Works	ODOT	Century Link
Coburg City Recorder	NW Natural	Douglas Fast Net
Coburg Rural Fire District	Coburg Sanitary	File
Lane County Planning	EPUD	

CITY OF COBURG • P.O. BOX 8316 • COBURG OREGON 97408 • 541-682-7850 FAX 541-485-0655

This Measure 56 notice is to notify you that the City of Coburg has proposed a land use regulation that may affect the permissible uses of your property and other properties.

Notice to mortgagee, lien holder, vendor, or seller: The Coburg Zoning Code requires that if you receive this notice it shall be promptly forwarded to the purchaser.

The public is invited to attend and testify at a public hearing for Coburg's Zoning Code Update Project (PA-01-22).

For the past year, Coburg has been working on updating the Coburg Zoning Code (also known as the Development Code) to establish a form-based code overlay for the Central Business District, prohibit the use of formula-based businesses (also known as chain stores) within the Central Business District, add alternative street standards and a Public Facilities section, as well as other changes.

The proposed Zoning Code amendments relax standards in some cases and add standards in other cases. The amendments may apply to property you own.

All relevant materials and information may be obtained or reviewed at Coburg City Hall. To read the proposed Zoning Code changes online or sign up for updates, please visit:

http://www.coburgoregon.org/planning/page/development-code-update

Planning Commission Public Hearing Information

Date: Wednesday, July 20th, 2022
Time: 7pm
Place: Hybrid meeting with options to attend in-person at City Hall or virtually via Zoom or livestream

City Council Public Hearing Information

Date: Tuesday, July 26th, 2022
Time: 7pm
Place: Hybrid meeting with options to attend in-person at City Hall or virtually via Zoom or livestream

Public oral or written testimony is invited. The hearing will be held under Article X.5.a of the Coburg, Oregon Zoning Code Development Code and the Council Rules, which are available at City Hall. Coburg City Hall is located at 91136 N Willamette Street in Coburg, Oregon 97408.

Contact: Megan Winner, Planner, at megan.winner@ci.coburg.or.us or (541) 682-7862

ORS 227.186 required notification:

On July 20th and July 26th, 2022, the City of Coburg will hold a public hearing regarding the adoption of Ordinance Number A-200-L. The City of Coburg has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property. Ordinance A-200-L is available for inspection at the Coburg City Hall located at 91136 N Willamette St. Coburg, OR 97408. A copy of Ordinance Number A-200-L also is available on the City's website at: www.coburgoregon.org/planning/page/development-code-update. For additional information concerning Ordinance Number A-200-L, you may call the Coburg Planning Department at (541) 682-7862.

All relevant materials and information may be obtained or reviewed at Coburg City Hall, located at 91136 N Willamette Street in Coburg, Oregon 97408.

COBURG CITY COUNCIL
ACTION/ISSUE ITEM

TOPIC: ***Ordinance A-163-T, an ordinance adopting the Oregon Criminal code, Oregon Uniform Controlled Substances Act, Oregon Liquor Control Act, and the Oregon Motor Vehicle code; repealing conflicting ordinances.***

Meeting Date: August 9th, 2022
Staff Contact: Larry Larson, Chief of Police
Contact: 541-682-7855, larry.larson@ci.coburg.or.us

RERUESTED COUNCIL ACTION:

Second Reading of Ordinance A-163-T.

Suggested Motion: I move to adopt Ordinance A-163-T, an ordinance adopting the Oregon Criminal code, Oregon Uniform Controlled Substances Act, Oregon Liquor Control Act, and the Oregon Motor Vehicle code; repealing conflicting ordinances.

CITY COUNCIL GOAL

None. This item is operational.

BACKGROUND

Coburg Police can only issue summons to appear in Coburg's Municipal Court for violations of a Coburg Ordinance. By adopting certain state statutes as also being violations of Coburg's ordinances, the Coburg Police are able to issue summons for these violations into the Coburg Municipal Court. The alternative would be that all summons for these violations would be to the Lane County Circuit Court.

Ordinance A-163-T is the latest in a regular series of ordinances accomplishing this purpose. It makes violations of the traffic laws, similar violations and minor criminal offenses violations of the City ordinance.

BUDGET / FINANCIAL IMPACT

There is no immediate budget impact if the Ordinance is adopted.

RECOMMENDATION AND ALTERNATIVES
The adoption of Ordinance A-163-T is recommended.

The alternative is to not adopt the updated Ordinance. This would mean that changes in the law since 2020 would not be included and it would be improper to issue summons for those offenses.

PUBLIC INVOLVEMENT
Public Hearing and First Reading July 12th 2022 City Council Meeting.

NEXT STEPS
Ordinance A-163-T would become effective 30 days after adoption.

ATTACHMENTS

A. Draft Ordinance A-163-T.

REVIEWED THROUGH:
Anne Davies, City Attorney
Anne Heath, City Administrator
Sammy Egbert, City Recorder

ATTACHMENT A
DRAFT
ORDINANCE A-163-T

AN ORDINANCE ADOPTING THE OREGON CRIMINAL CODE, OREGON UNIFORM CONTROLLED SUBSTANCES ACT, OREGON LIQUOR CONTROL ACT, AND THE OREGON MOTOR VEHICLE CODE; REPEALING CONFLICTING ORDINANCES.

THE CITY OF COBURG ORDAINS AS FOLLOWS:

Section 1. Oregon Criminal Code Adopted. Violation of any provision of Oregon Revised Statutes chapters 161 through 167, as now constituted, is an offense against this city.

Section 2. Oregon Uniform Controlled Substances Act Adopted. Violation of any provision of Oregon Revised Statutes chapter 475, as now constituted, is an offense against this city.

Section 3. Oregon Liquor Control Act Adopted. Violation of any provision of Oregon Revised Statutes chapter 471 and 472, as now constituted, is an offense against this city.

Section 4. Oregon Motor Vehicle Code Adopted. Except for Oregon Revised Statute 813.170, violation of provisions of Oregon Revised Statutes chapter 153 and chapters 801 through 822, as now constituted, is an offense against this city.

Section 5. Jurisdiction.
In the above Acts, Codes, and laws of the State of Oregon, which are adopted hereby, the City shall have jurisdiction over infractions, violations, offenses, and misdemeanors only.

Section 6. Severability. Should any section or provision of this ordinance or the laws adopted hereby be declared unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part hereof, except that part so declared to be unconstitutional or invalid.

Section 7. Repeal. Ordinance No. A-163-S of the City of Coburg is hereby repealed in its entirety. All other ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

This ordinance was read as required by the City of Coburg Charter at the July 12th, 2022 regular meeting of the City Council, and, at the August 9th, 2022 City Council. It was put to a vote.

ADOPTED by the City Council of the City of Coburg this _____day of_____, 2022, by a vote of _____ for and _____ against.

APPROVED by Mayor of City of Coburg this ___day of _____, 2022.

_____
Ray Smith, Mayor

ATTEST:

_____
Sammy Egbert, City Recorder

ORDINANCE A-254

AN ORDINANCE DECLARING A TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, as of July 12, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Coburg is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

WHEREAS, the Coburg City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program and to allow the city to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety and welfare of the people of Coburg; and

WHEREAS, the City Council seeks to refer to the voters of {city} the question of whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

THE CITY OF COBURG ORDAINS AS FOLLOWS:

Section 1. Prohibition.
The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of Coburg.

Section 2. Referral.
This ordinance is referred to the electors of the city of Coburg for approval at the next statewide general election on November 8, 2022.

Section 3. Effective Date.
This ordinance takes effect and becomes operative 30 days after the day on which it is approved by a majority of voters.

Section 4. Sunset.
This ordinance is repealed on December 31, 2024.

ADOPTED by the **City Council** of the **City of Coburg** this 26th day of July, 2022 by a vote of **5** and **0** against.

APPROVED by the **Council President** of City of Coburg this 26th day July 2022.

Nancy Bell
Nancy Bell, Coburg Council President

ATTEST

Sammy L. Egbert, City Recorder

COBURG CITY COUNCIL
ACTION/ISSUE ITEM

TOPIC: Resolution 2022-19 Approving the Ballot Title for Referring the Temporary Ban on Licensing of Psilocybin Facilities to the Electors of the City of Coburg

Meeting Date: August 9, 2022
Staff Contact: Anne Heath
Contact: 541-682-7871, Anne.Heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Resolution 2022-19, Approving the Ballot Title for Referring the Temporary Ban on Licensing of Psilocybin Facilities to the Electors of the City of Coburg.

Recommended Motion: ***"I move to adopt resolution 2022-19 approving a ballot title to be submitted to the voters at the November 8, 2022 election; the question of a temporary ban on psilocybin service centers and the manufacture of psilocybin"***

BACKGROUND

Oregon Measure 109, the Psilocybin Program Initiative, was on the ballot in Oregon on November 3, 2020. It was approved by 56% of the voters. The program becomes operational on January 1, 2023. Psilocybin mushrooms are wild or cultivated mushrooms that contain psilocybin, a naturally occurring psychoactive and hallucinogenic compound.

As of 2020, the manufacturing and consumption of psilocybin was illegal under both federal and state law. Measure 109 created a program for administering psilocybin products to individuals aged 21 and older. The new law allows for the manufacture, delivery, and administration of psilocybin at supervised, licensed facilities. It does not allow for the sale or delivery of psilocybin products outside the tightly controlled confines of the program.

Measure 109 allows cities and counties to place referendums on local ballots to prohibit psilocybin-product manufacturers or psilocybin service centers within their jurisdiction by opting out of allowing psilocybin licensees within their borders entirely, or to place a moratorium on licensing such facilities.

On July 26th the City Council adopted Ordinance A-254, placing a two-year moratorium on the licensing of Psilocybin which allows for code updates of reasonable "Time, Place and Manner" restrictions on licensing facilities, and referred it to the electors of the City of Coburg.

This resolution approves the title of the ballot measure to be referred to the voters.

PUBLIC INVOLVEMENT

A public hearing was held before the City Council on July 12, 2022 and public comments was heard.

Articles were placed in the City newsletter and in the Utility Billings.

Public Comment is allowed and welcome at all City Council meetings.

COUNCIL CHOICES

1. **Consider Resolution 2022-19 (Attachment A)** which approves the ballot title
2. Do nothing, licensing of these facilities will become legal in January 2023.

REQUIREMENTS FOR PLACING ON THE BALLOT

If Council wishes to refer this to the voters, then an approval of the desired ballot title needs to take place.

Form SEL802 to place it on the ballot would need to be filed with Lane County no later than September 8.

RECOMMENDATIONS:

Staff recommends the council approve Resolution 2022-19.

BUDGET

N/A

NEXT STEPS

City Recorded will provide the required legal notice required and submit the measure to Lane County Election.

ATTACHMENTS

A. Draft Resolution 2022-19
B. Ordinance A-254

Reviewed by:

Anne Davies, City Attorney
Sammy Egbert, City Recorder

RESOLUTION 2022-19

A RESOLUTION APPROVING A BALLOT TITLE TO BE SUBMITTED TO THE VOTERS AT THE NOVEMBER 8, 2022 ELECTION; THE QUESTION OF A TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS

WHEREAS, the Council of the City of Coburg desires to place a temporary ban on psilocybin-related business within the City of Coburg, Oregon which would sunset after two years; and

WHEREAS, on July 26, 2022, the City Council of Coburg adopted Ordinance A-254 declaring a temporary ban on Psilocybin Service Centers and Manufacture of Psilocybin Products, and referring it to the electors at the Statewide General Election to be held in November 8, 2022.

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the following Ballot Title shall be submitted to the voters of the City of Coburg at the November 8, 2022, general election.

Caption: **A TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND MANUFACTURING PRODUCTS FOR TWO YEARS.**

Question: Shall the City of Coburg **declare a temporary ban on Psilocybin-related businesses and the manufacture of Psilocybin products within the** City of Coburg for two years?

Summary: Psilocybin is a psychedelic drug found in certain mushrooms. State law allows operation, manufacturer, distribution and possession of psilocybin and psilocin. State law provides that the City of Coburg Council may adopt a measure to be referred to the voters to prohibit the establishment of any registered or licensed activities. The Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023. This measure would add a two-year moratorium for the establishment of operations of psilocybin-related businesses within the City's jurisdiction. The Oregon Health Authority has not completed the rulemaking process to implement the state's psilocybin regulatory program. The City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program to allow the city to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety, and welfare of the people of Coburg.

SECTION 2. Polling places, form of election, judges, and times, shall be the same as established by the County for General Election.

Adopted by the City Council of the City of Coburg, Oregon by a vote of__ for and ___ against, this 9th day of August 2022.

_____
Ray Smith, Mayor

Attest:

_____
Sammy Egbert, City Recorder

COBURG CITY COUNCIL
DISCUSSION ITEM

TOPIC: Resolution 2022-20, a Resolution Approving the 2022 Coburg Charter and Ballot Title. Placing a Measure to Adopt 2022 Coburg Charter and Repeal 1992 Coburg Charter, and Chapter XII, Section 45 of the 1950 Coburg Charter.

Meeting Date: August 9, 2022
Staff Contact: Anne Heath, City Administrator
Contact: 541-682-7871, anne.heath@ci.coburg.or.us

SUGGESTED COUNCIL ACTION

Adopt Resolution 2022-20

Suggested Language: ***I move that the City Council adopt Resolution 2022-20, a Resolution approving the 2022 Coburg Charter and Ballot Title. Placing a measure to adopt 2022 Coburg Charter and repeal 1992 Coburg Charter and Chapter XII, Section 45 of the 1950 Coburg Charter.***

POLICIES OR COUNCIL GOAL(S) FY22

- 2022 City Council Goals: Dynamic Operational Capacity

INTRODUCTION

In December 2021, the City Council directed staff to draft changes to the Charter.

The Council participated in discussions and reviews of proposed changes On April 22, 2022, July 12, 2022, and July 26, 2022.

In July, 2022, staff were concerned with the amount of changes taking place to the charter, and made the recommendation that rather than amend the Charter, the 1992 charter, and Chapter XII, section 45 of the 1950 Charter be repealed, and a new charter be presented to the Coburg electors. The new charter will be named the 2022 Coburg Charter.

The attached draft resolution, charter, and ballot title is a result of the final document presented to City Council.

ELECTION TIMELINE FOR REFERRAL:

Council has directed staff to move forward to place on the November 8, 2022 ballot. Staff must file with Lane County Election by September 8, 2022.

November 8, 2022 Election –

- General Election we will have three Councilors and Mayor on the ballot.
- Psilocybin Ban Referral to the Electors of the City
- Final Council action required at or before August 9, 2022 meeting. City Recorder must notify Lane County (Form 802) by September 8, 2022 that the issue will be placed on the ballot.

Council should consider if this is too much on the ballot at one time for the Coburg voters.

RECOMMENDATION

Adopt Resolution 2022-20

BUDGET / FINANCIAL IMPACT

No impact.

PUBLIC INVOLVEMENT

Staff will provide neutral information to the public leading up to the election.

NEXT STEPS

City Recorder will provide required notice of the measure title to Lane County to place on the November 8, 2022 ballot.

ATTACHMENTS

- Draft Resolution 2022-20 including the proposed 2022 Coburg Charter & Measure with Ballot title
- 1992 Coburg Charter & Chapter XII, Section 45 of the 1950 Charter

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REVIEWED BY

Anne Davies, City Attorney
Sammy Egbert, City Recorder

RESOLUTION 2022-20

A RESOLUTION TO REFER TO THE ELECTORS OF THE CITY OF COBURG THE ADOPTION OF THE 2022 COBURG CHARTER, AND REPEALING 1992 COBURG CHARTER AND CHAPTER XII SECTION 45 OF THE 1950 COBURG CHARTER

WHEREAS, Article XI, Section 2 of the Oregon Constitution grants the legal voters of every city the power to enact and amend their municipal charter; and

WHEREAS, The 1950 Coburg Charter, except Section 45 of Chapter XII (Special Capital Improvement Bond Issue) was repealed by the voters on November 3, 1992; and

WHEREAS, The 1992 Coburg Charter in its present format and certain provisions are outdated and hinder understanding and efficient municipal operations; and

WHEREAS, In December 2021 Council directed staff to draft changes to the Charter; and

WHEREAS, Proposed changes were reviewed and discussed at the April 12, 2022, July 12, 2022, July 26, 2022 City Council Meetings; and

WHEREAS, City Council directed staff to move forward with a measure to the voters that would repeal the 1950 Coburg Charter XII, Section 45, Special Capital Improvement Bond Issue, and repeal the 1992 Coburg Charter and adopt the 2022 City of Coburg Charter; and

WHEREAS, City Attorney prepared the ballot title for approval by the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City of Coburg:

1. An election is hereby called for the City of Coburg to submit to City electors a new home rules charter, attached as Exhibit "A" to this resolution.
2. Tuesday, November 8, 2022, is designated as the date for holding the election for voting on this measure.
3. City Council approves the ballot title, as attached in Exhibit "B".
4. City Council authorizes and directs the City Recorder to publish the Ballot title as required by Coburg Ordinance A-75 and State Law.
5. The City Administrator is delegated the authority to make any changes to ballot title to, which is deemed necessary to carry out the purpose of placing the measure on the ballot.
6. The 2022 Coburg Charter, if passed by the voters at the November 8, 2022, General Election, will take effect December 1, 2022.
7. This Resolution is effective upon adoption.

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of ____ for and ____ against, this 9th day of August 2022.

_____
Ray Smith, Mayor

ATTEST:

_____
Sammy L. Egbert, City Recorder

EXHIBIT A

2022 Coburg Charter

PREAMBLE

We, the voters of the City of Coburg, Oregon exercise our power to the fullest extent possible under the Oregon Constitution and laws of the state, and enact this Home Rule Charter.

Section I
NAMES AND BOUNDARIES

Section 1.1. Title. This charter may be referred to as the 2022 Coburg Charter.

Section 1.2. Name. The City of Coburg, Oregon, continues as a municipal corporation with the name City of Coburg

Section 1.3. Boundaries. The City includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record and accurate and current description of the boundaries.

Section II
POWERS

Section 2.1. Powers. The City has all powers that the constitutions, statutes and common law of the United States and Oregon expressly or impliedly grant or allow the city, as fully as though this charter specifically enumerated each of those powers. The following shall be deemed a description of some, but not all of the powers of the City:

- To license certain businesses or occupations
- To levy license taxes for revenues
- To provide police protection
- To control disposal or refuse
- To levy taxes in the form of licenses
- To adopt taxes on sales and incomes
- To supply water
- To impose registration and license fees
- To impose fees and regulatory requirements on telecommunication providers
- To acquire property within or outside of the corporate limits
- To sell, lease, mortgage and manage properties as interests of the City
- To borrow money within the limits prescribed by general laws
- To purchase, hire, construct, maintain and operate or lease public utilities
- To grant local franchises for the use of public ways and regulate the exercise

of all franchises
- To make local public improvements and to protect and preserve public improvements
- To license, tax and regulate for the purpose of Police power regulations and City revenue, all businesses, callings trades, and employments
- To annex areas to the City in accordance with State law.

Section 2.2. Construction. The charter will be liberally construed so that the City may exercise fully all powers possible under this charter and under United States and Oregon law.

Section 2.3. Distribution. The Oregon Constitution reserves initiative and referendum powers as to all municipal legislation to city voters. This charter vests all other city powers in the Council except as the charter otherwise provides. The Council has legislative, administrative and quasi-judicial authority. The Council exercises legislative authority by ordinance, administrative authority by resolution, and quasi-judicial authority by order. The Council may not delegate its authority to adopt ordinances.

Section III
GOVERNANCE

Section 3.1. Mayor. The Mayor shall be the Executive Officer of the City. The Mayor presides over and facilitates Council meetings, preserves order, enforces Council rules, and determines the order of business under Council rules. The Mayor is not a voting member of the Council, has no veto authority, and may only vote in order to break a tie.

The Mayor shall, in addition to the other powers and duties granted herein to the Mayor:

a) Supervise all officers, except the Municipal Judge in the performance of their judicial duties.

b) The Mayor may delegate supervision duties set forth in subsection 8.2 and 8.3 to the City Administrator and City Recorder.

c) With the consent of Council, appoint members of commissions and committees as established by ordinance or resolution, and other persons required by the Council to be so appointed. The Mayor may appoint members of ad-hoc committees without Council consent.

d) Promptly sign all ordinances, records of actions or proceedings, and agreements approved or authorized by the Council; and faithfully implement and enforce, or so cause to be, this Charter and all ordinances, resolutions, order, motions, agreements and policies of the Council.

e) The Mayor serves as the political head of the City government.

Section 3.2. Council. The Council shall be composed of six Councilors nominated and elected from the City at large, except that when one or more vacancies exist on the Council, it shall be deemed to be composed of those persons actually then holding the office of Councilor.

Section 3.3. Council President. At its first meeting in odd numbered years, the Council must elect a president from its membership. The president presides in the absence of the Mayor and acts as Mayor when the Mayor is unable to perform duties.

Section 3.4. Rules. The Council must by resolution, adopt rules of governance of its members and meetings.

Section 3.5. Meetings. The Council must meet at least once a month at a time and place designated by its rules, and may meet at other times in accordance with the rules and laws of the state of Oregon.

a) The Council may take up to two recesses per calendar year when agreed upon by a majority vote of the City Council.

b) Any Council meeting may be cancelled by the Mayor or Council President for the lack of agenda items, or an emergency.

Section 3.6. Quorum. A majority of the Council members is a quorum to conduct business. In the event of a vacancy due to resignation or other events, the quorum is reduced accordingly. In the event, however that due to vacancies on the Council, the number of persons actually holding the Office of Councilor is reduced to less than three persons, the Council shall not enact any new or amended ordinances, except as shall be required by law, actual emergency or to continue the uninterrupted fiscal and other operations of the City, until its membership again numbers three or more persons.

Section 3.7. Vote Required. The express approval of a majority of a quorum of the Council is necessary for any Council decision, except when this charter requires approval by a majority of the Council.

Section 3.8. Record. A record of Council meetings must be kept in a manner prescribed by the Council rules and the laws of the state of Oregon.

Section IV
LEGISLATIVE AUTHORITY

Section 4.1. Ordinances. The Council will exercise its legislative authority by adopting ordinances. The enacting clause for all ordinances must state, “The City of Coburg ordains as follows”.

Section 4.2. Ordinance Adoption.

a) Except as this provision provides otherwise, adoption of an ordinance requires reading of the proposed ordinance by title at two separate meetings separated by at least six days, and by approval by the majority of the Council, which approval may occur at the meeting at which the second reading is conducted or a subsequent meeting.
b) The text of the proposed ordinance shall be posted and available to the public on the City's website at least six days in advance of each meeting at which the ordinance will be read.
c) At each meeting the ordinance is read or considered pursuant to this section, the title of the ordinance shall be read unless any one of the Council asks that the ordinance be read in full.
d) A Public Hearing shall be held at the minimum of one meeting, prior to the vote of the council on any ordinance.
e) The Council may adopt an ordinance at a single meeting by the unanimous approval of at least a quorum of the Council, provided the proposed ordinance is available in writing to the public at least one week before the meeting.
f) Any substantive amendment to a proposed and previously read ordinance must be read aloud and made available in writing to the Council and public at least six days in advance before the Council adopts the ordinance at that meeting.
g) After the adoption of an ordinance, the vote of each member must be entered into the Council minutes.
h) After adoption of an ordinance, the City Recorder must sign it with the date of adoption and his/her name and title, and obtain the signature of the Mayor within three days thereafter.

Section 4.3. Effective Date of Ordinances. Ordinances take effect on the 30th day after adoption, or on a later day provided in the ordinance. An ordinance may take effect as soon as adopted or other date less than 30 days after adoption if it contains an emergency clause.

Section V
ADMINISTRATIVE AUTHORITY

Section 5.1. Resolutions. The Council will normally exercise its administrative authority by approving resolutions. The approving clause for resolutions may state "The City of Coburg resolves as follows:"

Section 5.2. Resolution Approval.

a) Approval of a resolution requires approval by a quorum of the Council at one meeting.

b) Any substantive amendment to a resolution must be read aloud or made available in writing to the public before the Council adopts the resolution at that meeting.

c) After approval of a resolution, the vote of each member must be entered into the Council minutes.

d) After approval of a resolution, the City Recorder must endorse it with the date of approval and his/her name and title, and obtain the signature of the Mayor.

Section 5.3. Effective Date of Resolutions. Resolutions and other administrative decisions take effect on the date of approval, or on a later day provided in the resolution.

Section V
QUASI-JUDICIAL AUTHORITY

Section 6.1. Orders. The Council will normally exercise its quasi-judicial authority by approving orders. The approving clause for orders may state "The City of Coburg orders as follows:"

Section 6.2. Order Approval.

a) Approval of an order or any other Council quasi-judicial decision requires approval by the Council at one meeting.

b) Any substantive amendment to an order must be read aloud or made available in writing to the public at the meeting before the Council adopts the order.

c) After approval of an order or other Council quasi-judicial decision, the vote of each member must be entered in the Council minutes.

d) After approval of an order, the City Recorder must endorse it with the date of approval.

Section 6.3. Effective Date of Orders. Orders and other quasi-judicial decisions take effect on the date of final approval, or on a later day provided in the order.

Section VII
ELECTIONS

Section 7.1. Regulation of Elections. Except as this Charter or as the Council by ordinance provides to the contrary, the general law of the state apply to City elections. All elections of the city must be non-partisan.

Section 7.2. Councilors. The term of a Councilor in office when this charter is adopted is the term for which the Councilor was elected, or is elected at the time of adoption. At each biennial general election after this charter takes effect, three Councilors will be elected for four-year terms.

Section 7.3. Oath of Office. Before commencing the duties of office, each officer shall take an oath or shall affirm faithful performance of the duties of the office and support the constitution and laws of the United States and the State of Oregon.

Section 7.4. Mayor. The present Mayor shall serve the remainder of his or her term of office, and at the next biennial general election following enactment of this Charter, and every two years thereafter, a Mayor shall be elected.

Section 7.5. Qualifications.

a) The Mayor and each Councilor must be a qualified elector under state law, and reside within the city for at least one year immediately before election or appointment to office.

b) No person may be a candidate at a single election for more than one city office.

c) The Council is the final judge of the election and qualifications of its members and Mayor.

Section 7.6. Nominations. A qualified elector who shall have resided in the City during the 12 months immediately preceding the election or the appointment may be nominated for an elective City office. Nomination for election shall be by petition specifying the elective office sought in a form prescribed by the Council. Such petition shall be signed by not fewer than 25 electors. Nomination petitions shall be in the form and filed in the manner and within the time prescribed by general ordinance. The custodian of City records shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filled.

Section 7.7. Terms. The term of an officer elected at a general election begins at the first Council meeting of the year immediately after the election, and continues until the successor qualifies and assumes the office.

Section 7.8. Oath. The Mayor and each Councilor must swear or affirm to faithfully perform the duties of the office and support the constitutions and laws of the United States and Oregon, and the ordinances and charter of the city.

Section 7.9. Vacancies. The Mayor or a Council office becomes vacant:

a) Upon the incumbent's:
   1. Resignation;
   2. Death;
   3. Adjudicated incompetence;
   4. Recall from the office;
   5. Failure to qualify for the office within 10 days of the time the term of office

is to begin;

6. Absence from all Council meetings within a 60-day period, or four absences from all Council meetings in a 12 month period, and after the vote of the Council to vacate the office;
7. Ceasing to reside in the city;
8. Ceasing to be a qualified elector under state law;
9. Conviction of a misdemeanor or felony crime;
10. Removal under Section 8.2(r).

Section 7.10. Filling Vacancies. A Mayor or Councilor vacancy will be filled by appointment by a majority of the remaining Council members. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office.

a) If a disability prevents a Council member from attending Council meetings or a member is absent from the city, a majority of the Council may appoint a Councilor pro tem;
b) Any vacancy shall become effective upon declaration of such vacancy by majority vote of the City Council.

Section VIII
APPOINTIVE OFFICERS

Section 8.1. Appointive Officers**.** A majority of the Council must appoint or remove Appointed Officers. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.

a) Appointive Officers need not reside in the city.

b) Officers may be appointed for a definite or an indefinite term, and may be removed at any time by a majority of the Council. The Council must fill the office by appointment as soon as practicable after the vacancy occurs.

Section 8.2. City Administrator. The office of City Administrator is established as the administrative head of the City government. The City Administrator is responsible to the Mayor and Council for the proper administration of all city business. The City Administrator will assist the Mayor and Council in the development of city policies, and carry out policies established by ordinances and resolutions.

a) Plan and direct all administrative activities of the City, and take necessary actions to improve operations.

b) Establish administrative procedures to increase the effectiveness and efficiency of City government, according to current practices in local government, and consistent with approved policies established by City Council.

c) Supervise and coordinate the City's administrative policies and procedures, including personnel policies and purchasing procedures.

d) Provide information and advice to the Mayor, City Council, other public officials and the public on the City's operations.

e) Act as the City's representative in such areas as labor relations, intergovernmental relations, conferences, conventions, and seminars related to public management.

f) Delegate responsibility as necessary to accomplish the desired objectives.

g) Attend meetings of the City Council and other boards and commissions as necessary to coordinate and satisfy the administrative needs of the City.

h) Act to resolve operational conflicts, decide and implement alternate courses of action, formulate administrative policies, and otherwise make decisions in the best interest of the City's operations.

i) Recommend for adoption by the Council such measures as he or she may deem necessary or expedient.

j) Prepare and submit to the Mayor and Council such reports as may be required by that body, or as he or she may deem advisable to submit.

k) Keep the Mayor and Council fully informed and advised of the financial conditions of the City and its future needs.

l) Coordinate and supervise preparation of the preliminary budget for submission to the Mayor, and administer the budget after its adoption.

m) Appoint and remove all employees of the City except the Municipal Judge and City Recorder. Exercise all supervisory duties over all employees of the City, including officers of the City, but excluding the Municipal Judge.

n) Perform such other duties as directed by the Mayor.

o) The City Administrator has no authority over the Council or over the judicial functions of the Municipal Judge.

p) The City Administrator and other employees designated by the Council may sit at Council meetings but have no vote. The City Administrator may take part in all Council discussions.

q) When the City Administrator is temporarily disabled from acting as administrator or when the office of the administrator becomes vacant, the Mayor must appoint

an administrator pro tem. The City Administrator pro tem has the authority and duties of City Administrator, except that a pro tem City Administrator may appoint or remove employees only with Mayors approval.

r) No Council member may directly or indirectly attempt to coerce the administrator or a candidate for the office of administrator in the appointment or removal of any city employee, or in administrative decisions regarding city property or contracts. Violation of this prohibition is grounds for removal from office by a majority of the Council after a public hearing. In Council meetings, Councilors may discuss or suggest anything with the City Administrator relating to City business.

Section 8.3. City Recorder. The City recorder serves as the elected ex-officio clerk of the City Council, and attends all meetings unless excused by the Mayor. The City Recorder is responsible for preparing meeting notices and agendas, keeping accurate record of proceedings, serves as the records custodian of the City, responds to public records requests, and provides records certifications. The City Recorder also serves as the Election officer of the City.

In his/ her absence from the council meeting, the Mayor shall appoint a City Recorder of the Council Pro Tem, who while acting in the capacity, shall have all the authority of the recorder.

Section 8.4. Municipal Court and Judge.

a) A majority of the Council may appoint and remove a municipal judge. The Judge shall hold, within the city, a court known as the Municipal Court for the City of Coburg, Lane County, Oregon.

b) All proceedings of this court will conform to state laws governing justices of the peace and justice courts.

c) All areas within the city and areas outside the city as permitted by state law are within the territorial jurisdiction of the court.

d) The municipal court has jurisdiction over every offense created by city ordinance. The court may enforce forfeitures and other penalties created by such ordinances. The court also has jurisdiction under state law unless limited by city ordinance.

e) The Municipal Judge may:
   1. Render judgments and impose sanctions on persons and property;
   2. Order the arrest of anyone accused of an offense against the City;
   3. Commit to jail or admit to bail anyone accused of a city offense;
   4. Issue and compel obedience to subpoenas;
   5. Compel witnesses to appear and testify and jurors to serve for trials before the court;

6. Penalize contempt of court;
7. Issue processes necessary to enforce judgments and orders of the court;
8. Issue search warrants; and
9. Perform other judicial and quasi-judicial functions assigned by ordinance.
10. The Municipal Judge may appoint and may remove municipal judges pro tem. If the Municipal Judge is not able to appoint a pro tem, then the Council may appoint a pro tem.

Section IX
PERSONNEL

Section 9.1. Compensation. The Council must authorize the compensation of city officers and employees as part of its approval of the annual city budget.

Section 9.2. Merit Systems. The Council by resolution will determine the policies governing recruitment, selection, promotion, transfer, demotion, suspension, layoff, and dismissal of city employees based on merit and fitness.

Section X
PUBLIC IMPROVEMENTS

Section 10.1. Procedure. The Council may by ordinance or state law, provide for procedures governing the making, altering, vacating, or abandoning of a public improvement. A proposed public improvement may be suspended for six months upon petition by owners of the real property to be specially assessed for the improvement. The number of owners necessary to suspend the action will be determined by ordinance.

Specifically, by ordinance or resolution the Council shall approve:

a) The time, method, and manner of making all street, sidewalk, sewer, water, and other local improvements and the method of financing the same;
b) The procedure for vacation, alteration, or abandonment of streets, and other City property and improvements.

Section 10.2. Special Assessments. The procedure for determining, levying, collecting and enforcing special assessments for public improvements or other services charged against real property will be governed by ordinance.

Section XI
MISCELLANEOUS PROVISIONS

Section 11.1. Debt. City indebtedness may not exceed debt limits imposed by state law. A charter amendment is not required to authorize city indebtedness.

Section 11.2. Ordinance Continuation. All ordinances consistent with this charter in

force when it takes effect remain in effect until amended or repealed.

Section 11.3. Repeal. All charters and charter amendments of the City enacted prior to the time that this act takes effect, are hereby repealed.

Section 11.4. Severability. The terms of this charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the charter except as the logical relationship between the two parts requires

Section 11.5. Time of Effect. This charter takes effect December 1, 2022 (if voters approval November 8, 2022.)

Exhibit B

Caption: 2022 City of Coburg Charter

Question: Should the 2022 City of Coburg be adopted repealing previous Charters?

Summary: Oregon Constitution allows City voters the right to adopt, amend and revise the home rule charter. The Charter grants legal authority to the city and sets duties.

Coburg voters adopted the most recent revision to the Charter in 1992. Many charter provisions are outdated and hinder effective and efficient municipal operation. The proposed 2022 Coburg Charter largely follows the League of Oregon Cities 2018 model charter. Among other things, the proposed Charter will add the City Administrator as an officer, clarify the responsibilities of the officers of the City, update the responsibilities of the Mayor and Council, update how vacancies are filled, and clarify what consists of a quorum.

1992

CITY OF COBURG

CHARTER

PREAMBLE

We the people of the City of Coburg, Lane County, Oregon, in order to avail ourselves of self-determination in municipal affairs to the fullest extent now or hereafter granted or allowed by the constitutions and laws of the United States and the State of Oregon, by this Charter confer upon the City the following powers, subject it to the following restrictions, prescribe for it the following procedures and governmental structure, and repeal all Charter procedures and governmental structure, and repeal all Charter provisions, except as hereinafter provided in Section 34, of the City Charter enacted prior to the time this Charter takes effect.

CHAPTER I

Name and Boundaries

SECTION 1. Title and Enactment. This enactment may be referred to as the 1992 Coburg Charter.

SECTION 2. Name of City. The City of Coburg, Lane County, Oregon shall continue to be a municipal corporation with the name City of Coburg, Oregon.

SECTION 3. Boundaries. The City shall include all territory encompassed by its boundaries as they now exist or hereafter are modified under state law. The custodian of City records shall keep at the City Hall at least two copies of this Charter and an accurate, current description of the City's boundaries. The copies of the Charter and the City boundary descriptions shall be available for public inspection during regular City office hours.

CHAPTER II

Powers

SECTION 4. Powers of the City.

(1) The City shall have all powers that the constitutions, statutes and common law of the United States and of the State of Oregon expressly or impliedly grant or allow municipalities as though this Charter specifically enumerated each of those powers, including, without limitation, extramural powers.

(2) The following shall be deemed to be a description of some of the powers conferred upon the City by this Charter, but shall not be interpreted to limit any or all of the powers herein conferred:

(a) Property. To acquire property within or without the corporate limits of the City for any City purposes , in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation; and to sell, lease, mortgage, and manage and control such property as the interests of the City may require;

(b) Indebtedness. To borrow money within the limits prescribed by general laws;

(c) Public Services. To purchase, hire, construct, maintain and operate or lease public utilities; to furnish all local public services, either within or without the corporate limits of the City; to grant local franchises for the use of public ways and to regulate the exercise of all franchisees;

(d) Public Improvements. To make local public improvements and to protect and preserve the improvements;

(e) Bonds. To issue and sell general obligation, refunding, revenue or other bonds on the security of the faith and credit of the City, or to issue and sell any of such bonds on the security, in whole or in part, of any property or any utility owned by the City, or the revenues thereof, or by both;

(f) Police Power Regulations. To adopt and enforce regulations not in conflict with general law that are necessary for the public peace, health, safety and welfare;

(g) Occupational and Police Power Regulatory Taxes. To license, tax, and regulate for the purpose of City revenue and police power regulations all businesses, callings, trades, and employments, whether conducted as a nonprofit or otherwise, as the City Council may require; and,

(h) Annexations. To annex areas to the City in accordance with State law.

SECTION 5. Construction of Charter. In this Charter no specification of a power is exclusive or restricts authority that the City would have if the power were not specified. The Charter shall be liberally construed so that the City may exercise as fully as possible all powers possible for it under this Charter and under United States and Oregon law. A power of the City is continuing unless the grant of the power clearly indicates the contrary.

CHAPTER III

Form of Government

SECTION 6. Where Powers Vested. Except as this Charter provides otherwise and as the Oregon Constitution reserves municipal legislative power to the electors of the City, all powers of the City are vested in the Council.

SECTION 7. Council. The Council shall be composed of six Councilors nominated and elected from the City at large, except that when one or more vacancies exist on the

council, it shall be deemed to be composed of those persons actually then holding the office of councilor.

SECTION 8. Councilors. Councilors in office at the time this Charter is adopted shall continue in the office until the end of the present term of office of each. At each biennial general election after this Charter takes effect, three Councilors shall be elected, each for a term of four years.

SECTION 9. Term of Office. The term of office of city officers elected at a biennial general election commences at the first Council meeting of the calendar year immediately after the election and continues until the successor to the office assumes the office.

SECTION 10. Oath of Office. Before commencing the duties of office, each officer shall take an oath or shall affirm faithful performance of the duties of the office and support for the constitutions and laws of the United States and the State of Oregon.

SECTION 11. Mayor. The present Mayor shall serve the remainder of his or her term of office, and at the next biennial general election following enactment of this Charter and every two years thereafter a Mayor shall be elected.

SECTION 12. Judge, City Recorder, Treasurer. Additional officers of the City may include a Municipal Judge, City Recorder, and Treasurer, and such other officers as the Council deems necessary, each of whom shall be appointed and may be removed by the Mayor with the consent of the council. The Council may combine any two or more appointive offices, except that in judicial functions the Municipal Judge shall not be subject to supervision by any other appointive officer.

SECTION 13. Salaries. The Council shall fix the amount of compensation for City officers and shall approve a compensation plan for City employees. Elected officers shall receive no compensation for serving in an official capacity as elected officers, but may be reimbursed for actual authorized expenses.

SECTION 14. Qualifications of Officers.

(1) No person shall be eligible for an elective office of the City unless at the time his or her term of office commences following election or appointment he or she is a qualified elector within the meaning of the State Constitution and has resided in the City for the twelve month period immediately preceding election or appointment.
(2) No City appointive officer whose position was created under section 12 above or employee may serve on the Council.
(3) No person may be a candidate at a single election for more than one elective office of the City.
(4) No person shall serve a continuous period as Mayor or on the Council of more than eight years plus the portion of any partial term to which the official may have been originally appointed.
(5) The Council shall be the final judge of the qualifications and election of its own members and the Mayor.

CHAPTER IV

Council

SECTION 15. Meetings. The Council shall hold regular meetings at least once a month in the City at a time and place that it designates. Other meetings of the Council may be held as prescribed by State law. The Council may adopt rules for the governance of its members and proceedings.

SECTION 16. Quorum. A majority of the number of persons actually holding the office of councilor at any given time shall constitute a quorum for it to conduct business, but a smaller number may meet and compel the attendance of the absent members in a manner provided by council rules. In the event, however, that due to vacancies on the Council the number of persons actually holding the Office of Councilor is reduced to less than three persons, then the Council shall not enact any new or amended ordinances, except as shall be required by law, actual emergency or to continue the uninterrupted fiscal and other operations of the City, until its membership again numbers three or more persons.

SECTION 17. Record of Proceedings. Except when exempt from public disclosure under State law, the record of Council proceedings shall be open for public inspection at City Hall during normal business hours under reasonable Council rules for preservation of the records, efficiency of the City operations and recovery of costs.

SECTION 18. Mayor's Functions at Council Meetings. The Mayor shall:
(1) Preside over Council deliberations and preserve order;
(2) Not vote except in the case of a tie;
(3) Enforce the rules of the Council; and,
(4) Determine the order of business under the Council rules.

SECTION 19. President of the Council. At its first meeting of each odd-numbered year, or upon a vacancy in the position of council president, the Council shall elect a President from its membership. In the Mayor's absence from a Council meeting, the President shall preside over it. Whenever the Mayor is unable to perform the functions of that office, the President shall exercise and perform during that time, unless and until a Mayor pro tem is appointed, the powers and duties of the Mayor as provided in this Charter, and shall for that time not be a member of the Council.

SECTION 20. Vote Required. Except as this Charter otherwise provides, the affirmative concurrence of a majority of the members of the Council voting when a quorum of the Council is present shall decide any question before the Council. No Councilor present at a Council meeting shall abstain from voting without first stating at the meeting the reasons for so abstaining. An abstention by a Councilor shall be counted as a vote cast on a question, but it shall not be considered as a vote cast with the majority of the Councilors who voted other than by abstaining. In the event that a question before the Council cannot be decided by reason of one or more Councilors abstaining due to declared potential or actual legal conflicts of interest, then by the concurrence of a

majority of the members of the Council who did not abstain from voting due to such declared potential or actual legal conflicts of interest, or if there be no such Councilors, then by order of the Mayor, all Councilors who abstained for declared potential or actual legal conflicts of interest may be by necessity authorized to vote on the question before the Council.

CHAPTER V

Powers and Duties of Officers

SECTION 21. Mayor. The Mayor shall be the executive officer of the City. The Mayor shall, in addition to the other powers and duties granted herein to the Mayor:

(1) Appoint members of committees established by Council rules and other persons required by the Council to be so appointed;
(2) Promptly sign all ordinances, records of actions or proceedings, and agreements approved or authorized by the Council; and faithfully implement and enforce, or so cause to be, this Charter and all ordinances, resolutions, orders, motions, agreements and policies of the Council; and,
(3) Supervise all officers, except the municipal judge in the performance of his or her judicial duties, employees, agents, commissions and committees of the city, but shall have the power to delegate such duties of supervision to members of the Council or others as the Mayor may deem appropriate for the effective and efficient administration of the City government.

SECTION 22. Municipal Judge.

(1) The Municipal Judge shall hold within the City at a place and times that the Council specifies a court known as the Municipal Court for the City of Coburg, Lane County, Oregon.
(2) Except as this Charter or City ordinance prescribes to the contrary, proceedings of the Court shall conform to the general laws of this State governing justices of the peace and justice courts.
(3) All areas within the City and, to the extent provided by state law, area outside the City is within the territorial jurisdiction of the Court.
(4) The Municipal Court has original jurisdiction over all offenses that ordinances of the City make punishable. The Court may enforce forfeitures and other penalties that the ordinances prescribe for the offenses.
(5) The Municipal Judge may:
    (a) Render judgments and, for enforcing them, impose sanctions of person and property within the Court's territorial jurisdiction;
    (b) Order the arrest of anyone accused of an offense against the City;
    (c) Commit to jail or admit to bail anyone accused of such an offense;
    (d) Issue and compel obedience to subpoenas;
    (e) Compel witnesses to appear and testify and jurors to serve in the trial of mattes before the Court;
    (f) Penalize contempt of Court;
    (g) Issue process necessary to effectuate judgments and orders of the Court:
    (h) Issue search warrants; and

(i) Perform other judicial and quasi-judicial functions prescribed by City ordinance.

(6) The Council may authorize municipal judges pro tem.

(7) Notwithstanding this Section and Section 12 of this Charter, the Council may transfer some or all of the functions of the municipal court to any appropriate court of this State or covert those functions to a civil infraction hearing process.

CHAPTER VI

Elections

SECTION 23. Regulation of Elections Generally. Except as this Charter or as the Council by ordinance provides to the contrary, the general laws of the State apply to City elections.

SECTION 24. Tie Votes. In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the Council.

SECTION 25. Nominations. A qualified elector who shall have resided in the City during the 12 months immediately preceding the election or the appointment may be nominated for an elective City office. Nomination for election shall be by petition specifying the elective office sought in a form prescribed by the Council. Such petition shall be signed by not fewer than 25 electors. Nomination petitions shall be in the form and filed in the manner and within the time prescribed by general ordinance. The custodian of City records shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filled.

CHAPTER VII

Vacancies in Office

SECTION 26. Vacancies in Office.

(1) The office of Mayor or Councilor becomes vacant upon the incumbent's;
   (a) Death.
   (b) Adjudicated incompetence.
   (c) Conviction of a public offense which is punishable by loss of liberty for one year or more.
   (d) Unlawful destruction of public records.
   (e) Resignation.
   (f) Recall from office.
   (g) Ceasing to possess the qualifications for office.
   (h) Failure, following election or appointment, to qualify for the office as defined in this Charter at the time the term of office is to commence.

(2) In the case of a Mayor or Councilor, an office also becomes vacant upon the incumbent's removal from residency in the City, absence from the City for 30 consecutive days without consent of the Council, or absence from four consecutive

regular meetings of the Council without like consent, and upon a declaration by the Council of the vacancy.

SECTION 27. Filling Vacancies.

(1) Written public notice of any vacancy in an elective office shall be promptly given by posting in three public places in the City. Application for vacant elective offices shall be made on forms prescribed by Council and submitted to the City in compliance with the rules and by the time established by the Council consistent with this Charter. The filling of a vacancy in an elective office shall be made by the Council without unreasonable delay.

(2) Vacancies in elective offices shall be filled by appointment by a majority vote of the remaining persons actually holding the office of Councilor. The term of office of a person appointed to fill a vacancy in an elective office shall begin immediately upon appointment and shall continue through the unexpired term of the predecessor.

(3) In the event that all positions of Councilor shall be vacant at the same time, the Mayor shall appoint three persons as Councilors and those appointed Councilors shall fill the remaining vacancies as provided in this Section 27.

(4) During the temporary disability of any elected officer or during an elected officer's temporary absence from the City for any cause, the office may be filled pro tem in the manner provided for filling vacancies in office permanently.

CHAPTER VIII

Ordinances

SECTION 28. Enacting Clause. The enacting clause of all ordinances shall read:

(1) In case of enactment by the Council alone, "The City of Coburg ordains as follows:",

(2) In case of enactment or ratification by the electors of the City, "The people of the City of Coburg ordain as follows:".

SECTION 29. Mode of Enactment.

(1) Except as provided in Subsection (2) of this section, before being put upon its final passage, every ordinance of the Council shall be read in open Council meeting on two different days.

(2) An ordinance may be enacted at a single meeting of the Council without being read twice with unanimous consent of all Council members present and then being put upon its final passage.

(3) As used in Subsection (1) and (2) of this Section, an ordinance is deemed to be read by any one of the following methods:

   (a) by being read fully and distinctly;

   (b) by title only, if no Council member present at the time of the reading requests that the ordinance be read in full; or

   (c) by title only, if no later than seven days before the first reading of the ordinance, a copy of the ordinance is provided each Council member, a copy is provided for public inspection at City Hall and notice of the availability of

the ordinance is posted in three public places in the City or is published in a newspaper of general circulation in the City.

(4) Upon the final vote on an ordinance, the ayes and nays of the members of the Council shall be taken and entered in the record of the proceedings.

(5) Upon the enactment of an ordinance, the custodian of city records shall endorse it with the date of its enactment and the endorser's name and title of office, and within three days thereafter the Mayor shall endorse it and date it.

SECTION 30. When Ordinances Take Effect. An ordinance shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later or earlier time for it to take effect, and in case of an emergency, it may take effect immediately.

CHAPTER IX

Local Improvements

SECTION 31. Procedure for Making Local Improvements. The following shall be governed by general ordinance of the City or to the extent not so governed by applicable State law;

(1) The time, method, and manner of making all street, sidewalk, sewer, water and other local improvements and the method of financing the same;

(2) The procedure for vacation, alteration, or abandonment of streets and other City property and improvements.

SECTION 32. Special Assessments. The procedure for determining, levying, collecting and enforcing the payment of special assessments for local improvements or other services to be charged against real property shall be governed by general ordinance.

CHAPTER X

Miscellaneous Provisions

SECTION 33. Existing Ordinances Continued. All ordinances of the City consistent with this Charter and in force when it takes effect shall remain in effect until amended or repealed.

SECTION 34. Repeal of Previously Enacted Provisions. All Charter provisions of the city enacted prior to the time that this Charter takes effect are hereby repealed, except Chapter XII, Section 45, Special Capital Improvement Bond Issue, which shall remain in full force and effect following adoption of this Charter, is incorporated herein by this reference, and hereby redesignated as Chapter X, Section 35.

SECTION 36. Severability. The terms of this Charter are severable. If a part of this Charter is held invalid, that invalidity shall not affect the legal validity of any other part of this Charter except as the logical relationship between the two parts requires.

SECTION 37. Time of Effect of Charter. This Charter shall take effect immediately upon voter approval.

Chapter XI cont.

No action shall be maintained against the city for damages growing out of such an injury unless the claimant first gives written notice to the council within 30 days after the injury is sustained, stating specifically the time when, the place where, and the circumstances under which it was sustained; and that he will claim damages therefore of the city in the amount which he specifies. Nor shall the action be maintained unless 30 days have elapsed after the presentation of this notice to the council.

Section 43. EXISTING ORDINANCES CONTINUED. All ordinances of the city consistent with this charter and in force when it takes effect shall remain in effect until ammended or repealed.

Section 44. TIME OF EFFECT OF CHARTER. This charter shall take effect July 1, 1950.

Chapter XII

SPECIAL CAPITAL IMPROVEMENT BOND ISSUE

Section 45. The City of Coburg through its council is hereby authorized, empowered and directed to issue and sell as needed, and as shall be deemed expedient, convenient and necessary by the council, negotiable bonds of the City of Coburg in any amount up to the amount of $225,000, and to expend the proceeds thereof to make repairs, improvements, additions and extensions to the water system owned by the City of Coburg, and to budget and levy such sums annually as shall be necessary to retire the principal and interest of the bonds when due.

COBURG CITY COUNCIL
ACTION/ISSUE ITEM

TOPIC: Resolution 2022-21, a Resolution Conditionally Accepting Dedication of a Portion of Macy Street.

Meeting Date: August 9, 2022
Staff Contact: Anne Heath, City Administrator
Contact: 541-682-7852, anne.heath@ci.coburg.or.us

REQUESTED COUNCIL ACTION
Adopt Resolution 2022-21, a resolution conditionally accepting a dedication of a portion of Macy Street to allow for the completion of Macy Street as provided in the Transportation System Plan.

Suggested motion: ***"I move that the Council adopt Resolution 2022-21, a resolution conditionally accepting a dedication of a portion of Macy Street."***

BACKGROUND
The Urban Growth Boundary includes residential lands currently owned and under development by Bruce Weichert Custom Homes. Weichert is currently developing Phase I of a 2-phase residential development. Phase II was put on hold due to the challenges of providing alternative transportation into the neighborhood.

This has been an historic and ongoing concern for the City as the available residential lands have been essentially landlocked. There have been many hours spent working on solutions long before Weichert purchased the property. The only other solution would be an expansion of the Urban Growth Boundary. This option has been vetted, would be a heavy lift and long process for the City at this time, would be of great expense to the developer, a substantial expense to the City, and most likely will result in an appeal process.

The challenge of the land-locked residential lands was the sale of the railroad right-of-ways to residents many years ago. Specifically, it hampers the ability for Macy Street to go through to the residential lands within the Urban Growth Boundary.

Recently, the property at 91239 N. Harrison Street came up for sale. Weichert has entered into a contract to purchase this property, and is willing to donate right-of-way in order for Macy Street to continue through as planned for in the Transportation System Plan. This dedication would solve the issue that the City has sought to resolve for many years. A visual map for the

future of Macy Street is part of the TSP and is available as Exhibit "A". Additionally, a draft dedication deed, legal description and rendering of the expansion of Macy Street is reflected in Exhibit B".

POLICY CONSIDERATION - TRANSPORATION PLANNING IN COBURG

The Comprehensive Plan Goal 12 on Transportation speaks to the importance of developing street networks including:

Policy 2: Encourage the City to take a long-range view in approving street patterns for new development

2.2 Protect the function of existing and planned transportation systems as identified in the Transportation System Plan

2.4 At the time of land development or land division, require the dedication of additional right-of-way in order to obtain adequate street widths in accordance with the street plans adopted by the City.

Policy 9:

9.3 Extend, provide connectivity to, and continue the grid pattern where appropriate in a local street design and layout.

Policy 17: Public street right-of-way should continue to serve as the primary access to properties for transportation and public utilities.

Policy 47: Develop and maintain a street network that is interconnected

The Transportation System Plan, which was updated and adopted in June, 2013 by the City Council, provided for a functional classification and mapping of future street plans. Figure 11, which serves as Exhibit "A" to the draft dedication deed, reflects the future street plan. This plan provides for Macy Street to continue in order to provide connection within the grid pattern. The City fulfilled the Comprehensive Plan Goal 2 of planning by illustrating how this street would be incorporated into the future street grid. The City obtained right of way and up to the dead-end of the street with the intention that the street would eventually continue.

PROCESS

The process of accepting right-of way is an administrative process of the City. It is not a land use action, and does not require planning commission approval, public hearings or notification. The City already owns the right of way up to the proposed donation. Therefore, the City is the decision maker to accept additional right of way in order to continue the street through as planned. However, the City did prepare a short letter to the residents in the near vicinity of this area notifying them that the Council would be receiving this report and providing them information on giving public comment.

PUBLIC INVOLVEMENT
Public comment was included at the time of the adoption of both the Comprehensive Plan as well as the Transportation System Plan. Notification to neighbors, although not required by code, was mailed and hand delivered on August 1, 2022.

TIMELINE FOR CONSTRUCTION OF THE STREET
The City is currently scheduled to provide reconstruction to Macy Street in the summer and/or fall of 2023. With the additional right-of-way dedicated, the extension of Macy Street would take place at the same time. Wiechert would fund the extension of the street, as it is a street into the land to be developed. This fulfills the requirement from zoning code which requires developers of subdivisions to **"improve streets within a subdivision and adjacent but only partially within a subdivision".**

TRANSPORTATION CHALLENGES AND SOLUTIONS
The City currently has several transportation challenges as identified by the Transportation Committee. Alternative transportation into the residential urban growth boundary is one of those challenges that the City staff and regional partners have been working diligently to solve. This project eliminates this challenge and provides for transportation, and an alternative route to and from the residential lands.

BUILDABLE LAND REQUIREMENTS
The state requires that the City maintain a buildable land inventory. While the City has maintained this inventory, it has been largely landlocked. Allowing for access to the residential lands fulfills the Cities requirement to provide for housing to meet the growing population of the City. Allowing for this access alleviates the City's need to consider a residential urban growth boundary expansion any time in the near future.

Future expansions would be left to the application of property owners with the support of urbanization studies as required and based upon the population forecasts provided by Portland State University.

RECOMMENDATIONS:
Staff recommends Council adopt Resolution 2022-21

BUDGET
N/A

NEXT STEPS
Staff will move forward to accept the donation of the right-of-way on Macy Street and record it

at the County.

ATTACHMENTS

1. Resolution 2022-21
   A. Exhibit A. Figure 11 from Coburg TSP
   B. Exhibit B. Draft Dedication Deed, Legal Description and Diagram

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Reviewed by:

Anne Davies, City Attorney
Brian Harmon, Public Works
Branch Engineering

DRAFT
RESOLUTION 2022-21

A RESOLUTION CONDITIONALLY ACCEPTING A DEDICATION OF A PORTION OF MACY STREET

WHEREAS, the City of Coburg Transportation System Plan (TSP) provides for an extension of Macy Street eastward from the intersection of Macy Street and North Harrison St. See attached Exhibit A; and

WHEREAS, a portion of that section of Macy Street has already been dedicated to the City; and

WHEREAS, Bruce Weichert Custom Homes is currently under contract to purchase the private property identified as tax lot 300 of assessor map 16-03-33-2200; and

WHEREAS, upon finalizing that transaction, Weichert intends to execute a dedication of a portion of that tax lot to the City of Coburg for purposes of a public street and public utilities. Attached **Exhibit B** is a draft deed and legal description of the portion of tax lot 300 proposed to be dedicated to the City.

WHEREAS, the dedication of that portion of the extension of Macy Street is necessary to achieve the street layout as set forth in the City's TSP; and

WHEREAS, the City desires to accept the dedication in order to provide the planned grid of the street layout.

THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Acceptance of Dedication. The City of Coburg accepts on behalf of the public the dedication of the real property described in attached Exhibit B for use as a public road, contingent on the condition set forth in Section 2 of this Resolution.
2. Condition. The acceptance is contingent on, and does not take effect until, Bruce Weichert Custom Homes, as owner of tax lot 300, executes a dedication deed that is substantially similar to the draft deed attached hereto as Exhibit B, and the executed deed is delivered to the City.

Adopted by the City Council of the City of Coburg, Oregon, by a vote of ____ for and ____ against, this ____ day of August 2022.

_____
Ray Smith, Mayor

Attest

_____
Sammy L. Egbert, City Recorder

EXHIBIT A

EXHIBIT A

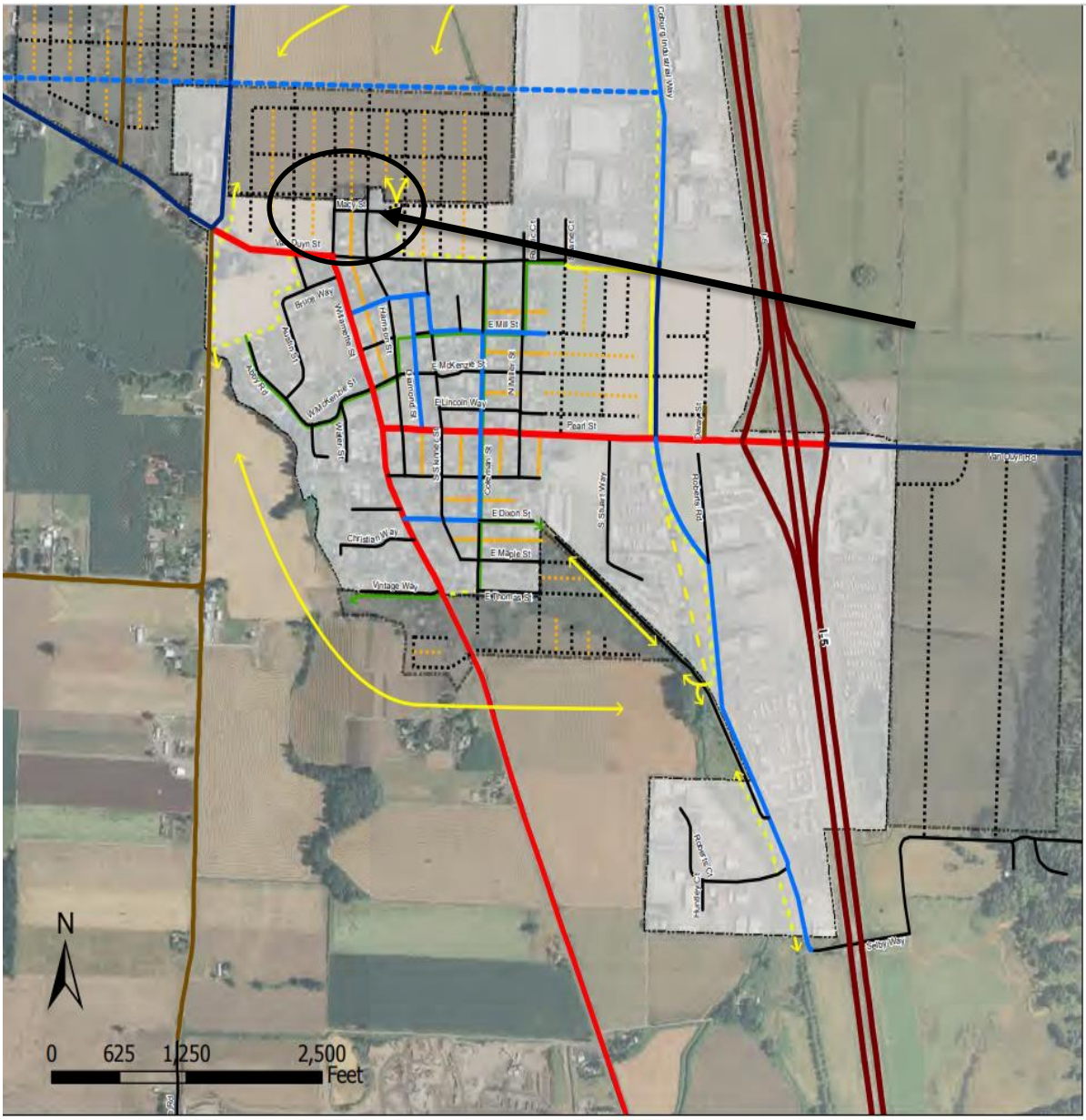
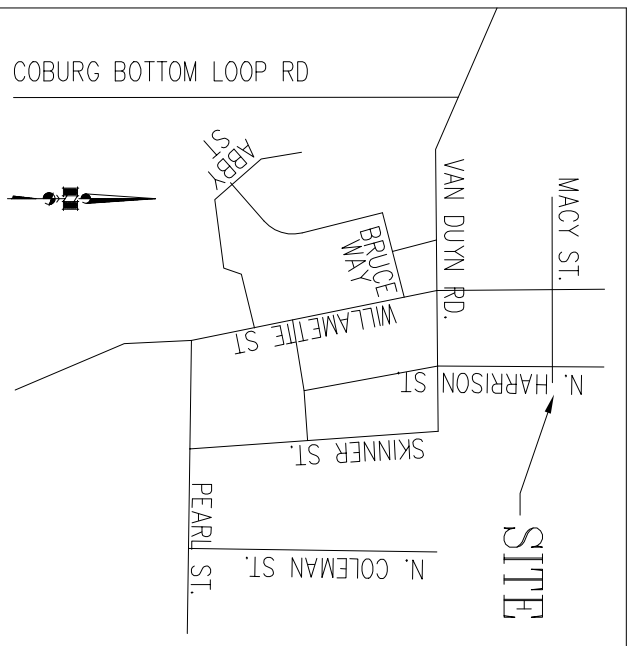
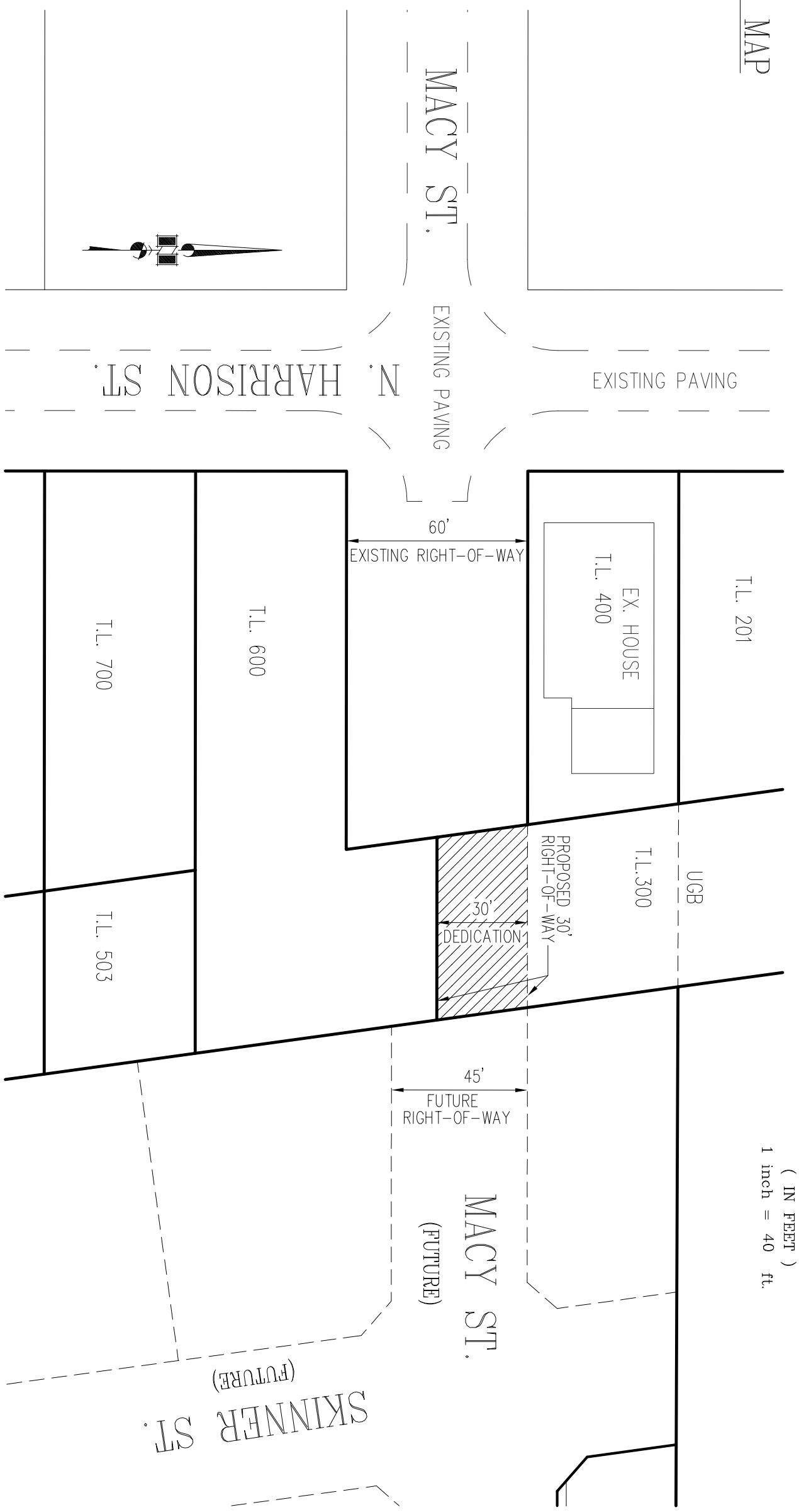


Figure 11
2030 Functional Classification Map & Future Street Plan

VICINITY MAP

NO SCALE





GRAPHIC SCALE

(IN FEET)

1 inch = 40 ft.

40 0 20 40 80 160

SHEET 1 OF 2

PLANS PREPARED BY:

THE FAVREAU GROUP
CIVIL ENGINEERING

3750 NORWICH AVE.
EUGENE, OR 97408 (541) 683-7048

DATE	BY	DESCRIPTION	NO.

REVISIONS

APPROVED:

DATE

DESIGNED | DRAWN

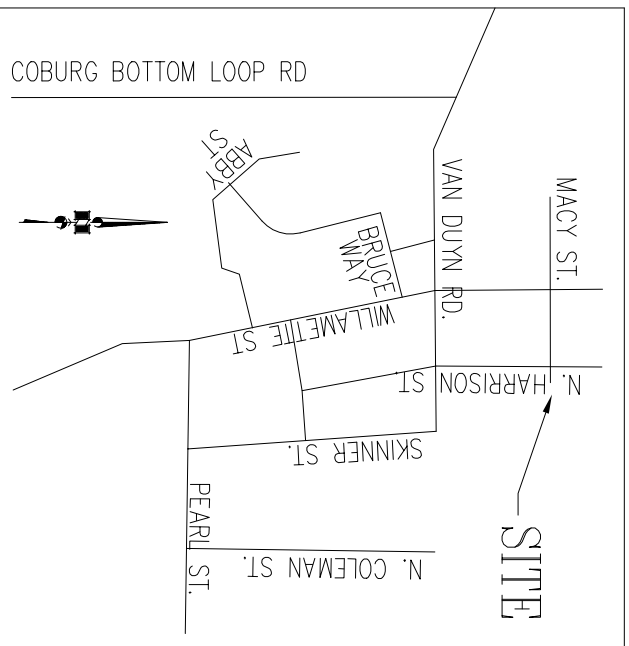
CHECKED | DATE 07-26-22

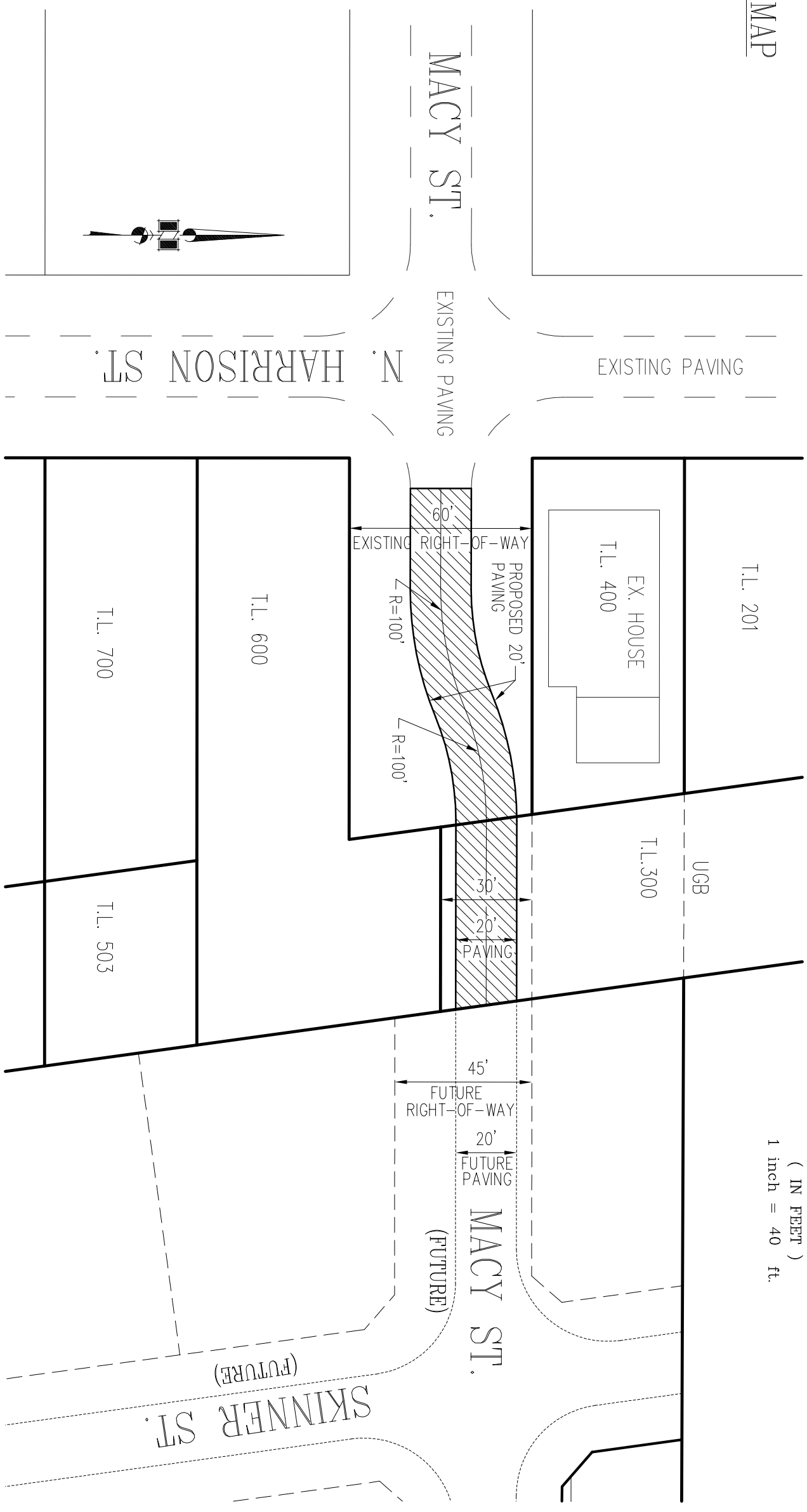
PROPOSED RIGHT-OF-WAY EXTENSION
FOR
MACY ST.

CITY OF COBURG
PUBLIC WORKS DEPARTMENT

VICINITY MAP

NO SCALE





GRAPHIC SCALE

(IN FEET)

1 inch = 40 ft.

SHEET 2 OF 2

PLANS PREPARED BY:

THE FAVREAU GROUP
CIVIL ENGINEERING

3750 NORWICH AVE.
EUGENE, OR 97408 (541) 683-7048

DATE	BY	DESCRIPTION	NO.

REVISIONS

APPROVED:

DATE

DESIGNED | DRAWN

CHECKED | DATE 07-26-22

PROPOSED STREET EXTENSION
FOR
MACY ST.

CITY OF COBURG
PUBLIC WORKS DEPARTMENT

CASCADE TITLE CO.

GRANTOR
BRUCE WIECHERT CUSTOM HOMES, INC.
GRANTEE
THE CITY OF COBURG

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

BARGAIN AND SALE DEED

BRUCE WIECHERT CUSTOM HOMES, INC., an Oregon Corporation, Grantor,

conveys to

THE CITY OF COBURG, Grantee

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lane, State of Oregon, described as follows, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

The true consideration for this conveyance is other

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this _____ day of _____, _____.

BRUCE WIECHERT CUSTOM HOMES, INC.

BY: _____
DERRICK WESTOVER, AUTHORIZED AGENT

State of Oregon
County of Lane

This instrument was acknowledged before me on _____, 2022 by Derrick Westover, authorized agent of BRUCE WIECHERT CUSTOM HOMES, INC., on behalf of the grantor.

_____
(Notary Public for Oregon)
My commission expires_____

BSD

PROPERTY DESCRIPTION

(THE SOUTHERLY 30.0 FEET OF TAX LOT #300)

A unit of land situated in the northwest 1/4 of Section 33, Township 16 South, Range 3 West of the Willamette Meridian, said unit of land being the southernly 30.0 feet of that land described in Reel 1477R, Reception No. 8741910 Lane County Deeds & Records, in Lane County, Oregon and as shown on County Survey No. 30478 filed with the Lane County Surveyor's Office, said unit of land being more particularly described as follows:

Commencing at a 5/8 inch iron rebar with yellow plastic cap stamped "ROBERTS SURV. INC." marking the northwest corner of Lot 27, COBURG CREEK as recorded July 23, 2021, Reception No. 2021-049839, Lane County Deeds & Records;

Thence along the westerly boundary of said Lot 27, South 07°42'16" East a distance of 60.83 feet to a point, said point being the intersection of the westerly boundary of said Lot 27 with the easterly extension of the northerly right-of-way line of Macy Street, said point also being the **POINT OF BEGINNING** of this unit of land;

Thence continuing along the westerly boundary of said Lot 27, South 07°42'16" East a distance of 30.28 feet to a point referenced by a 5/8 inch iron rebar with no cap set in County Survey No. 30478 bearing North 07°42'16" West a distance of 0.14 feet, said point marks the intersection of the westerly boundary of said Lot 27 with the easterly extension of the center line of Macy Street;

Thence leaving the westerly boundary of said Lot 27 and running along the easterly extension of the center line of Macy Street, North 89°50'27" West a distance of 60.57 feet to the center line of Macy Street at the easterly end;

Thence leaving said center line and running along the easterly end of Macy Street, North 07°42'16" West a distance of 30.28 feet to a point on the northerly right-of-way line at the easterly end of Macy Street, said point also marks the southeast corner of Lot 6, Block 2, MACY'S SECOND ADDITION TO COBURG as platted and recorded in Book 3, Page 26, Lane County Plat Records;

Thence along the easterly extension of the northerly right-of-way line of Macy Street, South 89°50'27" East a distance of 60.57 feet to the point of beginning, all in the City of Coburg, Lane County, Oregon and containing 1,817 square feet of land, more or less.

Bearings are based on County Survey File No. 44220 by K. Baker

RENEWS: 12-31-20 23

City of Coburg 2021
Annual Drinking Water Quality Report

We're very pleased to provide you with this year's Annual Water Quality Report. We want to keep you informed about the excellent water and services we have delivered to you over the past year. Our goal is and always has been, to provide to you a safe and dependable supply of drinking water. Our water source is 100% ground water provided by two wells owned and operated by The City of Coburg. The two wells draw from the Older Alluvium and Younger Alluvium. At the well head chlorine is added as a precaution to protect against microbial contaminates.

The city has on file, in the Public Works Office a Source Water Protection Plan that provides more information such as potential sources of contamination. ***You can also find the sampling results and information on your drinking water system at "Oregon Drinking Water DATA Online under the City of Coburg.***

I'm pleased to report that our drinking water is safe and meets federal and state requirements.

The City of Coburg is the owner and operator of the water system. The city has designated Brian Harmon as the Certified System Operator. For information about the water system please contact him at 541 682 7857. The City Council meets on the second Tuesday of every month at Coburg City Office at 7:00 pm. The office is located at 91136 North Willamette Coburg, OR. 97408

Coburg Public Works Department routinely monitors for constituents in your drinking water according to Federal and State laws. This table shows the results of our monitoring for the period of January 1 to December 31, 2021. As water travels over the land or underground, it can pick up substances or contaminants such as microbes, inorganic and organic chemicals, and radioactive substances. All drinking water, including bottled drinking water, may be reasonably expected to contain at least small amounts of some constituents. It's important to remember that the presence of these constituents does not necessarily pose a health risk.

In this table you will find many terms and abbreviations you might not be familiar with. To help you better understand these terms we've provided the following definitions:

Non-Detects (ND) - laboratory analysis indicates that the constituent is not present.
Parts per million (ppm) or Milligrams per liter (mg/l) - one part per million corresponds to one minute in two years or a single penny in $10,000.
Action Level (AL) – the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.
Treatment Technique (TT) - A treatment technique is a required process intended to reduce the level of a contaminant in drinking water.
Maximum Contaminant Level (MCL) - The "Maximum Allowed" (MCL) is the highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.
Maximum Contaminant Level Goal (MCLG) - The "Goal" (MCLG) is the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
Maximum Residual Disinfectant Level (MRDL) – The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.
Maximum Residual Disinfectant Level Goal (MRDLG) – The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.
Parts per billion (ppb) or Micrograms per liter - one part per billion corresponds to one minute in 2,000 years, or a single penny in $10,000,000.

TEST RESULTS

Contaminant	Violation Y/N	level Detected	unit Measured	MCLG	MCL	Likely source of Contamination
Microbiological Contaminants						
Total Coliform Bacteria 2 monthly	N	Present twice	Absent or Present	0	0	Natural present in the environment
Inorganic Contaminants						
Nitrate as Nitrogen(well #1)	N	1.59	ppm	10	10	Runoff from fertilizer use; erosion from nature deposits.
Nitrate as Nitrogen(well #2)	N	6.47	ppm	10	10	
Disinfection Byproducts						
TTHM (site 1)	N	.004120	Mg/l		.080	Byproducts of drinking water chlorination
HAA5(site 1)	N	ND	Mg/l		.060	Byproducts of drinking water chlorination
TTHM (site 2)	N	ND	Mg/l		.080	Byproducts of drinking water chlorination
HAA5(site 2)	N	ND	Mg/l		.060	Byproducts of drinking water chlorination

As you can see by the table, our system had no violations. We're proud that your drinking water meets or exceeds all Federal and State requirements. We have learned through our monitoring and testing that some constituents have been detected. The EPA has determined that your water IS SAFE at these levels.

We constantly monitor for various constituents in the water supply to meet all regulatory requirements.

All sources of drinking water are subject to potential contamination by substances that are naturally occurring or man- made. These substances can be microbes, inorganic or organic chemicals and radioactive substances. All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 1-800-426-4791.

Nitrates: As a precaution we always notify physicians and health care providers in this area if there is ever a higher than normal level of nitrates in the water supply. Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can cause blue baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant you should ask advice from your health care provider.

Lead: Lead in drinking water is rarely the sole cause of lead poisoning, but it can add to a person's total lead exposure. All potential sources of lead in the household should be identified and removed, replaced or reduced. Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immune-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by cryptosporidium and other microbiological contaminants are available from the Safe Drinking Water Hotline (800-426-4791).

Please call Coburg Public Works if you have questions. 541 -682 -7857

Coburg Public Works, work hard around the clock to provide top quality water to every tap. We ask that all our customers help us protect our water sources, which are the heart of our community, our way of life and our children's future.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

Pollutant	Source	Strategy	Implementation	Benchmark	Measure	Expected Timeline	Amended Timeline	Status Update
Temperature	I. Solar radiation	1. Protect and enhance existing shading vegetation.	a. Maintain Goal 5 inventory and protect and enhance Coburg local wetlands and riparian area inventory listed in ordinance A-237.	Number of documented violations decrease overtime. Aerial photos of the inventory show increases in health vegetation.	Track the number of violations and follow-up actions. Document aerial photos or visual changes every other year	Year 1-5 continuation of ordinance enforcement; annual review Years 2 and 4: Assessment of aerial imagery; every other year	On going On going	No violations occurred We found that the photos collected did not show any loss of shading or enhancement. (Plants are still in early growth stages)
		3. Provide outreach and education to property owners about importance of riparian functions, protection and enhancement.	a. Include information in the city newsletter on a semi-annual basis.	Information to be included in newsletter is available for distribution	Track and document information included in newsletter	Years 1-5: Develop and distribute outreach materials twice a year.	On going	We provided Waste water do's and don'ts to help maintain the STEP System this helps to prevent potential overflows or illicit discharges. We also provided information about Noxious Vegetation.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

		4. Perform tree planting on available city property.	a. The city participates in an annual Arbor day celebration by planting trees with the local school children	Budgeted for annual Arbor day celebration activity.	Location and the number of trees planted.	Years 1-5: Trees planted on city property each year	On going	Due to Covid-19 the annual Arbor Day celebration event was cancelled. Public works and members of the Parks and Trees Committee planted 1 Tree at Pavilion park and 3 trees at Jacob spores park.
	II. Waste water Treatment plant discharge	1. Maintain low effluent temperature.	a. Maintain compliance with current NPDES permit requirements. Utilize the plants cooling water system to maintain lower temperatures.	Perform testing of the effluent discharge. File test results, Compliance benchmark with current NPDES permit.	Monitor effluent temperatures/test results.	Ongoing; annual review	On going	Data is recorded daily and reported to the DEQ monthly.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

Pollutant	Source	Strategy	Implementation	Benchmark	Measure	Expected Timeline	Amended Timeline	Status Update
Bacteria	III. Pet and animal waste	1. Reduce the amount of pet waste that is not properly disposed of.	a. Install additional pet waste stations b. Maintain current stations. c. Enforce existing pet waste pick-up ordinance ORD A-171.	Determine locations and prepare news release to inform residents about new stations. Review ordinance and complete pet waste station strategy Add more stations as space is available.	Pet waste stations installed. Track number of bags used or cost to supply bags on annual basis. Track the number of citations issued.	Year 1-5: Keep pet waste stations supplied and track enforcement of ORD A-171. Year 2-3:Installation of new stations in 2019-2020	On going	Stations are inspected daily and refilled weekly. The City of Coburg supplied an estimated 19,200 bags in 2021. One new units was installed at the Charter school and the unit at the fire hall was upgraded.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

	III. Waste water treatment plant.	1. Maintain compliance with the current NPDES permit for the facility.	a. Perform regular inspections and tests of the effluent quality leaving the plant.	Follow current Benchmarks set by the current NPDES permit. Perform the weekly Bacteria testing with QC.	Lab testing of effluent with tracking and filing of lab results.	Existing; on-going.	Ongoing	Benchmarks set by the current NPDES permit. Bacteria along with other required samples are analyzed weekly and reported to the DEQ monthly.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

Pollutant	Source	Strategy	Implementation	Benchmark	Measure	Expected Timeline	Amended Timeline	Status Update
Mercury	IV. Erosion and sedimentation	1. Develop bio swale management program.	a. Develop and implement a bio swale inspection program and schedule	1. Inspect bioswales on a quarterly basis or more often depending on conditions, e.g. heavy storms, draught etc. 2. Follow BMP for bio swale maintenance quarterly.	Fill out inspection forms. Track the number of inspections and repairs.	Year 1: Develop inspection program and schedule Year 2: Implement, and track inspections, issues and follow-up actions.	Ongoing	The existing bioswales are mowed and maintained to reduce noxious weeds. No repairs were performed or necessary in 2021 Work performed is as needed and tracked through IWORQ's work management software via work orders with the capability of logging hours, equipment used, notes, and photos.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

		2. Provide training opportunities for public works staff	a. Staff attend at least one training a year, e.g. training may include erosion and sediment control BMPs, inspection protocols, complaint response, and other topics related to program implementation.	Attend at least one course annually to ensure proper practices are being implemented.	Track and document courses attended, topics covered, and staff that attended	Year 1: Identify staff that will attend trainings, and which trainings or certifications will be pursued. Years 1-5: Staff will attend relevant training at least one time a year.	Ongoing	Public works performed a safety meeting reviewing PPE, Emergency response, and Sewer overflow training
		3. Reduce erosion and sediment from development	a. Require proof of DEQ 1200-C permit coverage for development activities that disturb one acre or more	Include 1200-C permit information in building permit packet or at permit counter	Track and document that all development that disturbs one acre or more has a DEQ 1200-C permit	Ongoing; annual review	Ongoing	1200C permits are required and approved prior to tentative approval. This is documented in the applicants permit paperwork.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

Pollutant	Source	Strategy	Implementation	Benchmark	Measure	Expected Timeline	Amended Timeline	Status Update
Mercury	V. Illicit Discharge	1. Enforce illicit discharge/ illegal dumping ordinances; respond to and address illicit discharges	Enforce Nuisance Code A – 108 – I, which includes water pollution, placed waste, solid waste (debris) and other discharges	Continue to enforce ordinance	Track and document violations, follow-up and enforcement actions	Ongoing; annual review	Ongoing	Public works had an air relief vandalized resulting in a sewage leak into muddy creek. Standard procedures and emergency response training was used to fix, document, and report the incident.
			Develop a complaint form available at city hall and online for community members to report illicit discharges or illegal dumping; clearly identify on the city's website what phone number to call if someone has a concern about an illicit discharge or illegal dumping.	All complaints are to be responded to within three working days	Track complaints received and follow-up actions	Year 1: Develop complaint form; clearly identify phone number to call on city's website if someone has a report of an illicit discharge or illegal dumping. Year 2: Send a form to everyone in the local newsletter.	Ongoing	The City of Coburg has a citizen's inquiry form that is located at city hall and avalible on the city website. These forms are for citizens to inform the city of complaints and concerns. The form is filled out and recorded before being handed to the department head. Once the tasks are completed the form is recorded and a copy of the action taken is provided to city council.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

						Years 3-5: Continuous use of the form for complaints.		
	VI. Storm water Runoff	1. Develop and maintain up-to-date map of catch basins and stormwater conveyance system	a. Update map as needed	Map of stormwater conveyance system is current	Map of stormwater conveyance system is current	Year 1: Review all catch basins and other stormwater conveyance owned or maintained by the city and confirm system map is current Years 2-5: Update map as needed	Ongoing	Updates are performed via redlining paper field maps as needed along with As-Builts being added to map files. Public works is in the process of working towards implementing GIS software as time and funds allow.
		2. Catch Basin Cleaning and repair and maintenance of pipes and culverts	a. Perform inspections of existing pipes and culverts; clean catch basins on annual basis and repair infrastructure as needed	Catch Basins inspected and cleaned on an annual basis; repair pipe and culverts as needed.	Track Catch Basin cleaned per year, and number and locations of pipe and culvert repairs	Years 1-5: Perform inspections; track issues and repairs	Ongoing	Public works cleaned out the city owned catch basins. Lane County performs annual cleaning of the catch basins and manholes on Willamette and Peal St.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

Pollutant	Source	Strategy	Implementation	Benchmark	Measure	Expected Timeline	Amended Timeline	Status Update
All Pollutants	VII. Riparian restoration.	1. Engage with the Linn and Lane county soil and water conservation districts.	a. Attend meetings, record and file information gained. b. Meet with SWCD staff to discuss opportunities to better engage with Muddy Creek Irrigation District water users	Biannual attendance.	Track the number of meetings attended, document discussion and next steps for engaging irrigation district	Years 1-5: attend meetings two times a year. Years 1-3: Meet with SWCD(s) at least one time to discuss joint effort to engage irrigation ditch water users; document outcome(s) of meeting.	2021/Ongoing	Met with David Downing with Upper Willamette SWCD to discuss Tree planting options along muddy creek for 2022 Brian attended 3 Muddy creek irrigation meetings for various projects in Coburg.
	VIII. Storm water runoff	1. Develop storm water master plan	Create and adopt storm water master plan	Annual reviews of the plan.	Perform revision every five years.	Year 1: Develop draft plan. Year 2: Implement plan. Year 5: Review plan at least once every five years	unknown	Funding pulled
		2. Reduce debris and materials that enter stormwater conveyance system and	Determine feasibility of initiating a street sweeping program; provide street sweeping services.	Evaluate street sweeping program annually and develop funding needs	Develop cost analysis for a street sweeping program.	Year-1: complete a cost analysis of starting a street sweeping program; identify	Ongoing	Lane county currently sweeps the main roads in Coburg.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

		local waterbodies				resources available or needed to support program. Year 2: If needed, develop and submit grant application to support street sweeping program. Year 2-5: Pending grant or budget, implement street sweeping program.		The City of Coburg passed a Transportation Utility Fee (TUF) to fund and will be ordering a street sweeper July - 2023.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

Pollutant	Source	Strategy	Implementation	Benchmark	Measure	Expected Timeline	Amended Timeline	Status Update
All Pollutants	IX. Waste	1. Provide information for safe disposal/recycling option for items such as fluorescent bulbs.	a. Inform the public of events or locations to dispose of their hazardous waste.	Provide annual education to the public regarding the importance of proper disposal of hazardous items containing mercury.	Track and save records of events and newsletters sent regarding the locations.	Year 1-5: Ongoing; annual review	Ongoing	The Coburg PD and Fire Dept. held a Shred-a-thon and drug take back event. These events where shared in the newsletter The Dumpster days put on by the Coburg community foundation was promoted in city newsletter. Information for Hazardous waste disposal was added to the Public works TMDL Tab on the city websites.
		2. Determine the cities capacity to provide the public with an opportunity to dispose of hazardous waste.	a. determine feasibility. b. Work with local partners to offer city wide clean-up annually.	Local partnership established. Event held.	Track the volume of materials received and outreach and education about collection events	Year 1: determine Feasibility and potential partnerships. Years 2-5: Based on feasibility	Ongoing	The City of Coburg Strives to partner with the local Chambers and charter school to promote events via

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

			c. advertise county wide collection events sponsored by county or other entities			study, provide annual collection event for community members. Years 1-5: Provide outreach and education through newsletter and/ or website about collection events.		Facebook and the city newsletter. Events promoted were Dumpster days, drug take back, shred-a-thon, and leaf pickup
	X. Public outreach and education activities.	Inform the public of the impact they have on the TMDL.	Write an article in the local news letter on best practice management practices.	Address a topic on a biannual basis	Track outreach efforts	Year 1-5: Biannual	Ongoing	Articles for Sewer do's and don'ts, leaf pickup, and noxious vegetation were listed in newsletters and online but did not relate directly to TDML.
		Keep City Council aware of TDML program implementation, successes, challenges, and funding needs.	Present TMDL matrix and annual report or five-year review to City Council at least once a year	TMDL program staff are on the City Council meeting agenda	Document meeting presentation date and agenda	Years 1-5: annually	Ongoing	The annual report presented in a staff report to council annually.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

Pollutant	Source	Strategy	Implementation	Benchmark	Measure	Expected Timeline	Amended Timeline	Status Update
All Pollutants	XI. Staff Training	1.training for pest management.	Provide training to public works crew training on proper pesticide and fertilizer application rates and techniques	Perform training every two years	Document training and report every two years.	Years 1-5	Ongoing	Informal crew training is performed with the crew annually to explain what products are used and what application rates to use. Staff also performed a safety meeting on PPE and handling chemicals.
		2. staff training in spill response.	Provide spill training and refresher courses to staff initially responding to spills.	Perform annually.	Track the number of staff in attendance.	Year 1-5 annually	Ongoing	Public works performed a safety meeting/Debrief to review the Standard operation procedures and emergency response for a Sanitary overflow that occurred on N. Industrial.

City of Coburg TMDL 2021 Annual Report
Waterways within Coburg are Muddy Creek Irrigation Ditch and the Mill Slough

		3. Promote staff education related to Environmentally friendly solutions	Participate in and attend environmental and water quality related professional meetings and conferences.	Attend at least one meeting or conference annually	Track the number of meetings and staff in attendance	Year 1-5 annually	Ongoing	Staff continues to learn daily the importance of operating a water and wastewater facility. Two members attended a water and wastewater conference in Eastern Oregon Via Zoom.

COBURG CITY COUNCIL
ACTION/ISSUE ITEM

TOPIC: FINANCE DEPARTMENT QUARTERLY REPORT

Meeting Date: August 9, 2022
Staff Contact: Tim Gaines
Contact: 541-682-7870, tim.gaines@ci.coburg.or.us

REQUESTED COUNCIL ACTION

- Information only

POLICIES OR CITY COUNCIL GOAL(S) ADDRESSED

2021-22 City Council Goals:

- Fiscal Stewardship

ANALYSIS

Important notes regarding the month ended June 30, 2022

- June is the 12th month of the fiscal year. If revenues and expenses were spread evenly throughout the year, the City should be at 100% of budget with each.

Council should be aware the transactions for the fiscal year end continue to be processed through August 31. While the majority of all transactions have been processed at this date, there are year-end required entries that will change the final numbers. Therefore, this report should be considered a preliminary reporting of the year-end. The final numbers will be reflected in the financial statement prepared by the auditors.

- **Whole City Revenue** received $5,496,052 or 64% of budgeted. Compared to $5,644,848 last year at month end, which was 53%. The following are important points to consider regarding revenues:
  - The URA transferred $375,000 to the Sewer Debt Department this month.
  - Reimbursement requests for the budgeted Water Master Project have been submitted, but have not yet been received.
  - Expected development and correlated SDC revenues have not transpired.
  - The Water Project reimbursements will not meet the budgeted amounts for 2022. Therefore, those revenues have been moved forward into future budget years.
  - As of June 31, 2022, tax receipts were $870,066, which is 97% of budget.
  - The last quarter of revenues received for items such as franchise fees, state shared revenues, gas tax, property tax, and tourism are not always received

at year-end. They may not be "in the bank" until July or August.

- State fuel taxes has generated $98,524 in revenue, which is 97% of budget. City Fuel taxes has generated $163,646 in revenue this year, which has exceeded our budget of $155,000, which is 105% budget.
- Water Fees have exceeded budgeted revenues. Currently Water User Fees are at approximately 103% of budget. Sewer User Fees are below budgeted revenues at approximately 91% of budget.

- Whole City Expenses are $5,607,246, which is 63% of budgeted. Compared to $5,685,142 last year at month end, which was 63%.
  - Capital projects of the City are in process but do not always fall in the months expected.
  - Capital expenditures have been paid, but not reimbursed as of June.
  - All of City Debt has been paid in the utility accounts.
  - All Funds, General, Streets, Water, Sewer are operating within their budgets.
  - The budget reflects transfers approved by City Council at their May meeting.
  - There is a 1% difference between Revenues received and Expenditures.

Generally, June is not fully closed until August 31, which is the deadline for including revenues and expenses from the previous fiscal year. At that point, the City books are closed and we are making final year-end entries. The Council will not see a report on June again until the presentation of the financial statements.

PUBLIC INVOLVEMENT

N/A

NEXT STEPS

- Year End Closing
- Audit Preparation

ATTACHMENTS

A. Budget Performance Analysis – General Fund
B. Full City Revenue and Expense Charts
C. Fund Total sheets – From Springbrook
D. Cash on Hand Spreadsheet
E. Checks written list for June 2022
F. Bank Statements – June 2022
G. LGIP Statements – June 2022

REVIEWED BY:

Anne Heath, City Administrator

CITY OF COBURG
GENERAL FUND BUDGET PERFORMANCE ANALYSIS
June 30, 2022

CURRENT BUDGET YEAR 2021-2022

Account #	Account Name	HISTORICAL ACTUALS 2016-17	2017-18	2018-19	2019-20	2020-21	Actual JUL	Actual AUG	Actual SEPT	Actual OCT	Actual NOV	Actual DEC	Actual JAN	Actual FEB	Actual MAR	Actual APR	Actual MAY	Actual JUN	YTD ACT/PROJ	YTD BUDGET	Variance (fav)/UnFav)	YTD %
TOTAL GENERAL FUND REVENUE		**1,920,492**	**2,322,272**	**2,764,876**	**2,075,738**	**2,299,185**	**70,091**	**285,476**	**118,022**	**109,820**	**717,867**	**350,292**	**117,274**	**163,361**	**148,583**	**132,343**	**177,033**	**155,025**	**2,545,187**	**3,172,634**	**627,447.39**	**80%**
																				750,000	Beginning Fund Balance	
PERSONAL SERVICES																				**3,922,634**		
	ADMINISTRATION	305,091	339,253	412,997	448,344	450,154	35,576	37,928	58,129	42,346	42,028	42,988	44,706	45,324	63,775	45,391	48,871	47,470	**554,534**	**574,554**	**20,020**	**97%**
	PLANNING	49,664	60,154	87,192	79,098	39,402	2,784	4,734	5,388	4,172	4,917	4,393	4,459	4,478	6,602	4,676	3,997	5,291	**55,892**	**58,937**	**3,045**	**95%**
	POLICE	284,948	354,383	390,597	401,572	469,242	28,033	40,410	58,692	43,684	45,082	44,404	46,334	45,097	65,097	47,264	50,474	54,117	**568,686**	**611,549**	**42,863**	**93%**
	COURT	86,201	95,160	97,451	104,352	105,729	6,473	9,955	12,027	8,728	8,728	9,215	9,228	8,719	13,003	9,473	9,048	9,230	**113,826**	**122,956**	**9,130**	**93%**
	ECONOMIC DEVELOPMENT	49,664	60,154	87,192	79,098	39,402	0	862	3,097	2,189	2,414	2,342	2,603	2,697	4,631	2,755	3,236	3,565	**30,389**	**30,230**	**-159**	**101%**
	PUBLIC WORKS	298,864	273,993	330,627	397,303	404,159	24,721	36,413	52,469	41,649	38,465	37,595	40,433	41,856	60,139	41,329	41,702	46,766	**503,536**	**544,954**	**41,418**	**92%**
TOTAL PERSONAL SERVICES		**1,024,768**	**1,183,097**	**1,406,056**	**1,509,767**	**1,508,088**	**97,587**	**130,301**	**189,801**	**142,768**	**141,634**	**140,938**	**147,763**	**148,171**	**213,247**	**150,887**	**157,329**	**166,438**	**1,826,863**	**1,943,180**	**116,317**	**94%**
																			1,826,863	proof		
MATERIALS AND SERVICES																						
	ADMINISTRATION	226,043	248,187	220,817	219,341	252,167	74,479	12,698	27,675	11,001	23,800	9,668	14,530	7,471	16,901	8,905	15,633	17,797	**240,560**	**258,300**	**17,740**	**93%**
	FACILITIES	97,833	170,524	82,624	153,795	99,485	3,928	9,543	1,522	24,516	10,358	12,436	9,100	16,449	17,211	13,672	3,083	6,084	**127,901**	**148,100**	**20,199**	**86%**
	PLANNING	151,662	235,060	258,088	101,478	159,930	17,444	10,514	1,408	29,562	24,127	61,665	34,222	9,961	27,221	23,070	26,754	5,270	**271,218**	**279,290**	**8,072**	**97%**
	POLICE	115,200	117,469	118,724	142,855	160,800	4,564	2,596	2,071	2,745	25,154	26,390	5,309	3,951	21,269	5,611	3,433	19,075	**122,168**	**226,190**	**104,022**	**54%**
	COURT	19,796	28,606	27,291	38,908	42,050	3,280	2,011	711	2,421	1,196	2,471	2,008	1,222	2,140	2,454	2,751	2,456	**25,121**	**44,050**	**18,929**	**57%**
	ECONOMIC DEVELOPMENT	50,451	23,836	42,939	80,991	21,600	12,996	1,035	6,159	7,866	1,643	3,623	768	1,080	0	16,142	1,144	2,400	**54,856**	**70,700**	**15,844**	**78%**
	PARK & PARK CAPITAL	67,307	90,399	59,280	450,213	97,450	2,030	2,327	3,067	3,184	1,670	3,429	4,284	1,016	20,978	3,832	16,930	26,155	**88,901**	**107,469**	**18,568**	**83%**
TOTAL MATERIALS AND SERVICES		**728,292**	**914,081**	**809,763**	**1,187,581**	**833,482**	**118,720**	**40,724**	**42,614**	**81,297**	**87,947**	**119,682**	**70,222**	**41,150**	**105,720**	**73,685**	**69,728**	**79,238**	**930,726**	**1,134,099**	**203,373**	**82%**
																			930,726	proof		
INTERFUND TRANSFERS-OUT																						
	PARK FUND		0	0	0	0																
	WATER CAPITAL FUND		0	0	0	0																
	PAYROLL ALLOCATION -PLANNING	19,601	0	0	0	0																
	STREET FUND			50,000	50,000	50,000																
	SEWER FUND	50,000	0	0	0	0																
TOTAL TRANSFERS OUT		69,601	0	50,000	50,000	50,000	0	0	0	0	0	0	0	0	0	0	0	0	**0**			
					0																	
TOTAL EXPENSES		**1,822,661**	**2,097,178**	**2,265,819**	**2,747,348**	**2,391,570**	**216,307**	**171,025**	**232,415**	**224,065**	**229,581**	**260,620**	**217,984**	**189,321**	**318,967**	**224,571**	**227,056**	**245,676**	**2,757,589**	**3,077,279**	319,690	**90%**
TOTAL REVENUE/(LOSS)		**97,831**	**225,094**	**499,057**	**586,250**	**-92,385**	**-146,215**	**114,450**	**-114,393**	**-114,245**	**488,286**	**89,672**	**-100,710**	**-25,960**	**-170,384**	**-92,229**	**-50,023**	**-90,652**	**-212,403**			
																			Net Income/Loss	**250,000**	Contingency	
	CASH IN BANK BEGINNING						910,837	676,407	718,071	984,318	523,759	1,005,371	1,095,066	997,889	971,164	803,545	712,457	639,474	***-212,403***	**159,936**	Restricted for Park SDC	
	Revenue/(Loss)						-146,215	114,450	-114,393	-114,245	488,286	89,672	-100,710	-25,960	-170,384	-92,229	-50,023	-90,652		**514,535**	Ending Fund Balance	
	Balance Sheet Adjustments						-88,215	-72,786	380,640	-346,314	-6,673	22	3,534	-765	2,765	1,140	-22,959	14,991		**4,001,750**	Budget Expenditures	
	CASH IN BANK ENDING						676,407	718,071	984,318	523,759	1,005,371	1,095,066	997,889	971,164	803,545	712,457	639,474	563,813	**Projected Ending Cash**			

IMPORTANT NOTE:
This worksheet has been created for projection purposes only. It should not be read entirely as a year-to-date source. It is important for the purpose of projecting cash on hand at the end of the fiscal year

General Fund Cash	563,813
Park Reserve	
Total Cash on Hand	**563,813**

CITY OF COBURG

June 30, 2022 Fiscal Year 2022

CASH ON HAND PER FUND

	Bank Accounts							
Funds	**KEY BANK - GEN**	**SP GEN.**	**SP SDC**	**For**	**SP SAVINGS**	**For**	**POLICE EVID.**	**TOTAL**
GEN 001	2,208	243,779			122,235			368,222
PD Drug Educ.								-
Park Cap	140,167		55,424	Park SDC				195,592
STREET 003	177,060	322,884	451,022	Street SDC				950,966
WATER 004	304,790	1,037,835	26,436	Water SDC				1,369,060
SEWER 005	554,599		934,185	Sewer SDC	27,419	Membrane Replace		1,516,202
SEWER DEBT	482,930				122,162	Sewer Debt Reserve		605,092
EVIDENCE		-					100	100
TOTAL	1,661,754	1,604,498	1,467,067		271,816		100	5,005,234

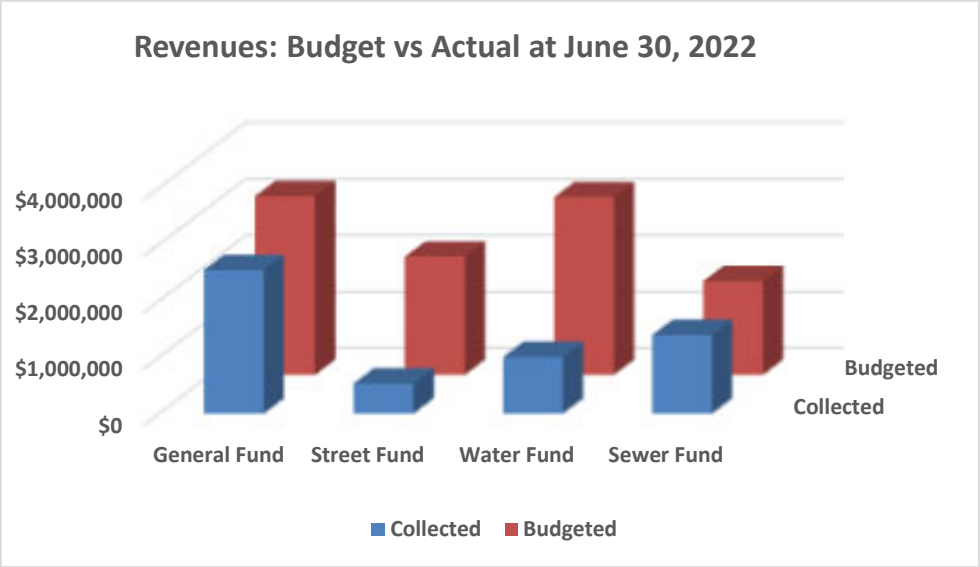
CIP SDCs	
Cash Balance6/30/2022	$5,005,234
Cash Balance 6/30/2021	$4,933,508
Difference	*71,726*

REVENUE GENERATION BY FUND	
GENERAL FUND	Interest, taxes, State Shared Revenue, Cigarette Taxes, Liquor taxes, Land Use Fees, SDC Admin Fees, Franchise Fees Tourism, Fines & Bails, Planning , Park user fees Capital and SDC, Park Donations and Grants, Building Dev. Fees
STREET FUND	Street Taxes, User Fees, Grants, CIP Funds, SDC, Grants Loans
WATER FUND	User Fees, Grants, Capital Funds, SDC
SEWER FUND	User Fees, Grants,Capital Funds, SDC, Loans
SEWER DEBT FUND	LID, Loan Proceeds, URA Debt Service
EVIDENCE	Evidence Cash Seized

CITY OF COBURG

REVENUES COLLECTED COMPARED TO BUDGET
Fiscal Year To Date As of June 2022

Fund	Collected	Budgeted	Difference	Percentage
General Fund	$2,547,508	$3,172,634	$625,126	80%
Street Fund	$537,747	$2,098,569	$1,560,822	26%
Water Fund	$1,010,719	$3,155,768	$2,145,049	32%
Sewer Fund	$1,400,079	$1,664,700	$264,621	84%
TOTAL ALL FUNDS	**$5,496,052**	**$10,091,671**	**$4,595,619**	**54%**

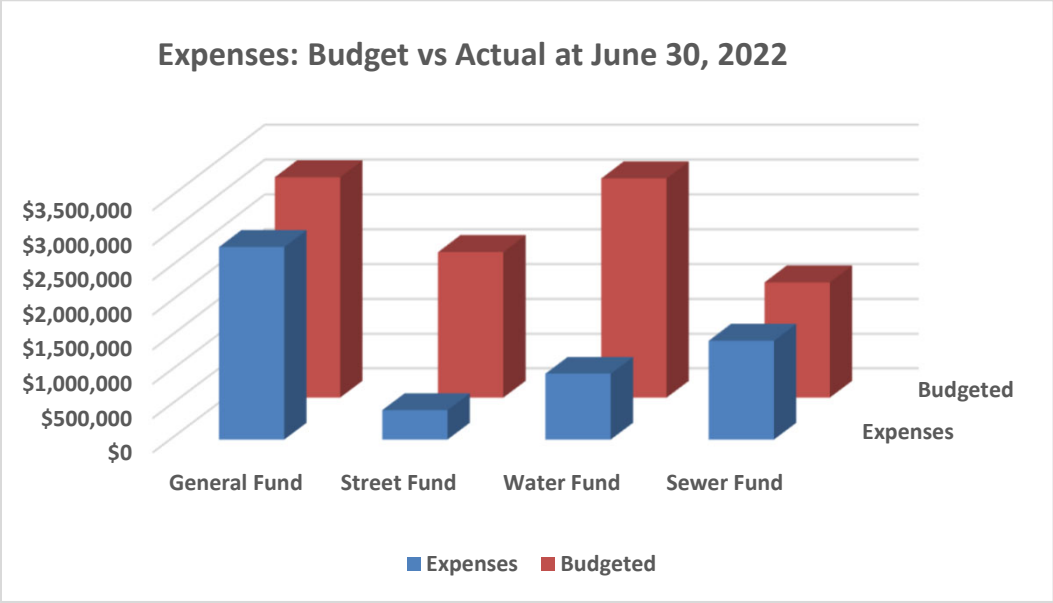


Important Notes:

Overall revenues should be 100% if spread evenly throughout the year.
Budgeted revenues are net of Beginning Fund balance,
which means the budgeted amounts do not include Beginning Fund Balance
Property tax receipts for the month of May were $16,293.
Grant Funds and Debt Reimbursement (Water Project) have not been received yet.
City Fuel Taxes received through the month of May were $163,646, 105% of budget.
State Fuel Taxes received through the month of May were $98,524, 96% of budget.
Transportation Utility Fee (TUF) has collected $112,160 through May.
Total Property tax receipts to date were $869,330, 97% of Budget.

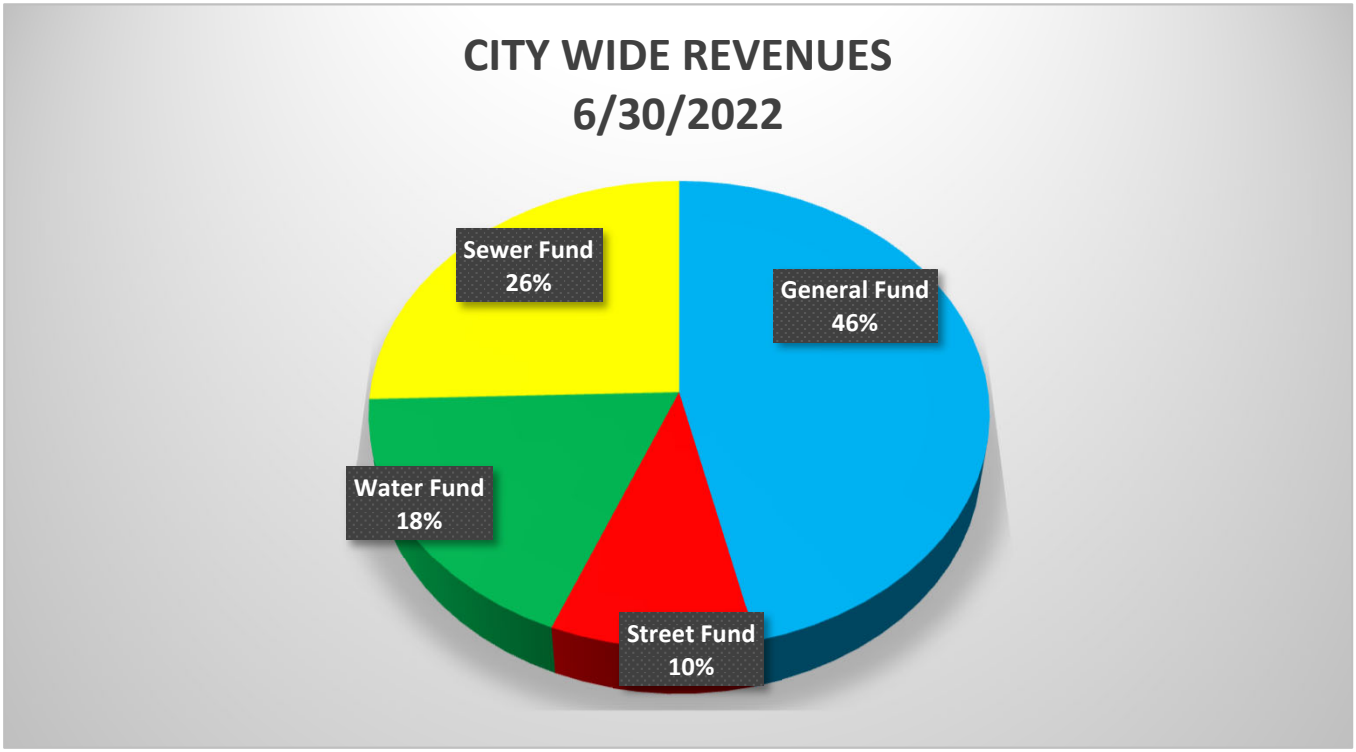
CITY OF COBURG
EXPENSES INCURRED COMPARED TO BUDGET
Fiscal Year To Date As of June 2022

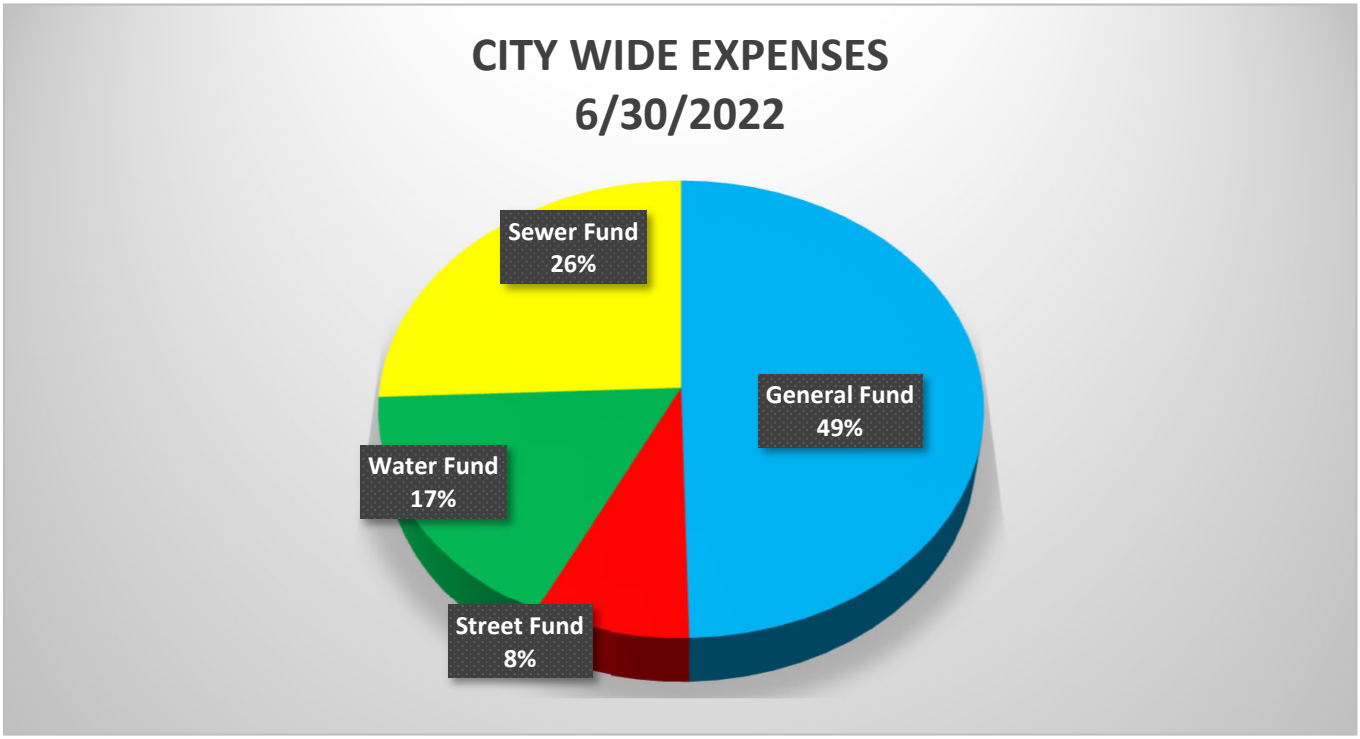
Fund	Expenses	Budgeted	Difference	Percentage
General Fund	$2,781,483	$3,172,634	$391,151	88%
Street Fund	$428,441	$2,098,569	$1,670,128	20%
Water Fund	$959,617	$3,155,768	$2,196,151	30%
Sewer Fund	$1,437,229	$1,664,700	$227,471	86%
TOTAL ALL FUNDS	$5,606,769	$10,091,671	$4,484,902	56%



Important Notes

Overall expenses should be 100% if spread evenly throughout the year.
Water and Street projects have been delayed due to Covid-19
Budgeted expenses are net of Beginning Fund balance,
which means the budgeted amounts do not include Beginning Fund Balance
All Personal Services are within budget.
Materials & Services are all within budget.
Scheduled Capital Projects are time sensitive and not reflected until later in the year.


CITY WIDE REVENUES
6/30/2022
Sewer Fund
26%
General Fund
46%
Water Fund
18%
Street Fund
10%


CITY WIDE EXPENSES
6/30/2022
Sewer Fund
26%
General Fund
49%
Water Fund
17%
Street Fund
8%

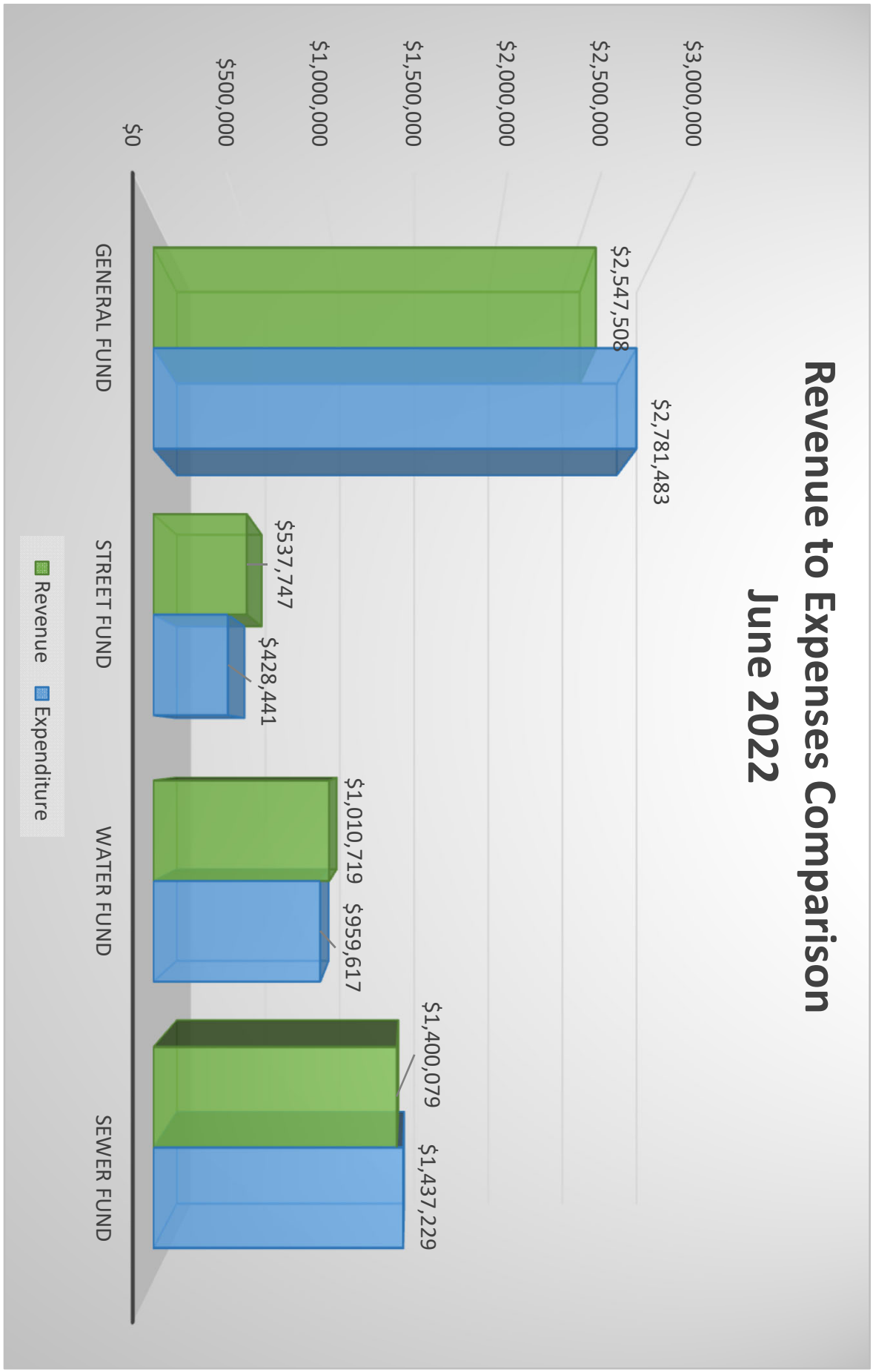
Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	3,922,634.00	155,024.67	2,547,507.61	1,375,126.39	0.00	1,375,126.39	35.06
	Fund Expense Sub Totals:	3,922,634.00	245,676.25	2,781,483.18	1,141,150.82	0.00	1,141,150.82	29.09
	Fund 001 Sub Totals:	0.00	90,651.58	233,975.57	-233,975.57	0.00		

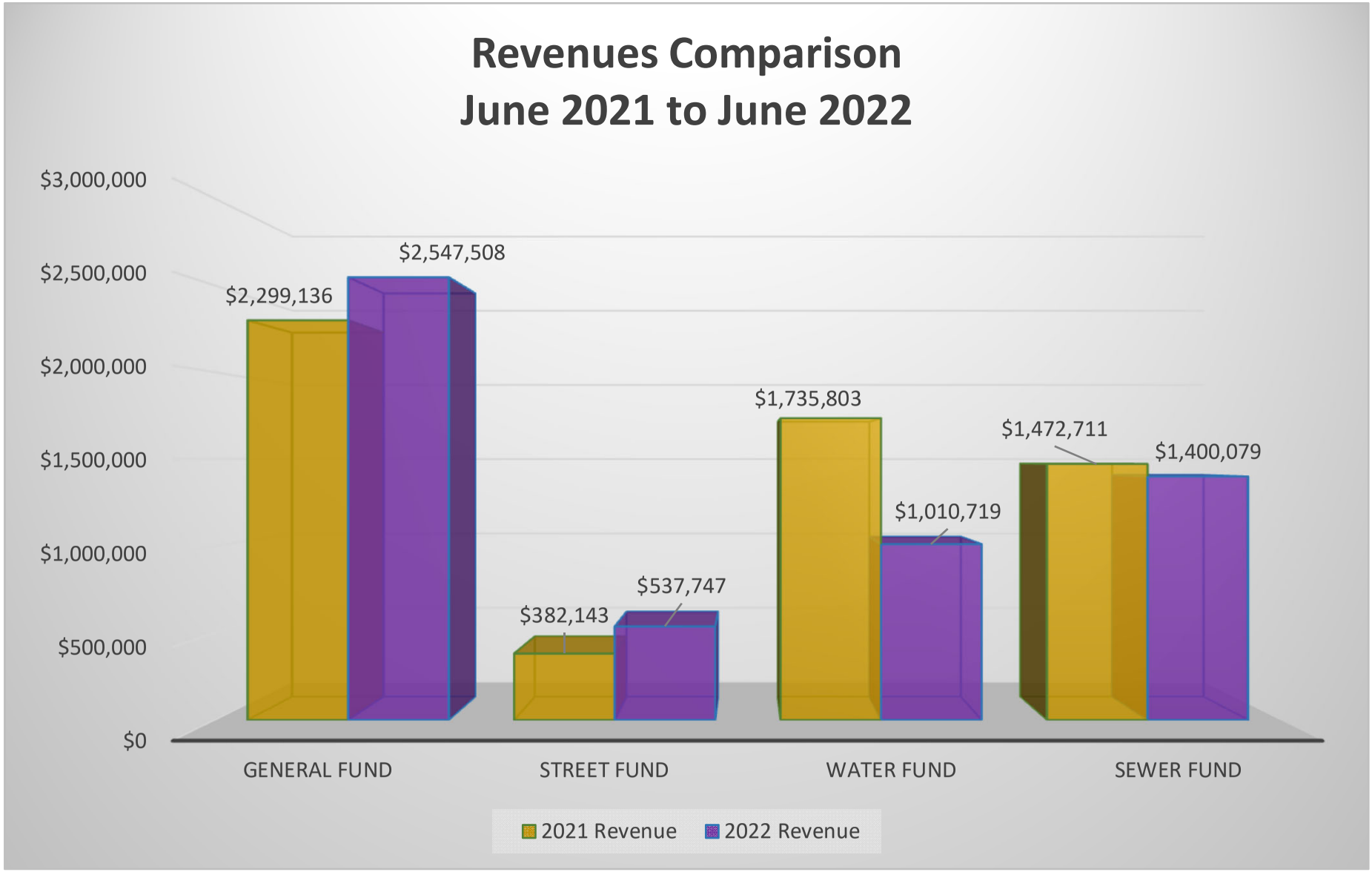
Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	2,980,763.00	55,561.99	537,747.06	2,443,015.94	0.00	2,443,015.94	81.96
	Fund Expense Sub Totals:	2,980,763.00	63,405.14	428,440.54	2,552,322.46	0.00	2,552,322.46	85.63
	Fund 003 Sub Totals:	0.00	7,843.15	-109,306.52	109,306.52	0.00		

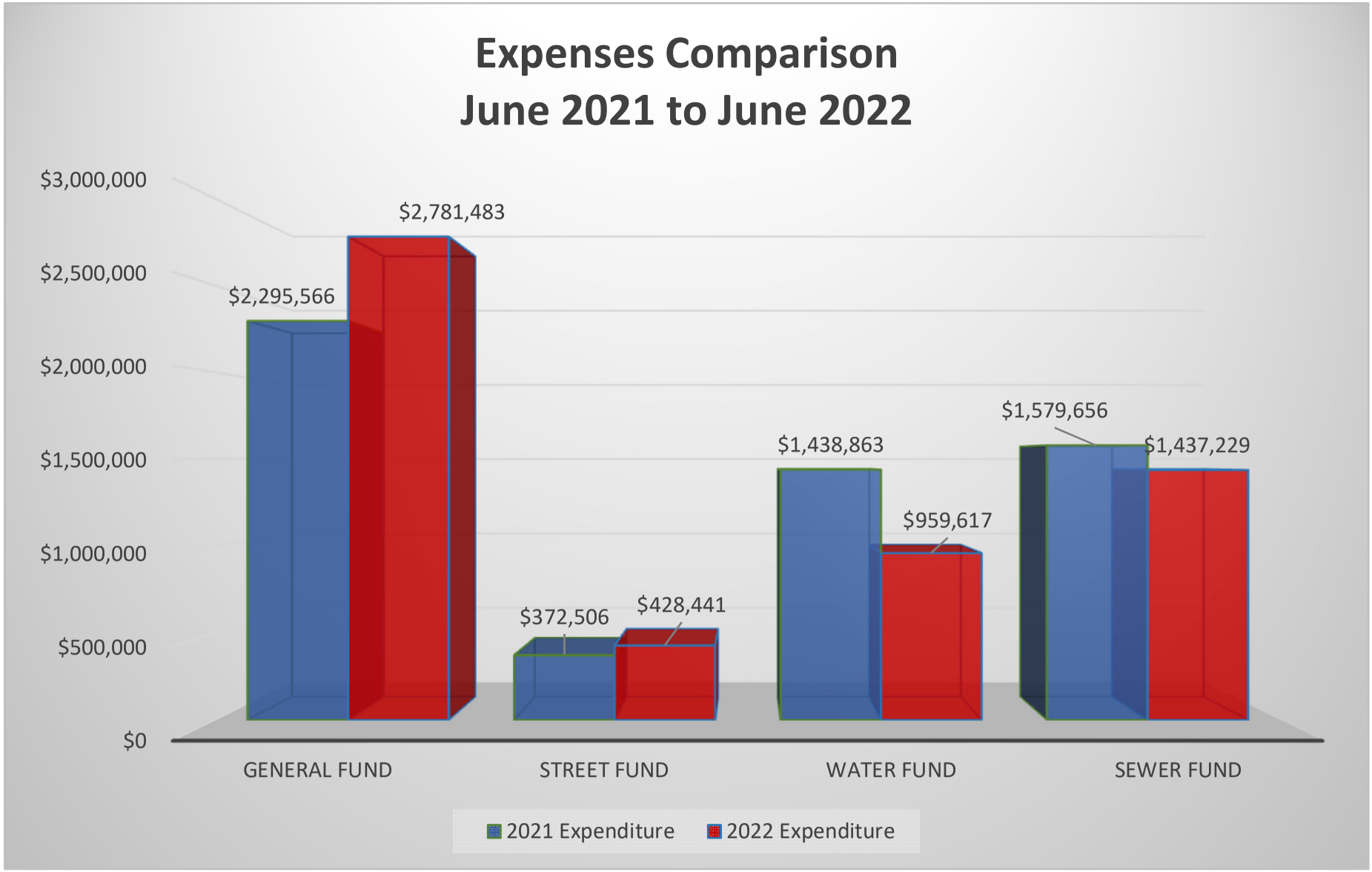
Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	4,464,970.00	85,961.96	1,010,718.61	3,454,251.39	0.00	3,454,251.39	77.36
	Fund Expense Sub Totals:	4,464,970.00	66,968.08	959,616.74	3,505,353.26	0.00	3,505,353.26	78.51
	Fund 004 Sub Totals:	0.00	-18,993.88	-51,101.87	51,101.87	0.00		

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	3,855,143.00	474,618.64	1,400,078.68	2,455,064.32	0.00	2,455,064.32	63.68
	Fund Expense Sub Totals:	3,855,143.00	57,093.19	1,437,228.71	2,417,914.29	0.00	2,417,914.29	62.72
	Fund 005 Sub Totals:	0.00	-417,525.45	37,150.03	-37,150.03	0.00		

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Revenue Totals:	15,223,510.00	771,167.26	5,496,051.96	9,727,458.04	0.00	9,727,458.04	63.90
	Expense Totals:	15,223,510.00	433,142.66	5,606,769.17	9,616,740.83	0.00	9,616,740.83	63.17
	Report Totals:	0.00	-338,024.60	110,717.21	-110,717.21	0.00		


Revenue to Expenses Comparison
June 2022
$3,000,000
$2,500,000
$2,000,000
$1,500,000
$1,000,000
$500,000
$0
$2,547,508
$2,781,483
$537,747
$428,441
$1,010,719
$959,617
$1,400,079
$1,437,229
GENERAL FUND
STREET FUND
WATER FUND
SEWER FUND
Revenue
Expenditure


Revenues Comparison
June 2021 to June 2022
$3,000,000
$2,500,000
$2,000,000
$1,500,000
$1,000,000
$500,000
$0
$2,299,136
$2,547,508
$382,143
$537,747
$1,735,803
$1,010,719
$1,472,711
$1,400,079
GENERAL FUND
STREET FUND
WATER FUND
SEWER FUND
2021 Revenue
2022 Revenue


Expenses Comparison
June 2021 to June 2022
$3,000,000
$2,500,000
$2,000,000
$1,500,000
$1,000,000
$500,000
$0
$2,295,566
$2,781,483
$372,506
$428,441
$1,438,863
$959,617
$1,579,656
$1,437,229
GENERAL FUND
STREET FUND
WATER FUND
SEWER FUND
2021 Expenditure
2022 Expenditure

KeyBank
P.O. Box 93885
Cleveland, OH 44101-5885

Public Sector Statement
June 30, 2022

379681084602

73 31 T 908 00000 R EM AO
CITY OF COBURG
GENERAL ACCOUNT
PO BOX 8316
COBURG OR 97408-1310

Questions or comments?
Call our Key Business Resource Center
1-888-KEY4BIZ (1-888-539-4249)

Public Transaction 379681084602
CITY OF COBURG
GENERAL ACCOUNT

Beginning balance 5-31-22	$1,294,782.54
92 Additions	+278,085.07
97 Subtractions	-261,016.56
Net fees and charges	-517.17
Ending balance 6-30-22	**$1,311,333.88**

Additions

Deposits	*Date*	*Serial #*	*Source*	
	6-1		Key Capture Deposit	$580.00
	6-1		Merchant Svcs Merch Dep 8008238126	417.40
	6-1		Merchant Svcs Merch Dep 8008238142	165.00
	6-2		Key Capture Deposit	6,569.75
	6-2		Merchant Svcs Merch Dep 8008238126	4,664.69
	6-2		Key Capture Deposit	3,683.46
	6-2		Key Capture Deposit	808.80
	6-3		Merchant Svcs Merch Dep 8008238126	895.88
	6-3		Merchant Svcs Merch Dep 8008238142	705.00
	6-6		Direct Deposit, City of Coburg Consumer	29,910.38
	6-6		Key Capture Deposit	3,911.61
	6-6		Direct Deposit, City of Coburg Cons Coll	3,259.00
	6-6		Merchant Svcs Merch Dep 8008238126	1,852.70
	6-6		Key Capture Deposit	695.00
	6-6		Direct Deposit, Pcs OR Trust Pcs OR Tr	626.04
	6-6		Merchant Svcs Merch Dep 8008238142	465.00
	6-6		Key Capture Deposit	75.63
	6-7		Merchant Svcs Merch Dep 8008238126	2,502.44
	6-7		Merchant Svcs Merch Dep 8008238142	215.00
	6-8		Key Capture Deposit	5,525.70
	6-8		Key Capture Deposit	911.19
	6-8		Key Capture Deposit	611.59
	6-8		Direct Deposit, Pcs OR Trust Pcs OR Tr	552.63
	6-8		Merchant Svcs Merch Dep 8008238142	545.00

379681084602

Additions
(con't)

Deposits	*Date*	*Serial #*	*Source*	
	6-8		Merchant Svcs Merch Dep 8008238126	357.40
	6-8		Key Capture Deposit	79.00
	6-9		Merchant Svcs Merch Dep 8008238126	5,457.40
	6-9		Merchant Svcs Merch Dep 8008238142	227.00
	6-9		Key Capture Deposit	163.57
	6-10		Merchant Svcs Merch Dep 8008238126	2,042.40
	6-10		Merchant Svcs Merch Dep 8008238142	265.00
	6-10		Key Capture Deposit	175.28
	6-13		Merchant Svcs Merch Dep 8008238126	599.33
	6-13		Merchant Svcs Merch Dep 8008238142	265.00
	6-14		Key Capture Deposit	4,554.53
	6-14		Merchant Svcs Merch Dep 8008238126	2,600.16
	6-14		Key Capture Deposit	1,614.97
	6-14		Key Capture Deposit	690.00
	6-14		Merchant Svcs Merch Dep 8008238142	360.00
	6-15		Deposit Branch 0067 Oregon	1,002.00
	6-15		Merchant Svcs Merch Dep 8008238126	302.40
	6-15		Deposit Branch 0067 Oregon	240.00
	6-15		Deposit Branch 0067 Oregon	200.00
	6-15		Merchant Svcs Merch Dep 8008238142	165.00
	6-15		Direct Deposit, Pcs OR Trust Pcs OR Tr	108.71
	6-15		Deposit Branch 0067 Oregon	105.00
	6-15		Deposit Branch 0067 Oregon	100.70
	6-16		Direct Deposit, Merchant S 8030298668	34,232.29
	6-16		Merchant Svcs Merch Dep 8008238126	900.33
	6-16		Merchant Svcs Merch Dep 8008238142	56.00
	6-17		Merchant Svcs Merch Dep 8008238126	1,368.16
	6-17		Deposit Branch 0065 Oregon	1,009.30
	6-21		Key Capture Deposit	6,465.67
	6-21		Key Capture Deposit	3,908.96
	6-21		Key Capture Deposit	2,809.60
	6-21		Key Capture Deposit	1,639.79
	6-21		Key Capture Deposit	1,505.55
	6-21		Key Capture Deposit	1,106.59
	6-21		Merchant Svcs Merch Dep 8008238126	816.89
	6-21		Direct Deposit, Merchant S 8030298668	710.49
	6-21		Merchant Svcs Merch Dep 8008238126	469.66
	6-21		Merchant Svcs Merch Dep 8008238142	327.00
	6-21		Merchant Svcs Merch Dep 8008238142	155.00
	6-21		Key Capture Deposit	109.04
	6-22		Direct Deposit, Pcs OR Trust Pcs OR Tr	2,222.85
	6-22		Merchant Svcs Merch Dep 8008238126	826.14
	6-22		Merchant Svcs Merch Dep 8008238142	255.00
	6-23		Key Capture Deposit	17,980.63
	6-23		Merchant Svcs Merch Dep 8008238126	300.03
	6-23		Merchant Svcs Merch Dep 8008238142	154.00
	6-24		Key Capture Deposit	46,403.78
	6-24		Key Capture Deposit	15,298.11
	6-24		Key Capture Deposit	9,165.29
	6-24		Key Capture Deposit	5,285.12

379681084602

Additions
(con't)

Deposits	*Date*	*Serial #*	*Source*	
	6-24		Merchant Svcs Merch Dep 8008238126	148.70
	6-27		Merchant Svcs Merch Dep 8008238126	821.08
	6-28		Key Capture Deposit	14,960.59
	6-28		Merchant Svcs Merch Dep 8008238126	824.75
	6-28		Key Capture Deposit	818.74
	6-28		Key Capture Deposit	150.00
	6-28		Direct Deposit, Asi Asi Operat	3.75
	6-29		Merchant Svcs Merch Dep 8008238126	701.53
	6-29		Direct Deposit, Pcs OR Trust Pcs OR Tr	433.21
	6-29		Merchant Svcs Merch Dep 8008238142	275.00
	6-30		Key Capture Deposit	6,721.01
	6-30		Key Capture Deposit	2,245.73
	6-30		Deposit Branch 0067 Oregon	1,058.65
	6-30		Merchant Svcs Merch Dep 8008238126	760.32
	6-30		Deposit Branch 0067 Oregon	500.00
	6-30		Deposit Branch 0067 Oregon	267.00
	6-30		Deposit Branch 0067 Oregon	50.00
	6-30		Deposit Branch 0067 Oregon	40.00
			Total additions	**$278,085.07**

Subtractions

Paper Checks ** check missing from sequence*

Check	*Date*	*Amount*
87548	6-6	$1,500.00
*87566	6-10	200.00
*87569	6-14	38.58
*87621	6-2	130.00
*87630	6-1	612.74
*87636	6-1	34.98
*87638	6-1	2,419.31
87639	6-1	656.59
*87642	6-2	571.46
87643	6-10	200.00
87644	6-1	508.40
87645	6-1	1,836.03
87646	6-6	102.00
87647	6-7	20.76
87648	6-6	324.28
87649	6-6	866.52
87650	6-14	32.00
87651	6-3	2,522.91
87652	6-6	1,005.00
87653	6-7	240.00
87654	6-9	127.69
*87656	6-3	288.27
87657	6-6	105.06
87658	6-10	191.23
87659	6-7	503.00
87660	6-13	425.00
87661	6-6	137.65
87662	6-14	52.55
*87664	6-10	765.14
87665	6-15	315.55
87666	6-13	366.43
87667	6-10	592.97
87668	6-14	386.91
87669	6-15	1,798.89
*87671	6-14	840.37
87672	6-13	508.40
87673	6-14	826.19
87674	6-10	600.00
87675	6-22	306.00
87676	6-21	12,010.00
87677	6-30	209.27
87678	6-23	169.29
87679	6-21	224.08
87680	6-22	5,286.46
87681	6-24	880.00
87682	6-21	9.63
87683	6-21	546.00
87684	6-21	627.00
87685	6-24	2,626.84
*87687	6-24	19.20
87688	6-21	240.00
87689	6-22	1,371.56
*87691	6-21	14.00
87692	6-22	2,280.00
87693	6-22	627.00
87694	6-30	200.00
87695	6-28	3,222.87
*87697	6-27	1,121.54
87698	6-29	5,562.20
87699	6-28	27.84
87700	6-27	182.60
87701	6-30	181.04
*87703	6-28	34.80
*87705	6-29	51.95
87706	6-27	5,016.00
87707	6-28	355.00
87708	6-27	1,576.95
87709	6-28	657.39
87710	6-28	281.00
87711	6-27	160.00
87712	6-29	1,197.00
87713	6-27	74.77
87714	6-28	1,973.76

Paper Checks Paid **$71,975.90**

379681084602

Withdrawals *Date*	*Serial #*	*Location*	
6-1		Direct Withdrawal, Irs Usataxpymt	$11,653.03
6-1		Merchant Svcs Merch Fee 8008238126	2,828.05
6-1		Merchant Svcs Merch Fee 8008238142	333.61
6-2		Direct Withdrawal, OR Revenue Dept Taxpayment	3,336.04
6-2		Direct Withdrawal, Merchant S 8030298668	877.55
6-6		Direct Withdrawal, Asi Hc220527	551.00
6-6		Direct Withdrawal, Invoice PA0003Yobilling	121.40
6-7		Direct Withdrawal, City of Coburg Dir Dep	35,232.93
6-7		Direct Withdrawal, Cis Trust 5037633834	27,888.66
6-10		Direct Withdrawal, Employer Contrb Pers Cntrb	16,057.47
6-10		Direct Withdrawal, Employer Contrb Pers Cntrb	5,234.99
6-10		Direct Withdrawal, KeyBank Auto Pymt	3,210.49
6-10		Direct Withdrawal, Employer Contrb Pers Cntrb	14.26
6-13		Direct Withdrawal, Asi Asi Fees	22.50
6-15		Direct Withdrawal, Irs Usataxpymt	12,113.78
6-15		Direct Withdrawal, OR Revenue Dept Taxpayment	3,409.68
6-16		Direct Withdrawal, Valic Eremit Prm	4,708.70
6-17		Direct Withdrawal, Hra Veba Withdrawal	12,438.23
6-21		Direct Withdrawal, City of Coburg Dir Dep	31,226.62
6-21		Direct Withdrawal, Invoice PA00044Zbilling	116.00
6-22		Direct Withdrawal, Valic Eremit Prm	4,619.44
6-27		Direct Withdrawal, Employer Contrb Pers Cntrb	15.40
6-29		Direct Withdrawal, Irs Usataxpymt	10,131.63
6-29		Direct Withdrawal, OR Revenue Dept Taxpayment	2,899.20
		Total subtractions	**$261,016.56**

Fees and charges

Date		*Quantity*	*Unit Charge*	
6-8-22	May Analysis Service Chg	1	517.17	-$517.17
	Fees and charges assessed this period			**-$517.17**

See your Account Analysis statement for details.

Accounts Payable

Checks by Date - Summary by Check Date

User: Tim Gaines
Printed: 7/22/2022 5:52 PM

Check No	Vendor No	Vendor Name	Check Date	Check Amount
87646	ANA165	Analytical Laboratory Group	06/02/2022	102.00
87647	BAT400	Batteries Plus	06/02/2022	20.76
87648	DJC	Daily Journal of Commerce	06/02/2022	324.28
87649	DCBS	DCBS Fiscal Services	06/02/2022	866.52
87650	DOCU	DocuTRAK Imaging, Inc.	06/02/2022	32.00
87651	EDMS	EDMS	06/02/2022	2,522.91
87652	JLOND	London & Paris, LLP	06/02/2022	1,005.00
87653	MCKINLEY	McKinley Printing Co.	06/02/2022	240.00
87654	NOR146	NW Natural	06/02/2022	127.69
87655	ORWRD	Oregon Water Resources Department	06/02/2022	670.00
87656	PacificS	PacificSource Administrators	06/02/2022	288.27
87657	RVBD	Riverbend Materials	06/02/2022	105.06
87658	SSW	Sierra Springs	06/02/2022	191.23
87659	SUNB	Sun Badge Company	06/02/2022	503.00
87660	TANG	Tangent	06/02/2022	425.00
87661	Valvln	Valvoline Instant Oil Change	06/02/2022	137.65
			Total for 6/2/2022:	7,561.37
87662	CenLin	CenturyLink	06/09/2022	52.55
87663	KCR	Keely Core	06/09/2022	75.00
87664	EDMS	EDMS	06/09/2022	765.14
87665	HUNTER	Hunter Communications	06/09/2022	315.55
87666	IRO100	Iron Mountain	06/09/2022	366.43
87667	Lanfin	Lane County Finance Department	06/09/2022	592.97
87668	OffDep	Office Depot Credit Plan	06/09/2022	386.91
87669	OreRev	Oregon Dept. of Revenue	06/09/2022	1,798.89
87670	TS	Tamara D Steele	06/09/2022	24.14
87671	Verizon	Verizon Wireless	06/09/2022	840.37
87672	WFFL	Wells Fargo Financial Leasing, Inc.	06/09/2022	508.40
87673	WelWel	Welt & Welt, Inc	06/09/2022	826.19
87674	PhWill	Phillip Williams	06/09/2022	600.00
			Total for 6/9/2022:	7,152.54
87675	ANA165	Analytical Laboratory Group	06/16/2022	306.00
87676	CasCol	Cascade Columbia Dist Co	06/16/2022	12,010.00
87677	Petty	Petty Cash Reimbursement Cash	06/16/2022	209.27
87678	CINTA	Cintas Corporation	06/16/2022	169.29
87679	CON188	Consolidated Supply Co.	06/16/2022	224.08
87680	EME131	Emerald People's Utility	06/16/2022	5,286.46
87681	GATE	Gatehouse Media- Eugene Advertising	06/16/2022	880.00
87682	GCRTire	GCR Coburg Tire	06/16/2022	9.63
87683	HARVEY&P	Harvey & Price	06/16/2022	546.00
87684	LAN129	Lane Council of Governments	06/16/2022	627.00
87685	LanePW	Lane County Public Works	06/16/2022	2,626.84
87686	JLOND	London & Paris, LLP	06/16/2022	1,859.00

Check No	Vendor No	Vendor Name	Check Date	Check
87687	ONE193	One Call Concepts, Inc.	06/16/2022	19.20
87688	OreDeq	Oregon DEQ Business Office	06/16/2022	240.00
87689	PAC150	Pacific Power	06/16/2022	1,371.56
87690	RLCR	Reese Landscapes, Inc.	06/16/2022	1,620.00
87691	Rexius	Rexius	06/16/2022	14.00
87692	RoyFlu	Royal Flush Environmental	06/16/2022	2,280.00
87693	TYLE	Tyler Technologies	06/16/2022	627.00
87694	OSGP	Voya-Oregon Savings Growth Plan	06/16/2022	200.00
			Total for 6/16/2022:	31,125.33
87695	911Sup	911 Supply Inc	06/22/2022	3,222.87
87696	AFL250	AFLAC	06/22/2022	612.74
87697	AllSea	All Seasons Equipment	06/22/2022	1,121.54
87698	BRA344	Branch Engineering	06/22/2022	5,562.20
87699	CAR476	Carquest Auto Parts	06/22/2022	27.84
87700	CenLin	CenturyLink	06/22/2022	182.60
87701	CINTA	Cintas Corporation	06/22/2022	181.04
87702	DOCU	DocuTRAK Imaging, Inc.	06/22/2022	300.00
87703	EME131	Emerald People's Utility	06/22/2022	34.80
87704	JohnCon	Johnson Controls	06/22/2022	566.57
87705	JCPS	Junction City Point S LLC	06/22/2022	51.95
87706	LCSO	Lane County Sheriff's Office	06/22/2022	5,016.00
87707	MCKINLEY	McKinley Printing Co.	06/22/2022	355.00
87708	MedTec	Med-Tech Resource LLC	06/22/2022	1,576.95
87709	NBS	National Business Solutions	06/22/2022	657.39
87710	NMSL	NMS Labs	06/22/2022	281.00
87711	OreDeq	Oregon DEQ Business Office	06/22/2022	160.00
87712	RoyFlu	Royal Flush Environmental	06/22/2022	1,197.00
87713	Valvln	Valvoline Instant Oil Change	06/22/2022	74.77
87714	WelWel	Welt & Welt, Inc	06/22/2022	1,973.76
			Total for 6/22/2022:	23,156.02
87715	COV	City of Veneta	06/28/2022	4,000.00
			Total for 6/28/2022:	4,000.00
87716	CenLin	CenturyLink	06/30/2022	272.58
87717	DOCU	DocuTRAK Imaging, Inc.	06/30/2022	32.00
87718	HERC	Herc Rentals Inc.	06/30/2022	261.97
87719	HDEPOT	Home Depot Credit Services	06/30/2022	169.88
87720	LAN129	Lane Council of Governments	06/30/2022	1,451.13
87721	MACAB	Macadam Aluminum & Bronze	06/30/2022	18.00
87722	NBS	National Business Solutions	06/30/2022	476.77
87723	NORCO	North Coast Electric Company	06/30/2022	2,505.16
87724	NOR146	NW Natural	06/30/2022	53.00
87725	PacificS	PacificSource Administrators	06/30/2022	50.00
87726	SSW	Sierra Springs	06/30/2022	81.51
87727	TANG	Tangent	06/30/2022	425.00
			Total for 6/30/2022:	5,797.00

Check No	Vendor No	Vendor Name	Check Date	Check
		Report Total (82 checks):		78,792.26

KeyBank
P.O. Box 93885
Cleveland, OH 44101-5885

31 RTM1X T 908 00000 R EM AO
CITY OF COBURG
POLICE EVIDENCE TRUST
PO BOX 8316
COBURG OR 97408-1310

Questions or comments?
Call our Key Business Resource Center
1-888-KEY4BIZ (1-888-539-4249)

Public Transaction
CITY OF COBURG
POLICE EVIDENCE TRUST

Beginning balance 5-31-22	$100.00
Ending balance 6-30-22	**$100.00**

Fees and charges *See your Account Analysis statement for details.*

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **June 30, 2022**

COBURG CITY OF - COBURG CITY OF / GENERAL - 5969

Oregon LGIP	
Opening Balance	1,574,562.22
Purchases	29,935.59
Redemptions	(0.30)
Closing Balance	**$1,604,497.51**
Dividends	1,219.37

Asset Summary		
	June 30, 2022	**May 31, 2022**
Oregon LGIP	1,604,497.51	1,574,562.22
Total	**$1,604,497.51**	**$1,574,562.22**

OREGON STATE TREASURY

Account Statement

For the Month Ending **June 30, 2022**

COBURG CITY OF - COBURG CITY OF / GENERAL - 5969

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**1,574,562.22**
06/01/22	06/01/22	LGIP Fees - ACH Redemption (2 @ $0.05 - From 5969) - May 2022	1.00	(0.10)	1,574,562.12
06/01/22	06/01/22	LGIP Fees - Received ACH (2 @ $0.10 - From 5969) - May 2022	1.00	(0.20)	1,574,561.92
06/13/22	06/13/22	Lane County - Tax Seg for May 01-31-2022	1.00	14,277.24	1,588,839.16
06/17/22	06/17/22	ODOT - ODOT PYMNT	1.00	12,423.58	1,601,262.74
06/29/22	06/29/22	Lane County - Tax Seg for June 01-15-2022	1.00	2,015.40	1,603,278.14
06/30/22	07/01/22	Accrual Income Div Reinvestment - Distributions	1.00	1,219.37	1,604,497.51
Closing Balance					**1,604,497.51**

	Month of June	Fiscal YTD July-June
Opening Balance	1,574,562.22	1,686,282.71
Purchases	29,935.59	1,580,568.57
Redemptions	(0.30)	(1,662,353.77)
Closing Balance	**1,604,497.51**	**1,604,497.51**
Dividends	1,219.37	10,129.43

Closing Balance	1,604,497.51
Average Monthly Balance	1,589,100.94
Monthly Distribution Yield	0.93%

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **June 30, 2022**

COBURG CITY OF - COBURG CITY OF / SDC - 3711

Oregon LGIP	
Opening Balance	1,465,942.58
Purchases	1,124.56
Redemptions	(0.05)
Closing Balance	**$1,467,067.09**
Dividends	1,124.56

Asset Summary		
	June 30, 2022	**May 31, 2022**
Oregon LGIP	1,467,067.09	1,465,942.58
Total	**$1,467,067.09**	**$1,465,942.58**

OREGON STATE TREASURY

Account Statement

For the Month Ending **June 30, 2022**

COBURG CITY OF - COBURG CITY OF / SDC - 3711

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**1,465,942.58**
06/01/22	06/01/22	LGIP Fees - ACH Purchase (1 @ $0.05 - From 3711) - May 2022	1.00	(0.05)	1,465,942.53
06/30/22	07/01/22	Accrual Income Div Reinvestment - Distributions	1.00	1,124.56	1,467,067.09
Closing Balance					**1,467,067.09**

	Month of June	Fiscal YTD July-June
Opening Balance	1,465,942.58	1,405,968.14
Purchases	1,124.56	61,099.00
Redemptions	(0.05)	(0.05)
Closing Balance	**1,467,067.09**	**1,467,067.09**
Dividends	1,124.56	8,052.12

Closing Balance	1,467,067.09
Average Monthly Balance	1,465,980.02
Monthly Distribution Yield	0.93%

OREGON STATE TREASURY

Account Statement - Transaction Summary

For the Month Ending **June 30, 2022**

COBURG CITY OF - COBURG CITY OF / GENERAL FUND SAVINGS - 3784

Oregon LGIP	
Opening Balance	271,607.46
Purchases	208.36
Redemptions	(0.05)
Closing Balance	**$271,815.77**
Dividends	208.36

Asset Summary		
	June 30, 2022	**May 31, 2022**
Oregon LGIP	271,815.77	271,607.46
Total	**$271,815.77**	**$271,607.46**

OREGON STATE TREASURY

Account Statement

For the Month Ending **June 30, 2022**

COBURG CITY OF - COBURG CITY OF / GENERAL FUND SAVINGS - 3784

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Balance
Oregon LGIP					
Opening Balance					**271,607.46**
06/01/22	06/01/22	LGIP Fees - ACH Redemption (1 @ $0.05 - From 3784) - May 2022	1.00	(0.05)	271,607.41
06/30/22	07/01/22	Accrual Income Div Reinvestment - Distributions	1.00	208.36	271,815.77
Closing Balance					**271,815.77**

	Month of June	Fiscal YTD July-June
Opening Balance	271,607.46	170,426.12
Purchases	208.36	313,877.70
Redemptions	(0.05)	(212,488.05)
Closing Balance	**271,815.77**	**271,815.77**
Dividends	208.36	1,525.53

Closing Balance	271,815.77
Average Monthly Balance	271,614.36
Monthly Distribution Yield	0.93%

COBURG CITY COUNCIL

TOPIC: COBURG POLICE DEPARTMENT – QUARTERLY REPORT

Quarter ending: June 30, 2022

Meeting Date: August 9, 2022
Staff Contact: Larry Larson
Contact: 541-682-7855, Larry.Larson@ci.coburg.or.us

POLICE STATS FOR QUARTER ENDED JUNE 30, 2022

Coburg Police Department stats are divided into the following seven categories.

1. **Traffic/person stops**

   Traffic stops, person stops, truck inspections.

2. **Patrol/business checks**

3. **Person Crimes/calls for service**

   Assaults, rape, sex abuse, all other sex crimes, subject down, fight, menacing, all domestic violence crimes, welfare checks, harassment, runaways, suicidal subject, deceased subject, peace officer hold (POH Mental hold) etc.

4. **Property crimes/calls for service**

   Theft, unlawful use of a motor vehicle, unlawful entry into a motor vehicle, alarms, criminal mischief, motor vehicle accident, fraud, criminal trespassing etc.

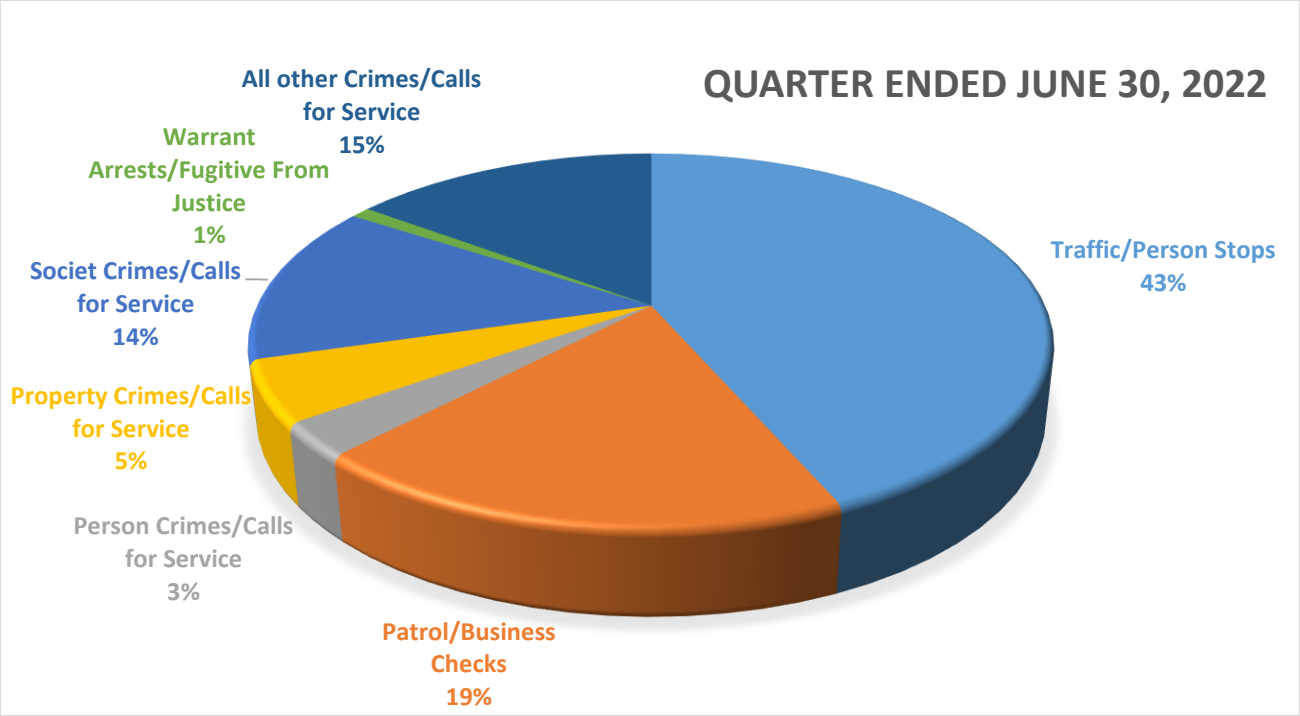
5. **Society crimes/calls for service**

   DUII, reckless driving, unlawful possession of a controlled substance, disorderly conduct, illegal camping, assist public, all dog and animal issues, suspicious vehicle, speeding vehicle, suspicious conditions, abandoned vehicle, traffic hazard, ATL drunk driver, disabled vehicle, city ordinance violations, prowler, etc.

6. **Warrant arrests/fugitive from Justice**

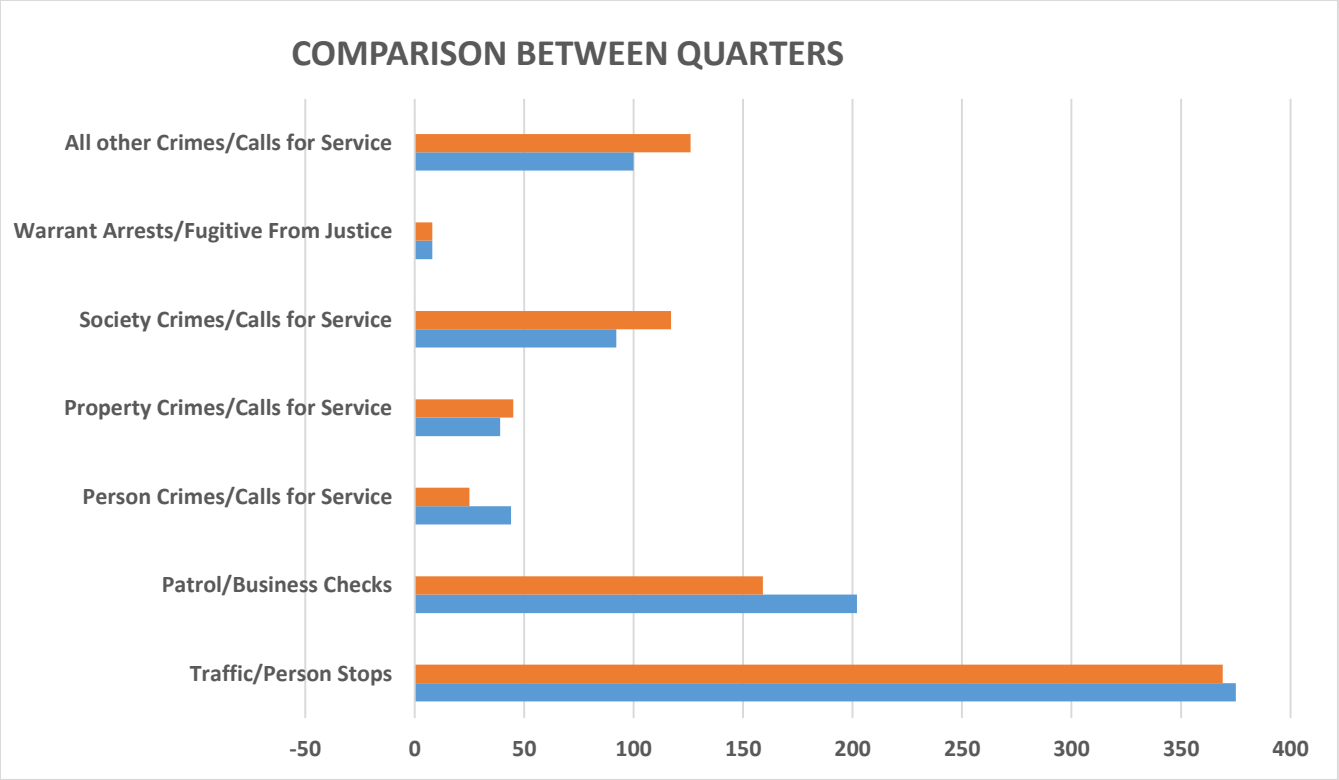
7. **All other crimes/calls for service**

   Citizen contact, assist other agency LCSO, OSP, Coburg Fire Department, follow up investigation, vin inspections, training, court, special assignment, stop sign down, etc.



Comparison between 1st and 2ndQuarter, 2022

Type	March 31	June 30	Percentage Change
Traffic/Person Stops	375	369	-1%
Patrol/Business Checks	202	159	-4%
Person Crimes/Calls for Service	44	25	-2%
Property Crimes/Calls for Service	39	45	1%
Society Crimes/Calls for Service	92	117	3%
Warrant Arrests/Fugitive From Justice	8	8	0%
All other Crimes/Calls for Service	100	126	3%

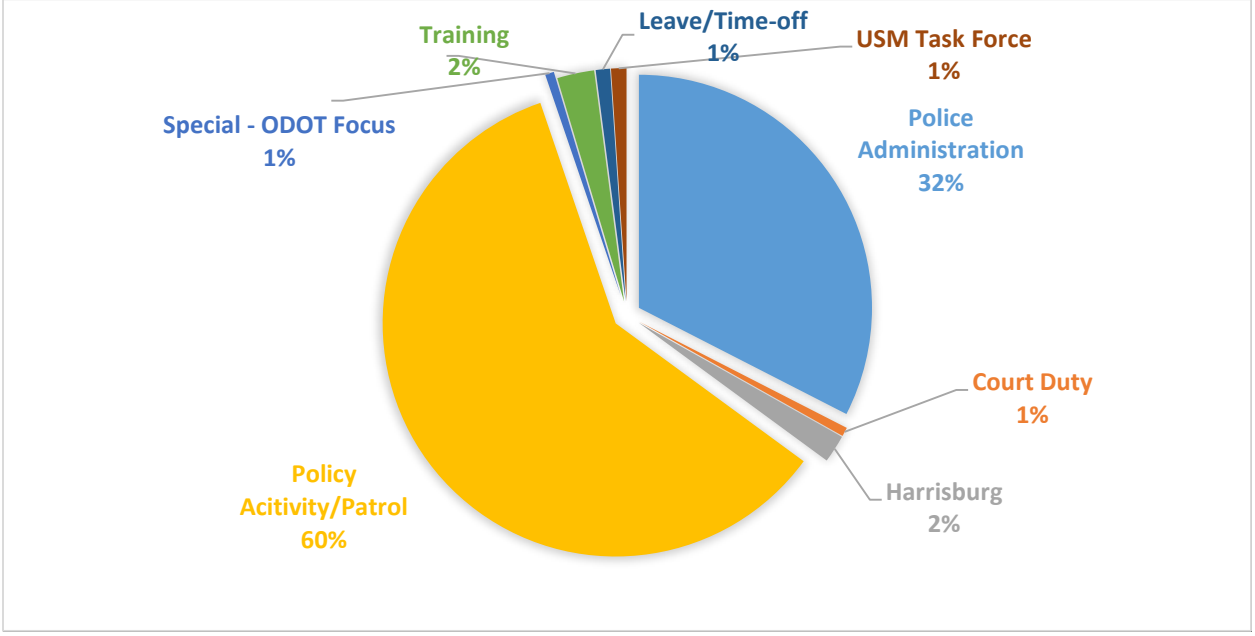


Below is a list of and type of calls for service for Coburg Police Department April 1, 2022 – June 30, 2022

Traffic stop	Death Investigation	Criminal Trespass
Unlawful Entry into vehicle	Lost Property	Follow up investigation
Patrol check	Citizen Contact	Loud Noise
Sex Abuse	Assist Public	Civil Standby
Police Officer Hold (Mental Hold)	Illegal Parking	Animal Complaint
Welfare check	Assist OSP	Theft
DUII	Business Check	Court
Prisoner Transport	Vehicle Tow	Disabled Vehicle
Alarm	Training	Stop Sign Down
Locate Subject	Open Door	Locate Subject
Disorderly Subject	Suspicious Conditions	Truck Inspection
Vin inspection	Welfare check	Assist OSP
Business Check	Assist Fire Department	Dispute
Attempt to locate drunk driver	Criminal Mischief	Vehicle Impound
Illegal Camping	Warrant Arrest	Prisoner Transport
Vehicle Tow	Incomplete 911 Call	Motor Vehicle Accident
Suspicious Conditions	VIN Inspection	Harassment
Subject down	Dog at Large	

POLICE DEPARTMENT HOURS

Quarter Ended June 30, 2022



Activity	March 31, 2022	June 30, 2022
Police Administration	1039	1314.75
Court Duty	42.25	25
Police Activity/Patrol	2138.75	2412.45
Harrisburg Patrol	64.5	77.75
Special - ODOT Grant Focus	0	25
US Marshall Task Force	0	43
Training	209.25	104
Leave/Time Off	374.5	40
Total	**3868.25**	**4041.95**

COBURG CITY COUNCIL
MONTHLY REPORTS

TOPIC: City Administration Report

Meeting Date: August 9, 2022
Staff Contact: Anne Heath, City Administrator
Contact: 541-682-7871, anne.heath@ci.coburg.or.us

The following is an overview of important activities during the month of July, general administration, and upcoming work to be done. The information in this report is compiled by the City Administrator and Department Directors.

GENERAL ADMINISTRATION

Water Project

- Well under design
- Water Rights have been successfully transferred to new well property
- Thomas Street Intertie under construction
- Reservoir Feasibility Study- In process – will be completed in September and presented at a **City Council work session on September 27th.**
- Public Works Shop is under design

Street Projects

- **McKenzie Street Rebuild –** Awarded – Contract will be in Red Folder
- **Roberts Road –** Construction in Process
- **Roberts Court –** Contract has been awarded
- **Collector Streets –** Under Design/Summer of 2023 Construction. This project will be managed by the City of Eugene, which is a certified agency. This is a requirement for funding awards. Staff will be meeting with City of Eugene in August to plan project.
- **Funding –** City Attorney, then will review Loan documents are under review with ODOT legal, prior to signature. City Administrator requested that the City be allowed to seek reimbursement for nine months prior to execution of the contract. This allows the City to seek reimbursement for the majority of the engineering for Roberts Road Design. This request was due to the amount of time it took for this loan to process after the application was submitted.

Park Projects – Grant for Pavilion Park has been awarded to the City of Coburg. Total for grant is approximately $750,000, with approximately $270,000 provided as match for the property donated by the Shepard Family. This leaves approximately $480,000 to be expended and reimbursed for the park. **See attached award list to see what other projects will be funded.**

COOP (Continuation of Operations Plan) – Supervisors have completed their section of the COOP, which includes the priority duties of the supervisors, short-term interim plan, long-term interim plan, and full replacement of position. Additionally, the COOP will include emergency contacts for contractors for the operations of each department. It is anticipated that this will be presented in September or October to City Council for review and adoption.

MPO Funding – The City applied for approximately 1.2 million dollars in transportation funding which included additional funding for the Coburg Loop Path (Industrial way), the feasibility study for an east-west bypass road, and preservation funds for Coburg Industrial North. All three projects have been funded preliminarily but still will need the confirmation of the Metropolitan Planning Committee. The City agreed to push the feasibility study out to 2026 in order for all projects to be funded. The project funding will be confirmed by the MPC in the coming months.

Lane County DA - Coburg has received notice from Patty Perlow, Lane County District Attorney, that the caseload for the DA's office is unmanageable at this time due to capacity issues. Therefore, they will not be taking on some Class C felony violations or misdemeanor crimes. Coburg Police will need to decide if they wish to increase the amount of cases prosecuted through the Coburg Municipal Court**. See attached letter from Patty Perlow.** Chief Larson believes that Coburg can absorb the majority of these cases.

Welcome to Dax Wilson – Dax joins the Public Works Team. Dax has been serving as a temporary for public works for several months. He recently applied for the open position and was hired. We look forward to having him on our Public Works Team

Upcoming Meetings

Planning Commission	8/17
City Council	9/13

DEPARTMENTS AND OPERATIONS

City Recorder| Utility Billing| Office Administration - Prepared by Sammy Egbert

City Recorder

- June 12th to August 9th managed three Public Meetings. All Public meeting are noticed, electronic and paper retention completed, minutes drafted, signed and recorded.
- Completed 8 lien searches.
- Recruitment for internal posting and posted request for proposal for Five Year Farm Lease and two pavement repair projects.
- Elections – Measure for 2022 Charter, measure for Psilocybin temporary ban and three Council and Mayor Election.

Utility Billing

- July Utility bills covering 6/11 to 7/12
- Billed Water $71,000 | Sewer $70,000 | TUF $12,000
- Cash Receipts or Payments Received $155,500
- Past dues charged 70
- Active Payment Plans 2
- Change is service 3
- Twenty-three customers will be receiving Utility Billing Limited Income Assistance for 2022-23. Customers have been notified if they qualified or not and the accounts were updated in utility billing. The 2022-23 rates will be reflected on the bill that goes out August 10th.
- Training with Finance Director on Utility Billing to line it up with the Finance Director Job Description and remove the management and oversite from the City Recorder.

Administration front Office

- July 12 to August 9
    - 7 park reservation
    - 5 Special events held
    - 8 IOOF reserved
- Noxious vegetation enforcement on 5 properties

Finance

- See Finance Report under separate tab.

Planning – Prepared by Megan Winner

- SR 01-22 & CUP 01-22: Application for site review and conditional use permit for restaurant and brewery at 91032 S Willamette (old Primrose Lane Antique) deemed incomplete, additional information on wastewater pretreatment and other details requested but not yet received;
- SR 02-22: Application for site design review for an industrial park at 90950 Roberts Rd was approved by Planning Commission at July 20th meeting;
- SUB 02-20: Construction continues. Building permit applications for two homes submitted in July;
- PA 01-22: Planning Commission unanimously recommended approval of proposed Zoning Code amendments including the Central Business District form-based code

overlay, formula businesses (aka chain stores) restrictions in the Central Business District, and other housekeeping items, to City Council. Council held public hearing and first reading of Ordinance A-200-L at July 26 special meeting and gave staff direction to prepare language for a formula business conditional use permit and process. Council will hear this item again on August 9th;

- 12 Structural/Plumbing/Mechanical/Electrical Permits issued in July;
- Attended regional transportation meetings to formulate recommendation to MPO for 2024-2027 funding package. Coburg projects include three projects: additional funding for the Coburg Loop Path, pavement preservation on N Coburg Industrial Way and a feasibility study for an east/west freight/commuter connector;
- Heritage Committee is sponsoring a wood window demonstration booth from Willamette Window Restoration at the Antique Fair.

Main Streets and Economic Development – Prepared by Tracey Pugh

- Distributed Coburg Business Map/Directory to Travel Lane County and Coburg businesses
- Working on Wayfinding Signage for downtown Coburg
- Working on City of Coburg website - updating information, fixing broken links
- Redesigning Chamber website for Coburg Main Street
- Coordinating vendors for Coburg Market on Thursdays (July 21-August 25)
- Coordinated/attended monthly meeting with Main Street Executive Committee
- Coordinated/attended monthly Coburg Main Street committee meeting
- Assisting Coburg Antique Fair Director
- Participated in Oregon Main Street Leadership Training: Boosting Your Preservation Skills
- Participating in weekly Oregon Main Street zoom meetings

Public Works – Prepared by Brian Harmon

- **Streets and ROW.**
    - **Street**
        - **Repairs & Projects**
            - Roberts Rd Paving Project is done and working on punch list
            - Pot hole repairs
        - **Mowing**
            - Right of Way mowing
            - Contractor mowed all bio swales, pasture on Stallings, and Treatment Plant

Water Utility

- **Callouts**
    - Booster Station called out for power outage
- **New Services & Meter Chang outs**
    - Two new meters installed and one old meter replaced

- **Sewer Utility**
  - **Collections**
    - **Inspections**
      - 11
    - **Callouts**
      - 13
  - **Treatment Plant**
    - **Callouts**
      - One power outage and one blower low air flow
    - **Projects**
      - Continuing the Tree Planting Project at the Treatment Plant and many hours watering the trees already planted.
- **Parks Dept**
  - **Parks and Tree Committee**
    - Work Party worked at Pavilion Park and Norma Pfieffer Park
  - **Park Maintenance**
    - Removed old urinal and installed a waterless unit in men's restroom at City Restrooms at Norma Pfieffer Park.
- **Misc.**
-
  - **Locates** 15
  - **Work Orders** 75
- **Training**
  - Flagger Certification Class for all Public Works Team members
- **Events**
  - Public Works worked very hard on cleaning up the Parks and Streets for all upcoming events that will occur throughout the summer.

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<u>Municipal Court - Prepared by Mandy Balcom</u>

- **July 2022 Activity Measures:**
  - **Citations (Crimes and Violations)**
    - New Citations for July 12, 2022 Court Date: 37

  - **July 2022 Receipts Including Collections**,
    - **Total Fines**: $11,751.29 (total monies taken in for the month, nothing deducted), *compared to $10,129.56 in July of 2021*
    - **Net Fines**: $ 8,790.50 (City share only, NOT including collections), *compared to $5,612.00 in July of 2021*

- **July 2022 Professional Credit Service Collections**:
  - **Total Collection Revenue**: $ 2,960.79
    compared to $4,517.56 in July of 2021
  - **Turned over to collection**: $ 10,807.00
    compared to $ 12,020.00 in July of 2021

Comparisons should only be considered when viewing the year-to-date amounts as court dates are not consistently held on the same dates each month, nor is there consistent cases presented to the court.

Other Information:

- **Upcoming Court Dates: August 2, 2022, Regular Court Session**
  September 14, 2022, Regular Court Session
  September, 20, 2022, Jury Trial

Police Department – Prepared by Chief Larry Larson

- Officer investigated an electronic theft of $18,000.
- Officers investigated a suicidal runaway juvenile.
- Officer investigated a criminal mischief 2.
- Officer investigated a stolen battery and stove from Camping World.
- Officer received found credit cards.
- Officer arrested a male for a felony weapons offense warrant.
- Officer investigated a vehicle crash into a fuel pump.
- Officer investigated a burglary at a business where the unknown suspects stole property.
- Officer conducted a death investigation.
- Officer completed ODOT commercial truck inspections.
- Officers investigated and arrested a suspect for violation a stalking order.
- Officer arrested a suspect on felony and misdemeanor warrants.
- Officer investigated a stolen car, missing person and interfering with making a 911 call.
- Officers provided VIN inspections to local business.
- Officer investigated a hit and run with property damage.
- Officer arrest a male for alcohol DUII.
- Officer was involved in a pursuit with a motorcycle; officer terminated pursuit due to speed.
- Officer located a stolen vehicle and returned it to the owner.
- Officer investigated a motor vehicle crash involving a pedestrian.
- Officer investigated an attempted theft of a racing trailer; no suspect information at this time.
- Officer investigated theft of bicycles.

- Officer took a report of a missing person; the person was later located.
- Officers completed a death investigation.
- Officer arrested a female for a misdemeanor.
- Officer assisted a stranded motorist with the CHETT program.
- Officers cited two drivers for criminal driving while suspended.
- Officer investigated a hit and run; officer later facilitated a civil compromise.
- Officer arrested a male on a felony warrant and violating a no contact order.
- Officer investigated a domestic assault and strangulation; the officer sought a warrant.
- Officer provided transportation for a citizen to the hospital.
- Officers investigated several disputes.
- Officers arrested a male for strangulation.
- Officer took a report of a sexual assault.
- Officers assisted with several traffic hazards.
- Officer investigated a suspect for failing to report as a sex offender.
- Officer attended a victim interview at Kids' First.
- Officer cited a citizen for a vicious dog.
- Officer spoke to a resident about a city ordinance violation.
- Officers investigated unlawfully parked vehicles.
- Officers investigated a physical harassment and disorderly conduct.
- Officer served several subpoenas for a felony case.
- Officers assisted Harrisburg for their 4th of July events.
- Officers assisted Coburg Fire with a male who was unconscious at the Truck N' Travel.
- Officers conducted safety patrols and were present for the beer garden during Coburg Days.
- Officer investigated a non-injury motor vehicle crash.
- Officer conducted compliance checks with city ordinance violations.
- Officers worked bailiff duties at the Coburg Municipal Court.
- Officers worked bailiff duties at the Harrisburg Municipal Court.

Upcoming Events:

Harrisburg National Night Out Tuesday August 2nd
Harrisburg Harvest Festival Friday and Saturday August 5th and 6th
Coburg Car Classic Saturday August 6th
Coburg Antique Fair September 11th

ATTACHED

At the 2021 City Council retreat the City Council discussed ways to better connect with Planning Commission and City Committees. Council requested staff provide the minutes from all public meetings in the monthly City Council packets.

A. 7/13/2022 Heritage Committee Minutes
B. 7/19/2022 Park Tree Committee Minutes
C. 7/20/2022 Planning Commission Minutes

D. Police - Letter from Lane County District Attorney
E. Police – Letter from US Marshals

MINUTES

Coburg Heritage Committee

Hybrid Meeting In-Person and via Zoom

July 13th, 2022 – 6:00 P.M

91136 North Willamette St.

COMMITTEE MEMBERS PRESENT: Marissa Doyle, Chair; Michelle Shattuck, Vice Chair; Stephan Sheehan, Shannon Sardell

STAFF PRESENT: Megan Winner

DRAFT

1. Call the Meeting to Order

Chair Doyle called the meeting of the Heritage Committee to order at 6:06 p.m.

2. Roll Call

Ms. Winner called roll. A quorum was present.

3. Minutes for Approval | June 8th, 2022

MOTION: Ms. Sardell moved, seconded by Vice Chair Shattuck, to approve the June 8th, 2022, Heritage Committee meeting minutes as presented. The motion passed unanimously – 4:0.

4. Special guest | Julie Whalen, Willamette Window Restoration

Ms. Winner introduce Ms. Whalen.

Ms. Whalen relayed her background in historic preservation with Oregon Parks. Established in 2017, her company employed four full-time staff and two part-time employees. They were working on the Shelton-McMurphey house, the First Presbyterian Church, and several National Historic Register homes. The company handled replacements, repairs and maintenance, storm windows and weather stripping, and consultations.

Ms. Whalen stated that there was a movement to preserve wood windows, with over 600 experts nationwide. She pointed out that a majority were women.

Ms. Winner wondered what Ms. Whalen might display at the Antique and Vintage Fair. Ms. Whalen responded that she intended to create a model of a double-hung sash with a storm window and weather stripping. Ms. Sardell suggested a putty demonstration. Ms. Whalen concurred.

Ms. Whalen suggested that people could bring in photos for assessment; she recommended that

the Committee advertise the service.

Chair Doyle mentioned explaining the benefits of wood windows. Ms. Sardell said handouts could be pulled from preservation websites. Ms. Whalen assured the Committee that she had documentation to share.

Vice-Chair Shattuck inquired whether cracked windows could be repaired at home. Ms. Whalen said yes, she had talked people through the process via telephone. Mr. Sheehan wondered how efficient wood windows were. Ms. Whalen replied that they were designed for use with storm windows and that when paired, they were comparable to vinyl windows. Ms. Sardell shared that Energy Star ratings were biased. Chair Doyle recommended that Ms. Whalen could provide information on maintenance. Ms. Whalen agreed.

> **MOTION:** Chair Doyle moved, seconded by Vice Chair Shattuck, to contract Ms. Whalen to staff a booth at the Antique and Vintage Fair as a CLG project. The motion passed unanimously – 4:0.

DRAFT

5. COMMITTEE BUSINESS

• SR 01-22 & CUP 01-22 Willamette Forks Application Review | Recommendation to Planning Commission (Pollard House)

Ms. Winner stated that this was the first application brought to the Heritage Committee for review. She noted that other cities used guidelines, but as Coburg did not have any in place, the discussion would be informal. The Committee would then vote on whether to recommend approval of the application to the Planning Committee. She remarked that Mr. Sheehan should recuse himself from the vote, as it was his application.

Mr. Sheehan presented his blueprints, pointing out that the exterior would remain unchanged except for hood fans on the back side, a deck, and an ADA-approved ramp. A secondary building in the form of a barn would house the brewery (listed as the 'Cider House' in the blueprints).

Ms. Sardell inquired about the Committee's role. Ms. Winner clarified that the Heritage Committee would review the application and decide whether to recommend approval to the Planning Committee. As there were no existing design standards, it would be an informal process.

Ms. Sardell expressed discomfort with making recommendations on plans in progress. Mr. Sheehan asserted that no further changes would be made to the historic resource.

Chair Doyle inquired about fire suppression. Mr. Sheehan explained that the building would have fire walls and that the distillery kettles were low-rated.

Ms. Sardell expressed concern about the areas where the ramp and decking would touch the historic fabric and requested that, if possible, measures be taken to preserve the siding.

Vice-Chair Shattuck asked what color the building would be. Mr. Sheehan said it wasn't decided yet, but a copper roof with an iron ore hue was being considered.

Chair Doyle asked if there would be any demolition to the front of the building. Mr. Sheehan said no, the only changes being made to the front were the installation of fans.

Discussion of the barn and chestnut tree ensued. Ms. Sardell interjected that the barn should be secondary and set back from the main elevation. Mr. Sheehan pointed out that there was no room to do so. Chair Doyle concurred that the barn should be secondary and recommended a plain facade.

Ms. Sardell requested that a second review be conducted by the Committee if the application changed. Chair Doyle requested that the blueprints be dated.

> **MOTION:** Vice Chair Shattuck moved, seconded by Ms. Sardell, to recommend approval of the proposed application as presented on July 13th, 2022. The motion passed – 3:0:1. Mr. Sheehan abstained as he had recused himself as he's the applicant.

• CLG Grant Eligible Projects

Ms. Winner updated the Committee, stating that she was in communication with the Lane County Historic Museum (LCHM) to book a speaker, but that none were available until autumn. She suggested the Committee contract with LCHM immediately to reserve a speaker when one became available.

Chair Doyle noted the need for design guidelines and said she was waiting on a response from Ted Corbin. She requested that 'design guidelines' remain on the agenda. Ms. Winner concurred.

•Art Contest 2023

Shelved

•Quarterly report to City Council

Ms. Sardell said that she had usually given the report but wouldn't be available in August. The decision was made to revisit the topic at a later date.

The Committee agreed to an August recess, with the group to reconvene on September 14th, 2022.

6. Future Meetings | Dates to Remember

• Next Heritage Committee Meeting: September 14th, 2022

7. Adjournment

Chair Doyle adjourned the meeting at 7:02 p.m.

DRAFT

(Minutes recorded by Angela Kern)

APPROVED by Heritage Committee on this _____ day of _____, 2022.

_____
Marissa Doyle, Chair

ATTEST:

_____
Sammy L. Egbert, City Recorder

DRAFT

Coburg Planning Commission
July 20, 2022 at 7:00 p.m.
Coburg City Hall
91136 N. Willamette St.
Hybrid Meeting

DRAFT

COMMISSIONERS PRESENT: John Marshall, Seth Clark, and Marissa Doyle, Planning Commissioner. Via Zoom: Alan Wells and William Wood, Vice Chair.
Absent: Jonathan Derby.

STAFF PRESENT: Anne Heath and Megan Winner.

CITIZEN AT-LARGE: Nancy Bell, Cathy Engebretson via Zoom.

GUEST PRESENT: Tim Favreau, Eric Favreau, and Robert Lamont.

1. CALL MEETING TO ORDER
Commissioner Marshall opened the Planning Commission work session at 7:00 p.m.

2. ROLL CALL
Commissioner Marshall called roll. A quorum was present.

3. AGENDA REVIEW
There were two new additions. Copies had been made available on the city's website, under the 7/20/2022 meeting and listed in supporting documents.

- Chair Thompson resignation from Planning Commission letter.
- Code Matrix Update for mobile food vending trucks.

4. APPROVAL OF MINUTES

MOTION: *Commissioner Doyle moved, seconded by Commissioner Clark to approve the May 18, 2022 Planning Commission Meeting minutes as presented.*
The motion passed unanimously; Vote 6:0.

5. COMMISSION BUSINESS

- **Public Hearing**

SR 02-22 Roberts Road Industrial Park Site Design Review

Applicants Toni Favreau and his son Eric Favreau from Dakota Group, LLC of Eugene, Oregon, had proposed to construct a light industrial building facility on property that fronted Roberts Rd. The units would be rented to tenants for different light industrial uses. The proposed project would be done in two phases. A traffic impact study had been accepted and concurred by Lane County, Oregon Department of Transportation (ODOT) and The City. The two main topics for discussion were parking and landscaping for the proposal.

Commissioner Marshall asked Mr. Favreau how he proposed to manage the number of vehicles parked there and any storage needs. Mr. Favreau replied that he and his son would be very involved and would have lease agreements, which would clearly state the parking regulations. Commissioner Marshall then inquired as to how trash bins would be managed. Mr. Favreau said that the majority of those businesses would not produce a lot of trash. If it were to become an issue, they would then discuss and manage it.
Commissioner Marshall inquired of the screening and landscaping along Roberts Road. Mr. Favreau stated that it would be low maintenance. There would be either bark or river rock over a weed barrier and planted with small plants. A chain link fence with slats for privacy would be installed to screen parking. Civil Engineer Eric Favreau, briefly explained how the traffic study had been conducted.

Commissioner Doyle inquired of the front landscaping. Mr. Favreau described bark or river rock over a weed barrier with drought tolerant plantings. Ms. Doyle asked about mechanical devices. Mr. Favreau replied that heating devices would be located in the interior.

Commissioner Wells noted that while he respected Tony's and Eric's ability to correctly manage, they may sell to someone else that would not be as careful with the wording in their leases. Mr. Wells asked where overflow parking would be, if there were not enough parking spaces. Mr. Favreau replied that each unit would have a 14 ft. roll up door that renters could park in front of. He indicated that they would have 105 parking spaces, plus another one and a half parking spots per 53 units for which they could park. That would total 75 parking spaces. There would be no street parking along the business side of Roberts Rd. Parking is allowed on Industrial Way and the east side of Roberts Rd.

MOTION: *Commissioner Woods moved, seconded by Commissioner Wells to approve the application for SR 02-22, with the condition of prior to commencement of construction activities, the applicant shall submit for and obtain required building permits based on the*

recommendation of our staff.
The motion passed unanimously; Vote 6:0.

- **Public Hearing**
  PA 01-22 Zoning Code Updates

  The following proposed changes were discussed:
  - Sustainable landscape standards for development in the central business district, as well as a development checklist.
  - Proposed prohibited use of formula based businesses within the central business district.
  - Addition of a public facilities section.
  - Additional street standards.
  - Removal of requirements for accessory dwelling units.
  - Adding form based code as an overlay.
  - Correction of grammatical and text errors.
  - Code Matrix update for mobile food trucks.

  Robert Lamont of Newberg, Oregon and a Coburg City land owner, asked for clarification on updates to downtown area restaurants.

Commissioner Clark answered that it applied to retail sales establishments; restaurant, tavern, bar or take out.

Kathy Engebretson of Coburg, Oregon offered further explanation of the development code. She stated that it was a critical land use planning tool that The City of Coburg and its citizens have, to ensure the built environment in the town continues to be a benefit and not a burden to the community. Ms. Engebretson noted that due to the close proximity to a major metro area, Coburg had to work hard to stay ahead of the growth, upgrading the development code to preserve Coburg's treasured character. The recommended code changes primarily pertained to Coburg's central business district, keeping chain stores out of the downtown area. She concluded by stating that notices had been mailed out to every property owner within the city limits.

Ann Heath explained how Coburg must comply with state regulations of urban collaboration. She noted that members of the Ad-Hoc Code Review Committee agreed that the increase in housing density could be accomplished more efficiently in the downtown area, rather than to expand the urban growth boundary.

Commissioner Clark was concerned that by excluding chain stores altogether from the downtown area, it would restrict large businesses that would possibly be able to conduct a business that complied within Coburg's downtown formula based business standards.

Ms. Heath asked The Committee if they had considered a conditional use of those types of businesses, rather than just say, they would not be allowed. The Committee then discussed adding a conditional use to the code for downtown area businesses.
Commissioner Wells replied that it had been discussed, however they did not know how to craft the language to permit certain types of businesses and exclude others.

MOTION: *Commissioner Wood moved, seconded by Commissioner Wells that they recommend approval of PA 01-22 Zoning Code Update, to The City Council.*
The motion passed unanimously; Vote 6:0.

An opportunity for the public to to discuss the PA 01-22 Zoning Code Update will be held on Tuesday July 26, 2022 and again on August 9, 2022.

7. **UPDATES & FUTURE AGENDA ITEMS**

- City Administration Report
  The City of Coburg's Mayor will continue his term through December 31, 2022. He will not be running for re-election.
  The Ad-Hoc Committee will address the residential code this fall. The Planning Commission will recommend the Ad-Hoc Committee review and complete the district code, to align it with district by-laws.

- Next Planning Commission Meeting August 17, 2022 at 7:00 p.m.

8. **ADJOURNMENT**
Commissioner Marshall adjourned the work session at 9:05 p.m.
(Minutes recorded by Trenay Ryan, LCOG)

APPROVED by The Planning Commission of the City of Coburg on this

_____
Paul Thompson, Commission Chair

ATTEST:

DRAFT

_____
Sammy L. Egbert, City Recorder

DRAFT

MINUTES
Coburg Parks | Tree Committee
City Hall, 91136 N. Willamette
July 19, 2022 – 6:00 p.m.

COMMITTEE MEMBERS PRESENT: Chair Mary Mosier, Vice Chair Tom Beatty, Coleen Marshall, Lonna Meston, Claire Smith, Joe Morneau

COMMITTEE MEMBERS ABSENT: Karen Coury

GUESTS: Terry Kohley, Main Street Art Committee

STAFF: Brian Harmon

DRAFT

1. Call to Order
Chair Mosier opened the Parks | Tree Committee meeting at 6:01 p.m.

2. Roll Call
Mr. Harmon called roll. A quorum was present.

3. AGENDA REVIEW | Approve Minutes from May 17 and June 21, 2022
May 17th: Ms. Smith requested that on page 3, Ms. Ray be amended to Ms. Rhee.

> **MOTION:** Ms. Marshall moved to approve the May 17th minutes as amended, seconded by Ms. Smith. The motion passed - 6:0:0.

> **MOTION:** Ms. Marshall moved to approve the June 21st minutes as presented, seconded by Mr. Morneau. The motion passed - 6:0:0.

4. Guest - Artwork for the Restrooms
Guest Terri Kohley from the Main Street Art Committee presented the proposed mural designs for the restroom building at Norma Pfeiffer Park. She shared that the project was funded by Main Street. Painting would be done by muralist John Marc. She noted that there were three phases. She requested approval for Phase 1.

Mr. Harmon informed Ms. Kohley about the process necessary to submit plans for approval. He said she would need to fill out a donation form.

Ms. Smith registered her discomfort approving a design without public input. She suggested that the Heritage Committee should also be consulted. She thought that perhaps murals should go through a public selection process.

Mr. Morneau explained that as a part of Main Street, the murals had been selected and approved by local businesses.

Ms. Smith reiterated her concerns and wanted a clearer understanding of the selection process before approving the design.

Ms. Kohley pointed out that the allocated funds covered only the specific design before the Committee and that any changes would necessitate finding new funding.

Ms. Smith requested that Staff provide insight into the mural selection process.

Mr. Harmon reiterated that the donation form was the beginning of the process. He explained that the application would be reviewed by the Parks and possibly Heritage committees before being brought before the City Council.

5. City Updates/City Administrator Report

Mr. Harmon reported that Reese Landscaping had done more work on Johnny Diamond Park.

Ms. Marshall asked if Public Works had sufficient staff to cover the mowing. Mr. Harmon responded that they did not. He stated that, if necessary, a contractor would be hired.

Ms. Marshall inquired as to the status of Coburg paths #1, 2, and 3. Mr. Harmon replied that he was short of staff but that the paths were mowed. Ms. Marshall noted that there were orange cones on Van Duyn. Mr. Harmon said the project was still in progress.

Vice Chair Beatty noted that roses, camas, and milkweed plants at Trail's End had been mowed accidentally. Mr. Harmon encouraged the installation of markers to indicate the location of plantings. Vice Chair Beatty agreed that he would get flags.

6. Committee Business

- Pickle Ball Court Plan Update

Mr. Harmon reported that the court was in the drying process. He noted that the net, though portable, was extremely heavy and would not be in danger of being stolen. He said both the net and court could be moved if needed.

Ms. Marshall inquired as to the cost. Mr. Harmon was happy to announce that the project was under budget at about $20,000.

Mr. Harmon mentioned that Public Works had purchased a used mower from a neighboring city for $4,000.

- Upcoming Work Party Dates & Locations

Ms. Marshall reported that on July 11th, Vice Chair Beatty, Ms. Mosier, Ms. Meston, and herself had weeded in Pavilion Park.

Ms. Smith wondered if work could be done in the Odd Fellows building, specifically the kitchen.

Ms. Marshall asked whether the work party scheduled for July 25th should be pushed back to August. Vice Chair Beatty said it should proceed as planned and encompass both Pavilion and Norma Pfeiffer parks. The work party was scheduled to meet at 8:30 am, July 25th.

Ms. Smith inquired about sandwich boards. Mr. Harmon responded that he did not know their status and would ask Megan Winner.

Ms. Marshall inquired as to the location of waiver forms. Ms. Mosier responded that they were available at the second window. Ms. Egbert was cited as a resource.

Ms. Mosier asked whether more bark was needed for Pavilion Park. Vice Chair Beatty confirmed, and asked if more was needed for the Veteran's Memorial. Ms. Marshall said no. Mr. Harmon said bark would be delivered to Pavilion Park at 8:00 am on Monday.

Ms. Marshall said that a work party was scheduled for August 15th at Jacob Spores Park. Mr. Harmon noted that the laurel hedges had been trimmed by Public Works.

Ms. Meston thought the Pavilion steps needed edging.

- Coburg Creek Subdivision Park Sub Committee

Vice Chair Beatty reported that the project was on hold.

Ms. Mosier requested a range estimate of the Veteran's Memorial design. Mr. Harmon responded that a conceptual drawing was needed to apply for grant funding. He was waiting for the engineer's cost estimate. He noted that the engineering firm was over-extended.

Ms. Mosier asked if funding was an issue. Mr. Harmon confirmed that it was and quoted a figure of $5,000.

Ms. Smith asked if the engineering firm could be bypassed to get an estimate of the cost of concrete. Mr. Harmon said no. He noted that it would be prudent to add 25% to any cost estimate.

- Tree Donation

Mr. Harmon was pleased to report that the Plaza project was fully funded for $750,000. Ms. Smith wondered if that was all park, which Mr. Harmon confirmed.

Ms. Mosier mentioned restrooms and a water feature. There was some discussion of Christmas in Coburg. Vice Chair Beatty suggested planting conifers to decorate.

Vice Chair Beatty brought the discussion back to Tree Donation. Mr. Harmon suggested holding both donations until the planning of the Plaza project.

- Tree Walk with Tom August 6th

Vice Chair Beatty shared that there would be a Tree Walk in Norma Pfeiffer Park on August 6th from 10:00 am to 12:00 pm, presented by Whitey Lueck.

Mr. Morneau noted that a car show was scheduled at Norma Pfeiffer Park that day. He offered the use of his mobile mic to alert Tree Walk attendees.

Vice Chair Beatty raised the topic of the murals and suggested that the committee give its approval so that the project could move forward. Mr. Harmon recommended waiting for the application.

Guest Patty McConnell suggested that better communication of the process was needed between committees, as Main Street was unaware of the need for a donation form. Mr. Harmon said that he would talk to Tracey Pugh.

Ms. Meston proposed that the Committee agree to support the proposal so as not to slow the project. Mr. Morneau said he was not sure about the design. Ms. Smith reiterated her discomfort with approving mural designs without community input.

Ms. McConnell noted that not all murals would be in parks. Ms. Smith concurred and requested that the steps for mural approval be clearly defined. Mr. Morneau agreed that there was a lack of communication between Main Street and other committees.

Ms. Marshall suggested a work session including members of all of the groups involved.

Ms. Smith asked for clarification of the Arts Committee. Mr. Morneau explained that it was part of Main Street.

Ms. Mosier asked if they were tabling the mural approval. Ms. Smith clarified that it would be tabled until the Committee received the donation firm.

- Recess (Added)

Mr. Harmon asked if the Committee wanted to recess. The group agreed to recess in September.

7. Adjournment

MOTION: Ms. Marshall moved to adjourn, seconded by Ms. Smith. The motion passed - 6:0:0.

Chair Mosier Beatty adjourned the meeting at 7:09 p.m.

(Minutes recorded by Angela Kern)

APPROVED by the Park & Tree Committee on this ____ day of _____ 2022.

ATTEST:

_____ _____

Sammy L. Egbert, City Recorder Mary Mosier, Chair

From: PERLOW Patty <patty.perlow@lanecountyor.gov>
Sent: Tuesday, July 26, 2022 2:21 PM

Subject: FW: Resource Limitations

Gentlemen,

Some of you have already received this message, but I want to make sure you all have it. It is with great displeasure that I share the below email with you. We are reinstituting the "No File" list that I was so proud to abandon in 2015 when I first took office. Our caseloads are unmanageable now. The DV team is down to three lawyers for the next three months, one of them with very little experience. I need to free up some capacity to make sure we are keeping people safe first and foremost. The Public Defender's Office has more staff and better funding than my office and yet their situation is called a "crisis."

I have lost two Senior Prosecutors and one four year DDA in the last eight months to DOJ. The County does not use DOJ as a comparator in setting the salary scale and I cannot blame making the choice they made for smaller caseloads and more money. I have had the treatment court position posted for months without a single applicant.

Until the Lane County Board of Commissioners prioritizes public safety and adequately funds the public safety system, we will continue to see crime rates rise and consequences diminish as barely trained up lawyers are hired away. I am not proud to be a part of this failing of our communities, but I cannot afford to lose more lawyers. Not that this will prevent the loss of more lawyers, it will just keep the ones who stay from drowning.

I am happy to discuss this with you, particularly if you have suggestions and solutions to help us through.

Best regards,

Patty

Patricia W. Perlow
Lane County District Attorney
125 E. 8th Ave., #400
Eugene, OR 97401
541-682-4261

U.S. Marshals Service
Justice. Integrity. Service.

U.S. Department of Justice

NEWS RELEASE

For Immediate Release
July 6, 2022

Contact: Senior Inspector Tabeth Aguilar
District Sex Offender Coordinator
U.S. Marshals Service, District of Oregon
Email: tabeth.aguilar@usdoj.gov
Phone: 971-347-5478

U.S. MARSHALS ANNOUNCE RESULTS OF OPERATION 'OREGON NIGHTS 2'

Multiagency Operation Targeted Sex Offenders in Lane County, Oregon.

Eugene, Ore.- Combined efforts of the U.S. Marshals Service, Coburg Police Department, Lane County Parole and Probation, Eugene Police Department, and Oregon State Police resulted in improved accountability of sex offenders and encouraged compliance with all sex offender laws and registration requirements.

Oregon Nights 2, a continuation of *Operation Oregon Nights* that occurred in 2018, targeted 530 of the 2,350 sex offenders currently registered in Lane County from April 1 to June 30, 2022. One evening per week, investigators from multiple agencies focused on locating non-compliant sex offenders and conducting compliance checks on higher risk sex offenders with minor victims and/or multiple sex crime convictions.

Of the 26 arrests and/or citations in-lieu of arrest, there were several arrests of note, including:

- A Eugene man, previously convicted in 1999 in Florida of promoting sexual activity of a person under 16, was arrested on a warrant for new sex crime charges of encouraging child sex abuse (10 counts)

- A Eugene man, who was a non-compliant level 3 sex offender, previously convicted in 2004 in Lane County of sex abuse in the second degree and in 2011 in Lane County of rape third degree, was arrested on warrants for failure to appear-identity theft, failure to appear-sex offense, and parole violation

- A Springfield man, previously convicted in 2006 in Lane County of sex abuse in the first degree and attempted kidnapping in the first degree, was found living unregistered in Eugene. He was arrested on a probable cause charge of failure to register and on a warrant for parole violation

- A Eugene man, previously convicted in 1995 in Jefferson County of rape in the second degree and sodomy in the second degree, was found living unregistered in Eugene. He was arrested on a probable cause charge of failure to register and on a warrant for parole violation

153 Offenders were found to be non-compliant, and cases are being evaluated for federal or state failure to register charges.

###

United States Marshals Service
America's Oldest Federal Law Enforcement Agency
https://www.usmarshals.gov

Oregon Nights 2 represents the U.S. Marshals Service's aggressive enforcement strategy to help ensure the safety of communities and children across the country, including the coordination of multiagency enforcement operations.

The U.S. Marshals Service collaborates with partner agencies to investigate and pursue non-compliant offenders, placing the highest priority on those who have committed violent acts and crimes against children. Many of these offenders have active warrants or are in violation of their state probation. A major goal of these operations is to lower the risk non-compliant offenders pose to public safety and reduce the number of future incidents of reoffending.

The U.S. Marshals Service is the federal government's primary law enforcement agency for fugitive and sex offender investigations. Created following the passage of the Adam Walsh Child Protection and Safety Act of 2006, the U.S. Marshals Service Sex Offender Investigations Branch carries out three principal responsibilities: Assist state, local, tribal, and territorial authorities in locating and apprehending non-compliant and fugitive sex offenders; investigate sex offender violations for federal prosecution; and assist in identifying and locating sex offenders relocated as a result of a major disaster. The U.S. Marshals Service has implemented an aggressive enforcement strategy across the nation, including the coordination of multiagency enforcement operations.

Oregon Nights 2 results:

- 26 arrests/citations
- 8 outstanding warrants served
- 12 compliance checks on level 3 or Predatory sex offenders
- 35 offenders registered post contact
- 153 offenders found to be non-compliant

All defendants are presumed innocent until proven guilty.

For additional information, please contact Senior Inspector Tabeth Aguilar by email or phone.

###

2022 Local Government Grant Program - Large Grant Award Recommendations

The following *Large* grant applications have been recommended for Local Government Grant Program (LGGP) funding by the LGGP Advisory Committee. These grant requests will be forwarded to the OPRD Commission for final review and approval at the Commission's September 14, 2022 meeting. LGGP awards are not official until approved by the OPRD Commission. The following awards are listed in alphabetical order by agency.

Applicant	Project Name	Grant Funds Requested	Local Match / Matching Funds	Total Project Cost
Benton County	Jackson-Frazier Wetland Boardwalk Reconstruction	$ 569,251	$ 569,518	$ 1,138,769
City of Bay City	Al Griffin Memorial Park Hiker/Biker Campground	$ 318,001	$ 95,348	$ 413,349
City of Brookings	Kidtown Play Structure Rehabilitation	$ 586,056	$ 390,704	$ 976,760
City of Coburg	Pavilion Park Plaza	$ 432,403	$ 270,000	$ 702,403
City of Coquille	Hundred Acre Wood Trail	$ 475,186	$ 235,338	$ 710,524
City of Cottage Grove	Bohemia Park North Entry Plaza and Splash Pad	$ 346,500	$ 231,000	$ 577,500
City of Eugene	Santa Clara Community Park Paths	$ 528,773	$ 530,816	$ 1,059,589
City of Klamath Falls	Moore Park Regional Play Structure	$ 750,000	$ 802,600	$ 1,552,600
City of Lincoln City	New Community Park	$ 750,000	$ 1,815,000	$ 2,565,000
City of Medford	Howard Park Rehabilitation	$ 714,300	$ 756,000	$ 1,470,300
City of Mill City	Mill City Falls Park Improvements - Phase II	$ 452,000	$ 492,000	$ 944,000
City of Milton-Freewater	Yantis Park Playground and Paths	$ 114,000	$ 76,000	$ 190,000
City of Monmouth	Monmouth Recreation Park Phase 1 Improvements	$ 467,550	$ 811,700	$ 1,279,250
City of Redmond	Redmond Wetlands Complex Trail System	$ 750,000	$ 2,386,990	$ 3,136,990
City of Reedsport	Port Dock Property Acquisition	$ 88,000	$ 22,000	$ 110,000
City Of Sheridan	South Side Park Improvements	$ 558,047	$ 378,421	$ 936,468
City of Sutherlin	Ford's Pond Community Park- Inclusive Playground	$ 600,979	$ 600,979	$ 1,201,958
City of Troutdale	Sandy River Greenway Riverfront Trail & Park	$ 749,900	$ 2,763,444	$ 3,513,344
City of Waldport	Southworth Park	$ 750,000	$ 198,641	$ 948,641
City of Willamina	Oaken Hills Bike / Play Park	$ 490,155	$ 199,500	$ 689,655
Dufur Recreation District	New Bathhouse & Related Improvements	$ 470,400	$ 117,600	$ 588,000
Helix Parks and Rec District	Helix Park and Recreation Pool Replacement	$ 750,000	$ 637,800	$ 1,387,800
Linn County	Lewis Creek Restroom & ADA Access	$ 247,650	$ 247,650	$ 495,300
Tualatin Hills Park & Rec Dist	La Raíz Park Development	$ 750,000	$ 829,809	$ 1,579,809
Totals:		$ 12,709,151	$ 15,458,858	$ 28,168,009

Regrettably, 2022 project applications not listed above cannot be funded at this time and will not move forward in this process.