

## **KING CITY PLANNING COMMISSION MEETING**

Wednesday April 25, 2018  
9:30 a.m.  
Council Chamber

King City - City Hall  
15300 SW 116<sup>th</sup> Avenue  
King City, OR 97224

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes:** Not at this time.

### **AGENDA**

#### **3. PUBLIC HEARING**

Continued - Case No. LU 2018-02 Proposed New NMU – Neighborhood Mixed-Use Zone in the King City Community Development Code (CDC).

- 4. Commissioner Reports**
- 5. Staff Reports**
- 6. Adjourn.**

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Ronnie Smith, City Recorder, 503-639-4082 or [rsmith@ci.king-city.or.us](mailto:rsmith@ci.king-city.or.us).

# MEMORANDUM

TO: King City Planning Commission  
FROM: Keith Liden, Planning Consultant  
SUBJECT: LU 2018-02, Neighborhood Mixed-Use Zone  
King City Comprehensive Plan and Code Amendment  
Supplemental Report  
DATE: April 18, 2018

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## Introduction

On April 11, 2018, the Planning Commission reviewed a proposed legislative Comprehensive Plan Amendment (CPA) and Community Development Code (CDC) amendment to adopt a new Neighborhood Mixed-Use Zone. This discussion led to a Planning Commission request for the staff to provide some additional ideas and provisions to consider at a hearing continuance on April 25, 2018.

## Amendment Summary

The following amendments have been made to the previous draft reviewed on April 11<sup>th</sup>.

**Amendment Summary Table**

CDC Section	Description to the Draft Reviewed on 4.11.18
16.102.020 Permitted Uses	Clarified that live-work units, which can satisfy home occupation standards, are permitted. Retail sales and service uses are moved to conditional use.
16.102.030 Conditional Uses	Added live-work units that exceed home occupation limits. Added Retail sales and service uses.
16.102.040 Dimensional and Density Requirements	New building frontage standards, which require non-residential and mixed-use buildings to be built up to the sidewalk.
16.102.060 A. Street Frontage Improvement Standards	Added street frontage improvement standards. The illustrations are taken from a former project of mine for Austin TX, which would need to be adapted for King City.
16.102.060 B. Building Placement and Frontage Standards	Standards to require a specified percentage of the building frontage facing the street to be built up to the sidewalk. Again, illustrations from Austin were used.
16.102.060 D. Outdoor Activities	Clarified that the clear zone in the sidewalk may not be used for outdoor activities, such as outdoor dining. Criteria for outdoor speakers were also added.
16.102.060 H. Exterior Finish Materials	Provided some standards based upon what we wouldn't want. If more is desired here, we could consider additional standards as part of the conditional use criteria for retail sales and service uses.
16.102.060 G. Hours of Operation	Amended the hours of operation to coincide with normal city standards and process.

CDC Section	Description to the Draft Reviewed on 4.11.18
16.24.020 Definition of Specific Terms	Added “frontage length”, “principle street”, and “sidewalk zones” to support the new provisions.
16.156.060 Approval Standards for Specific Uses	Chapter 16.156 includes general approval criteria for conditional uses in 16.156.050 and supplemental criteria for specific uses in 16.156.060. New criteria are added for live-work units, office, and retail sales and service uses.
Comprehensive Plan Location Criteria	A few minor existing typos were corrected along with clarifying the access criterion (# 1) to indicate that local street access to a collector or arterial street may be acceptable.

**EXHIBIT A**  
**Comprehensive Plan and CDC Amendments**

**Chapter 16.102**  
*Revised Draft – 4.18.18*  
**NEIGHBORHOOD MIXED-USE ZONE (NMU)**  
*NEW*

**Sections:**

- 16.102.010 Purpose.**
- 16.102.020 Permitted uses.**
- 16.102.030 Conditional uses.**
- 16.102.040 Dimensional and density requirements.**
- 16.102.050 Design requirements.**
- 16.102.060 Additional requirements.**

**16.102.010 Purpose.**

The purpose of the NMU zone is to provide a mix of residential, retail, service, and business needs of surrounding residential neighborhoods while maintaining a compatible scale and character with those neighborhoods. It is intended for relatively small sites within or adjacent to residential neighborhoods.

**16.102.020 Permitted uses.**

A permitted use is a use which is allowed outright but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the NMU district are as follows:

- A. Dwelling, single-family attached and detached 0-foot side yard;
- B. Dwelling, multi-family;
- C. Duplex;
- ~~D. Live-work unit;~~
- ~~E. Office;~~
- ~~F. Retail sales and service;~~
- ~~1. Sales oriented;~~
- ~~2. Personal service oriented, and~~
- ~~3. Entertainment oriented;~~
- D. Live-work unit approved as a Type I or II home occupation as provided in Chapter 16.172;
- ~~E.G.~~ Community services;
- ~~F.H.~~ Religious assembly;
- ~~G.I.~~ Family care;
- ~~H.J.~~ Residential facility; and
- ~~I.K.~~ Adult day care (family care).

**16.102.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the NMU district are as follows:

- ~~A.D.~~ Live-work unit that does not qualify for Type I or II home occupation approval as provided in Chapter 16.172;

- ~~B~~E. Office;
- ~~C~~E. Retail sales and service;
1. Sales-oriented;
2. Personal service-oriented, and
3. Entertainment-oriented;
- ~~D~~A. Utilities;
- ~~E~~B. Public safety facilities; and
- ~~F~~C. Parks and open space.

**16.102.040 Dimensional and density requirements.**

A. The dimensional requirements in the NMU district are:

Dimensional Requirements Table	
Minimum and average lot size/land area per unit	
Duplex	3,600 min./4,000 avg. square feet
Single-family attached and 0-foot setback units	1,600 min./2,000 avg. square feet
Multi-family units	1,600 min./2,000 avg. square feet
Live-work units	1,600 min.
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Minimum average lot width (per lot)	
Duplex	48 feet
Single-family attached and 0-foot setback detached units	24 feet
Multi-family units	48 feet
Live-work units	24 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Minimum average lot depth (per lot)	
Duplex	60 feet
Single-family attached and 0-foot setback detached units	60 feet
Multi-family units	60 feet
Live-work units	60 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Setbacks (measured from property lines, except as noted <del>for garage entrances</del> )	
<u>Front yard</u>	
Residential and live-work	10 feet minimum and 26 feet maximum to front building wall. 6 feet minimum and 15 feet maximum to front porch.

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Dimensional Requirements Table	
Non-residential and mixed-use (non-residential and multi-family) buildings <u>measured from the nearest edge of the clear zone or supplemental zone.</u>	<p>18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p><u>Building placement and frontage standards in Section 16.102.060 B. shall be satisfied.</u><del>0 feet minimum and 15 feet maximum to front building wall.</del></p> <p>0-6 feet or ≥ 18 feet to a garage entrance if driveway parking is allowed. <del>The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</del></p>
<p><u>Front yard – corner</u></p> <p>For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards:</p> <p>Residential and live-work</p>	<p>8 feet minimum for a side yard facing a street.</p> <p>18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p>
Non-residential and mixed-use (non-residential and multi-family) buildings <u>measured from the nearest edge of the clear zone or supplemental zone.</u>	<p><u>Building placement and frontage standards in Section 16.102.060 B. shall be satisfied.</u><del>0 feet minimum and 15 feet maximum to front building wall. A minimum of 50% of the length of the ground level façade of a building or buildings facing a collector or arterial street must be within 0 to 15 feet of the street lot line. (This needs a plan view illustration)</del></p> <p>0-6 feet or ≥ 18 feet to a garage entrance if driveway parking is allowed. <del>The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</del></p>

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Dimensional Requirements Table	
<u>Side yard – interior</u> Residential and live-work	0 feet minimum, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.
Non-residential and mixed-use (non-residential and multi-family) buildings	0 feet minimum, for side yard lot lines adjacent to other property zoned NMU or LC, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet. 10 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC.
<u>Rear yard</u> Residential and Live-Work	10 feet minimum for residential building. 0 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq 18$ feet to a garage entrance to an alley.
Non-residential and mixed-use (non-residential and multi-family) buildings	10 feet minimum adjacent to property zoned NMU or LC. 20 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC. 5 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq 18$ feet to a garage entrance to an alley.
<b>Minimum landscaped area</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	20% of the total lot area <sup>1</sup>
Live-work units	20% of the total lot area <sup>1</sup>
Non-residential and mixed-use (non-residential and multi-family) buildings	15% of the total lot area <sup>1</sup>
<b>Building height</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	35 feet
Live-work units	35 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	35 feet <sup>2</sup>
Accessory structures	18 feet

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Dimensional Requirements Table	
<b>Residential (only) density standards</b>	
Maximum	12 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum
<b>Commercial, mixed-use (non-residential &amp; multi-family) and live-work floor area standards</b>	
Commercial including: Office, Retail sales and service (sales-, personal service-, and entertainment-oriented)	Maximum 1.5 to 1 FAR <sup>3</sup>
Live-work units	Commercial floor area shall not exceed 50% of the total floor area of the live-work unit

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- 1 The landscaped area per lot may be reduced when common open space is provided. In this case, the total landscaped area on lots and common areas must total a minimum of 20%.
- 2 Building height may be increased to a maximum of 45 feet as provided in Figure 1.
- 3 Floor area ratios (FARs) apply to the total floor area in a mixed-use project regardless of the use.

- B. The maximum building height of thirty-five feet in subsection (a) of this section shall increase one foot for each additional foot of building setback over twenty-five feet from a residential zoning district, up to a maximum building height of forty-five feet as illustrated in Figure 1. In the case of a public street right-of-way lying between the NMU Zone and a residential zone, the setback shall be calculated using the right-of-way centerline in lieu of the property line.

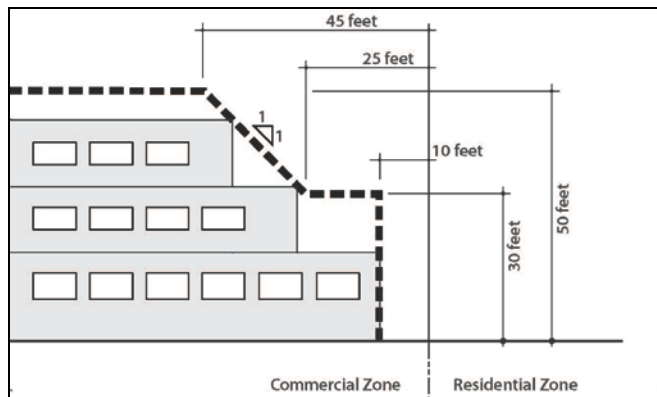


Figure 1. Building Height need to amend showing min. of 35' and max. of 45'

**16.102.050 Design requirements.**

In addition to the dimensional requirements in Section 16.102.040, the following design requirements of this section shall apply.

A. Residential development shall comply with the following standards:

<b>Design Requirements Table – Residential Development</b>	
<b>Main entrance</b>	
Location	Within 8 feet of the longest front building wall. The applicant/owner may select which street frontage to use for a corner lot.
Orientation	Face the street at an angle that does not exceed 45 degrees; or Open onto a porch, which has: <ul style="list-style-type: none"> <li>• A minimum of 25 square feet with a minimum dimension of 4 feet;</li> <li>• At least one entrance facing the street; and</li> <li>• A roof that covers at least 30 percent of the porch area (see Figure 2).</li> </ul>
<b>Front windows</b> - First floor of all dwellings.	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.
<b>Garage door frontage</b> - Maximum percentage of the building width allowed for the garage door.	
Single-family detached units	50% when the garage setback is the same or less than the front building wall. The garage door setback shall be no more than 6 feet less than the front building wall setback.
	60% when the garage setback is at least 2 feet behind the front building wall or front porch.
	70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Single-family attached, duplex, multi-family units, and live-work units	30% when the garage setback is less than the front building wall or front porch. 60% when the garage setback is equal to or greater than the front building wall. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Attached units</b>	
Maximum number of attached single family, multi-family units, or live-work units	12 units.

<b>Design Requirements Table – Residential Development</b>	
<b>Required outdoor area</b>	
Duplex, single-family attached, detached single-family units with one 0-foot setback, and live-work units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence is located in the rear yard.
Multi-family units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided for each unit on the lot, of which no dimension shall be less than 15 feet.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common outdoor area shall have a minimum contiguous area of 400 square feet per unit in the development with a minimum size of 4,000 square feet, of which no dimension shall be less than 40 feet.

B. Non-residential and mixed-use development shall comply with the following standards:

<b>Design Requirements Table: Non-Residential and Mixed-Use Development</b>	
<b>Main building entrance</b>	
Location and Orientation	<p>Primary customer and/or resident entrances for buildings with frontage on a collector or arterial street shall meet one of the following:</p> <ul style="list-style-type: none"> <li>• Be within 20 feet of, and facing the street upon which the building has frontage; or</li> <li>• Be located on the side of the building within 50 feet direct walking distance from the public sidewalk along the collector or arterial street.</li> </ul> <p>For buildings that have more than one main entrance, only one entrance must meet this requirement.</p>
<b>Front windows</b> – Ground floor of all building facades facing a street.	
Minimum glazing area	40% for any ground floor building wall facing a street (Figure 2).
Operable front windows	Windows that are designed to open join interior and exterior spaces during temperate weather may be used to satisfy the minimum glazing area standard. This may include the glazed area on operable doors that are supplemental to the main entry door.

Design Requirements Table: Non-Residential and Mixed-Use Development	
Maximum window sill height	4 feet above finished first floor elevation for the window(s) necessary to meet the minimum glazing area standard. No sill height standard for all other windows.
<b>Distinct ground floor – commercial uses</b>	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	This standard applies to buildings that have any floor area in non-residential uses. The ground level of the primary structure must be visually distinct from upper stories. This separation may be provided by: <ol style="list-style-type: none"> <li>1. A cornice above the ground level;</li> <li>2. An arcade;</li> <li>3. Changes in material or texture; or</li> <li>4. A row of clerestory windows on the building's street facing elevation.</li> </ol>
<b>Garage door frontage</b> - Maximum percentage of the building width allowed for the garage door.	
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Required outdoor area</b>	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	<del>Discussion item. The maximum coverage of buildings and impervious surfaces shall not exceed 85% of the total lot area.</del>

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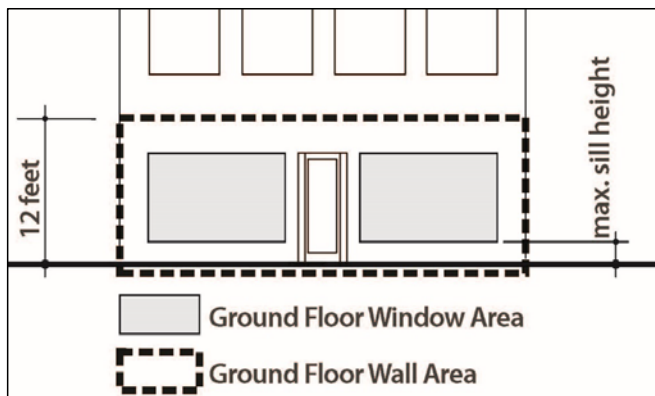


Figure 2. Minimum Glazing Area

#### 16.102.060 Additional requirements.

##### A. Street Frontage Improvement Standards.

1. Street frontage improvements shall be determined by the City Engineer.
2. For mixed-use or commercial development, the following additional street frontage improvements elements (Figure 3.) shall be required:

- a. A sidewalk clear zone with a minimum width of 6 feet; and
- b. Street furniture zone with a minimum width of 5 feet, including the curb.
- 3. An optional supplemental zone may (Figures 3. and 4.) be provided between the building the clear zone for residential, commercial, or mixed-use development subject to the following standards:
  - a. A maximum depth between the clear zone and building façade of 20 width of feet;
  - b. Use of this area for additional sidewalk width, patio, landscaping or similar improvements; and
  - c. No vehicle driveways, parking, or loading are permitted within a supplemental zone.
- 4. The street furniture zone may be used for on-street parking provided:
  - a. The clear zone retains a minimum width of 6 feet (Figure 5); and
  - b. The street requirements in Sections 16.124.050 and 060 are met.

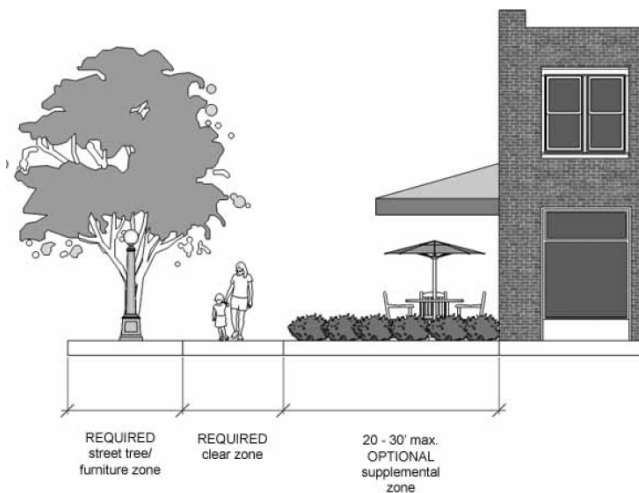
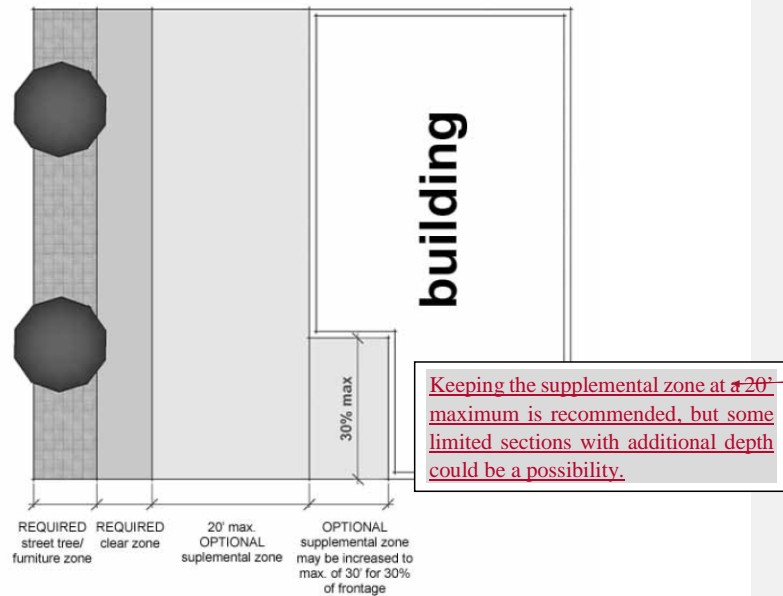


Figure 3. Street Frontage Improvement Elements

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Figure 4. Supplemental Zone

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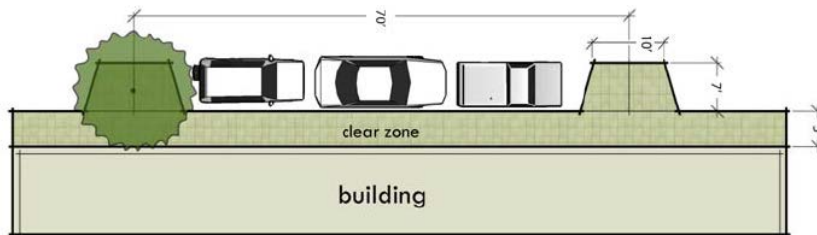


Figure 5. On-Street Parking in the Furniture Zone

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#### B. Building Placement and Frontage Standards.

1. A minimum of 50% of the property frontage length along the site's principal street must consist of continuous building façade built up to the property line, clear zone, or supplemental zone, if one is provided (Figure 6).

2. For corner lots, a minimum of 40% of the property frontage length along the site's secondary street, which intersects with the primary street, must consist of continuous building façade built up to the property line, clear zone, or supplemental zone, if one is provided (Figure 7).

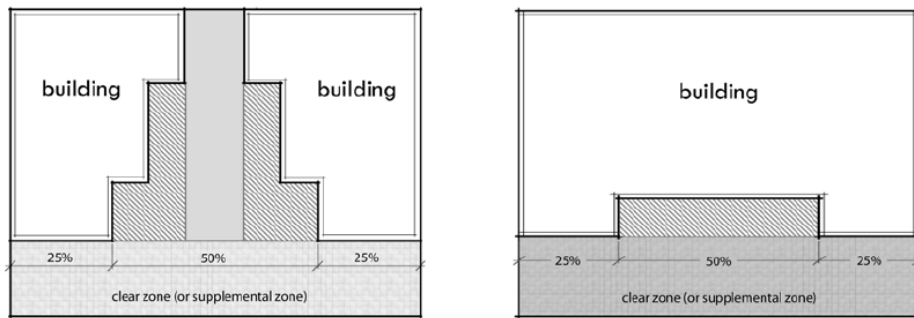


Figure 6. Building Façade Location along the Principal Street

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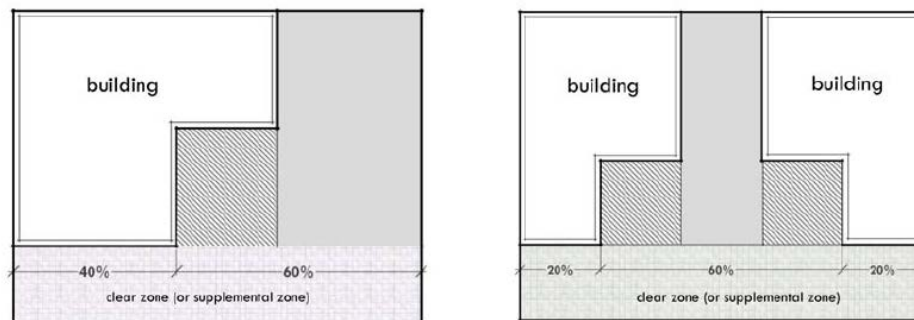


Figure 7. Building Façade Location along a Secondary Street

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#### CA. Outdoor Display.

1. Except as provided in subsection 2.B of this section, all business and display of merchandise shall be conducted wholly within an enclosed building.
2. Subject to an administrative review and approval by the city manager, outdoor storage and display may be permitted when all of the following conditions are satisfied:
  - a. The amount of outdoor storage and display of merchandise does not exceed five percent of the gross floor area of the business;
  - b. Pedestrian, bicycle, wheel chair and motor vehicle access to and within the property is not impeded in any way;
  - c. The clear zone and street furniture zone are not used for this purpose;

- c. The outdoor storage and display is in conformity with any conditions of development permit or building permit approval; and
- d. The outdoor storage and display satisfies all relevant provisions of this title and other applicable requirements of this code.

**DB.** Outdoor Activities.

- 1. Exterior work activities, including product storage or assembly are prohibited in the NMU Zone.
- 2. Outdoor eating areas, entertainment, outdoor markets, and similar activities are allowed in the NMU Zone. However, they shall be prohibited within the clear zone and street furniture zone.
- 3. Permitted outdoor activities shall be located a minimum of 20 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a solid wall or fence with a minimum height of 6 feet to enhance privacy and attenuate potential noise impacts.
- 4. Outdoor speakers – ~~discussion item~~ Exterior speakers may be used provided:
  - a. They are only in use during the hours of operation, but no later than 10:00 pm; and
  - b. They are not audible beyond the property line.

**EC.** Surface Parking Location.

- ~~1a.~~ Surface parking shall be prohibited between the front of buildings and the front lot line or clear zone;
- ~~2b.~~ Surface parking shall be located a minimum of 10 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a wall or fence with a minimum height of 6 feet or evergreen vegetation that would provide screening equivalent to a fence.
- ~~3e.~~ Surface parking located along a street frontage shall have a landscape buffer with a minimum width of 5 feet that is designed to provide screening of vehicles.

**FD.** Loading and Service Areas and Mechanical Equipment.

- 1. All loading areas, exterior garbage cans, garbage collection and recycling areas shall be screened from the street and adjacent properties. Fencing and/or landscaping of sufficient density and height shall be provided to screen such areas from view.
- 2. Mechanical equipment located on the ground, such heat pumps, cooling equipment, and generators shall be screened from the street and any adjacent residentially zoned properties.
- 3. Mechanical equipment placed on roofs must be screened with a parapet or other screen around the equipment that is as tall as the highest point of the equipment.
- 4. In addition to the above requirements for mechanical equipment, exhaust fans for kitchens shall be located a minimum of 50 feet from a residential zone.

**GE.** Exterior Lighting.

- 1. On-site pedestrian walkways must be lighted to a level where the circulation system can be used at night by employees, residents, and customers.
- 2. Exterior lighting shall be located and designed to not shed light or glare on nearby properties.

**HF.** Exterior Finish Materials – ~~discussion item~~

- 1. Street-facing facades shall consist predominantly of a simple palette of durable materials such as brick, stone, stucco, wood siding, and wood shingles.
- 2. Split-faced block and gypsum reinforced fiber concrete shall only be used in limited quantities.
- 3. Fencing shall be made of durable and attractive materials. The following fence materials are prohibited:
  - a. Plastic or vinyl; and

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- b. Chain link.
4. The following building materials are prohibited on street facades and shall not collectively be used on more than 50% of any other building façade:
- a. Vinyl PVC siding;
- b. T-111 plywood;
- c. Exterior insulation finishing (EIFS);
- d. Corrugated metal;
- e. Spandrel glass; and
- f. Sheet pressboard.
- IG. Hours of Operation.
- To maintain a compatible relationship with surrounding residential uses, business hours shall be between the hours of ~~eight a.m. to midnight (11:59 p.m.)~~ 8 am and 10 pm. No business shall be conducted outside of these time limits unless approved as a conditional use as provided in this title.

## ADDITIONAL CDC AMENDMENTS

### 16.24.020 Definition of Specific Terms.

“Live-work unit” means a dwelling unit where residential and nonresidential spaces are combined and where the dwelling unit is the principal residence of the business operator/proprietor. Nonresidential spaces are typically located on the ground floor and residential spaces are located on upper floors or the rear of the building.

“Floor area ratio (FAR)” means the amount of building floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 2 to 1 means there is 2 square feet of floor area for every 1 square foot of site area. Public utility easements may be excluded from the site area when calculating the FAR.

“Frontage length” means the length of a property frontage along a street right-of-way. In the case of corner lots, the right-of-way of the intersecting street or streets shall not be included in measuring this distance.

“Principal street” means the street adjacent to a property with the highest transportation hierarchy classification. Other abutting streets, if any, are deemed to be secondary streets. Determination of the principal street shall be done using the following priority:

- Arterial street;
- Collector street;
- Neighborhood collector street; and
- Local street.

“Sidewalk zones” refers to three different zones on public sidewalks that include:

- “Clear zone,” which is the unobstructed portion for walking,
- “Street tree and furniture zone,” which is the portion of the sidewalk adjacent to the curb in which street trees may be planted. This zone is also intended for the placement of street furniture

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including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

- “Supplemental zone,” which lies between the clear zone and the street-facing building façade or front yard landscaping. This zone is intended to public uses including window shopping, plaza, outdoor café, or patio.

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#### **16.156.060 Approval Standards for Specific Uses.**

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##### **D. Live-Work Unit in the NMU Zone**

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1. Deliveries shall be made between the hours of 8 am and 6 pm;
2. Deliveries shall not require the use of tractor trailers, semi-trucks, or heavy equipment;
3. There shall be no offensive noise, vibration smoke, dust, odors, heat, or glare noticeable at or beyond the property line resulting from the operation;
4. The home occupation shall be operated entirely within the unit, including storage of any materials;
5. Indoor storage and use of materials or products shall not exceed the limitations imposed by the provisions of applicable building and fire codes, and there shall be no storage and/or distribution of toxic or flammable materials;
6. A maximum of 60% of the total floor area of the live-work unit may be devoted to the business use;
7. Sufficient parking shall be provided on-site and/or on-street along the property frontage for employees and customers;
8. The following uses are not allowed:
  - a. Auto-body repair and painting;
  - b. Ongoing mechanical repair conducted outside of an entirely enclosed building
  - c. Junk and salvage operations; and
  - d. Storage and sale of fireworks.

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##### **DE. Motel**

##### **F. Office and Retail Sales and Service Uses in the NMU Zone**

1. Deliveries shall be made between the hours of 8 am and 6 pm;
2. Nearby properties shall be buffered from potential adverse noise and visual impacts including, but not limited to vehicles, heating and air conditioning units, exhaust fans, outdoor trash and recycling, headlights, exterior lighting, and associated outdoor activity;
3. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts;
4. Access to a local street may be allowed only if it is found that adverse traffic impacts will not be created for surrounding properties.
5. Safe and convenient pedestrian and bicycle access shall be provided to the site

##### **EG. Parks and Open Space (subsequent lettering amended accordingly)**

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## RELATED COMPREHENSIVE PLAN AMENDMENTS WEST KING CITY PLANNING AREA

### PLAN IMPLEMENTATION

#### Commercial and Retail Opportunities

As noted above, residential development is the primary use intended for the West King City Planning Area. ~~Sufficient~~ Commercial and retail opportunities presently exist along SW Pacific Highway, located approximately 1/3 mile to the east. As shown in Figure 2, there are several improved pedestrian and bicycle connections between the West King City Planning Area and these commercial services.

To provide additional opportunities for neighborhood-serving commercial uses, a Neighborhood Mixed-Use designation is included as a land use type, which could be applied in the West King City Planning Area. This would require a Comprehensive Plan Amendment and Zone Change, which is consistent with King City Comprehensive Plan.

#### Land Use Designations and Location Criteria

The local criteria are intended to provide guidance for the Planning Commission and City Council when land use designations for specific area within the City are proposed to be amended. These criteria describe the basic characteristics a property or properties should have to be eligible for a particular land use designation. The primary characteristics of the City land use designations are first described followed by location criteria. It is intended that these location criteria, associated with each land use designation, be construed in a flexible manner, in the interest of accommodating proposals which may not comply with all the applicable criteria but are found to be in the public interest and capable of harmonious integration into the community. The burden to prove a proposal's conformity with the Comprehensive Plan should vary according to the degree of change and impact on the community. The more significant the change or potential impact, the more strictly the criteria should be interpreted.

#### Low Density Residential

##### SF - Single Family Residential:

This land use designation is intended to apply to established single family residential properties within the City prior to June 5, 1991.

##### R-9 - Small Lot and Attached Residential:

This land use designation is intended to apply to annexed properties that were zoned R-9 in Washington County or that are within the West King Planning Area. (Ord. O-02-4 § 1 (part), 2002)

##### Purpose of the SF and R-9 Designations:

These two designations are intended for detached single family residential use on lots larger than two thousand eight hundred square feet in size. In addition, the R-9 zone permits attached single family dwellings, and residential care facilities. (Ord. O-02-4 § 1 (part), 2002)

**Location Criteria:**

Properties designated SF or R-9 should have the following location characteristics:

1. Direct Access to collector and local streets. Generally, these designations should apply to land which does not have direct access to major collector and arterial routes.
2. Land that is not suitable for more intensive development because of natural constraints such as unstable soils, poor drainage, and flooding.
3. Land that is not suitable for more intensive development because of limited facility and service capacity. The important facilities and services to be considered include, but are not limited to, sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. No commitment of the immediate area to medium high density residential or commercial development.

**Medium Density Residential****A/T - Apartment/Townhouses:**

This land use designation is intended to apply to established residential properties within the City prior to June 5, 1991.

**R-12 Attached Residential:**

This land use designation is primarily intended to apply to properties within the West King City Planning Area. (Ord. O-02-4 § 1 (part), 2002)

**R-15 - Multi-family Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-15 in Washington County.

**Purpose of the A/T, R-12, and R-15 Designations:**

These three designations allow for multi-family residential development in addition to the single family residences and residential care facilities of the SF and R-9 designations. The A/T designation requires a maximum of one unit per two thousand five hundred square feet of land area (approximately sixteen units per acre) and the R-12 and R-15 designations allow maximum densities of twelve and fifteen units per acre, respectively. (Ord. O-02-4 § 1 (part), 2002)

**Location Criteria:**

Properties designated A/T, R-12, or R-15 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
3. Facility and service capacity that is adequate to accommodate development of this density. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. The availability of public transit within one-half mile of the site.

## **Medium High Density Residential**

### **R-24 - Multi-family Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-24 in Washington County or to properties that are found to be consistent with these criteria and Comprehensive Plan policies.

### **Purpose of the R-24 Designation:**

This designation allows for the same array of uses as the A/T and R-15 designations but with an allowed maximum density of 24 units per acre.

### **Location Criteria:**

Properties designated R-24 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitation such as unstable soils or flooding that affect significant portions of the property.
3. Sufficient facility and service capacity to accommodate this type of commercial development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, parks, health services, public transit, and street capacity.
4. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Activities on the site that will not interfere with nearby residential uses.
  - The availability of public transit within one-quarter mile of the site.
  - Commercial services within one-half mile of the site.
5. No commitment of the immediate area to low or medium density residential development.

## **Mixed Use**

### **NMU – Neighborhood Mixed-Use:**

This land use designation is intended to apply to properties, which are within or adjacent to existing or future residential neighborhoods.

### **Purpose of the NMU Designation:**

This designation allows for a mix of neighborhood-scale commercial and medium density residential uses. It allows for medium density residential development consistent with the R-12 designation, neighborhood serving businesses, or a combination of commercial and residential uses in one development.

### **Location Criteria:**

Properties designated NMU should have the following location characteristics.:

1. The site shall have direct access to a collector or arterial street. Access to a collector or arterial street via a local street may be appropriate to comply with driveway access requirements and if

it is found that adverse traffic impacts will not be created for surrounding properties, which are greater than what is possible under the existing zoning.

2. Sufficient facility and service capacity to accommodate this type of development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion, parking, or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial and residential activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Commercial activities on the site that will not interfere with nearby residential uses.
- 4-6. Significant unique natural features on the site which can be maintained.

## **Commercial**

### **LC - Limited Commercial:**

This land use designation applies to all commercial properties in the City.

#### **Purpose of the LC Designation:**

The City commercial center provides a mix of retail, service and business needs for the community. This commercial area, identified in the King City Comprehensive Plan and the Bull Mountain Community Plan, is located along Pacific Highway.

#### **Location Criteria:**

Properties designated LC should have the following location characteristics.:

1. The site shall have direct access to a major collector or arterial street.
2. Sufficient facility and service capacity to accommodate this type of commercial development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:

- The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Commercial activities on the site that will not interfere with nearby residential uses.
  - Significant unique natural features on the site which can be maintained.
6. Public transit is available to the site or the immediate area.
  7. Contiguity with existing commercial proper-ties.

**Chapter 16.102**  
*Revised Draft – 4.18.18*  
**NEIGHBORHOOD MIXED-USE ZONE (NMU)**  
*NEW*

**Sections:**

- 16.102.010 Purpose.**
- 16.102.020 Permitted uses.**
- 16.102.030 Conditional uses.**
- 16.102.040 Dimensional and density requirements.**
- 16.102.050 Design requirements.**
- 16.102.060 Additional requirements.**

**16.102.010 Purpose.**

The purpose of the NMU zone is to provide a mix of residential, retail, service, and business needs of surrounding residential neighborhoods while maintaining a compatible scale and character with those neighborhoods. It is intended for relatively small sites within or adjacent to residential neighborhoods.

**16.102.020 Permitted uses.**

A permitted use is a use which is allowed outright but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the NMU district are as follows:

- A. Dwelling, single-family attached and detached 0-foot side yard;
- B. Dwelling, multi-family;
- C. Duplex;
- ~~D. Live-work unit;~~
- ~~E. Office;~~
- ~~F. Retail sales and service;~~
- ~~1. Sales oriented;~~
- ~~2. Personal service oriented, and~~
- ~~3. Entertainment oriented;~~
- D. Live-work unit approved as a Type I or II home occupation as provided in Chapter 16.172;
- ~~E.G.~~ Community services;
- ~~F.H.~~ Religious assembly;
- ~~G.I.~~ Family care;
- ~~H.J.~~ Residential facility; and
- ~~I.K.~~ Adult day care (family care).

**16.102.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the NMU district are as follows:

- ~~A.D.~~ Live-work unit that does not qualify for Type I or II home occupation approval as provided in Chapter 16.172;



- ~~B~~E. Office;
- ~~C~~E. Retail sales and service;
1. Sales-oriented;
2. Personal service-oriented, and
3. Entertainment-oriented;
- ~~D~~A. Utilities;
- ~~E~~B. Public safety facilities; and
- ~~F~~C. Parks and open space.

**16.102.040 Dimensional and density requirements.**

A. The dimensional requirements in the NMU district are:

Dimensional Requirements Table	
Minimum and average lot size/land area per unit	
Duplex	3,600 min./4,000 avg. square feet
Single-family attached and 0-foot setback units	1,600 min./2,000 avg. square feet
Multi-family units	1,600 min./2,000 avg. square feet
Live-work units	1,600 min.
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Minimum average lot width (per lot)	
Duplex	48 feet
Single-family attached and 0-foot setback detached units	24 feet
Multi-family units	48 feet
Live-work units	24 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Minimum average lot depth (per lot)	
Duplex	60 feet
Single-family attached and 0-foot setback detached units	60 feet
Multi-family units	60 feet
Live-work units	60 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Setbacks (measured from property lines, except as noted for garage entrances)	
<u>Front yard</u>	
Residential and live-work	10 feet minimum and 26 feet maximum to front building wall. 6 feet minimum and 15 feet maximum to front porch.

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Dimensional Requirements Table	
Non-residential and mixed-use (non-residential and multi-family) buildings <u>measured from the nearest edge of the clear zone or supplemental zone.</u>	<p>18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p><u>Building placement and frontage standards in Section 16.102.060 B. shall be satisfied.</u><del>0 feet minimum and 15 feet maximum to front building wall.</del></p> <p>0-6 feet or ≥ 18 feet to a garage entrance if driveway parking is allowed. <del>The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</del></p>
<p><u>Front yard – corner</u></p> <p>For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards:</p> <p>Residential and live-work</p>	<p>8 feet minimum for a side yard facing a street.</p> <p>18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p>
Non-residential and mixed-use (non-residential and multi-family) buildings <u>measured from the nearest edge of the clear zone or supplemental zone.</u>	<p><u>Building placement and frontage standards in Section 16.102.060 B. shall be satisfied.</u><del>0 feet minimum and 15 feet maximum to front building wall. A minimum of 50% of the length of the ground level façade of a building or buildings facing a collector or arterial street must be within 0 to 15 feet of the street lot line. (This needs a plan view illustration)</del></p> <p>0-6 feet or ≥ 18 feet to a garage entrance if driveway parking is allowed. <del>The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</del></p>

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Dimensional Requirements Table	
<u>Side yard – interior</u> Residential and live-work	0 feet minimum, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.
Non-residential and mixed-use (non-residential and multi-family) buildings	0 feet minimum, for side yard lot lines adjacent to other property zoned NMU or LC, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet. 10 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC.
<u>Rear yard</u> Residential and Live-Work	10 feet minimum for residential building. 0 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq$ 18 feet to a garage entrance to an alley.
Non-residential and mixed-use (non-residential and multi-family) buildings	10 feet minimum adjacent to property zoned NMU or LC. 20 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC. 5 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq$ 18 feet to a garage entrance to an alley.
<b>Minimum landscaped area</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	20% of the total lot area <sup>1</sup>
Live-work units	20% of the total lot area <sup>1</sup>
Non-residential and mixed-use (non-residential and multi-family) buildings	15% of the total lot area <sup>1</sup>
<b>Building height</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	35 feet
Live-work units	35 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	35 feet <sup>2</sup>
Accessory structures	18 feet

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Dimensional Requirements Table	
<b>Residential (only) density standards</b>	
Maximum	12 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum
<b>Commercial, mixed-use (non-residential &amp; multi-family) and live-work floor area standards</b>	
Commercial including: Office, Retail sales and service (sales-, personal service-, and entertainment-oriented)	Maximum 1.5 to 1 FAR <sup>3</sup>
Live-work units	Commercial floor area shall not exceed 50% of the total floor area of the live-work unit

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- 1 The landscaped area per lot may be reduced when common open space is provided. In this case, the total landscaped area on lots and common areas must total a minimum of 20%.
- 2 Building height may be increased to a maximum of 45 feet as provided in Figure 1.
- 3 Floor area ratios (FARs) apply to the total floor area in a mixed-use project regardless of the use.

- B. The maximum building height of thirty-five feet in subsection (a) of this section shall increase one foot for each additional foot of building setback over twenty-five feet from a residential zoning district, up to a maximum building height of forty-five feet as illustrated in Figure 1. In the case of a public street right-of-way lying between the NMU Zone and a residential zone, the setback shall be calculated using the right-of-way centerline in lieu of the property line.

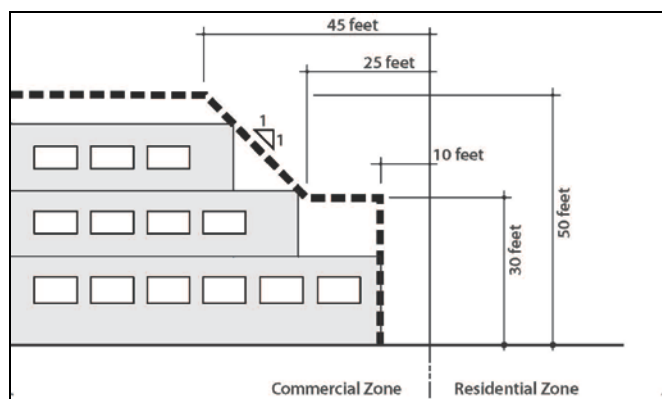


Figure 1. Building Height need to amend showing min. of 35' and max. of 45'

**16.102.050 Design requirements.**

In addition to the dimensional requirements in Section 16.102.040, the following design requirements of this section shall apply.

A. Residential development shall comply with the following standards:

<b>Design Requirements Table – Residential Development</b>	
<b>Main entrance</b>	
Location	Within 8 feet of the longest front building wall. The applicant/owner may select which street frontage to use for a corner lot.
Orientation	Face the street at an angle that does not exceed 45 degrees; or Open onto a porch, which has: <ul style="list-style-type: none"> <li>• A minimum of 25 square feet with a minimum dimension of 4 feet;</li> <li>• At least one entrance facing the street; and</li> <li>• A roof that covers at least 30 percent of the porch area (see Figure 2).</li> </ul>
<b>Front windows</b> - First floor of all dwellings.	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.
<b>Garage door frontage</b> - Maximum percentage of the building width allowed for the garage door.	
Single-family detached units	50% when the garage setback is the same or less than the front building wall. The garage door setback shall be no more than 6 feet less than the front building wall setback.
	60% when the garage setback is at least 2 feet behind the front building wall or front porch.
	70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Single-family attached, duplex, multi-family units, and live-work units	30% when the garage setback is less than the front building wall or front porch. 60% when the garage setback is equal to or greater than the front building wall. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Attached units</b>	
Maximum number of attached single family, multi-family units, or live-work units	12 units.

<b>Design Requirements Table – Residential Development</b>	
<b>Required outdoor area</b>	
Duplex, single-family attached, detached single-family units with one 0-foot setback, and live-work units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence is located in the rear yard.
Multi-family units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided for each unit on the lot, of which no dimension shall be less than 15 feet.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common outdoor area shall have a minimum contiguous area of 400 square feet per unit in the development with a minimum size of 4,000 square feet, of which no dimension shall be less than 40 feet.

B. Non-residential and mixed-use development shall comply with the following standards:

<b>Design Requirements Table: Non-Residential and Mixed-Use Development</b>	
<b>Main building entrance</b>	
Location and Orientation	<p>Primary customer and/or resident entrances for buildings with frontage on a collector or arterial street shall meet one of the following:</p> <ul style="list-style-type: none"> <li>• Be within 20 feet of, and facing the street upon which the building has frontage; or</li> <li>• Be located on the side of the building within 50 feet direct walking distance from the public sidewalk along the collector or arterial street.</li> </ul> <p>For buildings that have more than one main entrance, only one entrance must meet this requirement.</p>
<b>Front windows</b> – Ground floor of all building facades facing a street.	
Minimum glazing area	40% for any ground floor building wall facing a street (Figure 2).
Operable front windows	Windows that are designed to open join interior and exterior spaces during temperate weather may be used to satisfy the minimum glazing area standard. This may include the glazed area on operable doors that are supplemental to the main entry door.

Design Requirements Table: Non-Residential and Mixed-Use Development	
Maximum window sill height	4 feet above finished first floor elevation for the window(s) necessary to meet the minimum glazing area standard. No sill height standard for all other windows.
<b>Distinct ground floor – commercial uses</b>	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	This standard applies to buildings that have any floor area in non-residential uses. The ground level of the primary structure must be visually distinct from upper stories. This separation may be provided by: <ol style="list-style-type: none"> <li>1. A cornice above the ground level;</li> <li>2. An arcade;</li> <li>3. Changes in material or texture; or</li> <li>4. A row of clerestory windows on the building's street facing elevation.</li> </ol>
<b>Garage door frontage</b> - Maximum percentage of the building width allowed for the garage door.	
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Required outdoor area</b>	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	<del>Discussion item. The maximum coverage of buildings and impervious surfaces shall not exceed 85% of the total lot area.</del>

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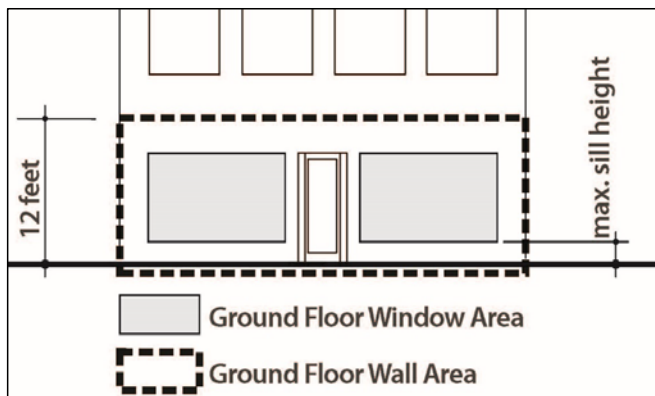


Figure 2. Minimum Glazing Area

#### 16.102.060 Additional requirements.

##### A. Street Frontage Improvement Standards.

1. Street frontage improvements shall be determined by the City Engineer.
2. For mixed-use or commercial development, the following additional street frontage improvements elements (Figure 3.) shall be required:

- a. A sidewalk clear zone with a minimum width of 6 feet; and
  - b. Street furniture zone with a minimum width of 5 feet, including the curb.
3. An optional supplemental zone may (Figures 3. and 4.) be provided between the building the clear zone for residential, commercial, or mixed-use development subject to the following standards:
  - a. A maximum depth between the clear zone and building façade of 20 width of feet;
  - b. Use of this area for additional sidewalk width, patio, landscaping or similar improvements; and
  - c. No vehicle driveways, parking, or loading are permitted within a supplemental zone.
4. The street furniture zone may be used for on-street parking provided:
  - a. The clear zone retains a minimum width of 6 feet (Figure 5); and
  - b. The street requirements in Sections 16.124.050 and 060 are met.

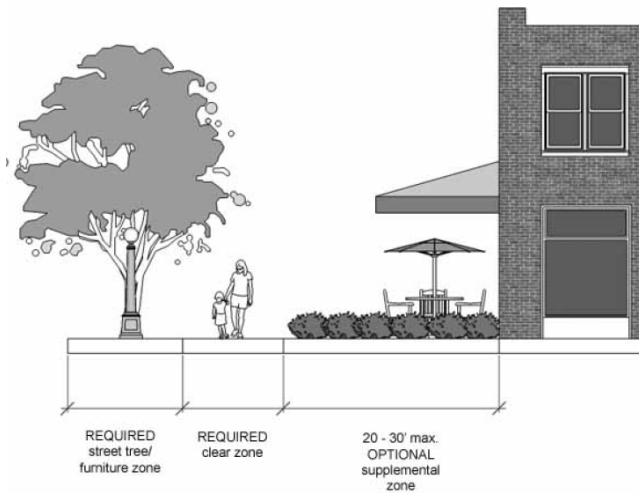
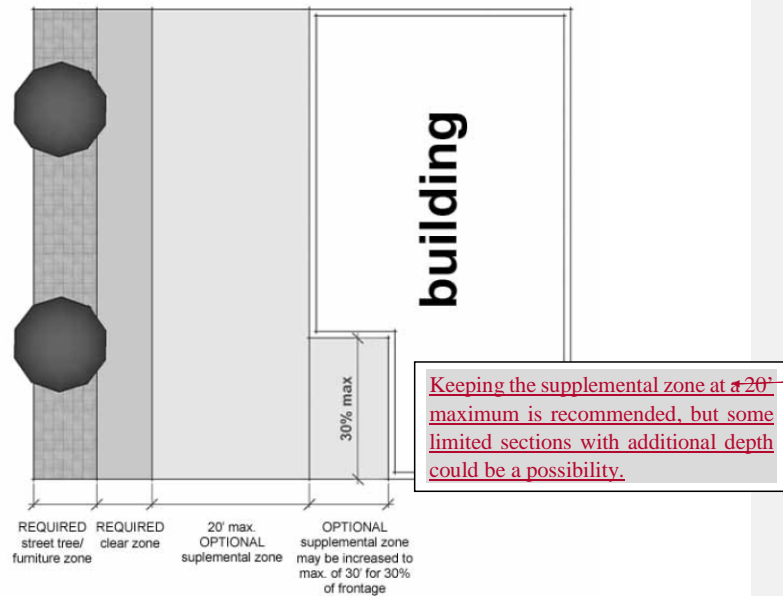


Figure 3. Street Frontage Improvement Elements

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Figure 4. Supplemental Zone

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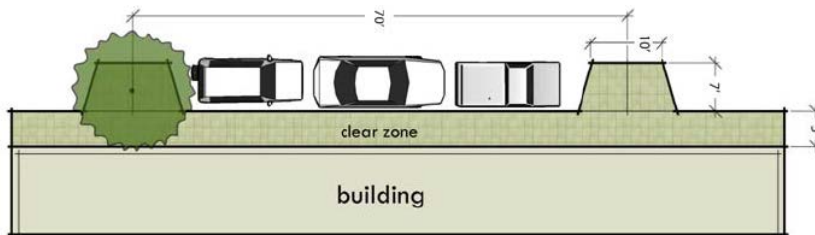


Figure 5. On-Street Parking in the Furniture Zone

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#### B. Building Placement and Frontage Standards.

1. A minimum of 50% of the property frontage length along the site's principal street must consist of continuous building façade built up to the property line, clear zone, or supplemental zone, if one is provided (Figure 6).

2. For corner lots, a minimum of 40% of the property frontage length along the site's secondary street, which intersects with the primary street, must consist of continuous building façade built up to the property line, clear zone, or supplemental zone, if one is provided (Figure 7).

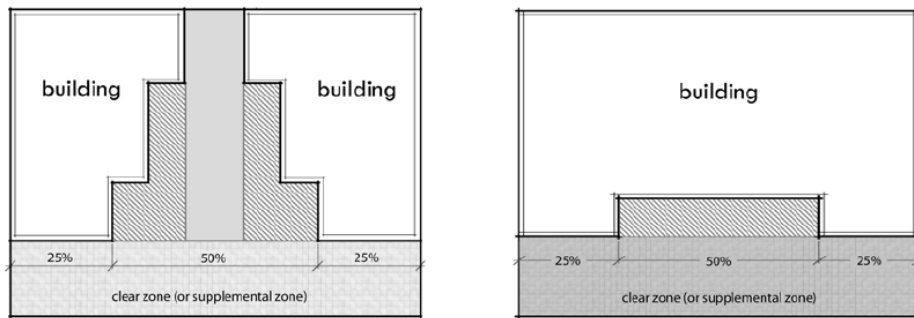


Figure 6. Building Façade Location along the Principal Street

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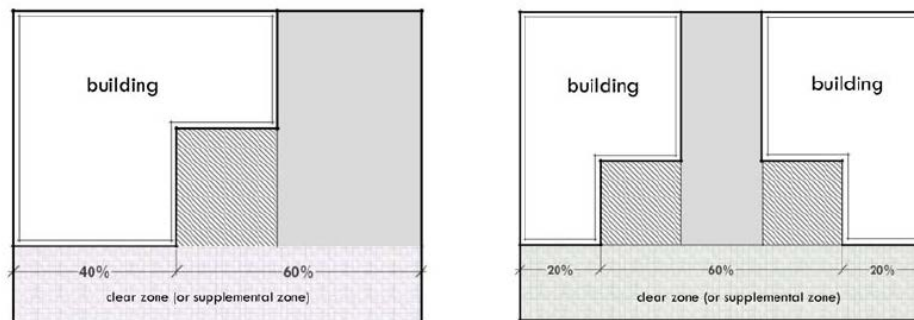


Figure 7. Building Façade Location along a Secondary Street

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#### CA. Outdoor Display.

1. Except as provided in subsection 2.B of this section, all business and display of merchandise shall be conducted wholly within an enclosed building.
2. Subject to an administrative review and approval by the city manager, outdoor storage and display may be permitted when all of the following conditions are satisfied:
  - a. The amount of outdoor storage and display of merchandise does not exceed five percent of the gross floor area of the business;
  - b. Pedestrian, bicycle, wheel chair and motor vehicle access to and within the property is not impeded in any way;
  - c. The clear zone and street furniture zone are not used for this purpose;

- c. The outdoor storage and display is in conformity with any conditions of development permit or building permit approval; and
- d. The outdoor storage and display satisfies all relevant provisions of this title and other applicable requirements of this code.

**DB.** Outdoor Activities.

- 1. Exterior work activities, including product storage or assembly are prohibited in the NMU Zone.
- 2. Outdoor eating areas, entertainment, outdoor markets, and similar activities are allowed in the NMU Zone. However, they shall be prohibited within the clear zone and street furniture zone.
- 3. Permitted outdoor activities shall be located a minimum of 20 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a solid wall or fence with a minimum height of 6 feet to enhance privacy and attenuate potential noise impacts.
- 4. Outdoor speakers – ~~discussion item~~ Exterior speakers may be used provided:
  - a. They are only in use during the hours of operation, but no later than 10:00 pm; and
  - b. They are not audible beyond the property line.

**EC.** Surface Parking Location.

- ~~1a.~~ Surface parking shall be prohibited between the front of buildings and the front lot line or clear zone;
- ~~2b.~~ Surface parking shall be located a minimum of 10 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a wall or fence with a minimum height of 6 feet or evergreen vegetation that would provide screening equivalent to a fence.
- ~~3e.~~ Surface parking located along a street frontage shall have a landscape buffer with a minimum width of 5 feet that is designed to provide screening of vehicles.

**FD.** Loading and Service Areas and Mechanical Equipment.

- 1. All loading areas, exterior garbage cans, garbage collection and recycling areas shall be screened from the street and adjacent properties. Fencing and/or landscaping of sufficient density and height shall be provided to screen such areas from view.
- 2. Mechanical equipment located on the ground, such heat pumps, cooling equipment, and generators shall be screened from the street and any adjacent residentially zoned properties.
- 3. Mechanical equipment placed on roofs must be screened with a parapet or other screen around the equipment that is as tall as the highest point of the equipment.
- 4. In addition to the above requirements for mechanical equipment, exhaust fans for kitchens shall be located a minimum of 50 feet from a residential zone.

**GE.** Exterior Lighting.

- 1. On-site pedestrian walkways must be lighted to a level where the circulation system can be used at night by employees, residents, and customers.
- 2. Exterior lighting shall be located and designed to not shed light or glare on nearby properties.

**HF.** Exterior Finish Materials – ~~discussion item~~

- 1. Street-facing facades shall consist predominantly of a simple palette of durable materials such as brick, stone, stucco, wood siding, and wood shingles.
- 2. Split-faced block and gypsum reinforced fiber concrete shall only be used in limited quantities.
- 3. Fencing shall be made of durable and attractive materials. The following fence materials are prohibited:
  - a. Plastic or vinyl; and

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- b. Chain link.
4. The following building materials are prohibited on street facades and shall not collectively be used on more than 50% of any other building façade:
- a. Vinyl PVC siding;
- b. T-111 plywood;
- c. Exterior insulation finishing (EIFS);
- d. Corrugated metal;
- e. Spandrel glass; and
- f. Sheet pressboard.
- IG. Hours of Operation.
- To maintain a compatible relationship with surrounding residential uses, business hours shall be between the hours of ~~eight a.m. to midnight (11:59 p.m.)~~ 8 am and 10 pm. No business shall be conducted outside of these time limits unless approved as a conditional use as provided in this title.

## ADDITIONAL CDC AMENDMENTS

### 16.24.020 Definition of Specific Terms.

“Live-work unit” means a dwelling unit where residential and nonresidential spaces are combined and where the dwelling unit is the principal residence of the business operator/proprietor. Nonresidential spaces are typically located on the ground floor and residential spaces are located on upper floors or the rear of the building.

“Floor area ratio (FAR)” means the amount of building floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 2 to 1 means there is 2 square feet of floor area for every 1 square foot of site area. Public utility easements may be excluded from the site area when calculating the FAR.

“Frontage length” means the length of a property frontage along a street right-of-way. In the case of corner lots, the right-of-way of the intersecting street or streets shall not be included in measuring this distance.

“Principal street” means the street adjacent to a property with the highest transportation hierarchy classification. Other abutting streets, if any, are deemed to be secondary streets. Determination of the principal street shall be done using the following priority:

- Arterial street;
- Collector street;
- Neighborhood collector street; and
- Local street.

“Sidewalk zones” refers to three different zones on public sidewalks that include:

- “Clear zone,” which is the unobstructed portion for walking,
- “Street tree and furniture zone,” which is the portion of the sidewalk adjacent to the curb in which street trees may be planted. This zone is also intended for the placement of street furniture

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including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

- “Supplemental zone,” which lies between the clear zone and the street-facing building façade or front yard landscaping. This zone is intended to public uses including window shopping, plaza, outdoor café, or patio.

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#### **16.156.060 Approval Standards for Specific Uses.**

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##### **D. Live-Work Unit in the NMU Zone**

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1. Deliveries shall be made between the hours of 8 am and 6 pm;
2. Deliveries shall not require the use of tractor trailers, semi-trucks, or heavy equipment;
3. There shall be no offensive noise, vibration smoke, dust, odors, heat, or glare noticeable at or beyond the property line resulting from the operation;
4. The home occupation shall be operated entirely within the unit, including storage of any materials;
5. Indoor storage and use of materials or products shall not exceed the limitations imposed by the provisions of applicable building and fire codes, and there shall be no storage and/or distribution of toxic or flammable materials;
6. A maximum of 60% of the total floor area of the live-work unit may be devoted to the business use;
7. Sufficient parking shall be provided on-site and/or on-street along the property frontage for employees and customers;
8. The following uses are not allowed:
  - a. Auto-body repair and painting;
  - b. Ongoing mechanical repair conducted outside of an entirely enclosed building
  - c. Junk and salvage operations; and
  - d. Storage and sale of fireworks.

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##### **DE. Motel**

##### **F. Office and Retail Sales and Service Uses in the NMU Zone**

1. Deliveries shall be made between the hours of 8 am and 6 pm;
2. Nearby properties shall be buffered from potential adverse noise and visual impacts including, but not limited to vehicles, heating and air conditioning units, exhaust fans, outdoor trash and recycling, headlights, exterior lighting, and associated outdoor activity;
3. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts;
4. Access to a local street may be allowed only if it is found that adverse traffic impacts will not be created for surrounding properties.
5. Safe and convenient pedestrian and bicycle access shall be provided to the site

##### **EG. Parks and Open Space (subsequent lettering amended accordingly)**

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## RELATED COMPREHENSIVE PLAN AMENDMENTS WEST KING CITY PLANNING AREA

### PLAN IMPLEMENTATION

#### Commercial and Retail Opportunities

As noted above, residential development is the primary use intended for the West King City Planning Area. ~~Sufficient~~ Commercial and retail opportunities presently exist along SW Pacific Highway, located approximately 1/3 mile to the east. As shown in Figure 2, there are several improved pedestrian and bicycle connections between the West King City Planning Area and these commercial services.

To provide additional opportunities for neighborhood-serving commercial uses, a Neighborhood Mixed-Use designation is included as a land use type, which could be applied in the West King City Planning Area. This would require a Comprehensive Plan Amendment and Zone Change, which is consistent with King City Comprehensive Plan.

#### Land Use Designations and Location Criteria

The local criteria are intended to provide guidance for the Planning Commission and City Council when land use designations for specific area within the City are proposed to be amended. These criteria describe the basic characteristics a property or properties should have to be eligible for a particular land use designation. The primary characteristics of the City land use designations are first described followed by location criteria. It is intended that these location criteria, associated with each land use designation, be construed in a flexible manner, in the interest of accommodating proposals which may not comply with all the applicable criteria but are found to be in the public interest and capable of harmonious integration into the community. The burden to prove a proposal's conformity with the Comprehensive Plan should vary according to the degree of change and impact on the community. The more significant the change or potential impact, the more strictly the criteria should be interpreted.

#### Low Density Residential

##### SF - Single Family Residential:

This land use designation is intended to apply to established single family residential properties within the City prior to June 5, 1991.

##### R-9 - Small Lot and Attached Residential:

This land use designation is intended to apply to annexed properties that were zoned R-9 in Washington County or that are within the West King Planning Area. (Ord. O-02-4 § 1 (part), 2002)

##### Purpose of the SF and R-9 Designations:

These two designations are intended for detached single family residential use on lots larger than two thousand eight hundred square feet in size. In addition, the R-9 zone permits attached single family dwellings, and residential care facilities. (Ord. O-02-4 § 1 (part), 2002)

**Location Criteria:**

Properties designated SF or R-9 should have the following location characteristics:

1. Direct Access to collector and local streets. Generally, these designations should apply to land which does not have direct access to major collector and arterial routes.
2. Land that is not suitable for more intensive development because of natural constraints such as unstable soils, poor drainage, and flooding.
3. Land that is not suitable for more intensive development because of limited facility and service capacity. The important facilities and services to be considered include, but are not limited to, sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. No commitment of the immediate area to medium high density residential or commercial development.

**Medium Density Residential****A/T - Apartment/Townhouses:**

This land use designation is intended to apply to established residential properties within the City prior to June 5, 1991.

**R-12 Attached Residential:**

This land use designation is primarily intended to apply to properties within the West King City Planning Area. (Ord. O-02-4 § 1 (part), 2002)

**R-15 - Multi-family Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-15 in Washington County.

**Purpose of the A/T, R-12, and R-15 Designations:**

These three designations allow for multi-family residential development in addition to the single family residences and residential care facilities of the SF and R-9 designations. The A/T designation requires a maximum of one unit per two thousand five hundred square feet of land area (approximately sixteen units per acre) and the R-12 and R-15 designations allow maximum densities of twelve and fifteen units per acre, respectively. (Ord. O-02-4 § 1 (part), 2002)

**Location Criteria:**

Properties designated A/T, R-12, or R-15 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
3. Facility and service capacity that is adequate to accommodate development of this density. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. The availability of public transit within one-half mile of the site.

## **Medium High Density Residential**

### **R-24 - Multi-family Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-24 in Washington County or to properties that are found to be consistent with these criteria and Comprehensive Plan policies.

### **Purpose of the R-24 Designation:**

This designation allows for the same array of uses as the A/T and R-15 designations but with an allowed maximum density of 24 units per acre.

### **Location Criteria:**

Properties designated R-24 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitation such as unstable soils or flooding that affect significant portions of the property.
3. Sufficient facility and service capacity to accommodate this type of commercial development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, parks, health services, public transit, and street capacity.
4. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Activities on the site that will not interfere with nearby residential uses.
  - The availability of public transit within one-quarter mile of the site.
  - Commercial services within one-half mile of the site.
5. No commitment of the immediate area to low or medium density residential development.

## **Mixed Use**

### **NMU – Neighborhood Mixed-Use:**

This land use designation is intended to apply to properties, which are within or adjacent to existing or future residential neighborhoods.

### **Purpose of the NMU Designation:**

This designation allows for a mix of neighborhood-scale commercial and medium density residential uses. It allows for medium density residential development consistent with the R-12 designation, neighborhood serving businesses, or a combination of commercial and residential uses in one development.

### **Location Criteria:**

Properties designated NMU should have the following location characteristics.:

1. The site shall have direct access to a collector or arterial street. Access to a collector or arterial street via a local street may be appropriate to comply with driveway access requirements and if



it is found that adverse traffic impacts will not be created for surrounding properties, which are greater than what is possible under the existing zoning.

2. Sufficient facility and service capacity to accommodate this type of development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion, parking, or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial and residential activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Commercial activities on the site that will not interfere with nearby residential uses.
- 4-6. Significant unique natural features on the site which can be maintained.

## **Commercial**

### **LC - Limited Commercial:**

This land use designation applies to all commercial properties in the City.

#### **Purpose of the LC Designation:**

The City commercial center provides a mix of retail, service and business needs for the community. This commercial area, identified in the King City Comprehensive Plan and the Bull Mountain Community Plan, is located along Pacific Highway.

#### **Location Criteria:**

Properties designated LC should have the following location characteristics.:

1. The site shall have direct access to a major collector or arterial street.
2. Sufficient facility and service capacity to accommodate this type of commercial development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:

- The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Commercial activities on the site that will not interfere with nearby residential uses.
  - Significant unique natural features on the site which can be maintained.
6. Public transit is available to the site or the immediate area.
  7. Contiguity with existing commercial proper-ties.

# MEMORANDUM

TO: King City Planning Commission  
FROM: Keith Liden, Planning Consultant  
SUBJECT: LU 2018-02, Neighborhood Mixed-Use Zone  
King City Comprehensive Plan and Code Amendment  
Staff Report  
DATE: April 4, 2018

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## GENERAL INFORMATION

### Application

A legislative Comprehensive Plan Amendment (CPA) and Community Development Code (CDC) amendment to adopt a new Neighborhood Mixed-Use Zone.

### Location

At this time, this proposal will only amend the Comprehensive Plan and CDC, and it does not include application of this new designation to any property. Application of this new zone to a specific property would require a plan and zoning map amendment application to be evaluated according to the applicable provisions in the Comprehensive Plan.

## PROPOSAL DESCRIPTION

### Planning Process

The new NMU zone and related plan amendments is a city-sponsored planning project to consider how the city's residential neighborhoods might accommodate a greater range of uses and activities and be more pedestrian-friendly by enhancing access to commercial services.

### Proposal Elements

The creation of a new Neighborhood Mixed-Use Zone includes two elements:

- Comprehensive Plan Amendments
- Community Development Code Amendments

### ***Comprehensive Plan Amendments***

Minor amendments to the King City Comprehensive Plan are necessary to identify the new neighborhood mixed-use land use category. In addition, location criteria have been added to provide guidance for evaluating zone change applications to apply this designation to a specific property. The plan amendments are found in Exhibit A.

### ***Community Development Code Amendments***

The NMU – Neighborhood Mixed-Use Zone is proposed as a new Chapter 16.102 in the King City CDC. The city currently only has the LC - Limited Commercial district that allows commercial development of any kind. This district is intended primarily for larger-scale commercial and mixed-use development. The LC zone is found along Highway 99W.

The NMU zone is intended to provide for neighborhood-scale commercial development, which would have a primary purpose of serving surrounding residential neighborhoods. The proposed NMU zone would allow residential development at densities comparable to the R-12 – Attached Residential zone. This zone allows single family and multi-family residential development with densities ranging between a minimum 9.6 to a maximum of 12 units per acre. The development and design standards for residential uses in the NMU zone are based primarily upon the current R-12 standards.

In addition to residential, commercial uses would also be permitted. The applicable requirements are based in part on the LC zone, but with additional restrictions and requirements to help ensure compatibility with surrounding residential uses, including:

- Prohibition of drive-through uses,
- Maximum building height of up to 45 feet with prescribed supplemental setbacks,
- Building entrance orientation to the street,
- Parking locations to the rear or side of buildings,
- Outdoor display limitations,
- Compatibility criteria for outdoor activities, such as outdoor dining,
- Compatibility criteria for loading areas and mechanical equipment,
- Exterior lighting,
- Potential exterior finish materials standards, and
- Limitations for hours of operation.

### **Agency Comments**

No agency comments have been received.

## RECOMMENDED FINDINGS AND CONCLUSIONS

The relevant criteria for the King City Comprehensive Plan amendment are found in:

- The King City Comprehensive Plan
- The Oregon Statewide Planning Goals

Because the policy direction in the King City Comprehensive Plan is based directly upon the Oregon Statewide Planning Goals, addressing the Comprehensive Plan will simultaneously consider the state goals. The recommended findings are followed by background and supporting information in this report. The Planning Commission should consider the findings regarding the proposed Comprehensive Plan and Community Development Code amendments.

The King City Comprehensive Plan goals are satisfied as indicated below:

*Citizen Involvement - Goal 1: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The plan amendment was created with citizen input. A neighborhood meeting was held in January. In addition, this proposal will be reviewed in public hearings with the Planning Commission and City Council. This goal is satisfied.

*Land Use Planning - Goal 2: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The city has adopted the King City Comprehensive Plan and Community Development Code in accordance this goal, and as noted above, citizens have had, and will be given, an opportunity to participate and comment on the proposed plan and code amendment to provide a new NMU zone. This goal is satisfied.

*Agricultural Lands – Goal 3 and Forest Lands – Goal 4*

These goals are not relevant because the proposed NMU zone would not be applied outside of the King City limit on agricultural or forest lands.

*Open spaces, scenic and historic areas, and natural resources – Goal 5: To conserve open space and protect natural and scenic resources.*

Until this new zoning district is proposed for a specific property, its impact upon these types of resources cannot be evaluated. However, any property considered for the NMU zone would continue to be subject to environmental requirements in the CDC and from other agencies. Similar to other zoning districts, it is proposed to have minimum open space requirements to enhance livability. This goal is satisfied.

*Air, water and land resource quality – Goal 6: To maintain and improve the quality of the air, water, and land resources of the state.*

As noted under Goal 5 above, existing open space and natural resource areas will continue to be regulated and protected as they are today. An important reason for encouraging a mix of residential and commercial uses is to improve the pedestrian environment and substitute walking for some car trips. This in turn would have a modest beneficial effect on air quality. This goal is satisfied.

*Natural Disasters and Hazards – Goal 7*

Similar to Goals 5 and 6 above, any development within the NMU zone would continue to be subject to CDC requirements pertaining to natural hazards. This goal is satisfied.

*Recreational Needs – Goal 8: To satisfy the recreation needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

King City currently does not contain any destination recreational areas. The city has implemented programs outside of the CDC to provide recreational opportunities, such as the community park in the West King City Planning area. The NMU zone does advocate for improving the pedestrian environment, and this could include small plazas and similar open space areas. This goal is satisfied.

*Economy – Goal 9: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The purpose of the NMU zone is to supplement, rather than compete with, the King City town center area. The NMU zone is intended to enhance neighborhood vitality by improving walkability and access to neighborhood-scale services. Urban design requirements of the NMU zone are intended to promote an attractive appearance and character for any residential and commercial development occurring within this zoning district. This goal is satisfied.

*Housing – Goal 10: To provide for the housing needs of citizens of the state.*

This new zoning district promotes a greater degree of mixed-use than is currently allowed. Because the NMU zone is designed to allow for residential, commercial, or a mix of both, housing choices will not be limited by the zoning district. This goal is satisfied.

*Public Facilities and Services – Goal 11: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The NMU zone will be no different from other zoning districts because the proper provision of urban facilities and services will continue to be a requirement of new development or redevelopment. This goal is satisfied.

*Transportation – Goal 12: To provide and encourage a safe, convenient and economic transportation system.*

The creation of a neighborhood mixed-use residential/commercial zone is intended to encourage active transportation by improving the convenience of walking and bicycling between homes and commercial services. In addition to proximity, walking will be encouraged with streetscape standards to improve the pedestrian environment through proper site design, building orientation, and façade treatments. This goal is satisfied.

*Energy Conservation – Goal 13: To conserve energy.*

The promotion of active transportation and allowing a greater degree of mixed-use development in city neighborhoods is expected to help replace short vehicular trips with walking and bicycling. This will help reduce energy use. This goal is satisfied.

*Urbanization – Goal 14: To provide for an orderly and efficient transition from rural to urban land use.*

While this goal is not directly relevant, the allowance for a mixed-use and somewhat more compact development form could modestly reduce the demand for more urbanizable land outside of the current UGB. This goal is satisfied.

## **RECOMMENDATION**

The Planning Commission should conduct a public hearing, and consider the staff report, and public comments. The draft NMU zone has several subsections that are labeled as “discussion items.” The staff expects there will be discussion about these items, along with others, about the appropriate course to follow. This may require continuation of the hearing for the staff to address issues and come back with additional information for the Planning Commission before it forwards a recommendation to the City Council. The planning consultant recommends forwarding a recommendation for adoption of the Comprehensive Plan Amendment and Community Development Code Amendment to the City Council.





**EXHIBIT A**  
**Comprehensive Plan and CDC Amendments**

**Chapter 16.102**  
*Review Draft – 2.21.18*  
**NEIGHBORHOOD MIXED-USE ZONE (NMU)**  
*NEW*

**Sections:**

- 16.102.010 Purpose.**
- 16.102.020 Permitted uses.**
- 16.102.030 Conditional uses.**
- 16.102.040 Dimensional and density requirements.**
- 16.102.050 Design requirements.**
- 16.102.060 Additional requirements.**

**16.102.010 Purpose.**

The purpose of the NMU zone is to provide a mix of residential, retail, service, and business needs of surrounding residential neighborhoods while maintaining a compatible scale and character with those neighborhoods. It is intended for relatively small sites within or adjacent to residential neighborhoods.

**16.102.020 Permitted uses.**

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the NMU district are as follows:

- A. Dwelling, single-family attached and detached 0-foot side yard;
- B. Dwelling, multi-family;
- C. Duplex;
- D. Live-work unit;
- E. Office;
- F. Retail sales and service;
  - 1. Sales-oriented,
  - 2. Personal service-oriented, and
  - 3. Entertainment-oriented;
- G. Community services;
- H. Religious assembly;
- I. Family care;
- J. Residential facility; and
- K. Adult day care (family care).

**16.102.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the NMU district are as follows:

- A. Utilities;
- B. Public safety facilities;
- C. Parks and open space.

**16.102.040 Dimensional and density requirements.**

A. The dimensional requirements in the NMU district are:

<b>Dimensional Requirements Table</b>	
<b>Minimum and average lot size/land area per unit</b>	
Duplex	3,600 min./4,000 avg. square feet
Single-family attached and 0-foot setback units	1,600 min./2,000 avg. square feet
Multi-family units	1,600 min./2,000 avg. square feet
Live-work units	1,600 min.
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Minimum average lot width (per lot)</b>	
Duplex	48 feet
Single-family attached and 0-foot setback detached units	24 feet
Multi-family units	48 feet
Live-work units	24 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Minimum average lot depth (per lot)</b>	
Duplex	60 feet
Single-family attached and 0-foot setback detached units	60 feet
Multi-family units	60 feet
Live-work units	60 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Setbacks (measured from property lines, except as noted for garage entrances)</b>	
<u>Front yard</u>	
Residential and live-work	10 feet minimum and 26 feet maximum to front building wall. 6 feet minimum and 15 feet maximum to front porch. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.
Non-residential and mixed-use (non-residential and multi-family) buildings	0 feet minimum and 15 feet maximum to front building wall. 0-6 feet or $\geq$ 18 feet to a garage entrance if driveway parking is allowed. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.

<p><u>Front yard – corner</u> For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards: Residential and live-work</p> <p>Non-residential and mixed-use (non-residential and multi-family) buildings</p>	<p>8 feet minimum for a side yard facing a street. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p>0 feet minimum and 15 feet maximum to front building wall. A minimum of 50% of the length of the ground level façade of a building or buildings facing a collector or arterial street must be within 0 to 15 feet of the street lot line. (This needs a plan view illustration) 0-6 feet or <math>\geq 18</math> feet to a garage entrance if driveway parking is allowed. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p>
<p><u>Side yard – interior</u> Residential and live-work</p> <p>Non-residential and mixed-use (non-residential and multi-family) buildings</p>	<p>0 feet minimum, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.</p> <p>0 feet minimum, for side yard lot lines adjacent to other property zoned NMU or LC, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet. 10 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC.</p>

<u>Rear yard</u> Residential and Live-Work	10 feet minimum for residential building. 0 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq 18$ feet to a garage entrance to an alley.
Non-residential and mixed-use (non-residential and multi-family) buildings	10 feet minimum adjacent to property zoned NMU or LC. 20 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC. 5 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq 18$ feet to a garage entrance to an alley.
<b>Minimum landscaped area</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	20% of the total lot area <sup>1</sup>
Live-work units	20% of the total lot area <sup>1</sup>
Non-residential and mixed-use (non-residential and multi-family) buildings	15% of the total lot area <sup>1</sup>
<b>Building height</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	35 feet
Live-work units	35 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	35 feet <sup>2</sup>
Accessory structures	18 feet
<b>Residential density standards</b>	
Maximum	12 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum
<b>Commercial, mixed-use (non-residential &amp; multi-family) and live-work floor area standards</b>	
Commercial including: Office, Retail sales and service (sales-, personal service-, and entertainment-oriented)	Maximum 1.5 to 1 FAR <sup>3</sup>
Live-work units	Commercial floor area shall not exceed 50% of the total floor area of the live-work unit

- 1 The landscaped area per lot may be reduced when common open space is provided. In this case, the total landscaped area on lots and common areas must total a minimum of 20%.
- 2 Building height may be increased to a maximum of 45 feet as provided in Figure 1.
- 3 Floor area ratios (FARs) apply to the total floor area in a mixed-use project regardless of the use.

- B. The maximum building height of thirty feet in subsection (a) of this section shall increase one foot for each additional foot of building setback over twenty-five feet from a residential zoning district,

up to a maximum building height of forty-five feet as illustrated in Figure \_\_. In the case of a public street right-of-way lying between the NMU Zone and a residential zone, the setback shall be calculated using the right-of-way centerline in lieu of the property line.

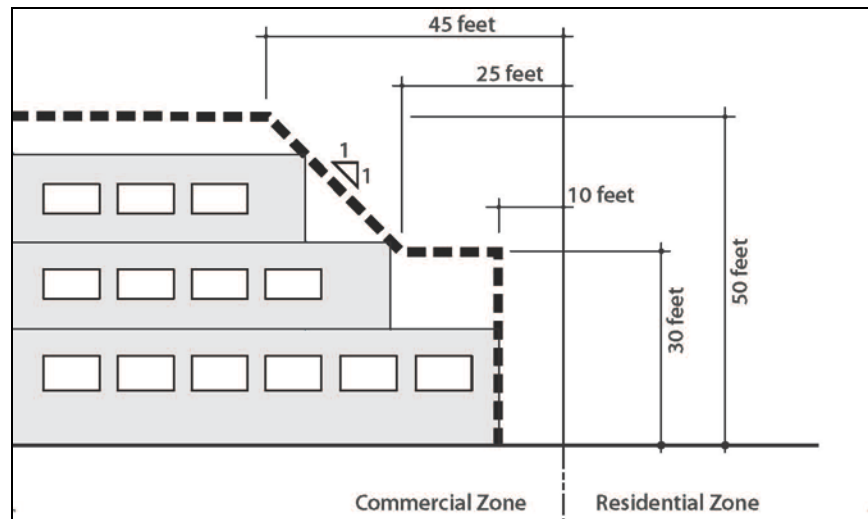


Figure 1 Building Height need to amend showing min. of 35' and max. of 45'

#### 16.102.050 Design requirements.

In addition to the dimensional requirements in Section 16.102.040, the following design requirements of this section shall apply.

- A. Residential development shall comply with the following standards:

Design Requirements Table – Residential Development	
<b>Main entrance</b>	
Location	Within 8 feet of the longest front building wall. The applicant/owner may select which street frontage to use for a corner lot.
Orientation	Face the street at an angle that does not exceed 45 degrees; or Open onto a porch, which has: <ul style="list-style-type: none"> <li>• A minimum of 25 square feet with a minimum dimension of 4 feet;</li> <li>• At least one entrance facing the street; and</li> <li>• A roof that covers at least 30 percent of the porch area (see Figure 2).</li> </ul>
<b>Front windows - First floor of all dwellings.</b>	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.

<b>Design Requirements Table – Residential Development</b>	
<b>Garage door frontage</b> - Maximum percentage of the building width allowed for the garage door.	
Single-family detached units	50% when the garage setback is the same or less than the front building wall. The garage door setback shall be no more than 6 feet less than the front building wall setback.
	60% when the garage setback is at least 2 feet behind the front building wall or front porch.
	70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Single-family attached, duplex, multi-family units, and live-work units	30% when the garage setback is less than the front building wall or front porch. 60% when the garage setback is equal to or greater than the front building wall. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Attached units</b>	
Maximum number of attached single family, multi-family units, or live-work units	12 units.
<b>Required outdoor area</b>	
Duplex, single-family attached, detached single-family units with one 0-foot setback, and live-work units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence is located in the rear yard.
Multi-family units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided for each unit on the lot, of which no dimension shall be less than 15 feet.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common outdoor area shall have a minimum contiguous area of 400 square feet per unit in the development with a minimum size of 4,000 square feet, of which no dimension shall be less than 40 feet.

B. Non-residential and mixed-use development shall comply with the following standards:

<b>Design Requirements Table: Non-Residential and Mixed-Use Development</b>	
<b>Main building entrance</b>	
Location and Orientation	<p>Primary customer and/or resident entrances for buildings with frontage on a collector or arterial street shall meet one of the following:</p> <ul style="list-style-type: none"> <li>• Be within 20 feet of, and facing the street upon which the building has frontage; or</li> <li>• Be located on the side of the building within 50 feet direct walking distance from the public sidewalk along the collector or arterial street.</li> </ul> <p>For buildings that have more than one main entrance, only one entrance must meet this requirement.</p>
<b>Front windows – Ground floor of all building facades facing a street.</b>	
Minimum glazing area	40% for any ground floor building wall facing a street (Figure 2).
Operable front windows	Windows that are designed to open join interior and exterior spaces during temperate weather may be used to satisfy the minimum glazing area standard. This may include the glazed area on operable doors that are supplemental to the main entry door.
Maximum window sill height	4 feet above finished first floor elevation for the window(s) necessary to meet the minimum glazing area standard. No sill height standard for all other windows.
<b>Distinct ground floor – commercial uses</b>	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	<p>This standard applies to buildings that have any floor area in non-residential uses. The ground level of the primary structure must be visually distinct from upper stories. This separation may be provided by:</p> <ol style="list-style-type: none"> <li>1. A cornice above the ground level;</li> <li>2. An arcade;</li> <li>3. Changes in material or texture; or</li> <li>4. A row of clerestory windows on the building's street facing elevation.</li> </ol>
<b>Garage door frontage - Maximum percentage of the building width allowed for the garage door.</b>	
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Required outdoor area</b>	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	<i>Discussion item</i>



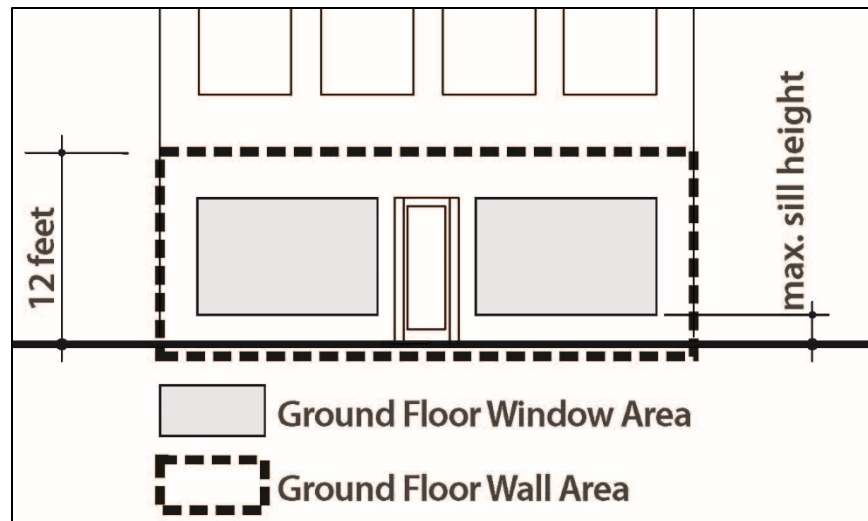


Figure 2 Minimum Glazing Area

**16.102.060 Additional requirements.**

**A. Outdoor Display.**

1. Except as provided in subsection B of this section, all business and display of merchandise shall be conducted wholly within an enclosed building.
2. Subject to an administrative review and approval by the city manager, outdoor storage and display may be permitted when all of the following conditions are satisfied:
  - a. The amount of outdoor storage and display of merchandise does not exceed five percent of the gross floor area of the business;
  - b. Pedestrian, bicycle, wheel chair and motor vehicle access to and within the property is not impeded in any way;
  - c. The outdoor storage and display is in conformity with any conditions of development permit or building permit approval; and
  - d. The outdoor storage and display satisfies all relevant provisions of this title and other applicable requirements of this code.

**B. Outdoor Activities.**

1. Exterior work activities are prohibited in the NMU Zone.
2. Outdoor eating areas, entertainment, outdoor markets, and similar activities are allowed in the NMU Zone. Outdoor work activities, including product storage or assembly are prohibited.
3. Permitted outdoor activities shall be located a minimum of 20 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a solid wall or fence with a minimum height of 6 feet to enhance privacy and attenuate potential noise impacts.
4. Outdoor speakers – *discussion item*

**C. Surface Parking Location.**

- a. Surface parking shall be prohibited between the front of buildings and the front lot line;
- b. Surface parking shall be located a minimum of 10 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a wall or fence with

a minimum height of 6 feet or evergreen vegetation that would provide screening equivalent to a fence.

- c. Surface parking located along a street frontage shall have a landscape buffer with a minimum width of 5 feet that is designed to provide screening of vehicles.

D. Loading and Service Areas and Mechanical Equipment.

1. All loading areas, exterior garbage cans, garbage collection and recycling areas shall be screened from the street and adjacent properties. Fencing and/or landscaping of sufficient density and height shall be provided to screen such areas from view.
2. Mechanical equipment located on the ground, such heat pumps, cooling equipment, and generators shall be screened from the street and any adjacent residentially zoned properties.
3. Mechanical equipment placed on roofs must be screened with a parapet or other screen around the equipment that is as tall as the highest point of the equipment.
4. In addition to the above requirements for mechanical equipment, exhaust fans for kitchens shall be located a minimum of 50 feet from a residential zone.

E. Exterior Lighting.

1. On-site pedestrian walkways must be lighted to a level where the circulation system can be used at night by employees, residents, and customers.
2. Exterior lighting shall be located and designed to not shed light or glare on nearby properties.

F. Exterior finish materials – *discussion item*

G. Hours of Operation.

To maintain a compatible relationship with surrounding residential uses, business hours shall be between the hours of eight a.m. to midnight (11:59 p.m.). No business shall be conducted outside of these time limits unless approved as a conditional use as provided in this title.

## ADDITIONAL CDC AMENDMENTS

### **16.24.020 Definition of Specific Terms.**

“Live-work unit” means a dwelling unit where residential and nonresidential spaces are combined and where the dwelling unit is the principal residence of the business operator/proprietor. Nonresidential spaces are typically located on the ground floor and residential spaces are located on upper floors or the rear of the building.

“Floor area ratio (FAR)” means the amount of building floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 2 to 1 means there is 2 square feet of floor area for every 1 square foot of site area. Public utility easements may be excluded from the site area when calculating the FAR.

## **RELATED COMPREHENSIVE PLAN AMENDMENTS WEST KING CITY PLANNING AREA**

### **PLAN IMPLEMENTATION**

#### **Commercial and Retail Opportunities**

As noted above, residential development is the primary use intended for the West King City Planning Area. ~~Sufficient~~ Commercial and retail opportunities presently exist along SW Pacific Highway, located approximately 1/3 mile to the east. As shown in Figure 2, there are several improved pedestrian and bi-cycle connections between the West King City Planning Area and these commercial services.

To provide additional opportunities for neighborhood-serving commercial uses, a Neighborhood Mixed-Use designation is included as a land use type, which could be applied in the West King City Planning Area. This would require a Comprehensive Plan Amendment and Zone Change, which is consistent with King City Comprehensive Plan.

#### **Land Use Designations and Location Criteria**

The local criteria are intended to provide guidance for the Planning Commission and City Council when land use designations for specific area within the City are proposed to be amended. These criteria describe the basic characteristics a property or properties should have to be eligible for a particular land use designation. The primary characteristics of the City land use designations are first described followed by location criteria. It is intended that these location criteria, associated with each land use designation, be construed in a flexible manner, in the interest of accommodating proposals which may not comply with all the applicable criteria but are found to be in the public interest and capable of harmonious integration into the community. The burden to prove a proposal's conformity with the Comprehensive Plan should vary according to the degree of change and impact on the community. The more significant the change or potential impact, the more strictly the criteria should be interpreted.

#### **Low Density Residential**

##### **SF - Single Family Residential:**

This land use designation is intended to apply to established single family residential properties within the City prior to June 5, 1991.

##### **R-9 - Small Lot and Attached Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-9 in Washington County or that are within the West King Planning Area. (Ord. O-02-4 § 1 (part), 2002)

##### **Purpose of the SF and R-9 Designations:**

These two designations are intended for detached single family residential use on lots larger than two thousand eight hundred square feet in size. In addition, the R-9 zone permits attached single family dwellings, and residential care facilities. (Ord. O-02-4 § 1 (part), 2002)

**Location Criteria:**

Properties designated SF or R-9 should have the following location characteristics:

1. Direct Access to collector and local streets. Generally, these designations should apply to land which does not have direct access to major collector and arterial routes.
2. Land that is not suitable for more intensive development because of natural constraints such as unstable soils, poor drainage, and flooding.
3. Land that is not suitable for more intensive development because of limited facility and service capacity. The important facilities and services to be considered include, but are not limited to, sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. No commitment of the immediate area to medium high density residential or commercial development.

**Medium Density Residential****A/T - Apartment/Townhouses:**

This land use designation is intended to apply to established residential properties within the City prior to June 5, 1991.

**R-12 Attached Residential:**

This land use designation is primarily intended to apply to properties within the West King City Planning Area. (Ord. O-02-4 § 1 (part), 2002)

**R-15 - Multi-family Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-15 in Washington County.

**Purpose of the A/T R-12, and R-15 Designations:**

These three designations allow for multi-family residential development in addition to the single family residences and residential care facilities of the SF and R-9 designations. The A/T designation requires a maximum of one unit per two thousand five hundred square feet of land area (approximately sixteen units per acre) and the R-12 and R-15 designations allow maximum densities of twelve and fifteen units per acre, respectively. (Ord. O-02-4 § 1 (part), 2002)

**Location Criteria:**

Properties designated A/T or R-15 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
3. Facility and service capacity that is adequate to accommodate development of this density. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. The availability of public transit within one-half mile of the site.

## **Medium High Density Residential**

### **R-24 - Multi-family Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-24 in Washington County or to properties that are found to be consistent with these criteria and Comprehensive Plan policies.

### **Purpose of the R-24 Designation:**

This designation allows for the same array of uses as the A/T and R-15 designations but with an allowed maximum density of 24 units per acre.

### **Location Criteria:**

Properties designated R-24 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitation such as unstable soils or flooding that affect significant portions of the property.
3. Sufficient facility and service capacity to accommodate this type of commercial development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, parks, health services, public transit, and street capacity.
4. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Activities on the site that will not interfere with nearby residential uses.
  - The availability of public transit within one-quarter mile of the site.
  - Commercial services within one-half mile of the site.
5. No commitment of the immediate area to low or medium density residential development.

## **Mixed Use**

### **NMU – Neighborhood Mixed-Use:**

This land use designation is intended to apply to properties, which are within or adjacent to existing or future residential neighborhoods.

### **Purpose of the NMU Designation:**

This designation allows for a mix of neighborhood-scale commercial and medium density residential uses. It allows for medium density residential development consistent with the R-12 designation, neighborhood serving businesses, or a combination of commercial and residential uses in one development.

### **Location Criteria:**

Properties designated NMU should have the following location characteristics.:

1. The site shall have direct access to a collector or arterial street.

2. Sufficient facility and service capacity to accommodate this type of development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion, parking, or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial and residential activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Commercial activities on the site that will not interfere with nearby residential uses.
- 1-6. Significant unique natural features on the site which can be maintained.

## **Commercial**

### **LC - Limited Commercial:**

This land use designation applies to all commercial properties in the City.

### **Purpose of the LC Designation:**

The City commercial center provides a mix of retail, service and business needs for the community. This commercial area, identified in the King City Comprehensive Plan and the Bull Mountain Community Plan, is located along Pacific Highway.

### **Location Criteria:**

Properties designated LC should have the following location characteristics.:

- ~~2-1.~~ The site shall have direct access to a major collector or arterial street.
- ~~3-2.~~ Sufficient facility and service capacity to accommodate this type of commercial development.  
The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
- ~~4-3.~~ Traffic congestion or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial activities on the site.
- ~~5-4.~~ No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
- ~~6-5.~~ Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.

- Commercial activities on the site that will not interfere with nearby residential uses.
  - Significant unique natural features on the site which can be maintained.
6. Public transit is available to the site or the immediate area.
  7. Contiguity with existing commercial proper-ties.

**Chapter 16.102**  
*Review Draft – 2.21.18*  
**NEIGHBORHOOD MIXED-USE ZONE (NMU)**  
*NEW*

**Sections:**

- 16.102.010 Purpose.**
- 16.102.020 Permitted uses.**
- 16.102.030 Conditional uses.**
- 16.102.040 Dimensional and density requirements.**
- 16.102.050 Design requirements.**
- 16.102.060 Additional requirements.**

**16.102.010 Purpose.**

The purpose of the NMU zone is to provide a mix of residential, retail, service, and business needs of surrounding residential neighborhoods while maintaining a compatible scale and character with those neighborhoods. It is intended for relatively small sites within or adjacent to residential neighborhoods.

**16.102.020 Permitted uses.**

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the NMU district are as follows:

- A. Dwelling, single-family attached and detached 0-foot side yard;
- B. Dwelling, multi-family;
- C. Duplex;
- D. Live-work unit;
- E. Office;
- F. Retail sales and service;
  - 1. Sales-oriented,
  - 2. Personal service-oriented, and
  - 3. Entertainment-oriented;
- G. Community services;
- H. Religious assembly;
- I. Family care;
- J. Residential facility; and
- K. Adult day care (family care).

**16.102.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the NMU district are as follows:

- A. Utilities;
- B. Public safety facilities;
- C. Parks and open space.



**16.102.040 Dimensional and density requirements.**

A. The dimensional requirements in the NMU district are:

<b>Dimensional Requirements Table</b>	
<b>Minimum and average lot size/land area per unit</b>	
Duplex	3,600 min./4,000 avg. square feet
Single-family attached and 0-foot setback units	1,600 min./2,000 avg. square feet
Multi-family units	1,600 min./2,000 avg. square feet
Live-work units	1,600 min.
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Minimum average lot width (per lot)</b>	
Duplex	48 feet
Single-family attached and 0-foot setback detached units	24 feet
Multi-family units	48 feet
Live-work units	24 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Minimum average lot depth (per lot)</b>	
Duplex	60 feet
Single-family attached and 0-foot setback detached units	60 feet
Multi-family units	60 feet
Live-work units	60 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Setbacks (measured from property lines, except as noted for garage entrances)</b>	
<u>Front yard</u>	
Residential and live-work	10 feet minimum and 26 feet maximum to front building wall. 6 feet minimum and 15 feet maximum to front porch. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.
Non-residential and mixed-use (non-residential and multi-family) buildings	0 feet minimum and 15 feet maximum to front building wall. 0-6 feet or $\geq$ 18 feet to a garage entrance if driveway parking is allowed. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.

<p><u>Front yard – corner</u> For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards: Residential and live-work</p> <p>Non-residential and mixed-use (non-residential and multi-family) buildings</p>	<p>8 feet minimum for a side yard facing a street. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p>0 feet minimum and 15 feet maximum to front building wall. A minimum of 50% of the length of the ground level façade of a building or buildings facing a collector or arterial street must be within 0 to 15 feet of the street lot line. (This needs a plan view illustration) 0-6 feet or <math>\geq 18</math> feet to a garage entrance if driveway parking is allowed. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p>
<p><u>Side yard – interior</u> Residential and live-work</p> <p>Non-residential and mixed-use (non-residential and multi-family) buildings</p>	<p>0 feet minimum, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.</p> <p>0 feet minimum, for side yard lot lines adjacent to other property zoned NMU or LC, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet. 10 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC.</p>

<u>Rear yard</u> Residential and Live-Work	10 feet minimum for residential building. 0 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq 18$ feet to a garage entrance to an alley.
Non-residential and mixed-use (non-residential and multi-family) buildings	10 feet minimum adjacent to property zoned NMU or LC. 20 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC. 5 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq 18$ feet to a garage entrance to an alley.
<b>Minimum landscaped area</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	20% of the total lot area <sup>1</sup>
Live-work units	20% of the total lot area <sup>1</sup>
Non-residential and mixed-use (non-residential and multi-family) buildings	15% of the total lot area <sup>1</sup>
<b>Building height</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	35 feet
Live-work units	35 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	35 feet <sup>2</sup>
Accessory structures	18 feet
<b>Residential density standards</b>	
Maximum	12 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum
<b>Commercial, mixed-use (non-residential &amp; multi-family) and live-work floor area standards</b>	
Commercial including: Office, Retail sales and service (sales-, personal service-, and entertainment-oriented)	Maximum 1.5 to 1 FAR <sup>3</sup>
Live-work units	Commercial floor area shall not exceed 50% of the total floor area of the live-work unit

- 1 The landscaped area per lot may be reduced when common open space is provided. In this case, the total landscaped area on lots and common areas must total a minimum of 20%.
- 2 Building height may be increased to a maximum of 45 feet as provided in Figure 1.
- 3 Floor area ratios (FARs) apply to the total floor area in a mixed-use project regardless of the use.

- B. The maximum building height of thirty feet in subsection (a) of this section shall increase one foot for each additional foot of building setback over twenty-five feet from a residential zoning district,

up to a maximum building height of forty-five feet as illustrated in Figure \_\_. In the case of a public street right-of-way lying between the NMU Zone and a residential zone, the setback shall be calculated using the right-of-way centerline in lieu of the property line.

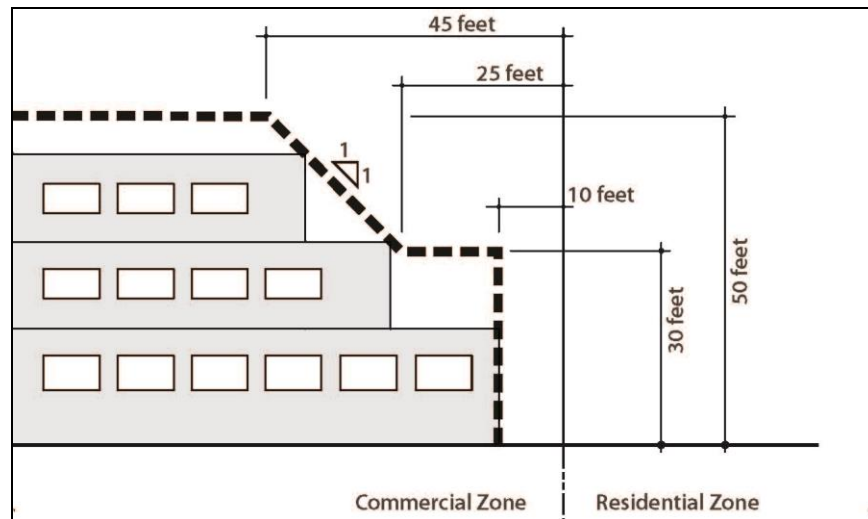


Figure 1 Building Height need to amend showing min. of 35' and max. of 45'

#### 16.102.050 Design requirements.

In addition to the dimensional requirements in Section 16.102.040, the following design requirements of this section shall apply.

- A. Residential development shall comply with the following standards:

Design Requirements Table – Residential Development	
<b>Main entrance</b>	
Location	Within 8 feet of the longest front building wall. The applicant/owner may select which street frontage to use for a corner lot.
Orientation	Face the street at an angle that does not exceed 45 degrees; or Open onto a porch, which has: <ul style="list-style-type: none"> <li>• A minimum of 25 square feet with a minimum dimension of 4 feet;</li> <li>• At least one entrance facing the street; and</li> <li>• A roof that covers at least 30 percent of the porch area (see Figure 2).</li> </ul>
<b>Front windows - First floor of all dwellings.</b>	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.

<b>Design Requirements Table – Residential Development</b>	
<b>Garage door frontage</b> - Maximum percentage of the building width allowed for the garage door.	
Single-family detached units	50% when the garage setback is the same or less than the front building wall. The garage door setback shall be no more than 6 feet less than the front building wall setback.
	60% when the garage setback is at least 2 feet behind the front building wall or front porch.
	70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Single-family attached, duplex, multi-family units, and live-work units	30% when the garage setback is less than the front building wall or front porch. 60% when the garage setback is equal to or greater than the front building wall. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Attached units</b>	
Maximum number of attached single family, multi-family units, or live-work units	12 units.
<b>Required outdoor area</b>	
Duplex, single-family attached, detached single-family units with one 0-foot setback, and live-work units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence is located in the rear yard.
Multi-family units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided for each unit on the lot, of which no dimension shall be less than 15 feet.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common outdoor area shall have a minimum contiguous area of 400 square feet per unit in the development with a minimum size of 4,000 square feet, of which no dimension shall be less than 40 feet.

B. Non-residential and mixed-use development shall comply with the following standards:

<b>Design Requirements Table: Non-Residential and Mixed-Use Development</b>	
<b>Main building entrance</b>	
Location and Orientation	<p>Primary customer and/or resident entrances for buildings with frontage on a collector or arterial street shall meet one of the following:</p> <ul style="list-style-type: none"> <li>• Be within 20 feet of, and facing the street upon which the building has frontage; or</li> <li>• Be located on the side of the building within 50 feet direct walking distance from the public sidewalk along the collector or arterial street.</li> </ul> <p>For buildings that have more than one main entrance, only one entrance must meet this requirement.</p>
<b>Front windows – Ground floor of all building facades facing a street.</b>	
Minimum glazing area	40% for any ground floor building wall facing a street (Figure 2).
Operable front windows	Windows that are designed to open join interior and exterior spaces during temperate weather may be used to satisfy the minimum glazing area standard. This may include the glazed area on operable doors that are supplemental to the main entry door.
Maximum window sill height	4 feet above finished first floor elevation for the window(s) necessary to meet the minimum glazing area standard. No sill height standard for all other windows.
<b>Distinct ground floor – commercial uses</b>	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	<p>This standard applies to buildings that have any floor area in non-residential uses. The ground level of the primary structure must be visually distinct from upper stories. This separation may be provided by:</p> <ol style="list-style-type: none"> <li>1. A cornice above the ground level;</li> <li>2. An arcade;</li> <li>3. Changes in material or texture; or</li> <li>4. A row of clerestory windows on the building's street facing elevation.</li> </ol>
<b>Garage door frontage - Maximum percentage of the building width allowed for the garage door.</b>	
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Required outdoor area</b>	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	<i>Discussion item</i>

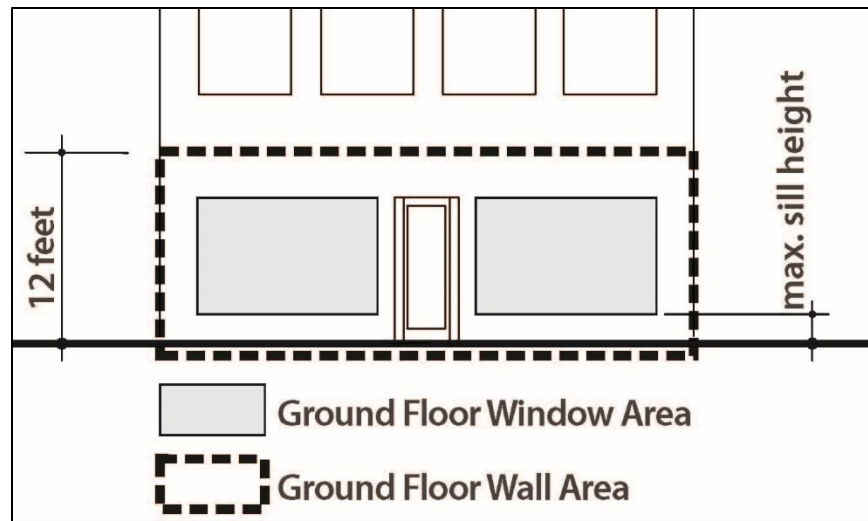


Figure 2 Minimum Glazing Area

**16.102.060 Additional requirements.**

**A. Outdoor Display.**

1. Except as provided in subsection B of this section, all business and display of merchandise shall be conducted wholly within an enclosed building.
2. Subject to an administrative review and approval by the city manager, outdoor storage and display may be permitted when all of the following conditions are satisfied:
  - a. The amount of outdoor storage and display of merchandise does not exceed five percent of the gross floor area of the business;
  - b. Pedestrian, bicycle, wheel chair and motor vehicle access to and within the property is not impeded in any way;
  - c. The outdoor storage and display is in conformity with any conditions of development permit or building permit approval; and
  - d. The outdoor storage and display satisfies all relevant provisions of this title and other applicable requirements of this code.

**B. Outdoor Activities.**

1. Exterior work activities are prohibited in the NMU Zone.
2. Outdoor eating areas, entertainment, outdoor markets, and similar activities are allowed in the NMU Zone. Outdoor work activities, including product storage or assembly are prohibited.
3. Permitted outdoor activities shall be located a minimum of 20 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a solid wall or fence with a minimum height of 6 feet to enhance privacy and attenuate potential noise impacts.
4. Outdoor speakers – *discussion item*

**C. Surface Parking Location.**

- a. Surface parking shall be prohibited between the front of buildings and the front lot line;
- b. Surface parking shall be located a minimum of 10 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a wall or fence with

a minimum height of 6 feet or evergreen vegetation that would provide screening equivalent to a fence.

- c. Surface parking located along a street frontage shall have a landscape buffer with a minimum width of 5 feet that is designed to provide screening of vehicles.

D. Loading and Service Areas and Mechanical Equipment.

- 1. All loading areas, exterior garbage cans, garbage collection and recycling areas shall be screened from the street and adjacent properties. Fencing and/or landscaping of sufficient density and height shall be provided to screen such areas from view.
- 2. Mechanical equipment located on the ground, such as heat pumps, cooling equipment, and generators shall be screened from the street and any adjacent residentially zoned properties.
- 3. Mechanical equipment placed on roofs must be screened with a parapet or other screen around the equipment that is as tall as the highest point of the equipment.
- 4. In addition to the above requirements for mechanical equipment, exhaust fans for kitchens shall be located a minimum of 50 feet from a residential zone.

E. Exterior Lighting.

- 1. On-site pedestrian walkways must be lighted to a level where the circulation system can be used at night by employees, residents, and customers.
- 2. Exterior lighting shall be located and designed to not shed light or glare on nearby properties.

F. Exterior finish materials – *discussion item*

G. Hours of Operation.

To maintain a compatible relationship with surrounding residential uses, business hours shall be between the hours of eight a.m. to midnight (11:59 p.m.). No business shall be conducted outside of these time limits unless approved as a conditional use as provided in this title.

## ADDITIONAL CDC AMENDMENTS

### 16.24.020 Definition of Specific Terms.

“Live-work unit” means a dwelling unit where residential and nonresidential spaces are combined and where the dwelling unit is the principal residence of the business operator/proprietor. Nonresidential spaces are typically located on the ground floor and residential spaces are located on upper floors or the rear of the building.

“Floor area ratio (FAR)” means the amount of building floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 2 to 1 means there is 2 square feet of floor area for every 1 square foot of site area. Public utility easements may be excluded from the site area when calculating the FAR.



## **RELATED COMPREHENSIVE PLAN AMENDMENTS WEST KING CITY PLANNING AREA**

### **PLAN IMPLEMENTATION**

#### **Commercial and Retail Opportunities**

As noted above, residential development is the primary use intended for the West King City Planning Area. Commercial and retail opportunities presently exist along SW Pacific Highway, located approximately 1/3 mile to the east. As shown in Figure 2, there are several improved pedestrian and bi-cycle connections between the West King City Planning Area and these commercial services.

To provide additional opportunities for neighborhood-serving commercial uses, a Neighborhood Mixed-Use designation is included as a land use type, which could be applied in the West King City Planning Area. This would require a Comprehensive Plan Amendment and Zone Change, which is consistent with King City Comprehensive Plan.

#### **Land Use Designations and Location Criteria**

The local criteria are intended to provide guidance for the Planning Commission and City Council when land use designations for specific area within the City are proposed to be amended. These criteria describe the basic characteristics a property or properties should have to be eligible for a particular land use designation. The primary characteristics of the City land use designations are first described followed by location criteria. It is intended that these location criteria, associated with each land use designation, be construed in a flexible manner, in the interest of accommodating proposals which may not comply with all the applicable criteria but are found to be in the public interest and capable of harmonious integration into the community. The burden to prove a proposal's conformity with the Comprehensive Plan should vary according to the degree of change and impact on the community. The more significant the change or potential impact, the more strictly the criteria should be interpreted.

#### **Low Density Residential**

##### **SF - Single Family Residential:**

This land use designation is intended to apply to established single family residential properties within the City prior to June 5, 1991.

##### **R-9 - Small Lot and Attached Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-9 in Washington County or that are within the West King Planning Area. (Ord. O-02-4 § 1 (part), 2002)

##### **Purpose of the SF and R-9 Designations:**

These two designations are intended for detached single family residential use on lots larger than two thousand eight hundred square feet in size. In addition, the R-9 zone permits attached single family dwellings, and residential care facilities. (Ord. O-02-4 § 1 (part), 2002)

**Location Criteria:**

Properties designated SF or R-9 should have the following location characteristics:

1. Direct Access to collector and local streets. Generally, these designations should apply to land which does not have direct access to major collector and arterial routes.
2. Land that is not suitable for more intensive development because of natural constraints such as unstable soils, poor drainage, and flooding.
3. Land that is not suitable for more intensive development because of limited facility and service capacity. The important facilities and services to be considered include, but are not limited to, sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. No commitment of the immediate area to medium high density residential or commercial development.

**Medium Density Residential****A/T - Apartment/Townhouses:**

This land use designation is intended to apply to established residential properties within the City prior to June 5, 1991.

**R-12 Attached Residential:**

This land use designation is primarily intended to apply to properties within the West King City Planning Area. (Ord. O-02-4 § 1 (part), 2002)

**R-15 - Multi-family Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-15 in Washington County.

**Purpose of the A/T R-12, and R-15 Designations:**

These three designations allow for multi-family residential development in addition to the single family residences and residential care facilities of the SF and R-9 designations. The A/T designation requires a maximum of one unit per two thousand five hundred square feet of land area (approximately sixteen units per acre) and the R-12 and R-15 designations allow maximum densities of twelve and fifteen units per acre, respectively. (Ord. O-02-4 § 1 (part), 2002)

**Location Criteria:**

Properties designated A/T or R-15 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
3. Facility and service capacity that is adequate to accommodate development of this density. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. The availability of public transit within one-half mile of the site.

## **Medium High Density Residential**

### **R-24 - Multi-family Residential:**

This land use designation is intended to apply to annexed properties that were zoned R-24 in Washington County or to properties that are found to be consistent with these criteria and Comprehensive Plan policies.

### **Purpose of the R-24 Designation:**

This designation allows for the same array of uses as the A/T and R-15 designations but with an allowed maximum density of 24 units per acre.

### **Location Criteria:**

Properties designated R-24 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitation such as unstable soils or flooding that affect significant portions of the property.
3. Sufficient facility and service capacity to accommodate this type of commercial development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, parks, health services, public transit, and street capacity.
4. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Activities on the site that will not interfere with nearby residential uses.
  - The availability of public transit within one-quarter mile of the site.
  - Commercial services within one-half mile of the site.
5. No commitment of the immediate area to low or medium density residential development.

## **Mixed Use**

### **NMU – Neighborhood Mixed-Use:**

This land use designation is intended to apply to properties, which are within or adjacent to existing or future residential neighborhoods.

### **Purpose of the NMU Designation:**

This designation allows for a mix of neighborhood-scale commercial and medium density residential uses. It allows for medium density residential development consistent with the R-12 designation, neighborhood serving businesses, or a combination of commercial and residential uses in one development.

### **Location Criteria:**

Properties designated NMU should have the following location characteristics.:

1. The site shall have direct access to a collector or arterial street.

2. Sufficient facility and service capacity to accommodate this type of development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion, parking, or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial and residential activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
  - Commercial activities on the site that will not interfere with nearby residential uses.
6. Significant unique natural features on the site which can be maintained.

## **Commercial**

### **LC - Limited Commercial:**

This land use designation applies to all commercial properties in the City.

### **Purpose of the LC Designation:**

The City commercial center provides a mix of retail, service and business needs for the community. This commercial area, identified in the King City Comprehensive Plan and the Bull Mountain Community Plan, is located along Pacific Highway.

### **Location Criteria:**

Properties designated LC should have the following location characteristics.:

1. The site shall have direct access to a major collector or arterial street.
2. Sufficient facility and service capacity to accommodate this type of commercial development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
  - The site configuration and characteristics that allow for the privacy of adjacent residential uses.

- Commercial activities on the site that will not interfere with nearby residential uses.
  - Significant unique natural features on the site which can be maintained.
6. Public transit is available to the site or the immediate area.
  7. Contiguity with existing commercial proper-ties.

## **PUBLIC NOTICE**

A public hearing will be held before the King City Planning Commission regarding a proposed new NMU – Neighborhood Mixed-Use Zone in the King City Community Development Code (CDC). This new zoning district is intended to allow a mix of medium density residential and neighborhood-scale commercial uses. This proposed CDC amendment also requires minor amendments to the King City Comprehensive Plan to recognize this new zoning designation. If adopted, this new zoning district could be applied to land within the city. The approval criteria for evaluating the proposed CDC and plan amendments include:

- King City Comprehensive Plan;
- Statewide planning goals.

The Planning Commission will consider public testimony regarding a draft NMU – Neighborhood Mixed-Use Zone. The purpose of the hearing will be for the Planning Commission to make a formal recommendation about the draft amendments for consideration by the King City Council hearing, which will be advertised.

Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide sufficient specificity to afford the approval authority an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

**The public hearing before the Planning Commission is scheduled for Wednesday, April 11, 2018 at 9:30 a.m., at King City Hall, located at 15300 SW 116<sup>th</sup> Avenue, King City, OR 97224.**

Copies of the draft NMU – Neighborhood Mixed-Use Zone are available at King City Hall, 15300 SW 116<sup>th</sup> Avenue. In addition, the plan draft and all of the materials related to the development of the plan may be found on the city's website at [http://www.ci.king-city.or.us/government/public\\_notices/wed\\_april\\_11\\_2018\\_planning\\_commission\\_hearing.php](http://www.ci.king-city.or.us/government/public_notices/wed_april_11_2018_planning_commission_hearing.php)

Questions and requests for additional information should be directed to:

Michael Weston, City Manager  
[mweston@ci.king-city.or.us](mailto:mweston@ci.king-city.or.us)  
503.639.4082

Keith Liden, Contract City Planner  
[Keith.liden@gmail.com](mailto:Keith.liden@gmail.com)  
503.757.5501





## CERTIFICATE OF NOTICE POSTED TO NEWS MEDIA

STATE OF OREGON  
WASHINGTON COUNTY  
CITY OF KING CITY

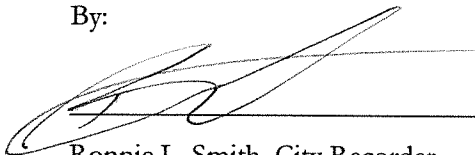
RE: PROPOSED NMU – NEIGHBORHOOD  
MIXED-USE ZONE PUBLIC NOTICE

### RECITALS

I, Ronnie L. Smith certify that I email the attached Public Notice to the Oregonian on March 28, 2018 for a full run on March 30, 2018

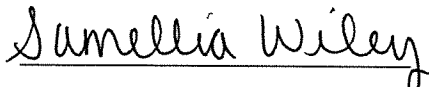
So Affirmed this 4 Day of April 2018

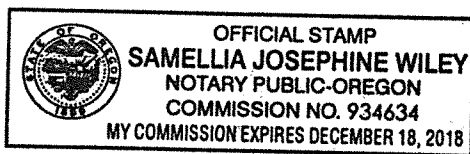
By:

  
\_\_\_\_\_  
Ronnie L. Smith, City Recorder

STATE OF OREGON  
COUNTY OF WASHINGTON COUNTY

Signed and affirmed before me on 4-4-18 2018, by Ronnie L. Smith.

  
\_\_\_\_\_  
Notary Public – State of Oregon



Notary Stamp





## Order Confirmation

Ad Order Number 0008582461

### Customer

CITY OF KING CITY  
 Account: 1000816725  
 CITY OF KING CITY  
 15300 SW 116TH AVE  
 KING CITY OR 97224 USA  
 (503)639-4082

FAX:  
 msanjuan@ci.king-city.or.us

### Payer Customer

CITY OF KING CITY  
 Account: 1000816725  
 CITY OF KING CITY  
 15300 SW 116TH AVE  
 KING CITY OR 97224 USA  
 (503)639-4082

PO Number NMU Notice

Sales Rep. Kimberlee O'Neill

Order Taker Kimberlee O'Neill

Order Source Rep

Special Pricing

Tear Sheets	0	TearsheetsCost	\$0.00	Net Amount	\$511.15
Proofs	0			Tax Amount	\$0.00
Affidavits	1	AffidavitsCost	\$0.00	Total Amount	\$511.15
Blind Box				Payment Method	Invoice
Promo Type	OR Legal Ad 1x			Payment Amount	\$0.00
Materials				Amount Due	\$511.15
Invoice Text	NMU Notice				

## Ad Schedule

Product	The Oregonian::Full Run OR	Placement/Class	Announcements
# Inserts	1	POS/Sub-Class	PublicNotices
Cost	\$496.15	AdNumber	0008582461-01
Ad Type	OR CLS Legal	Ad Size	2 X 40 li
Pick Up #		Ad Attributes	
External Ad #		Color	<NONE>
Production Method	OR AdBooker	Production Notes	
Run Dates	Sort Text	PUBLICNOTICEAPUBLICHEARINGWILLBEHELDBEFORETHEKINGCITYPLANNINGCOMMISSIONREGARDINGAPROPO	
03/30/2018			

Product	OregonLive.com	Placement/Class	Announcements
# Inserts	7	POS/Sub-Class	PublicNotices
Cost	\$15.00	AdNumber	0008582461-01
Ad Type	OR CLS Legal	Ad Size	2 X 40 li
Pick Up #		Ad Attributes	
External Ad #		Color	<NONE>
Production Method	OR AdBooker	Production Notes	
Run Dates	Sort Text	PUBLICNOTICEAPUBLICHEARINGWILLBEHELDBEFORETHEKINGCITYPLANNINGCOMMISSIONREGARDINGAPROPO	
03/30/2018, 03/31/2018, 04/01/2018, 04/02/2018, 04/03/2018, 04/04/2018, 04/05/2018			

**Ad Content Proof**

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Michael Weston, City Manager	Keith Liden, Contract City Planner
<a href="mailto:mweston@ci.king-city.or.us">mweston@ci.king-city.or.us</a>	<a href="mailto:Keith.liden@gmail.com">Keith.liden@gmail.com</a>
503-639-4082	503-757-5501



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OREGONIAN MEDIA GROUP

# The Oregonian


## LEGAL AFFIDAVIT

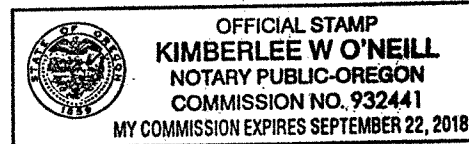
AD#: 0008582461

State of Oregon,) ss  
County of Multnomah)

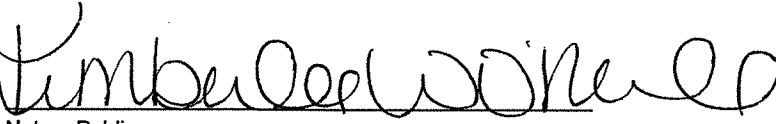
Justin Eubanks being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that The Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Oregonian 03/30/2018

  
Principal Clerk of the Publisher



Sworn to and subscribed before me this 2nd day of April 2018

  
Notary Public

### PUBLIC NOTICE

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Questions and requests for additional information should be directed to:

Michael Weston, City Manager	Kelth Ilden, Contract City Planner
<a href="mailto:mweston@ci.king-city.or.us">mweston@ci.king-city.or.us</a>	<a href="mailto:Kelth.Ilden@gmail.com">Kelth.Ilden@gmail.com</a>
503-639-4082	503-757-5501



# NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing**. (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of King City**Local file no.: **2018-02**

Please check the type of change that best describes the proposal:

- ☐ **Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- ☐ **UGB amendment** over 100 acres by a metropolitan service district
- ☐ **Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- ☐ **Periodic review task** – Task no.:
- ☒ **Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Keith Liden, Contract City Planner

Phone: 503.757.5501 E-mail: keith.liden@gmail.com

Street address: 15300 SW 116<sup>th</sup> Ave. City: King City Zip: 97224-

**Briefly summarize the proposal** in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

**Create a new neighborhood mixed-use zone that allows a mix of medium residential and neighborhood-scale commercial uses. Includes a new chapter and definitions in the Community Development Code as well as supporting amendments in the King City Comprehensive Plan.**

Date of first evidentiary hearing: 04/11/2018

Date of final hearing: 05/16/2018

- ☐ This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- ☒ Comprehensive Plan text amendment(s)
- ☐ Comprehensive Plan map amendment(s) – Change from \_\_\_\_\_ to \_\_\_\_\_  
Change from \_\_\_\_\_ to \_\_\_\_\_
- ☒ New or amended land use regulation
- ☐ Zoning map amendment(s) – Change from \_\_\_\_\_ to \_\_\_\_\_  
Change from \_\_\_\_\_ to \_\_\_\_\_
- ☐ An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- ☐ Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL):

List affected state or federal agencies, local governments and special districts:

# NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

---

1. Except under certain circumstances,<sup>1</sup> proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist  
Dept. of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us) with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at [http://www.oregon.gov/LCD/Pages/papa\\_submittal.aspx](http://www.oregon.gov/LCD/Pages/papa_submittal.aspx).

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or.xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

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<sup>1</sup> 660-018-0022 provides:

(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

<http://www.oregon.gov/LCD/Pages/forms.aspx>

**If you have any questions** or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**Notice checklist. Include all that apply:**

- ☒ Completed Form 1
- ☒ The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- ☐ Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- ☐ A map of the affected area showing existing and proposed plan and zone designations
- ☐ A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- ☐ Any other information necessary to advise DLCD of the effect of the proposal

UNIT_TYPE	UNIT_NO	FULLADD	STATE	ZIP	JURIS_CITY
		12051 SW VERSAILLES RD	OR	97224	KING CITY
		17219 SW PACIFIC HWY	OR	97224	KING CITY
		12262 SW ADINA CT	OR	97224	UNINCORPORATED
		12274 SW ADINA CT	OR	97224	UNINCORPORATED
		12293 SW FUJI CT	OR	97224	UNINCORPORATED
		12269 SW FUJI CT	OR	97224	UNINCORPORATED
		12264 SW FUJI CT	OR	97224	UNINCORPORATED
		12276 SW FUJI CT	OR	97224	UNINCORPORATED
		12288 SW FUJI CT	OR	97224	UNINCORPORATED
		12297 SW GALA CT	OR	97224	UNINCORPORATED
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		12292 SW GALA CT	OR	97224	UNINCORPORATED
		17132 SW 123RD AVE	OR	97224	UNINCORPORATED
		17141 SW 123RD AVE	OR	97224	UNINCORPORATED
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		16957 SW 123RD AVE	OR	97224	UNINCORPORATED
		16943 SW 123RD AVE	OR	97224	UNINCORPORATED
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SPC	131	12450 SW FISCHER RD SPC 131	OR	97224 UNINCORPORATED

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	12250 SW VERSAILLES RD	OR	97224 KING CITY
	12242 SW VERSAILLES RD	OR	97224 KING CITY
	12234 SW VERSAILLES RD	OR	97224 KING CITY
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	12207 SW POND LN	OR	97224 KING CITY
	12215 SW POND LN	OR	97224 KING CITY
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	12216 SW POND LN	OR	97224 KING CITY
	12210 SW POND LN	OR	97224 KING CITY
	17321 SW 122ND AVE	OR	97224 KING CITY
	17317 SW 122ND AVE	OR	97224 KING CITY
	17313 SW 122ND AVE	OR	97224 KING CITY
	17309 SW 122ND AVE	OR	97224 KING CITY
	12194 SW POND LN	OR	97224 KING CITY
	12186 SW POND LN	OR	97224 KING CITY
	12178 SW POND LN	OR	97224 KING CITY
	12170 SW POND LN	OR	97224 KING CITY
	12162 SW POND LN	OR	97224 KING CITY
	12152 SW POND LN	OR	97224 KING CITY
	12144 SW POND LN	OR	97224 KING CITY
	12136 SW POND LN	OR	97224 KING CITY
	12130 SW POND LN	OR	97224 KING CITY
	12122 SW POND LN	OR	97224 KING CITY
	12123 SW POND LN	OR	97224 KING CITY
	12129 SW POND LN	OR	97224 KING CITY
	12137 SW POND LN	OR	97224 KING CITY
	12145 SW POND LN	OR	97224 KING CITY
	12153 SW POND LN	OR	97224 KING CITY
	12159 SW POND LN	OR	97224 KING CITY
	12167 SW POND LN	OR	97224 KING CITY
	12175 SW POND LN	OR	97224 KING CITY

12183 SW POND LN	OR	97224 KING CITY
12191 SW POND LN	OR	97224 KING CITY
12196 SW VERSAILLES RD	OR	97224 KING CITY
12188 SW VERSAILLES RD	OR	97224 KING CITY
12180 SW VERSAILLES RD	OR	97224 KING CITY
12172 SW VERSAILLES RD	OR	97224 KING CITY
12164 SW VERSAILLES RD	OR	97224 KING CITY
12156 SW VERSAILLES RD	OR	97224 KING CITY
12148 SW VERSAILLES RD	OR	97224 KING CITY
12140 SW VERSAILLES RD	OR	97224 KING CITY
12132 SW VERSAILLES RD	OR	97224 KING CITY
12124 SW VERSAILLES RD	OR	97224 KING CITY
12118 SW VERSAILLES RD	OR	97224 KING CITY
12036 SW POND LN	OR	97224 KING CITY
12028 SW POND LN	OR	97224 KING CITY
12024 SW POND LN	OR	97224 KING CITY
12018 SW POND LN	OR	97224 KING CITY
17205 SW 120TH PL	OR	97224 KING CITY
17211 SW 120TH PL	OR	97224 KING CITY
17219 SW 120TH PL	OR	97224 KING CITY
17230 SW 120TH PL	OR	97224 KING CITY
17222 SW 120TH PL	OR	97224 KING CITY
17214 SW 120TH PL	OR	97224 KING CITY
17206 SW 120TH PL	OR	97224 KING CITY
17200 SW 120TH PL	OR	97224 KING CITY
17201 SW 119TH PL	OR	97224 KING CITY
17207 SW 119TH PL	OR	97224 KING CITY
17215 SW 119TH PL	OR	97224 KING CITY
17223 SW 119TH PL	OR	97224 KING CITY
17231 SW 119TH PL	OR	97224 KING CITY
17226 SW 119TH PL	OR	97224 KING CITY
17218 SW 119TH PL	OR	97224 KING CITY
17208 SW 119TH PL	OR	97224 KING CITY
17204 SW 119TH PL	OR	97224 KING CITY
12286 SW ADINA CT	OR	97224 UNINCORPORATED
SPC 274 12450 SW FISCHER RD SPC 274	OR	97224 UNINCORPORATED
12281 SW FUJI CT	OR	97224 UNINCORPORATED



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