

**ESTACADA
ORDINANCE 2022-010**

**AN ORDINANCE AMENDING CHAPTER 8 – HOUSING OF THE CITY’S
COMPREHENSIVE PLAN AND TITLE 16 – DEVELOPMENT OF THE ESTACADA
MUNICIPAL CODE**

NOW THEREFORE, be it ordained by the Council of the Estacada, in the State of Oregon, as follows:

SECTION 1: **AMENDMENT** “Chapter 16.39 Light Industrial (M-1)” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 16.39 ~~Light Industrial~~ LIGHT INDUSTRIAL (M-1)

SECTION 2: **AMENDMENT** “Chapter 16.44 Open Space/Public Facilities (O-S)” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 16.44 ~~Open Space/Public Facilities~~ OPEN SPACE/PUBLIC FACILITIES (O-S)

SECTION 3: **AMENDMENT** “Chapter 16.84 NONCONFORMING USES AND STRUCTURES” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 16.84 NONCONFORMING USES, STRUCTURES, AND ~~STRUCTURES~~ LOTS

SECTION 4: **AMENDMENT** “16.08.010 Definitions” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.08.010 Definitions

As used in this title, the singular includes the plural, and the masculine includes the feminine and neuter; the word "may" is discretionary, and the word "shall" is mandatory. The following words and phrases shall mean as follows:

"Access" means the way or means by which pedestrians and/or vehicles enter and leave property.

"Accessory dwelling unit" ("ADU") means a secondary dwelling unit on the same lot as a primary dwelling, and does not include a dwelling unit that comprises a cottage cluster. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, and sanitation for one Family. There are two types of ADUs:

- A. "Detached ADU" means an ADU that is detached from the primary dwelling, and may include converted detached structures or new construction.
- B. "Accessory suite" means an ADU that is part of the primary dwelling or attached to it by means of a common wall, floor, or ceiling. An accessory suite may be established by the conversion of existing living space, attached garages, basements, attics, or by new construction of an addition to the primary dwelling, or a combination of new construction and the conversion of existing space.

"Accessory structure or use" means a structure or use incidental and subordinate to the main use of a property and located on the same lot as the main use.

"Acreage, Net" "Net acreage" means the area on a site which is eligible for development. Net acreage is calculated by subtracting undevelopable land from the total gross acreage of the site. The following areas are deemed undevelopable for the purposes of calculating net acreage:

- A. Street dedications and those areas used for private streets and common driveways;
- B. Environmentally constrained lands, such as open water areas, floodplains, water quality facilities, wetlands, natural resource areas, and tree preservations areas;
- C. Land set aside in separate tracts or dedicated to a public entity for schools, parks, or open space purposes; and
- D. Topographical features with a slope equal to or greater than:
 - 1. 25 percent within a landslide hazard area may deduct 100 percent of the applicable area, or
 - 2. 15 percent and within a landslide hazard area may deduct 50 percent of the applicable area.

"Adult foster care" means any dwelling or facility in which twenty-four (24) hour care is provided for five or fewer adults who are not related to the provider by blood or marriage.

"Airport" means a tract of land or water that is maintained for the landing and take-off of aircraft, for receiving and discharging passengers and cargo, and the repair, storage, or supplying of aircraft.

"Alley" means a public way providing a secondary means of access to property.

~~"Apartment" is defined under "Dwelling".~~

"Assisted living facility" ("ALF") means a building, complex, or distinct part thereof, consisting of fully self-contained individual living units where six or more seniors and/or adult individuals with disabilities may reside in homelike surroundings. An assisted living facility is licensed to operate as such by the State of Oregon. It offers and coordinates a range of supportive services available on a 24-hour basis to meet the living, health, and social needs of residents. A program approach is used to promote resident self-direction and participation in decisions that emphasize choice, dignity, privacy, individuality, and independence.

"Automobile."

- A. "Body shopgarage" is a use providing for the major repair and maintenance of motor vehicles and includes major mechanical and body work, straightening of body parts, painting, welding, or storage of motor vehicles not in operating condition.
- B. "Service station" means any premises used for any or all of the following: supplying gasoline, oil, accessories and services, and auto repair work, excluding body and fender repair, at retail direct to the customer and where inoperative car storage is limited to thirty (30) days.
- C. "Wrecking yard" means any property used for the wrecking or storing of two or more motorcondition, vehiclesor the parts thereof which are not in running conditionopen and are not being restored.
- D. "Auto detail shop" includes any or all of the following uses: (a) shampoo and cleaning of carpet and seats; (b) complete interior cleaning; (c) clean and vacuum trunks; (d) cleaning and treatment of vinyl and rubber surfaces; (e) machine buffing and waxing of exterior and chrome; (f) hand wash exterior; (g) clean and polish tires and wheels; (h) engine and compartment cleaning; and (i) decal and paint striping.

"Base flood (100-year flood)" means a flood having a one percent chance of being equaled or exceeded in any given year.

"Bikeway" means a paved, dedicated path or lane for use by cyclists.

"Cannabinoid" means any of the chemical compounds that are the active constituents of marijuana.

"Cannabinoid concentrate" means a substance obtained by separating cannabinoids from marijuana by mechanical extraction; chemical extraction using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, isopropyl alcohol, or ethanol; chemical extraction using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure; or any other process identified by the Oregon Liquor Control Commission, in consultation with the Oregon Health Authority, by rule.

"Cannabinoid edible" means food or potable liquid into which a cannabinoid concentrate, cannabinoid extract, or dried marijuana leaves or flowers have been incorporated.

"Cannabinoid extract" means a substance obtained by separating cannabinoids from marijuana by chemical extraction using a hydrocarbon-based solvent, such as butane, hexane or propane; a chemical extraction process using the hydrocarbon-based solvent carbon dioxide, if the process uses high heat or pressure; or any other process identified by the Oregon Liquor Control Commission, in consultation with the Oregon Health Authority, by rule.

"Cannabinoid product" means a cannabinoid edible and any other product intended for human consumption or use, including a product intended to be applied to the skin or hair that contains cannabinoids or dried marijuana leaves or flowers. Cannabinoid product does not include usable marijuana by itself, a cannabinoid concentrate by itself, a cannabinoid extract by itself, or industrial hemp by itself as defined in ORS 571.300.

"Caretaker/manager residence" means a residence, secondary to the main use of the property, for the sole purpose of providing living quarters for the owner, operator, or caretaker of an ongoing commercial or industrial enterprise.

"Church" means a building, together with its accessory building or uses, where persons regularly assemble for worship and which is maintained and controlled by a religious body organized to sustain public worship, and which meets tax exemption status as prescribed in ORS Chapter 307.

"Clinic" means a building utilized by persons licensed in the state of Oregon to treat or analyze medical, dental, or surgical needs of humans or animals on an outpatient basis, excluding marijuana dispensing facilities as defined in EMC 16.65.020.

"Commercial use" means the activity of purchasing or selling, other than included in the term light and heavy "industry" as defined in the appropriate sections, article, substance, commodity, or service for livelihood or profit.

"Commission" means the Estacada planning commission.

"Common property" means a parcel of land, together with improvements that are to be used, maintained and enjoyed by the owners and occupants of the individual building units or sites in subdivisions with common open space, planned development or planned unit subdivisions.

"Commonwall dwelling" is defined under "Dwelling".

"Community center" means a facility owned and operated by a governmental agency or a nonprofit community organization; provided that the primary purpose of the facility is for recreation, social welfare, community improvement, or public assembly.

"Comprehensive plan" means the adopted comprehensive plan for Estacada as defined in ORS Chapter 197.

"Cottage cluster" means a grouping of no fewer than three detached dwelling units on the same lot of record, with each dwelling unit having a footprint of less than 900 square feet, all

dwelling sharing a common area on the lot of record, and internal ADA-compliant pathways connecting each dwelling to common space, vehicle parking, and sidewalks.

"Council" means the city council of Estacada.

"Day care facility" means a facility accommodating fewer than thirteen (13) children for the purposes of day care in the provider's home, or meeting the definition and standards as contained in ORS 418. The provider's children are included for the purposes of this definition.

"Data center" means a facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances, and/or other associated components related to digital operations.

Deck, Enclosed. "Enclosed deck" means a covered attached or unattached structure accessory to the main use of the property, having no components necessary to the structural support of the main use.

Deck, Unenclosed. "Unenclosed deck" means a non-covered attached or unattached structure accessory to the main use of the property, having no components necessary to the structural support of the main use.

"Density" means the number of dwelling units allowed within a specified land area.

"Development" means any manmade change or improvement involving buildings, structures, mining, dredging, filling, grading, paving, excavation, drilling, partitioning or subdividing.

"Discount store" means a retail sales use with a floor area less than 12,000 square feet that offers for sale a combination and variety of convenience shopping goods and consumer shopping goods; and continuously offers a majority of the items in their inventory for sale at a price less than ten dollars (\$10.00) per item.

"Duplex" is defined under "Dwelling".

"Dwelling" means a building or portion thereof designed for residential occupancy.

- A. ~~"Apartment" means any building, or portion thereof, which is designated, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the building.~~
- B. "Commonwall dwelling" means a dwelling on its own lot which shares at least one wall, or portion thereof, with another dwelling on an abutting lot, ~~and which is allowed in a residential district subject to the same requirements as other dwellings in those districts. A commonwall dwelling may or may not include a separate lot.~~
- C. "Duplex" means a single building on its own lot, with two dwelling units with separate housekeeping facilities. A single-family dwelling with an accessory suite is not a ~~two-family dwelling or duplex.~~
- D. "Factory-built dwelling", "modular dwelling", and "modular home" mean a dwelling that meets Oregon Building Code requirements for a residential dwelling, was

constructed almost entirely off-site, was delivered to its permanent site in whole or in sections, and is set on to a foundation at that site; it does not mean a manufactured dwelling or mobile home, as defined separately in this Section. "Factory-built

dwelling", "modular dwellings", and "modular homes" are considered "single-family dwellings."

- E. "Fourplex" means a single building on its own lot with four dwelling units that are not accessory suites and that have separate housekeeping facilities.
- F. "Manufactured dwelling" means a detached dwelling designed or used exclusively for the occupancy of only one family, constructed for movement on highways and includes the following:
 - 1. "Manufactured home" means a manufactured dwelling constructed after June 15, 1976 in accordance with federal manufactured housing construction and safety standards (HUD code) in effect at the time of construction.
 - 2. "Mobile home" means a manufactured dwelling constructed between January 1, 1926 and June 15, 1976, in accordance with the construction requirements of Oregon mobile home law in effect at the time of construction.
 - 3. "Residential trailer" means a manufactured dwelling constructed before January 1, 1962, which was not constructed in accordance ~~wiht~~with federal manufactured housing construction and safety standards (HUD code), nor the construction requirements of Oregon mobile home law.
- G. "Middle housing" means a category of housing types that includes duplexes, triplexes, fourplexes, commonwall dwellings, and cottage clusters.
- H. "Multi-family dwelling" means a single building, or a portion thereof, on its own lot, that contains ~~three~~five or more dwelling units, each with housekeeping facilities for just one family. ~~Triplexes and fourplexes can be considered multi-family dwellings~~
- I. "Single-family dwelling" and "single family home" mean a detached dwelling unit on its own lot designed or used exclusively for the occupancy of only one family and having housekeeping facilities for only one family. "Factory-built dwellings", "modular dwellings", and "modular homes" are considered "single-family dwellings".
- J. "Triplex" means a single building on its own lot with three dwelling units that are not accessory suites and that have separate housekeeping facilities.

"Dwelling unit" means a building or portion thereof with one or more rooms designed for occupancy by one family for living purposes which provides a minimum of two hundred (200) square feet of floor area per resident.

"Easement" means a right of use over the property of another.

"Enclosed" means activities which take place entirely within a structure or building, excluding parking and off-loading facilities.

"Factory-built dwelling" is defined under "Dwelling".

"Family" means any one of the following groups when living together in a single dwelling unit:

- A. Persons related by blood, marriage, legal adoption or guardianships, plus not more

- than six additional persons, including foster and shelter care children;
- B. Up to six unrelated persons; or
- C. Members of a "residential home," as defined in this chapter.

Each additional group described above, or portion thereof, shall be considered a separate family.

"Fence" means an accessory structure, including landscape planting, designed and intended to serve as a barrier or as a means of enclosing a yard or other area, or other structure, or to serve as a boundary feature separating two or more properties.

Fence, Sight-Obscuring. "Sight-obscuring fence" consists of either a continuous fence, wall, slated cyclone fence, evergreen planting, or combination thereof, constructed and/or planted so as to effectively screen the particular use from view. Fences described above are subject to clear vision regulations of EMC 16.60.010.

"FIRM" means flood insurance rate maps that delineate both the area of special flood hazard and risk premium zones.

"Flag lot" means a lot, the major portion of which has access to a road or street by means of a narrow strip of land called the "staff." The staff shall have a minimum width and frontage of not less than twenty-five (25) feet. The staff portion of a flag lot shall not be used in computing lot size for zoning and building purposes.

"Flood/flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or tidal waters; and/or
- B. The unusual and rapid accumulation of runoff or surface waters from any source.

"Floodplain" means the area shown on designated maps for the city as being subject to inundation by delineation of a base flood as determined by the U.S. Army Corps of Engineers or other means.

"Food cart" means a vehicle that is used in selling and dispensing food or beverage to a customer and is not permanently affixed to the ground. As used in this definition, a vehicle is motorized or non-motorized transportation equipment containing an axle and capable of use on public roads, including, but not limited to, a car, van, pickup, motorcycle, recreational vehicle, bus, truck, detached trailer, or a truck tractor with no more than one trailer.

"Fourplex" is defined under "Dwelling".

"Greenhouse" means a structure with transparent or translucent vertical walls. A transparent or translucent roof does not constitute a greenhouse.

"Heavy industry" means the manufacturing, processing, compounding, packaging or assembling of products, the process of which requires that permits be issued by the Oregon State Department of Environmental Quality for the associated emissions, discharges, or storage

of materials.

"Home occupation" means an occupation carried on within a dwelling, or an accessory structure by a resident of the dwelling, where such occupation is secondary to the main use of the property as a residence, but excluding commercial businesses considered by the planning commission as inappropriate for residential areas.

"Hoophouse" means any non-rigid, transparent, or translucent structure. Hoophouses are often constructed of PVC pipe and polyethylene, and are formed as a tunnel in structure.

"Housekeeping facility" means a kitchen, laundry room, or similar space used for household-wide domestic duties.

"Hospital" means an establishment which provides sleeping and eating facilities to persons receiving medical, obstetrical, or surgical care with nursing service on a continuous basis.

"Hotel" means a building that is designed or used to offer short-term lodging for compensation, with or without meals, for five or more people. A facility that is operated for the purpose of providing care beyond that of room and board is not a "hotel."

"Industrial trade school" means a public or private school for teaching one or more industrial trades, vocations, and/or skills to meet industrial needs. These facilities may be referred to as technical schools, vocational schools, and career schools. Industrial trade schools provide training in such occupational skills as welding, operation and repair of industrial machinery, and truck driving.

"Junk yard" means any property utilized for breaking up, dismantling, sorting, storing, distributing, buying, or selling scrap waste material, junk, or used equipment of any nature.

"Kennel" means a lot or building which provides for the keeping of four or more dogs, cats or animals at least six months of age, where such animals are kept for purposes other than a veterinary clinic.

"Landscaping" means a compatible combination of vegetation and materials which provide visual enhancement to a development.

"Landscaping plan" means a schematic or plot plan which indicates:

- A. Areas of landscaping, including percent of lot area;
- B. Type(s) of vegetation and;
- C. Maintenance type and schedule, i.e., irrigation method.

"Light industry" means the manufacturing, processing, compounding, packaging or assembling of products, the process of which does not require that permits be issued by the Oregon State Department of Environmental Quality for the associated emissions, discharges,

or storage of materials.

"Livestock" means domestic animals and fowl or types customarily raised or kept on farms for profit or other purposes. This definition does not include domesticated household pets such as dogs or cats.

"Loading space" means an off-street space or berth on the same lot or parcel with a building or use, or contiguous to a group of buildings or uses, for the temporary parking of a vehicle while loading or unloading persons, merchandise, or materials, and which abuts a street, alley, or other appropriate means of access.

"Lot" means a parcel or tract of land which is occupied or may be occupied by a structure or a use, together with yards and other open space and meets the definition of "lot of record."

"Lot area" means the total horizontal area within the lot lines of a lot, exclusive of streets. The staff portion of a flag lot shall not be used in computing the size or area of the lot for zoning or building purposes.

Lot, Corner. "Corner lot" means a lot abutting on two or more streets, excluding alleys at their intersection. A lot abutting on a curved street or streets is a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

"Lot depth" means the average horizontal distance between the front lot line and the rear line.

"Lot frontage" means the front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to a street other than an alley shall be considered frontage, and yards shall be provided as indicated in this section.

Lot, Interior. "Interior lot" means a lot other than a corner lot with only one frontage on a street.

"Lot line" means the property line bounding a lot.

Lot Line, Front. "Front lot line" means the property line separating the lot from the street, other than an alley. In the case of a corner lot, the shortest property line along a street, other than an alley; or, in a case where the lot does not front directly upon a public street, that lot line toward which most houses in the immediate area face.

Lot Line, Rear. "Rear lot line" means the lot line or lines opposite and most distant from the front lot line.

Lot Line, Side. "Side lot line" means any lot line or lines not a front or rear lot line.

"Lot of record" means any unit of land created as follows:

- A. A lot in a platted subdivision;

- B. A lot created by land partitioning;
- C. A unit of land described by a conveyed deed or land sales contract established prior to requirements for partitions and which conformed with all zoning requirements in effect, if any, when the deed or contract creating the lot was recorded.

Lot of Record, Nonconforming. "Nonconforming lot of record" means a parcel of land which lawfully existed as a lot in compliance with all applicable ordinances and laws at the time of creation, but which, because of the application of a subsequent zoning ordinance, no longer conforms to the lot dimension requirement for the zoning district in which it is located.

Lot, Through. "Through lot" means an interior lot abutting on streets, other than an alley, on both of the opposite, exterior lot lines.

"Lot width" means the average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

"Manager/caretaker residence" means a residence, secondary to the main use of the property, for the sole purpose of providing living quarters for the owner, operator or caretaker of an ongoing commercial or industrial enterprise.

"Manufactured dwelling" is defined under "Dwelling".

"Manufactured dwelling park" means a parcel or contiguous parcels of land under the same ownership divided into four or more manufactured dwelling lots for rent or lease.

"Marijuana" means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae, and the seeds of the plant Cannabis family Cannabaceae. Marijuana does not include industrial hemp as defined in ORS 571.300.

"Marijuana processing" means the processing, compounding, or conversion of marijuana into cannabinoid products, cannabinoid concentrates, or cannabinoid extracts, provided that the marijuana processor is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority.

"Marijuana production" means the manufacture, planting, cultivation, growing, trimming, harvesting, or drying of marijuana, provided that the marijuana producer is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority and a person designated to produce marijuana by a registry identification cardholder.

"Marijuana retailing" means the sale of marijuana items to a consumer, provided that the marijuana retailer is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority.

"Marijuana wholesaling" means the purchase of marijuana items for resale to a person other than a consumer, provided that the marijuana wholesaler is licensed by the Oregon Liquor Control Commission.

"Marina" means a commercial boat launch, moorage or similar facility which may include dry or wet boat storage, boat houses and related commercial activities.

"Mine quarry" means premises from which any rock, sand, gravel, stone, topsoil, clay, mud, peat, or other mineral is removed or excavated as an industrial or commercial operation, of excavating and grading for streets and roads or in preparation for the construction of a building for which a permit has been issued by a public agency.

"Mini-warehouse (storage)" means a structure used for storing personal effects or small retail merchandise with individual compartments that do not exceed one thousand (1,000) square feet.

"Mobile home" is defined under "Dwelling".

"Modular dwelling" and "modular home" are defined under "Dwelling".

"Motel" means a building or series of buildings in which lodging only is offered for compensation and which may have more than five sleeping rooms or units for this purpose and which is distinguished from a hotel primarily by reason of providing direct independent access to and adjoining parking for each rental unit designed primarily for automobile tourists and transient persons. The term includes auto courts, tourist courts, tourist homes and motor lodges.

"Multi-family dwelling" is defined under "Dwelling".

"Nonconforming structure/use" means use of structure or land, or structure and land in combination which was lawfully established in compliance with all applicable ordinances and laws, but which because of the application of a subsequent zoning ordinance:

- A. No longer conforms to the setback, height, maximum lot coverage or other building development requirements of this title; or
- B. Is clearly designed and intended for uses other than any use permitted in the zoning district in which it is located.

"Open space" means the area within the development designed and intended for the use or enjoyment of all residents of the development or for the use and enjoyment of the public in general. Open space includes the land area to be used for scenic, landscaping or open recreation purposes within the development. It shall not include street right-of-way, driveways or open parking areas.

"Owner" means the owner of a record of real property as shown on the tax rolls of the county, or a person who is purchasing a parcel of property under contract.

"Parcel" means a unit of land that is created by a partitioning of land.

"Park" means an open or enclosed tract of land set apart and devoted for the purposes of pleasure, recreation, ornament, light and air for the general public.

"Parking space" means an off-street enclosed or unenclosed surfaced area of not less than eighteen (18) feet by eight feet, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile, connected with a street or alley which affords access for automobiles.

"Partition" means either an act of partitioning land or an area or tract of land partitioned as defined in ORS Chapter 92. "Partition land" means to divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exist as a unit or contiguous units of land under single ownership at the beginning of such year, and does not include exceptions as outlined in ORS 92.010(7).

"Partition plat" means a final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a partition.

"Performance agreement" means a bond executed by a surety company licensed in the state of Oregon, or other security acceptable to the city, to ensure completion of the conditions of approval.

"Person" means a natural person, the heirs, executors, administrators or assigns, or a firm, partnership or corporation, successors or assigns, or the agent of any of the aforesaid, or any political subdivisions, agency, board or bureau of the state.

"Pier" means a fixed moorage facility constructed outward from the river bank.

"Planned development" means a development in which the applicable code restrictions, other density requirements, may be modified and/or applied to the development as a whole rather than to each individual lot. A planned development involving the subdividing of property is a planned unit development.

"Planned unit subdivision" means a subdivision of land in which the individual building sites may be reduced in size but are compensated by area used in common for recreational or other open space purposes. Planned unit subdivisions involving dwelling or commercial units may incorporate detached, semi-detached, attached, single-story or multistoried units or any combination of the aforementioned. Such projects may also involve religious, cultural, recreational and commercial uses and purposes.

"Planning commission" means the planning commission of the city of Estacada.

"Plat" means a final subdivision plat, re-plat or partition plat.

"Principal use" means the intended and primary use of a structure or parcel of land.

"Public utility" means any corporation, company, individual, association of individuals, or its lessees, trustees or receivers, that owns, operates, manages or controls all or any part of any plant or equipment for the conveyance of telegraph, telephone, with or without wires, for the

transportation as common carriers, or for the production, transmission, delivery or furnishing of heat, light, water, power or cable services, directly or indirectly to the public.

"Public utility workshop" means a building used for the repair and/or maintenance of utility vehicles, machinery or other equipment.

"Recreational vehicle (R.V.);" means a temporary dwelling, for travel and recreation purposes, and licensed as a motor home, camper or travel trailer.

"Recreational vehicle park" means a development designed primarily for transient service in which travel trailers, pick-up campers, tent trailers and self-propelled motorized vehicles are parked and used for the purpose of supplying to the public a temporary location while traveling, vacationing or recreating.

"Remuneration" means compensation, money, rent or other bargained for consideration given in return for occupancy, possession or use of real property.

"Re-plat" means the act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a re-configuration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

"Residential care facility" ("RCF") means a building, complex, or distinct part thereof, consisting of shared or individual living units in a homelike surrounding, where six or more seniors and/or adult individuals with disabilities may reside. A residential care facility is licensed to operate as such by the State of Oregon. It offers and coordinates a range of supportive services available on a 24-hour basis to meet the activities of daily living, health, and social needs of the residents. A program approach is used to promote resident self-direction and participation in decisions that emphasize choice, dignity, individuality, and independence.

"Residential home" means any dwelling unit or residential building operated as a single housekeeping unit for the purpose of providing food, shelter, personal services and care, as defined in the ordinance codified in this chapter, and when appropriate, a planned treatment or training program of counseling, therapy, or other rehabilitative social service, for persons of similar or compatible conditions of circumstances.

"Road" means a public or private way created to provide ingress to, or egress from, one or more lots, parcels, areas or tracts of land, or that provides for travel between places by vehicles. The terms "street", "access drive" and "highway" for the purposes of the ordinance codified in this chapter shall be synonymous with the term "road."

- A. "Arterial or major highway" means a street designed to carry traffic from one community to another, to carry traffic to and from major traffic generators and to carry through traffic.
- B. "Collector or secondary street" means a street designed to carry traffic between minor streets and the arterial system, to function as primary traffic carries within a neighborhood, to carry traffic to local traffic generators, and in commercial and industrial areas, to provide access to commercial and industrial properties.
- C. "Cul-de-sac" or "dead end street" means a minor street with only one outlet which

provides a vehicular turnaround.

- D. "Minor street" means a street designed to provide access to abutting residential property with only incidental service to through traffic.
- E. "Private road" means a private way created by deed or easement to provide vehicular ingress to, or egress from, three to six lots or parcels. Any road serving more than six dwelling units must be a public road. Private roads may serve development when approved by the planning commission upon written findings that such roads are of adequate width, alignment, grade and length to afford the same degree of public safety as public roads and that extension of the public road system is impractical. In determining if the extension of the public road system is impractical, the planning commission shall consider criteria including, but not limited to, lot size or shape, topography, the location of existing structures. In no case shall a private street be less than twenty (20) feet in width. Greater width may be required where necessary to provide for public safety, accommodate traffic volume, or provide for underground utilities. A street maintenance agreement approved by the city and duly recorded, shall be required for the creation of any private road.
- F. "Public road" means a road dedicated for public use.
- G. "Access drive" means a private road, with a travel surface not less than twelve (12) feet in width, created by deed or easement to provide vehicular ingress, or egress from not more than two lots or parcels.

"School" means any institution for learning, whether public or private, meeting state of Oregon accreditation standards.

"Self-storage facility" means a facility with containers, garages, lockers, rooms, warehouses, or other secured spaces rented to tenants for storage.

"Setback" means the horizontal distance measured perpendicular from the lot line to the nearest point of any structure on the lot or parcel.

- A. Front: a setback between side lot lines and measured horizontally at right angles to the front line from the front lot line to the nearest point of a building. Any yard meeting this definition and abutting on a street other than an alley, shall be considered a front yard.
- B. Rear: a setback between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line, to the rear most part of the main building.
- C. Side: a setback between the front and rear yard measured horizontally and at right angles from the side lot line to the nearest point of the main building.

"Short-term rental" means the use of a dwelling unit by any person or group of persons who occupies or is entitled to occupy a dwelling unit for remuneration for a period of time of less than thirty (30) days.

"Sign" means an identification, description, illustration or device which is affixed to or represented, directly or indirectly, upon a building, structure or land, and which directs attention to a product, place, activity, person, institution or business.

Street. (See "Road.")

"Single family dwelling" and "single family home" are defined under "Dwelling".

"Structure" means a structure built or assembled for any use or occupancy.

"Subdivided land" means to divide an area or tract of land into four or more lots within a calendar year when such an area or tract of land exists as a unit of contiguous units of land under a single ownership at the beginning of a year.

"Subdivision" means an area or tract of land divided into four or more lots within a calendar year.

"Subdivision plat" includes a final map and other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision.

"Temporary" means a specific period of time.

"Tentative plan" means an approved diagram showing the design of a proposed partition or subdivision, together with any other writing and information that may be required.

"Triplex" is defined under "Dwelling".

"Unit of ownership" means an area or tract of land described by a deed or by metes and bounds as a single entity.

"Use" means the purpose for which a structure is designed, arranged or intended; or for which land is maintained, occupied or zoned.

"Water-dependent" means a use or activity which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water.

"Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration that are sufficient to support, and that under normal circumstances do support, a prevalence or vegetation typically adapted for life in saturated soil conditions.

"Wholly enclosed" means everything is completely within a building.

(Ord. 2007-6 § 1; Ord. 2004-2 § 1; Ord. 2003-8 § 1; Ord. 2000-25 §§ 2, 3; editorially amended during 2000 codification; prior code § 10.202) (Ord. No. 2015-003, § 2, 4-13-2015; Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2016-005, § 1, 8-22-2016; Ord. No. 2017-006, § 1, 11-13-2017; Ord. No. 2018-001, § 1, 6-11-2018; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 5: AMENDMENT "16.12.060 Zone Descriptions" of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.12.060 Zone Descriptions

- A. Low Density Residential (R-1): ~~Devoted to single-family dwellings from which are excluded business and multi-family dwellings.~~ Intended primarily for lower-density residential uses, including single-family dwellings and small-scale middle housing, but ~~does~~ also allow home occupations, short-term rentals with standards, and certain public nonprofit conditional uses. ~~certain public nonprofit uses as conditional uses, as well as home occupations, and short-term rentals with standards.~~
- B. Medium Density Residential (R-2): ~~Created to allow single-family and two-family dwellings (duplexes).~~ Intended for residential use at a moderate density, including single-family dwellings and middle housing ~~and to utilize existing subdivided lots with affordable housing.~~
- C. Multiple Family Residential (R-3): Intended for residential use as a high density residential district allowing some conditional uses with standards.
- D. North City Residential (NCR): Intended to establish a variety of housing types to meet the City's rental and affordable housing needs, while focusing multi-family housing nearer to major roads, protecting natural features and existing residential land uses, and providing for open space.
- E. Downtown (D): Intended to implement the Estacada Downtown and Riverside Area Plan (adopted 2011). The zone encourages a mix of office, service, retail, light manufacturing, and governmental uses. The D zone also allows residential uses in upper stories of commercial buildings, and high density residential and mixed-use (residential and commercial) development oriented to the Clackamas River.
- F. General Commercial (C-1): Intended to promote economic diversification. It accommodates certain commercial, light industrial, and governmental uses that are not conducive to locating in the D zone, such as those with large, unenclosed sales or storage areas, and those requiring large parcels of land.
- G. Residential Commercial (C-2): Designed for a mixture of office, retail, personal or business service, plus allowing residential uses. C-2 was created to promote the most productive capacity of property. Several areas of the city have developed into a combination of residential and commercial use zones. The purpose of this zoning district is to recognize and to continue this development pattern.
- H. Mill Area Mixed-Use (MMU): Intended to provide flexible opportunities for the development of a mix of land uses that are safe, clean, and compatible with existing and planned land uses at the core of the City.
- I. Riverfront Commercial (R-C): Intended to promote local tourism and history, outdoor recreation, and the use of adjacent park facilities, the Clackamas River, and connecting multi-use paths with a variety of commercial uses that attract local and out-of-town customers while enhancing the area's natural aesthetics and protecting adjacent open spaces.
- J. Highway Commercial (H-C): Intended to provide for large-footprint and vehicle-oriented commercial uses that are not appropriate for Downtown or other commercial

areas, while ensuring that new development is appropriately screened and restricting residential uses, industrial uses, and excessive signage.

- K. Central Mixed-Use (CMU): Intended to establish small-footprint commercial uses, intermixed with denser residential uses, that cater primarily to customers in nearby residential areas and that do not detract from Downtown, while developing Eagle Creek Rd as a tree-lined, pedestrian- and bicycle-friendly corridor.
- L. Outdoor Commercial (O-C): Intended to preserve and enhance the area's natural aesthetic and establish commercial and public uses that attract local and out-of-town visitors, while protecting natural wetlands and adjacent residential land uses and ensuring that the area's commercial uses do not detract from Downtown.
- M. Light Industrial (M-1): Created for the expansion of light industrial uses. Permits wholly enclosed light industrial uses and compatible commercial uses which are compatible to the surrounding area.
- N.
- O. Open Space/Public Facilities Overlay (O-S): Created to ensure public greenways, pathways, and parks, and to allow governmental uses including public schools.
- P. Planned Development Overlay (P-D): Intended to permit the application of new technology and greater freedom than may be possible under a strict interpretation of the provisions of the code.
- Q. Historical Resources Overlay (H-R): Intended to encourage property owners to enhance and maintain historically designated resources within the community.
- R. Wetlands Resources Overlay (W-O): Intended to protect the designated wetland resources within the community.

(Prior code § 10.218; Ord. No. 2012-005, § 2, 9-10-2012; Ord. No. 2016-003, § 1(Exh. A), 5-23-2016)

SECTION 6: AMENDMENT “16.16.010 Purpose” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.16.010 Purpose

The R-1 zone is ~~devoted to single-family dwellings from which are excluded business and multi-family dwellings;~~ intended primarily for lower-density residential uses, including single-family dwellings and small-scale middle housing, but ~~does~~ also allows home occupations, short-term rentals with standards, and certain public nonprofit conditional uses. ~~certain public nonprofit uses as conditional uses, as well as home occupations, and short-term rentals with standards.~~ In an R-1 zone, the following regulations shall apply.

(Ord. 2000-26 §1 (part): prior code § 10.220 (part); Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2017-006, § 2, 11-13-2017; Ord. No. 2018-001, § 1, 6-11-2018; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 7: AMENDMENT “16.16.020 Uses Permitted Outright” of the Estacada Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.16.020 Uses Permitted Outright

The following uses and their accessory uses are permitted in an R-1 zone:

- A. A single-family dwelling built on site;
- B. ~~A factory-built (modular) dwelling;~~
- C. A manufactured home that meets the following minimum standards:
 - 1. Compliance with all the standards as set by the underlying zoning district;
 - 2. ~~The manufactured home shall be multisectional and enclose a space of not less than one thousand (1,000) square feet;~~
 - 3. ~~The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that no more than sixteen (16) inches of the enclosing material is exposed above grade. Where the building site has a sloped grade, no more than sixteen (16) inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the sixteen (16) inch limitation shall not apply;~~
 - 4. ~~The manufactured home shall have a pitched roof with a minimum slope of three feet in height for each twelve (12) feet of width;~~
 - 5. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting the performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010. Evidence demonstrating that the manufactured home meets "Super Good Cents" energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturer certification shall not be required;
- D. Duplex
- E. Commonwall dwellings up to two units;
- F. Agricultural use of land provided that no livestock shall be raised or kept on the premises and that no commercial structure shall be constructed or maintained on the premises;
- G. A travel trailer or recreation vehicle stored unoccupied on a lot in combination with an approved dwelling and complies with residential setback requirements;
- H. Family day care provider;
 - I. Public park;
 - J. Residential homes;
- K. Short-term rentals;
- L. Home occupations as defined in EMC 16.92 that involve no customer traffic, retail sales, signs or any other outward appearance of a business;

- M. Public transportation facilities including streets, transit stops and stations, and bicycle and pedestrian facilities;
- N. Accessory dwelling units as defined in EMC 16.61.

(Ord. 2007-6 § 2; Ord. 2000-26 § 1(1): prior code § 10.220(1); Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2017-006, § 2, 11-13-2017; Ord. No. 2018-001, § 1, 6-11-2018; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 8: **AMENDMENT** “16.16.030 Conditional Uses Permitted” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.16.030 Conditional Uses Permitted

The following uses and accessory uses may be permitted in a low density residential district subject to EMC 16.88.020 and the review procedures in EMC 16.132.010 through EMC 16.132.050:

- A. ~~Two-family dwellings (duplexes) and commonwall dwellings;~~
- B. Cemetery;
- C. Church, nonprofit religious or philanthropic institution;
- D. Community center, nursery school, kindergarten or similar facility;
- E. Governmental structure or use of land;
- F. Public utility substations as required with safeguards against harm to adjacent or abutting property owners;
- G. Home occupations subject to the provisions of EMC 16.92;
- H. Golf course or country club, but excluding miniature golf course or similar types of amusement facilities;
- I. Private noncommercial recreation club such as tennis, swimming or archery club, but excluding commercial amusement or recreation enterprises;
- J. Lodge of civic or fraternal organizations;
- K. New public school or any private school offering curriculum similar to public school;
- L. Temporary real estate offices offering residential property in the immediate vicinity for sale, rent or lease;
- M. Day care facility as defined in ORS Chapter 418;
- N. Professional offices or medical facilities;
- O. Public transportation facilities not otherwise listed in EMC 16.16.020 Subsection J;
- P. Transportation facilities that are not identified in the city's transportation system plan or active transportation plan.

(Ord. 2007-6 § 3; Ord. 2000-26 § 1(2); prior code § 10.220(2); Ord. No. 2012-008, § 4, 1-14-2013; Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2017-006, § 2, 11-13-2017; Ord. No. 2018-002, § 1, 8-13-2018; Ord. No. 2018-003, § 3(Exh. 6), 10-8-2018)

SECTION 9: AMENDMENT “16.16.040 Standards” of the Estacada Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.16.040 Standards

The following standards shall apply in an R-1 zone:

A. Lot Size and Dimensions.

1. The minimum lot size shall be seven thousand five hundred (7,500) square feet.
2. ~~In no event shall a structure for a single-family dwelling be built on a lot less than five thousand (5,000) square feet in area.~~
3. ~~The minimum lot area for a duplex or two-unit commonwall dwelling approved as a conditional use shall be eight thousand (8,000) square feet.~~
4. Minimum lot frontage for a flag lot shall be twenty-five (25) feet.
5. No lot area, yard, off-street parking or loading area, or other required open space for one use shall be used as the required lot area, yard, off-street parking or loading area, or other required open spaces for another use.

B. Parking Requirements. The number of parking spaces as required by EMC 16.76 shall be provided.

C. Setbacks.

1. The front setback shall be a minimum of twenty (20) feet.
2. Side setbacks for commonwall dwellings shall be as follows:
 - a. The minimum side setback for the common side of attached dwellings is zero (0) feet.
 - b. Two-unit commonwall dwellings shall meet the side setback standard provided in Subsection 3 for sides that are not attached.
3. Except as provided for commonwall dwellings in Subsection 2, ~~E~~each side setback shall be a minimum of five feet; however, a dwelling with a side yard facing, second story bedroom window (having minimum dimensions of at least three feet by three feet) with a lower sill exceeding fifteen (15) feet in height must have a setback from said side property line equal to or greater than one-third of the height of that point, or be equipped with an automatic fire sprinkler system, unless otherwise approved by the city. (Height is measured from the lower window-sill of the side yard facing wall to grade level directly below the center of the window at the edge of the building foundation.) If a public utility easement (PUE) exists on the side property line, the side yard setback shall be equal to the width of the PUE, if greater than the side yard setback required above.

4. The rear setback shall be a minimum of fifteen (15) feet except:
 - a. An accessory structure not used for human habitation and separated from the main building may be located to within five feet of a rear property line.
 - b. On a corner lot, setbacks required from the rear property line shall be the same as required for side yards.
 - c. Detached accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.C.3.a.
- D. Sidewalks. Sidewalks, driveways and service driveways shall conform to standards established by this code.
- E. Fences and sight-obscuring fences, with the exception of evergreen plantings, cannot exceed six feet in height without a building permit. Fences described above are subject to clear vision regulations of EMC 16.60.010 and EMC 8.12.050 limiting the use of barbed wire and electrical fences.
- F. Drainage. An applicant for a building permit shall submit a plan showing width, depth, and direction of flow of all drainage channels on property. In addition, the location, size and type of conduit used in drainage channels and driveway accesses shall be clearly delineated. Water from roof drains and other impervious surfaces shall not be concentrated and directed so as to cause damage to property and shall be disposed of in accordance with EMC 13.08.010.
- G. Excavation/Fill. A plan shall be submitted showing cubic yards removed or filled and the plan should be certified by a registered professional engineer for the removal or fill of more than fifty (50) cubic yards of material.
- H. Building Height. No building shall exceed a height of thirty-five (35) feet, except public schools or churches which may be forty-five (45) feet.
- I. Lot Coverage. Except as provided belowe. Buildings including accessory structures and garages shall not occupy more than fifty-five (55) percent of the total lot area.
 1. Each commonwall dwelling may occupy up to seventy (70) percent of an individual lot.
 2. Accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.A.5.
- J. Geological Analysis Requirement. Any property identified as a geological natural hazard area as listed in EMC 16.68.030 or any property that has a slope of thirty-three (33) percent or greater, as defined by a 3:1 ratio, 3 horizontal: 1 vertical, will require a geotechnical analysis of the property as outlined in EMC 16.68.030.
- K. Structure and Facade Design. ~~All dwellings~~ Each structure containing a dwelling unit, except temporary dwellings approved pursuant to EMC 16.80, shall include at least three of the following features visible to the street (if on a corner lot, visible to the street where the dwelling takes access):
 1. A covered porch at least two feet deep;
 2. An entry area recessed at least two feet from the exterior wall to the door;
 3. A bay or bow window (not flush with the siding);
 4. An offset on the building face of at least sixteen (16) inches from one exterior wall surface to the other;
 5. A dormer;

6. A gable;
 7. Roof eaves with a minimum projection of twelve (12) inches from the intersection of the roof and the exterior walls;
 8. Roof line offsets of at least sixteen (16) inches from the top surface of one roof to the top surface of the other;
 9. An attached garage;
 10. Orientation of the long axis and front door to the street;
 11. Cupolas;
 12. Tile or shake roofs;
 13. Horizontal lap siding.
- L. Housing Mix Requirements in Subdivisions. In the R-1 zone, subdivisions that are five (5) acres or larger shall provide a mix of housing types, unless they are entirely composed of single-family detached dwellings or manufactured homes. Housing types other than single-family detached dwellings and manufactured homes are limited based on the size of the overall subdivision site, as provided below:
1. Five (5) or more acres in area, but less than 10 acres: no more than 30% of the lots shall be developed with any single type of housing.
 2. Ten (10) or more acres in area: no more than 20% of the lots shall be developed with any single type of housing.

(Ord. 2004-2 § 3; Ord. 2000-26 § 1(3); prior code § 10.220(3); Ord. No. 2010-004, § 1, 3-28-2011; Ord. No. 2017-006, § 2, 11-13-2017; Ord. No. 2018-001, § 1, 6-11-2018; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 10: AMENDMENT “16.20.010 Purpose” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.20.010 Purpose

The R-2 zone is ~~created to allow single-family and two-family dwellings (duplexes). I~~intended for residential uses at a moderate density, including single-family dwellings and middle housing ~~and to utilize existing subdivided lots with affordable housing~~. In an R-2 zone, the following regulations shall apply.

(Ord. 2000-26 § 2 (part) prior code § 10.221 (part); Ord. No. 2017-006, § 3, 11-13-2017; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 11: AMENDMENT “16.20.020 Uses Permitted Outright” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.20.020 Uses Permitted Outright

The following uses and their accessory uses are permitted in an R-2 zone:

- A. A use permitted outright in the R-1 zone;
- B. Triplex;
- C. ~~Duplexes and two-unit e~~Commonwall dwellings up to three units;
- D. Cottage cluster up to three units.

(Ord. 2004-2 § 4; Ord. 2000-26 § 2(1); prior code § 10.221(1); Ord. No. 2017-006, § 3, 11-13-2017; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 12: AMENDMENT “16.20.030 Conditional Uses Permitted” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.20.030 Conditional Uses Permitted

The following uses and accessory uses may be permitted in a medium density residential district subject to EMC 16.88.020 and the review procedures in EMC 16.132.010 through EMC 16.132.050:

- A. A use permitted as a conditional use in the R-1 zone;
- B. ~~Multi-family and commonwall dwelling~~iddle housing types with ~~no more than~~ four dwelling units;
- C. Manufactured dwelling park;
- D. Professional offices or medical facilities.

(Ord. 2000-26 § 2(2); prior code § 10.221(2); Ord. No. 2017-006, § 3, 11-13-2017; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 13: AMENDMENT “16.20.040 Standards” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.20.040 Standards

The following standards shall apply in an R-2 zone:

A. Lot Size and Dimensions.

1. Except as provided in Subsection 2, The minimum lot size shall be as follows:

Single-family dwelling	5,000 square feet
Duplex, triplex or fourplex or two-unit commonwall dwelling	2,500 square feet per dwelling unit 8,000 square feet for a duplex; 4,000 square feet for each lot for each commonwall dwelling unit
Commonwall dwellings Multi-family or commonwall dwelling with three or four units dwelling	2,500 square feet per lot for each dwelling unit 9,000 square feet for a multi-family dwelling; 4,500 square feet for each lot for each commonwall dwelling unit
Cottage cluster Multi-family dwelling with only four dwelling units (fourplex) or four-unit commonwall dwelling	2,500 square feet per dwelling unit 12,000 square feet for a multi-family dwelling; 6,000 square feet for each lot for each commonwall dwelling unit

2. Exception for Conversions. When a triplex or fourplex is created by internally converting, or expanding the floor area of an existing single-family dwelling, the minimum lot size shall be 7,500 square feet.
3. Minimum lot frontage for a flag lot shall be twenty-five (25) feet.
4. No lot area, yard, off-street parking or loading area, or other required open space for one use shall be used as the required lot area, yard, off street parking or loading area, or other required open spaces for another use.

B. Parking Requirements. The number of parking spaces as required by EMC 16.76 shall be provided.

C. Setbacks.

1. The front setback shall be a minimum of fifteen (15) feet, but a minimum of twenty (20) feet to any garage door or carport motor vehicle entry.
2. Side setbacks for commonwall dwellings shall be as follows:
 - a. The minimum side setback for the common side of attached dwellings

is zero (0) feet.

b. Two-unit and three-unit commonwall dwellings shall meet the side setback standard provided in Subsection 3 for sides that are not attached.

c. Commonwall dwellings with four units shall have a minimum side setback of ten (10) feet for the sides that are not attached.

3. Except as ~~to the common side of~~aprovided for commonwall dwellings in Subsection 2, each side setback shall be a minimum of five feet; however, a dwelling with a side yard facing, second story bedroom window (having minimum dimensions of at least three feet by three feet) with a lower sill exceeding fifteen (15) feet in height must have a setback from said side property line equal to or greater than one-third of the height of that point, or be equipped with an automatic fire sprinkler system, unless otherwise approved by the city. (Height is measured from the lower window sill of the side yard facing wall to grade level directly below the center of the window at the edge of the building foundation.) If a public utility easement (PUE) exists on the side property line, the side yard setback shall be equal to the width of the PUE, if greater than the side yard setback required above.

4. The rear setback shall be a minimum of fifteen (15) feet except:

a. An accessory structure not used for human habitation and separated from the main building may be located to within five feet of a rear property line.

b. On a corner lot, setbacks required from the rear property line shall be the same as required for side yards.

c. Detached accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.C.3.a.

- D. Sidewalks. Sidewalks, driveways and service driveways shall conform to standards established by this code.
- E. Fences and sight-obscuring fences, with the exception of evergreen plantings, cannot exceed six feet in height without a building permit. Fences described above are subject to clear vision regulations of EMC 16.60.010 and EMC 8.12.050 limiting the use of barbed wire and electrical fences.
- F. Drainage. An applicant for a building permit shall submit a plan showing width, depth, and direction of flow of all drainage channels on property. In addition, the location, size and type of conduit used in drainage channels and driveway accesses shall be clearly delineated. Water from roof drains and other impervious surfaces shall not be concentrated and directed so as to cause damage to property and shall be disposed of in accordance with EMC 13.08.010.
- G. Excavation/Fill. A plan shall be submitted showing cubic yards removed or filled and the plan should be certified by a registered professional engineer for the removal or fill of more than fifty (50) cubic yards of material.
- H. Building Height. No building shall exceed a height of thirty-five (35) feet, except public schools or churches which may be forty-five (45) feet.
- I. Lot Coverage. Except as provided below, bBuildings including accessory structures and garages shall not occupy more than fifty-five (55) percent of the total lot area.

1. Each commonwall dwelling may occupy up to seventy (70) percent of its individual lot.
2. Accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.A.5.

J. Geological Analysis Requirement. Any property identified as a geological natural hazard area as listed in EMC 16.68.030 or any property that has a slope of thirty-three (33) percent or greater, as defined by a 3:1 ratio, 3 horizontal:1 vertical, will require a geotechnical analysis of the property as outlined in EMC 16.68.030.

(Ord. 2000-26 § 2(3): prior code § 10.221(3); Ord. No. 2010-004, § 2, 3-28-2011; Ord. No. 2017-006, § 3, 11-13-2017; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 14: **AMENDMENT** “16.24.020 Uses Permitted Outright” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.24.020 Uses Permitted Outright

The following uses and their accessory uses are permitted in an R-3 zone:

- A. A use permitted outright in the R-1 or R-2 zone, except for new single-family dwellings or manufactured homes;
- B. Single-family dwellings and manufactured homes legally existing and assessed as dwellings on January 12, 2022;
- C. Alterations to the legally-established dwellings described in EMC 16.24.020 Subsection B, as well as the replacement of such dwellings, provided the dwelling to be replaced has remained a dwelling on the subject property, with intact walls and roof structure, indoor plumbing connected to a sanitary waste disposal system, interior wiring for interior lights, and a heating system, without a gap of 12 consecutive months since January 12, 2022;
- D. Multi-family ~~and commonwall~~ dwellings; ~~including but not limited to apartments, duplexes, triplexes, fourplexes, and cottage clusters.~~
- E. Commonwall dwellings;
- F. Cottage clusters.

(Ord. 2000-26 § 3(1): prior code § 10.222(1); Ord. No. 2017-006, § 4, 11-13-2017)

SECTION 15: **AMENDMENT** “16.24.040 Standards” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.24.040 Standards

The following standards shall apply in an R-3 zone:

A. Lot Size and Dimensions:

1. Except as provided in Subsection 2, the minimum lot size shall be as follows:

Single-family dwelling	5,000 square feet
Duplex, triplex or fourplex or two-unit commonwall dwelling	<u>2,500 square feet per dwelling unit</u> 8,000 square feet for a duplex 4,000 square feet for each lot for each commonwall dwelling unit
<u>Commonwall Dwellings</u> Multi-family dwelling with only three dwelling units (triplex) or three-unit commonwall dwelling	<u>2,500 square feet per lot for each</u> 9,000 square feet for a multi-family dwelling; 4,500 square feet for each lot for each commonwall dwelling unit
<u>Cottage Cluster</u> Multi-family dwelling with only four dwelling units (fourplex) or four-unit commonwall dwelling	<u>2,500 square feet per dwelling unit</u> 12,000 square feet for a multi-family dwelling; 6,000 square feet for each lot for each commonwall dwelling unit
Multi-family dwelling (apartment) or commonwall dwelling with more than four dwelling units	<u>See Maximum Residential Density under Section 16.24.040.B.</u> 15,000 square feet plus 1,500 square feet per dwelling unit for each unit above five.
Motel, hotel, or resort	1,500 square feet per guest unit

2. Exception for Conversions. When a duplex, triplex, or fourplex is created by internally converting, or expanding the floor area of an existing single-family dwelling, no minimum lot size shall apply.
3. Minimum lot frontage for a flag lot shall be twenty-five (25) feet.
4. No lot area, yard, off-street parking or loading area, or other required open space for one use shall be used as the required lot area, yard, off-street parking or loading area, or other required open spaces for another use.

- B. Maximum Residential Density. Maximum residential density for multi-family dwellings shall be 30 dwelling units per net acre. See EMC 16.60.060.
- C. Minimum Residential Density. New residential subdivisions and new multi-family dwellings are subject to the minimum density standards of EMC 16.60.070.
- D. Parking Requirements. The number of parking spaces as required by EMC 16.76 shall be provided.
- E. Setbacks.
1. The front setback shall be a minimum of fifteen (15) feet, but a minimum of twenty (20) feet to any garage door or carport motor vehicle entry.
 2. Except as to the common side of a commonwall dwelling, each side setback shall be a minimum of five feet; however, a dwelling with a side yard facing, second story bedroom window (having minimum dimensions of at least three feet by three feet) with a lower sill exceeding fifteen (15) feet in height must have a setback from said side property line equal to or greater than one-third of the height of that point, or be equipped with an automatic fire sprinkler system, unless otherwise approved by the city. (Height is measured from the lower window sill of the side yard facing wall to grade level directly below the center of the window at the edge of the building foundation.) If a public utility easement (PUE) exists on the side property line, the side yard setback shall be equal to the width of the PUE, if greater than the side yard setback required above.
 3. The rear setback shall be a minimum of fifteen (15) feet except:
 - a. An accessory structure not used for human habitation and separated from the main building may be located to within five feet of a rear property line.
 - b. On a corner lot, setbacks required from the rear property line shall be the same as required for side yards.
 - c. Detached accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.C.3.a.
- F. Sidewalks. Sidewalks, driveways and service driveways shall conform to standards established by this code.
- G. Fences and sight-obscuring fences, with the exception of evergreen plantings, cannot exceed six feet in height without a building permit. Fences described above are subject to clear vision regulations of EMC 16.60.010 and EMC 8.12.050 limiting the use of barbed wire and electrical fences.
- H. Drainage. An applicant for a building permit shall submit a plan showing width, depth, and direction of flow of all drainage channels on property. In addition, the location, size and type of conduit used in drainage channels and driveway accesses shall be clearly delineated. Water from roof drains and other nonimpervious surfaces shall not be concentrated and directed so as to cause damage to property and shall be disposed of in accordance with EMC 13.08.010.
- I. Excavation/fill. A plan shall be submitted showing cubic yards removed or filled and the plan should be certified by a registered professional engineer for the removal or fill of more than fifty (50) cubic yards of material.
- J. Building Height. No building shall exceed a height of thirty-five (35) feet, except

- multi-family dwellings, public schools or churches which may be forty-five (45) feet.
- K. Lot Coverage. Except as provided below, ~~B~~buildings including accessory structures and garages shall not occupy more than fifty-five (55) percent of the total lot area.
1. Each commonwall dwelling may occupy up to seventy (70) percent of its individual lot.
 2. Accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC16.61.060.A.5.
- L. Geological Analysis Requirement. Any property identified as a geological natural hazard area as listed in EMC 16.68.030 or any property that has a slope of thirty-three (33) percent or greater, as defined by a 3:1 ratio, 3 horizontal : 1 vertical, will require a geotechnical analysis of the property as outlined in EMC 16.68.030.

(Ord. 2000-26 § 3(3): prior code § 10.222(3); Ord. No. 2010-004, § 3, 3-28-2011; Ord. No. 2017-006, § 4, 11-13-2017; Ord. No. 2018-002, § 1, 8-13-2018)

SECTION 16: AMENDMENT “16.25.020 Uses Permitted Outright” of the Estacada Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.25.020 Uses Permitted Outright

The following uses and their accessory uses are permitted in the NCR zone:

- A. Single-family dwellings ~~built on-site and~~ not within 200 feet of SE Eagle Creek Rd;
- B. ~~Single-family factory-built (modular) dwellings not within 200 feet of SE Eagle Creek Rd;~~
- C. Manufactured homes permitted in the R-1 zone, but not within 200 feet of SE Eagle Creek Road;
- D. Single-family dwellings and manufactured homes within 200 feet of SE Eagle Creek Rd legally existing and assessed as dwellings on December 1, 2019;
- E. Alterations to the legally-established dwellings described in EMC 16.25.020 Subsection ~~E~~D, as well as the replacement of such dwellings, provided the dwelling to be replaced has remained a dwelling on the subject property, with intact walls and roof structure, indoor plumbing connected to a sanitary waste disposal system, interior wiring for interior lights, and a heating system, without a gap of 12 consecutive months since December 1, 2019;
- F. Duplexes and two-unit commonwall dwellings;
- G. Triplexes, fourplexes, and commonwall dwellings with three or four dwelling units;
- H. Commonwall dwellings with five or more dwelling units within 200 feet of Eagle Creek Road, Hinman Road, or a street with a major collector classification or higher classification;
- I. Multi-family ~~and commonwall~~ dwellings, ~~including apartments, triplexes, and fourplexes, with three or more dwelling units~~ within 200 feet of Eagle Creek Rd, Hinman Rd, or a street with a major collector classification or higher classification;

- J. Cottage clusters;
- K. Family day care providers;
- L. Public parks;
- M. Residential homes;
- N. Short-term rentals;
- O. Community gardens;
- P. Home occupations as defined in EMC 16.92 that involve no customer traffic, retail sales, signs, or any other outward appearance of a business;
- Q. Public transportation facilities, including streets, transit stops and stations, and bicycle and pedestrian facilities; and
- R. Pedestrian and multi-use trails, paths, and boardwalks.

SECTION 17: AMENDMENT “16.25.050 Standards” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.25.050 Standards

A. Lot Size and Dimensions:

1. Except as provided in Subsection 2, the minimum lot size shall be as follows:

Single-family dwelling	5,000 square feet
Duplex, triplex or fourplex or two-unit commonwall dwelling	3,750 <u>2,500</u> square feet per dwelling unit
<u>Commonwall dwellings</u>	<u>2,500 square feet per lot for the first five dwelling units</u> <u>1,500 square feet per lot for each unit above five</u>
Multi-family or commonwall dwellings	<u>See Maximum Residential Density under Section 16.25.050.B. 3,000 square feet per dwelling unit plus 1,500 square feet per unit above five</u>
Cottage clusters	3,000 <u>2,500</u> square feet per cottage

2. Exception for Conversions. When a duplex, triplex, or fourplex is created by internally converting, or expanding the floor area of an existing single-family dwelling, no minimum lot size shall apply.

B. Maximum Residential Density. Maximum residential density for multi-family dwellings shall be 30 dwelling units per net acre. See EMC 16.60.060.

C. Minimum Residential Density. New residential subdivisions and new multi-family dwellings are subject to the minimum density standards of EMC 16.60.070.

D. Setbacks:

1. The front setback shall be a minimum of fifteen (15) feet, but a minimum of twenty (20) feet to any garage door or carport motor vehicle entry.
 2. Except as to the common side of a commonwall dwelling, each side setback shall be a minimum of five feet; however, a dwelling with a side yard facing, second story bedroom window (having minimum dimensions of at least three feet by three feet) with a lower sill exceeding fifteen (15) feet in height must have a setback from said side property line equal to or greater than one-third of the height of that point, or be equipped with an automatic fire sprinkler system, unless otherwise approved by the City. (Height is measured from the lower window sill of the side yard facing wall to grade level directly below the center of the window at the edge of the building foundation.) If a public utility easement (PUE) exists on the side property line, the side yard setback shall be equal to the width of the PUE, if greater than the side yard setback required above.
 3. The rear setback shall be a minimum of fifteen (15) feet, except:
 - a. An accessory structure not used for human habitation or for a commercial use, and that is separated from the main building may be located within five feet of a rear property line.
 - b. On a corner lot, setbacks required from the rear property line shall be the same as required from Eagle Creek Rd.
 - c. Detached accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.C.3.a.
 4. Notwithstanding other provisions of this chapter, no minimum setback distance is required from Eagle Creek Rd.
- E. Parking Requirements:
1. The number of parking spaces as required in EMC 16.76 shall apply in the NCR zone.
 2. Motor vehicle parking areas fronting Eagle Creek Rd, and motor vehicle parking areas separated from Eagle Creek Rd only by landscaping and/or fencing, are prohibited.
- F. Sidewalks and Driveways: Sidewalks, driveways, and service driveways shall conform to standards established by this code.
- G. Building Height: Buildings shall not exceed the maximum height of thirty-five (35) feet, except that multi-family dwellings may be forty-five (45) feet in height.
- H. Landscaping:
1. A minimum of five percent of the area developed with an authorized conditional use shall be landscaped. "Area developed" includes but is not limited to areas developed for off-street parking, driveways, and above-ground utility facilities.
 2. In addition to the five-percent minimum landscaping requirement, authorized conditional uses adjacent to Eagle Creek Rd, Hinman Rd, or a major collector shall have landscaping that includes trees with canopies that provide shade to pedestrians along those adjacent streets' rights-of-way.
- I. Open spaces and natural resource protections:
1. Development of structures within 70 feet of the mean high water line of

Currin Creek is prohibited.

2. Notwithstanding EMC 16.25.050 Subsection G, 1, the following are allowed within the required buffer area, provided they are authorized as required by relevant State of Oregon and federal authorities:
 - a. Trails, boardwalks, and other pedestrian and/or bicycle amenities; and
 - b. Culverts and public stream crossings.
3. Divisions of land that are in the NCR zone and are either crossed by, or adjacent to, Currin Creek shall include the dedication of a buffer strip along the creek that includes all areas within 70 feet of the mean high-water line of the portions of the creek crossing or adjacent to the subject property.

J. Access and Circulation:

1. Vehicle access shall conform to EMC 16.116, Design Standards and Improvements.
2. Development shall conform to all of the standards for pedestrian access and circulation in EMC 16.118.020.

SECTION 18: AMENDMENT “16.26.020 Uses Permitted Outright” of the Estacada Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.26.020 Uses Permitted Outright

The following uses and their accessory uses are permitted in the D zone:

- A. Retail store or shop such as food stores, drug stores, apparel stores, hardware stores, furniture stores or similar establishments;
- B. Repair shop for the type of goods offered for sale in retail trade establishments permitted in the D zone provided all repair and storage shall occur entirely within an enclosed building;
- C. Personal or business service establishments such as barber or beauty shop, laundry or dry cleaning establishment, print shop or similar establishment;
- D. Multi-family dwellings, triplexes, and fourplexes, provided that the following standards are met:
 1. ~~g~~Ground floor residential uses do not front Broadway Street, Main Street, or OR 224~~;~~;
 2. ~~T~~The residential density of the development is not less than sixteen (16) dwelling units per acre~~;~~ and
 3. ~~t~~The standards of EMC 16.26.040 Subsection H are met;
- E. Professional offices or medical facilities;
- F. Hotel, motel or resort;
- G. Short-term rentals;
- H. Indoor commercial amusement or recreation establishment such as a bowling alley, theater or pool hall;

- I. Mortuary;
- J. Private museum, art gallery or similar facility;
- K. Restaurant, bar or tavern; includes brewery or distillery in conjunction with primary permitted use;
- L. Automobile service station, existing as of September 1, 2012, subject to EMC 16.26.040 Subsection H;
- M. Governmental uses such as city hall, fire stations, police stations and offices of governmental agencies;
- N. Public parks and plazas;
- O. Public transportation facilities including streets, transit stops and stations, park and ride facilities, and bicycle and pedestrian facilities.
- P. Live/work space provided that work activities are uses permitted outright and work space exclusively fronts the street most likely to receive the most pedestrian traffic;
- Q. Manufacturing in conjunction with retail trade establishments permitted in the D Zone, except for processing and packaging of explosive chemical materials and environmentally hazardous materials, provided retail trade exclusively fronts the street most likely to receive the most pedestrian traffic;
- R. Day care facility as defined in ORS Chapter 418;
- S. No more than two food carts on a lot of record, subject to EMC 16.66.

(Ord. No. 2012-005, § 3, 9-10-2012; Ord. No. 2015-006, § 2, 1-11-2016; Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2017-006, § 5, 11-13-2017)

SECTION 19: AMENDMENT “16.28.030 Conditional Uses Permitted” of the Estacada Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.28.030 Conditional Uses Permitted

The following uses and accessory uses may be permitted in a general commercial district subject to EMC 16.88.020 and the review procedures in EMC 16.132.010 through EMC 16.132.050:

- A. A nonresidential use permitted as a conditional use in the R-1, R-2, or R-3 zone not permitted as an outright use listed above;
- B. Outdoor commercial amusement or recreation establishment such as miniature golf courses or drive-in theaters, but not including uses such as race tracks or automobile speedways;
- C. Cabinet, furniture, shed, or similar small structure woodworking/metalworking/assembly shops;
- D. Lumber or building material sales or storage;

- E. Self-storage, mini-storage, warehousing, or similar facilities;
- F. Processing and packaging of non-explosive chemical materials, and non-environmentally hazardous materials;
- G. Car wash;
- H. Auto detail shop;
- I. RV storage or similar commercial establishment;
- J. Auto sales;
- K. Radio, television, and/or cellular transmission towers;
- L. Park and ride facilities and other public transportation facilities not otherwise listed in EMC 16.28.020 Subsection M;
- M. Marijuana retailing authorized by state law and regulated by EMC 16.65;
- N. Bulk printing, publishing, or labeling, or the production of cards, labels, packaging materials, printed signage, or related systems or products;
- O. Multi-family dwellings, triplexes, and fourplexes;
- P. Public or private addiction treatment facility and/or rehabilitation facility providing walk-in services, vocational training services, religious services, and/or overnight accommodation to patients staying for no more than one year, and not licensed by the Oregon Department of Human Services or providing medical care; and
- Q. Transportation facilities that are not identified in the City's Transportation System Plan or Active Transportation Plan;
- R. More than two food carts on a lot of record, subject to EMC 16.66.

(Ord. 2007-6 § 5; Ord. 2000-26 § 4(2); prior code § 10.223(2); Ord. No. 2015-002, § 4, 4-28-2015; Ord. No. 2015-003, § 3, 4-13-2015; Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2016-005, § 6, 8-22-2016; Ord. No. 2018-001, § 1, 6-11-2018; Ord. No. 2018-002, § 1, 8-13-2018; Ord. No. 2018-003, § 3(Exh. 6), 10-8-2018)

SECTION 20: AMENDMENT “16.32.020 Uses Permitted Outright” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.32.020 Uses Permitted Outright

The following uses and their accessory uses are permitted in a C-2 zone:

- A. Commercial establishments allowed as a use permitted outright in the C-1 zone;
- B. ~~A single-family dwelling~~ Single-family dwellings and manufactured homes legally existing and assessed as dwellings on January 12, 2022;
- C. Alterations to the legally-established dwellings described in EMC 16.32.020 Subsection B, as well as the replacement of such dwellings, provided the dwelling to be replaced has remained a dwelling on the subject property, with intact walls and roof structure, indoor plumbing connected to a sanitary waste disposal system, interior

wiring for interior lights, and a heating system, without a gap of 12 consecutive months since January 12, 2022;

D. Duplexes;

E. Triplexes and fourplexes;

F. Commonwall dwellings;

G. Cottage clusters;

H. Residential occupancies, provided such occupancies are clearly an accessory use and incidental to the primary commercial use;

I. Short-term rentals;

J. Residential homes;

K. Manager/caretaker residences;

L. ~~A manufactured dwelling permitted in the R-1 zone;~~

M. Public transportation facilities, including streets, transit stops and stations, and bicycle and pedestrian facilities;

N. Accessory dwelling units as defined in EMC 16.61, though accessory dwelling units may not be made accessory to a residential occupancy that is itself accessory to a primary commercial use on the property pursuant to Subsection C of this section;

O. No more than two food carts on a lot of record, subject to EMC 16.66.

(Ord. 2007-6 § 6; Ord. 2003-10 § 2; Ord. 2000-26 § 5(1); prior code § 10.224(1); Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2018-001, § 1, 6-11-2018)

SECTION 21: AMENDMENT “16.32.030 Conditional Uses Permitted” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.32.030 Conditional Uses Permitted

The following uses and accessory uses may be permitted in a residential commercial district subject to EMC 16.88.020 and the review procedures in EMC 16.132.010 through EMC 16.132.050:

A. A nonresidential use permitted as a conditional use in the C-1 zone with the exception of marijuana retailing;

B. Multi-family ~~and commonwall~~ dwellings;

C. Park and ride facilities and other public transportation facilities not otherwise listed in EMC 16.32.020 Subsection G;

D. More than two food carts on a lot of record, subject to EMC 16.66.

(Ord. 2007-6 § 7; Ord. 2000-26 § 5(2); prior code § 10.224(2); Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2016-005, § 8, 8-22-2016)

SECTION 22: AMENDMENT “16.32.040 Standards” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.32.040 Standards

The following standards shall apply in a C-2 zone:

A. Except as provided in Subsection B. ~~F~~the minimum lot size shall be as follows:

Single-family dwelling	5,000 square feet
Duplex, triplex or fourplex or two-unit commonwall dwelling	8,000 square feet for a duplex; 4,000 square feet for each lot for each commonwall dwelling unit
Multi-family dwelling with three dwelling units (triplex) or three-unit eCommonwall dwellings	9,000 square feet for a multi-family dwelling; 4,500 square feet for each lot for each commonwall dwelling unit
Cottage Cluster Multi-family dwelling with four dwelling units (fourplex) or four-unit commonwall dwelling	12,000 square feet for a multi-family dwelling; 6,000 square feet for each lot for each commonwall dwelling unit
Multi-family dwelling (apartment) with more than four dwelling units	<u>See Maximum Residential Density under Section 16.32.040.B.</u> 15,000 square feet, plus 1,500 square feet per dwelling unit for each unit above five
Motel, hotel, or resort	1,500 square feet per guest unit

B. Exception for Conversions. When a duplex, triplex, or fourplex is created by internally

converting, or expanding the floor area of an existing single-family dwelling, no minimum lot size shall apply.

- C. Maximum Residential Density. Maximum residential density for multi-family dwellings shall be 30 dwelling units per net acre. See EMC 16.60.060.
- D. Minimum Residential Density. New residential subdivisions and new multi-family dwellings are subject to the minimum density standards of EMC 16.60.070.
- E. Setbacks. The minimum setback requirements in the C-2 zone shall be as follows:
1. The front setback shall be a minimum of fifteen (15) feet, but a minimum of twenty (20) feet to any garage door or carport motor vehicle entry.
 2. Except as to the common side of a commonwall dwelling, each side setback shall be a minimum of five feet, but any point of a building exceeding fifteen (15) feet in height must have a setback from a side property line equal to or greater than one-third the height of that point. (Height measured from grade level adjacent to the wall which is closest to the side property line.) If a utility easement is required, a minimum of ten (10) feet will be required.
 3. The rear setback shall be a minimum of fifteen (15) feet except:
 - a. An accessory structure not used for human habitation and separated from the main building may be located to within five feet of a rear property line.
 - b. On a corner lot setbacks required from the rear property line shall be the same as required for side yards.
 - c. Detached accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.C.3.a.
- F. No lot area, yard, off-street parking or loading area, or other required open space for one use shall be used as the required lot area, yard, off-street parking or loading area, or other required open spaces for another use.
- G. Parking Requirements. The number of parking spaces as required in EMC 16.76 shall apply in the C-2 zone.
- H. Sidewalks. Sidewalks, driveways and service driveways shall conform to standards established by this code.
- I. Fences and Walls. A solid fence or wall of not less than six feet in height shall be required along a property line which is the district boundary with an abutting residential district.
- J. Building Height. No building shall exceed a height of forty-five (45) feet.
- K. Landscaping. A minimum of five percent of the area developed, which includes but is not limited to areas developed for off-street parking, driveways, and above-ground utility facilities, shall be landscaped. Outdoor storage shall be screened with either a sight-obscuring fence, or a buffer strip of vegetation.

(Ord. 2000-26 § 5(3); prior code § 10.224(3))

SECTION 23: AMENDMENT “16.33.020 Development Plans” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.33.020 Development Plans

- A. Before development of properties can occur in the MMU zone, a Facilities Plan must be approved by the Planning Commission and a Master Development Plan must be approved by the City Council after review by the Planning Commission. The Facilities Plan may be reviewed and approved prior to or concurrent with the submitted Master Development Plan.
- B. Facilities Plan:-The Facilities Plan shall show how the area proposed for development will be served by roads and utilities. The Facilities Plan shall, at a minimum, include:
1. The boundaries of the area within the MMU zone proposed for development, and adjacent development;
 2. A map of existing and planned water and sewer facilities to serve the development area, including line sizes, general location or routes, and how the lines will tie in with adjacent areas;
 3. A map indicating existing and planned streets adjacent to the development area, the general route of planned streets through the development area, and where those streets will connect with the City's existing street system;
 4. Such other utility and transportation information as the City may determine are necessary;
 5. The function and location of any private utility systems;
 6. A written narrative that explains or describes how the Facilities Plan meets the following approval criteria:
 - a. The proposed water, sewer, and street system will be adequate to serve the type and size of development planned for the subject area;
 - b. The location and sizing of facilities on site will be consistent with the existing and planned utilities; and
 - c. Adequate water flow volumes will be provided to meet fire flow and domestic demands.
- C. Master Development Plan: The minimum acreage for an MMU zone Master Development Plan is 10 acres unless specifically exempted as described in EMC 16.33.020 Subsection E. The Master Development Plan shall include:
1. A plan view drawing, with dimensions, that shows the following elements and how they fit together as a functional design:
 - a. Building envelopes;
 - b. Parking area location, size, and access;
 - c. Access points to streets;
 - d. Pedestrian and bicycle facilities;
 - e. Landscaped areas;
 - f. Plans for day-lighting all portions of Wade Creek that cross or are adjacent to the subject area;
 - g. Open spaces and common areas;
 - h. The expected uses to be developed and approximate square footage of buildings;

- i. Any private development covenants, conditions, or restrictions that will be recorded with the property; and
 - j. Any other information the City and other relevant regulatory authorities may require, including, but not limited to, a Phase I and Phase II Environmental Site Assessment and Remediation Plan.
 - 2. A written narrative demonstrating that the proposal:
 - a. Creates a stimulating and attractive mixed-use environment through the use and inter-relationship of open spaces, building locations, building scale and design, and pedestrian amenities;
 - b. Provides pedestrian access and movement to and through the site in a manner that maximizes foot traffic exposure to goods and services and minimizes conflicts with vehicle circulation areas;
 - c. Encourages access to Downtown, adjacent residential areas, and/or the CMU zone;
 - d. Provides for traffic and service vehicle circulation between on-site uses, as appropriate;
 - e. Improves the aesthetics, and capitalizes on the locational advantages of, the MMU zone;
 - f. Reduces to a minimum any negative impacts of proposed uses on adjacent properties and ensures the livability of residential areas, when applicable; and
 - g. Is consistent with the goals and policies for the MMU area in the City's Comprehensive Plan, the Transportation System Plan, and Active Transportation Plan.
 - 3. A traffic impact study.
- D. Upon approval of an MMU zone Master Development Plan, all subsequent building and site development must comply with the approved MMU zone Master Development Plan and the applicable stands and conditions in this code. Minor alterations to an approved MMU zone Master Development Plan may be approved by the Planning Commission using the stands in this section. A minor alteration to a master plan may include adjustments to local street and pedestrian corridor alignments, alterations to site design guidelines, changes to lot configurations, and the relocation of plaza and open space within the master plan area, provided the approved MMU zone Master Development Plan concept is not compromised.
- E. Exemptions: Properties less than 10 acres in size that are not a part of a previously approved and valid MMU zone Master Development Plan and cannot practicably be combined with surrounding properties in MMU zone may apply independently for MMU zone Master Development Plan approval in accordance with Subsection C of this section.

SECTION 24: **AMENDMENT** “16.33.030 Building And Site Development Standards” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.33.030 Building And Site Development Standards

- A. In addition to the required Master Development Plan approval by the City Council, the development of individual buildings, and related areas within the Master Development Plan area shall comply with the following standards, as assessed from development plans and approved by the City prior to the issuance of any required development permits, with such determination by the City appealable to the Planning Commission:
1. Building Design: Buildings and structures shall have architectural elements and features which are in scale with each other. The colors and exterior material of buildings within the Master Development Plan shall be compatible. Buildings housing retail uses shall provide ample window area oriented toward pedestrian walkways or plazas.
 2. Landscaping and Open Space: The design and development of landscaping and open space shall:
 - a. Emphasize the use of trees, shrubs, and other plants native to the Estacada area;
 - b. Include street trees and parking area trees which are in scale with the development;
 - c. Provide a cohesive open space and pedestrian network within the development, with appropriate connections to surrounding properties and uses;
 - d. Provide pleasing transitions between uses, soften and buffer utility and lading areas, and provide pleasing textures and variety particularly next to buildings, along walkways, and within pedestrian plazas; and
 - e. Include open spaces and plazas which are in scale with the development and invite activity appropriate to adjoining uses.
 3. Refuse Collection and Recycling: Refuse collection and recycling areas for businesses shall be enclosed with a fence, wall, or structure high enough to screen all collection bins.
 4. Outside mechanical equipment: Industrial or commercial heating, ventilation, air conditioning, or other mechanical equipment on rooftops or on the ground shall be screened with a material that is visually compatible with the building.
 5. Industrial Air Emissions: There shall be no emission of odorous, toxic, noxious matter, or dust in such quantities from industrial operations as to produce a public nuisance or hazard.
- B. Utility services, including water, sewer, electrical, telephone, and cable lines, shall be installed underground.
- C. Lot Size and Dimensions:
1. Except as provided in Subsection 2, the minimum lot size shall be as follows:
-

Single-family dwelling or duplex	4,000 square feet
<u>Triplex or fourplex</u>	<u>2,500 square feet per dwelling unit</u>
<u>Commonwall dwellings</u>	<u>2,500 square feet per lot for the first five dwelling units</u> <u>1,500 square feet per lot for each unit above five</u>
Duplex, or two-unit commonwall dwelling <u>Cottage cluster;</u>	<u>2,500</u> 3,000 square feet per dwelling unit
Multi-family or commonwall dwelling	<u>See Maximum Residential Density under Section 16.33.030.D.</u> 3,000 square feet per dwelling unit plus 1,500 square feet per unit above five

2. Exception for Conversions. When a duplex, triplex, or fourplex is created by internally converting, or expanding the floor area of, an existing single-family dwelling, no minimum lot size shall apply.

D. Maximum Residential Density. Maximum residential density for multi-family dwellings shall be 40 dwelling units per net acre. See EMC 16.60.060

E. Minimum Residential Density. New residential subdivisions and new multi-family dwellings shall meet a minimum density standard of 15 dwelling units per net acre. See EMC 16.60.070.

F. Setbacks:

- ~~A:~~ 1. The front setback shall be a minimum of fifteen (15) feet, but a minimum of twenty (20) feet to any garage door or carport motor vehicle entry.
- ~~B:~~ 2. Except as to the common side of a commonwall dwelling, each side setback shall be a minimum of five feet; however, a dwelling with a side yard facing, second story bedroom window (having minimum dimensions of at least three feet by three feet) with a lower sill exceeding fifteen (15) feet in height must have a setback from said side property line equal to or greater than one-third of the height of that point, or be equipped with an automatic fire sprinkler system, unless otherwise approved by the City. (Height is measured from the lower window-sill of the side yard facing wall to grade level directly below the center of the window at the edge of the building foundation.) If a public utility easement (PUE) exists on the side property line, the side yard setback shall be equal to the width of the PUE, if greater than the side yard setback required above.
- ~~C:~~ 3. The rear setback shall be a minimum of fifteen (15) feet, except:
 - ~~1:~~ a. An accessory structure not used for human habitation or for a commercial use, and that is separated from the main building may be located to within five feet of a rear property line.
 - ~~2:~~ b. On a corner lot, setbacks required from the rear property line shall be the

same as required for side yards.

3. c. Detached accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.C.3.a.

4. Notwithstanding other provisions of this chapter, no minimum setback distance is required from Eagle Creek Rd.

A. G. Parking Requirements:

1. The number of parking spaces as required in EMC 16.76 shall apply in the MMU zone.
2. Motor vehicle parking areas fronting Eagle Creek Rd, and motor vehicle parking areas separated from Eagle Creek Rd only by landscaping and/or fencing, are prohibited.

B. H. Sidewalks and Driveways: Sidewalks, driveways, and service driveways shall conform to standards established by this code.

C. I. Building Height: Buildings shall not exceed the maximum height of sixty-five (65) feet.

D. J. Landscaping:

1. A minimum of five percent of the area developed, which includes but is not limited to areas developed for off-street parking, driveways, and above-ground utility facilities, shall be landscaped.
2. Development adjacent to Eagle Creek Rd shall have landscaping that includes trees with canopies that provide shade to pedestrians along the Eagle Creek Rd right-of-way.

E. K. Access and Circulation:

1. Vehicle access shall conform to EMC 16.116, Design Standards and Improvements.
2. Development shall conform to all of the standards for pedestrian access and circulation in EMC 16.118.020.

SECTION 25: AMENDMENT “16.33.060 Permitted Uses” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.33.060 Permitted Uses

Uses permitted outright in the CMU zone:;

A. Single-family dwellings ~~within 250 feet of the R-1, R-2, or R-3 zones~~ legally existing and assessed as dwellings on January 12, 2022;

B. Alterations to the legally-established single-family dwellings described in EMC 16.33.060 Subsection C, as well as the replacement of such dwellings, provided the dwelling to be replaced has remained a dwelling on the subject property, with intact

walls and roof structure, indoor plumbing connected to a sanitary waste disposal system, interior wiring for interior lights, and a heating system, without a gap of 12 consecutive months since January 12, 2022;

- C. Schools;
- D. Governmental uses;
- E. Outdoor farmers' markets;
- F. Restaurants, cafes, bars, taverns, bakeries, and similar on-site eating/drinking establishments;
- G. Breweries and distilleries providing on-site retail sales of beverages brewed or distilled on-site;
- H. Hotels, motels, and resorts;
- I. Art galleries;
- J. Short-term rentals, subject to EMC 16.62;
- K. Public-use parking facilities;
- L. Publicly-accessible parks, plazas, and pedestrian/multi-use paths, trails, and bridges; and
- M. Public transportation facilities, including streets, transit stops and stations, park and ride facilities, and bicycle and pedestrian facilities.

SECTION 26: AMENDMENT “16.33.090 Prohibited Uses” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.33.090 Prohibited Uses

- A. Unenclosed industrial uses;
Single-family dwellings ~~not within 250 feet of the R-1, R-2, or R-3 zones;~~
- B.
- C. Marijuana retailing;
- D. Outdoor storage, unless associated with an approved farmers' market, conducted by a public agency, or supportive of and incidental to a retail use permitted outright;
- E. Commercial indoor storage facilities;
- F. Commercial services involving vehicle maintenance, servicing, or repair; and
- G. Drive-thru commercial uses.

SECTION 27: AMENDMENT “16.37.020 Uses Permitted Outright” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.37.020 Uses Permitted Outright

- A. Outpatient clinics and offices for healthcare services, such as acupuncture, chiropractic, counseling, dental, massage therapy, medical, naturopathic, optometric, physical therapy, psychiatric, occupational therapy, and speech therapy;
- B. Personal service establishments, including barber and beauty shops, hair salons, nail salons, and similar establishments;
- C. Health and fitness clubs;
- D. Dry cleaners and laundries;
- E. Banks and credit unions;
- F. Licensed day care facilities;
- G. Assisted living facilities;
- H. Residential care facilities;
- I. Restaurants, cafes, bakeries, and similar on-site eating/drinking establishments in a leased or owned building space of no more than 1,500 square feet, but with accessory outdoor seating areas not subject to any square footage limitation;
- J. Professional offices not associated with an outright permitted use in a leased or owned building space of no more than 1,500 square feet;
- K. Public parks;
- L. Pedestrian and multi-use trails, paths, and boardwalks;
- M. Pools;
- N. Community gardens;
- O. Public transportation facilities, including streets, transit stops and stations, park and ride facilities, and bicycle and pedestrian facilities;
- P. Short-term rentals, subject to EMC 16.62;
- Q. Duplexes;
- R. Triplexes and Fourplexes;
- S. Multi-family dwellings;
- T. Commonwall dwellings;
- U. Cottage clusters;
- V. Single-family dwellings legally existing and assessed as dwellings on December 1, 2019;
- W. Alterations to the legally-established single-family dwellings described in EMC 16.37.020 Subsection ~~F~~V, as well as the replacement of such dwellings, provided the dwelling to be re:pl~~e~~aced has remained a dwelling on the subject property, with intact walls and roof structure, indoor plumbing connected to a sanitary waste disposal system, interior wiring for interior lights, and a heating system, with-out a gap of twelve (12) consecutive months since December 1, 2019; and
- X. Transportation facilities providing access to the H-C or MMU zones.

SECTION 28:AMENDMENT “16.37.040 Conditional Uses” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.37.040 Conditional Uses

- A. Restaurants, cafes, bakeries, and similar on-site eating/drinking establishments in a leased or owned building space greater than 1,500 square feet;
- B. Professional offices in a leased or owned building space greater than 1,500 square feet;
- C. Outdoor farmers' markets;
- D. Drive-thru ~~commercial~~ commercial uses; and
- E. Food carts, subject to EMC 16.66.

SECTION 29: AMENDMENT “16.37.060 Standards” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.37.060 Standards

- A. Lot Size and Dimensions:
 - 1. Except as provided in Subsection 2, the minimum lot size shall be as follows:

Single-family dwelling or duplex	4,000 square feet
<u>Triplex or fourplex</u>	<u>2,500 square feet per dwelling unit</u>
<u>Commonwall dwellings</u>	<u>2,500 square feet per lot for the first five dwelling units; 1,500 square feet per lot for each unit above five</u>
Duplex or e Cottage cluster	3,000 2,500 square feet per dwelling unit
Multi-family or commonwall dwelling	<u>See Maximum Residential Density under Section 16.37.060.B.</u> 3,000 square feet per dwelling unit plus 1,500 square feet per unit above five

- 2. Exception for Conversions. When a duplex, triplex, or fourplex is created by

internally converting, or expanding the floor area of, an existing single-family dwelling, no minimum lot size shall apply.

A.

B. Maximum Residential Density. Maximum residential density for multi-family dwellings shall be 40 dwelling units per net acre. See EMC 16.60.060.

C. Minimum Residential Density. New residential subdivisions and new multi-family dwellings shall meet a minimum density standard of 15 dwelling units per net acre. See EMC 16.60.70.

D. Setbacks:

1. The front setback shall be a minimum of fifteen (15) feet, but a minimum of twenty (20) feet to any garage door or carport motor vehicle entry.
2. Except as to the common side of a commonwall dwelling, each side setback shall be a minimum of five feet; however, a dwelling with a side yard facing, second story bedroom window (having minimum dimensions of at least three feet by three feet) with a lower sill exceeding fifteen (15) feet in height must have a setback from said side property line equal to or greater than one-third of the height of that point, or be equipped with an automatic fire sprinkler system unless otherwise approved by the City. (Height is measured from the lower window-sill of the side yard facing wall to grade level directly below the center of the window at the edge of the building foundation.) If a public utility easement (PUE) exists on the side property line, the side yard setback shall be equal to the width of the PUE, if greater than the side yard setback required above.
3. The rear setback shall be a minimum of fifteen (15) feet, except:
 - a. An accessory structure not used for human habitation or for a commercial use, and that is separated from the main building may be located to within five feet of a rear property line.
 - b. On a corner lot, setbacks required from the rear property line shall be the same as required for side yards.
 - c. Detached accessory dwelling units are allowed exceptions to rear setbacks as provided in EMC 16.61.060.C.3.a.
4. Notwithstanding other provisions of this chapter, no minimum setback distance is required from Eagle Creek Rd.

E. Parking Requirements:

1. The number of parking spaces as required in EMC 16.76 shall apply in the CMU zone.
2. Motor vehicle parking areas serving commercial uses fronting Eagle Creek Rd, and motor vehicle parking areas separated from those streets only by landscaping and/or fencing, are prohibited.

F. Sidewalks and Driveways: Sidewalks, driveways, and service driveways shall conform to standards established by this code.

G. Building Height: Buildings shall not exceed the maximum height of sixty-five (65) feet.

H. Landscaping:

1. A minimum of five percent of the area developed with non-residential uses, which includes but is not limited to areas developed for off-street parking, driveways, and above-ground utility facilities, shall be landscaped.
2. Development adjacent to Eagle Creek Rd or the extension of River Mill Rd connecting to NE Currin Creek Dr planned for in the City's Transportation System Plan shall have landscaping that includes trees with canopies that provide shade to pedestrians along those streets' adjacent rights-of-way.

I. Access and Circulation:

1. Vehicle access shall conform to EMC 16.116, Design Standards and Improvements.
2. Development shall conform to all of the standards for pedestrian access and circulation in EMC 16.118.020.

SECTION 30: AMENDMENT “16.39.030 Conditional Uses Permitted” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.39.030 Conditional Uses Permitted

The following uses and accessory uses may be permitted in a light industrial zone subject to EMC 16.88.020 and the review procedures in EMC 16.132.010 through EMC 16.132.050:

- A. Unenclosed light industrial uses;
- B. Commercial uses in conjunction with light industrial uses; except in the Northwest Industrial Sanctuary as defined in EMC 16.39.040 Subsection G and shown on Map 16-1;
- C. Accessory uses that exceed the standards identified in EMC 16.39.025 Subsection B or EMC 16.39.025 Subsection C;
- D. The manufacturing, processing, compounding, packaging, or assembling of products, the process of which requires that permits be issued by the Oregon State Department of Environmental Quality for the associated emissions, discharges, or storage of materials;
- E. Radio, television and/or cellular transmission towers;
- F. Other commercial use which meet the following requirements:
 1. The proposed use will not attract traffic which would substantially conflict with industrial traffic or have a substantial adverse effect on other neighboring uses and has adequate access to the highway.
 2. The development standards applicable to permitted uses in this zoning district shall apply to conditional uses, except as provided below:
 - a. All on-site lighting shall be designed, located or deflected so as not to shine into off-site structures or impair driving vision.
 - b. All developments shall be subject to site plan review.

c. Off-street parking shall be provided as required by EMC 16.76.

3. The following additional standards shall apply in the Northwest Industrial Sanctuary as defined in EMC 16.39.040 Subsection G and shown on Map 16-1:

a. The total floor area within an individual building occupied by the commercial use shall not exceed fifteen (15) percent of the total floor area occupied by a primary industrial use.

Formula: $.15 \times \text{industrial floor area} = \text{commercial floor area}$.

G. Park and ride facilities and other public transportation facilities not otherwise listed in EMC 16.39.020 Subsection G.

H. Transportation facilities that are not identified in the City's Transportation System Plan or Active Transportation Plan;

I. More than two food carts on a lot of record, subject to EMC 16.66;

J. Auto wrecking yards or junkyards; and

K. Extraction and processing of rock, sand, gravel or earth projects or batch plants.

(Ord. 2007-6 § 9; Ord. 2000-26 § 6(2); prior code § 10.225(2); Ord. No. 2011-004, § 2, 1-9-2012; Ord. No. 2018-003, § 3(Exh. 6), 10-8-2018)

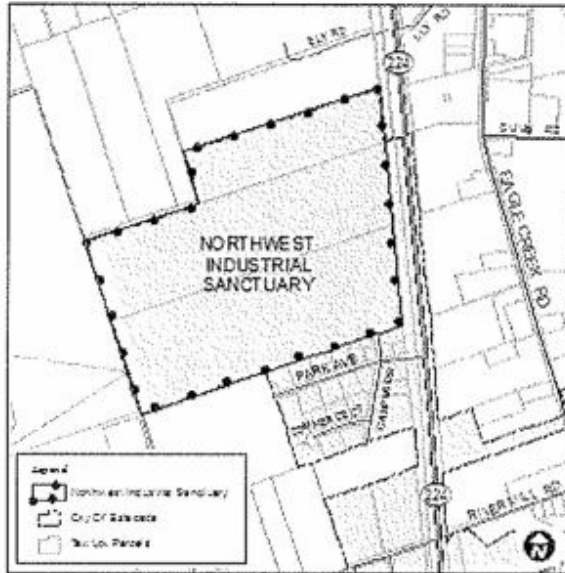
SECTION 31: AMENDMENT “16.39.040 Standards” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.39.040 Standards

- A. Yards. All yards abutting a lot in a residential zone shall be a minimum of twenty (20) feet.
- B. Parking Requirements. The number of parking spaces as required in EMC 16.76 shall apply in the M-1 zone.
- C. Sidewalks. Sidewalks, driveways and service driveways shall conform to standards established by this code.
- D. Landscaping. A minimum of five percent of the area developed, which includes but is not limited to areas developed for off-street parking, driveways, and above-ground utility facilities, shall be landscaped.
- E. Outdoor storage abutting or facing a street, highway, residential zone shall be screened with a sight-obscuring fence or a buffer strip of vegetation six feet in height.
- F. Noise. The applicant shall demonstrate the proposed activity will meet the applicable standards for noise emissions as required by the Oregon State Department of Environmental Quality.
- G. The following additional standards shall apply to development within the Northwest Industrial Sanctuary (one hundred thirty and four tenths (130.4) acres) as shown on Map 16-1. The Northwest Industrial Sanctuary is located west of Highway 211-224,

east of Farmstead Road, north of the Estacada Industrial Campus, and south of the city limits of Estacada.



Map 16-1

1. Master Plan: A Master Plan for development within the Northwest Industrial Sanctuary shall be required. The master plan shall be submitted to the city for review and approval prior to the first phase of development. The master plan shall be a conceptual plan for the entire site and shall, at a minimum, include:
 - a. Boundary lines and dimensions of the subject property;
 - b. All proposed lot lines;
 - c. Size (in acres) of new lots;
 - d. Location of delineated wetlands;
 - e. Location, dimensions and names of all proposed streets.

(Ord. 2000-26 § 6(3); prior code § 10.225(3); Ord. No. 2011-004, § 4, 1-9-2012; Ord. No. 2012-008, § 1, 1-14-2013; Ord. No. 2018-001, § 1, 6-11-2018)

SECTION 32: AMENDMENT “16.44.020 Conditional Uses” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.44.020 Conditional Uses

Planning **C**ommission, after public hearing, may permit the following uses, where such uses

are deemed essential or desirable to the public convenience or welfare and are consistent with the goals, objectives and policies of the comprehensive plan.

- A. Educational institutions;
- B. Governmental buildings;
- C. Public libraries and museums;
- D. Public utilities, services, and structures;
- E. Informational and promotional kiosk or centers;
- F. Public parks.

(Prior code § 10.227(1))

SECTION 33: AMENDMENT “16.44.030 Standards” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.44.030 Standards

- A. Off-street parking shall be provided as required in EMC 16.76.
- B. Structures shall be setback from residential zones a minimum of twenty (20) feet.
- C. Outdoor storage abutting or facing a street, highway, or residential zone shall be screened with a sight-obscuring fence, or a buffer strip of vegetation six feet in height.
- D. Landscaping. At least ten (10) percent of the total area developed shall be landscaped.
(Prior code § 10.227(2))

SECTION 34: AMENDMENT “16.60.060 (Reserved)” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.60.060 ~~(Reserved)~~ Residential Density

- A. Definitions. Refer to EMC 16.08 for definitions of "Density" and "Acreage, Net"
- B. Maximum Residential Density. Maximum density for multi-family dwellings is based on the maximum number of dwelling units permitted per net acre of land. Density for all other housing types is based on minimum lot size per dwelling unit. These standards are provided in the base zone chapters of the EMC.

Editor's note—Ord. No. 2016-003, § 1(Exh. C), adopted May 23, 2016, repealed § 16.60.060, which pertained to bed and breakfast inns and derived from prior code § 10.598.

SECTION 35: ADOPTION “16.60.070 Minimum Residential Density” of the Estacada Municipal Code is hereby *added* as follows:

ADOPTION

16.60.070 Minimum Residential Density(*Added*)

- A. Residential subdivisions and new multi-family development in the R-3, NCR, and C-2 zones must achieve a minimum density that is at least 50 percent of the maximum density permitted for the zoning district in which they are located. Residential subdivisions and new multi-family development in the MMU and CMU zones must achieve a minimum density of at least 15 dwelling units per net acre.
- B. Projects proposed at less than the minimum density must demonstrate on a site plan or other means, how, in all aspects, future intensification of the site to the minimum density or greater can be achieved.
- C. Minimum residential density is calculated as follows:
 - 1. For zones and housing types for which residential density is regulated by minimum lot area required per dwelling:
 - a. Refer to the definition of “Acreage, Net.” Multiply the net acreage of the site by 0.50.
 - b. Multiply the resulting number in step a by 43,560 to determine the total square footage of the site.
 - c. Divide the resulting number in step b by the minimum land area required per dwelling for the applicable zone and housing type, as expressed in square feet, to determine the minimum number of dwellings that must be built on the site.
 - 2. For residential subdivisions and new multi-family development in the MMU and CMU zones:
 - a. Refer to the definition of “Acreage, Net.”
 - b. Multiply net acreage of the site by 15 to determine the minimum number of dwellings that must be built on the site.
 - 3. For zones and housing types for which residential density is regulated by maximum dwelling units per acre (except as provided in Subsection C.2):
 - a. Refer to the definition of Net Acreage. Multiply the net acreage of the site by 0.50.
 - b. Multiply the resulting number in step a by the maximum residential density required in the applicable zone, as expressed in dwelling units per net acre, to determine the minimum number of dwellings that must be built on the site.
 - 4. If the resulting number in step 1.b, 2.b, or 3.b is not a whole number, the number is rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number.

SECTION 36: AMENDMENT “16.61.020 Eligibility” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.61.020 Eligibility

~~A maximum of one a~~Accessory dwelling unit (ADU) may be located on a lot of record in a zoning district where ADUs are permitted as accessory uses, provided the ADU is accessory to a legal single-family dwelling, a duplex, a triplex, a fourplex, a commonwall dwelling, or a multi-family dwelling on the same lot and provided all other requirements of the underlying zoning district are met. A maximum of two ADUs may be located on a lot with a single-family dwelling, provided they meet the standards of Section 16.61.030, Subsections A and B, and a maximum of one ADU can be located on a lot with a duplex, triplex, fourplex, commonwall dwelling, or multi-family dwelling. An ADU cannot be accessory to a dwelling unit that comprises a cottage cluster.

(Ord. No. 2018-001, § 1, 6-11-2018)

SECTION 37: AMENDMENT “16.61.030 Creation” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.61.030 Creation

An accessory dwelling unit may be created by the construction of a new structure or the conversion or expansion of an existing structure. An ADU may be constructed while the primary dwelling it will be accessory to is also constructed; however, the ADU may not be occupied whenever construction of the primary dwelling is not authorized by a valid building permit and the primary dwelling has not been permitted for occupancy.

Up to two accessory dwelling units are allowed on a site with single-family dwelling, provided the following standards are met:

- A. The lot is at least 7,500 square feet in area; and
- B. At least one of the ADUs is internal to the primary dwelling (i.e., created by converting existing floor area in the primary dwelling).

(Ord. No. 2018-001, § 1, 6-11-2018)

SECTION 38: AMENDMENT “16.61.060 Design” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.61.060 Design

Design standards specifically for accessory dwelling units are stated in this section. If a relevant design standard is not addressed in this section, the development standards of the underlying zoning district apply.

- A. All accessory dwelling units (detached dwelling units and accessory suites) must meet the following requirements:
1. Size. An accessory dwelling unit may be no more than 900 square feet or the total habitable floor area of the primary dwelling, whichever is less; however, an accessory suite that occupies the entirety of the lowest floor of a primary dwelling may have a maximum area of 1,200 square feet.
 2. Height. The maximum height allowed is the height of the underlying zone.
 3. Parking. No additional off-street parking is required for one ADU. If a second ADU is proposed on a lot with a single-family dwelling, a minimum of one off-street parking space shall be provided on the subject property for the second ADU, accessory dwelling unit. This ADU parking shall be in addition to any required parking for the primary dwelling(s) on the same lot. In no case shall an ADU be permitted on a lot that has no off-street parking. The ADU's side and rear yard setback areas shall not be used for the required ADU parking space(s).
 4. Entry. All accessory dwelling units must have a minimum of one outdoor entrance.
 5. Lot Coverage. If an ADU is accessory to a single-family dwelling on a lot that is 5,000 square feet or smaller in area, the ADU may exceed the maximum lot coverage of the underlying zoning district by up to 10 percent.
- B. Accessory suites must meet the following additional requirements:
1. Location of entrances. The entrance(s) to an accessory suite shall be on the side and rear of the primary dwelling, unless there is no ground-level access to the suite or if the primary dwelling has more than one front entrance prior to the development of the accessory suite and the total number of entrances to the primary dwelling is not increased.
 2. Exterior stairs. Fire escapes or exterior stairs for access to an upper level accessory suite shall not be located on the front of the primary dwelling.
- C. Detached accessory dwelling units must meet the following additional requirements:

1. Design and appearance. The accessory dwelling unit shall be designed so that the appearance of the building conforms to the original design characteristics and style of the primary dwelling. ~~To meet this requirement, The primary dwelling and the detached accessory dwelling shall have at least two of the following design features in common with the primary dwelling the same or substantially similar, or matching as determined by the City Manager:~~
 - a. Exterior color and exterior finish materials;
 - b. Roof pitch;
 - c. Eaves; ~~and~~or
 - d. Trim.
2. Windows ~~proportion and orientation and privacy. Window placement should consider adjacent property privacy. Where privacy is a concern, windows should be placed elsewhere, or as the Planning Official may require, a site-obscuring fence or hedge can be used.~~ Windows shall not be placed on any ADU building elevation that is facing and within 20 feet of an abutting residential property unless:
 - a. The windows are limited to the upper one third of the ADU building elevation; or
 - b. A minimum six (6) foot screen by fencing or evergreen shrubs is installed between the ADU and the abutting residential property. The screen or fencing shall extend the entire length of the ADU building elevation. Shrubs shall be no less than 5 five feet in height at time of planting.
3. Setbacks.
 - a. Except as provided below, ~~T~~the minimum side and rear yard setbacks for a detached accessory dwelling unit shall be the same as for the primary single-family dwellings in the same zoning district;
 - (1) ~~however, if~~ If the rear yard abuts an alley, the minimum rear yard setback for a detached ADU shall be five feet.
 - (2) If the rear yard does not abut an alley, and the ADU does not exceed two stories or a height of 25 feet, the minimum rear yard setback shall be 10 feet.
 - (3) An ADU that is converted from an existing and legal detached accessory structure may have a zero-foot setback.
 - b. A detached accessory dwelling unit shall be at least 10 feet behind the front building line of any primary dwelling on the same lot, unless the ADU:
 - c. Is created through the conversion of an existing and legal detached accessory structure that does not meet this standard and the ADU is not made any closer to the front lot line; or
 - d. Is located above a detached garage and extends no closer to the front lot line than the garage below.
4. Building footprint. The building footprint of a detached accessory dwelling unit may not be larger than the building footprint of any one primary dwelling

on the same lot.

(Ord. No. 2018-001, § 1, 6-11-2018)

SECTION 39: **AMENDMENT** “16.76.010 Off-Street Parking, Bicycle Parking And Loading Requirements” of the Estacada Municipal Code is hereby *amended* as follows:

AMENDMENT

16.76.010 Off-Street Parking, Bicycle Parking And Loading Requirements

At the time a building permit is issued for a new structure, the use of an existing structure is enlarged, or the category of use is changed, off-street parking spaces, loading areas and access thereto shall be provided as set forth in this section. If such facilities have been provided in connection with an existing use, they shall not be reduced below the requirements of this title.

- A. Requirements for types of buildings and uses not specifically listed herein shall be determined by the city manager, based upon the requirements of comparable uses listed.
- B. In the event several uses occupy a single structure or parcel of land, the total requirements shall be the sum of the requirements of the several uses computed separately.
- C. Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap; provided that satisfactory evidence is presented in the form of deeds, leases, agreements or contracts.
- D. Off-street parking spaces shall be located on the same lot or on an adjoining lot or lot located within one hundred fifty (150) feet, unless otherwise approved by the planning commission.
- E. Required parking spaces shall be available to operable motor vehicles and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.
- F. Areas used for standing and maneuvering of vehicles shall have a paved, durable and dustless surface improved to minimum public road standards, maintained adequately for all-weather use, and be so drained as to avoid flow water across public sidewalks.
- G. Except for parking to serve dwelling uses, parking and loading areas adjacent to or

within residential zones shall be designed to minimize disturbances with the installation of a sight-obscuring fence or vegetative buffer, of not less than five feet in height, except where vision clearance is required.
- H. Artificial lighting which may be provided for parking areas shall not create or reflect substantial glare in a residential zone or on any adjacent dwelling.
- I. Groups of more than four parking spaces shall be served by a driveway so that no backing movements or other maneuvering within a street, other than an alley will be

required and shall be contained by a curb or bumper rail at least four inches high and set back a minimum of four and one-half feet from the property line.

- J. Passenger Loading. A driveway designated for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having a capacity of greater than twenty-five (25) students.
- K. Loading of Merchandise, Materials or Supplies. Buildings or structures which receive and distribute materials or merchandise by truck, shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use.
- L. Off-street parking areas used to fulfill the requirements of the code may be used for loading and unloading operations during periods of the day when not required to take care of parking needs.
- M. Compact parking spaces may be permitted at a ratio of one space to every three full-sized spaces. (See "Parking space" defined under EMC 16.08 for dimension requirements.)
- N. Except for parking intended to serve dwelling uses, parking spaces shall be clearly delineated through striping or some other means.
- O. Where an area provided for off-street parking is within or adjoins a residential zone, the perimeter of the area shall be screened by a sight-obscuring fence or planting. The screen shall be continuous and shall be at least six feet in height to the rear of the front setback of the residential zone and shall be three feet in height in that portion bounding the front yard.
- P. Parking spaces along the boundaries of a parking area shall be provided with a sturdy bumper guard or curb at least four inches in height and located far enough within the boundary to permit any portion of a vehicle within the parking area from extending over the property line or interfering with the required screening or sidewalk traffic.
- Q. Off-Street Parking Requirements.
 - 1. Off-street parking shall be required according to the table below:

Use:		Minimum Required Spaces:
Bank		1 per 300 square feet of floor area
Bowling alley		4 per lane
Campsites and recreational cabins and yurts		1 per campsite/cabin/yurt
Doctor's office, dental office, medical clinic, or similar use		3.5 per 1,000 square feet of floor area
	Single - family	2 for each primary, detached single-family dwelling

Dwellings	Duple x, Triple x, and Fourpl ex Tw o-and three- family	21.5 for each dwelling unit, rounded up to the next whole number (except as provided in EMC 16.76.010, Subsection 3) in a duplex or triplex
	Com monw all	2 for each commonwall dwelling (see on- street credit option in EMC 16.76.010, Subsection 4)
	Multi- family and cottag e cluster s	1 for each unit
	Acces sory dwelli ng unit (ADU)	No additional space for an one accessory dwelling unit. <u>One parking space shall be provided if there is a second ADU.</u> if the required off-street parking for the primary use is provided. If off-street parking requirements for the primary use are not met, one additional space shall be provided per accessory dwelling unit.
Eating and drinking establishments		1 for every four customer seats
Funeral home or mortuary		1 for every six seats or one space per 50 square feet of area used for assembly, whichever is greater, if there is an assembly area; 1 per 2 employees on maximum shift or operating hours if there is no assembly area
Hospital		3 for every two patient beds
Hotel, motel, boarding house, or resort		1 per lodging/accommodation unit
Instructional class		

space, such as a martial arts or dance studio		1 per 200 square feet of leasable floor area
Library		1 per 300 square feet of floor area
Manufactured dwelling park		2 for each manufactured dwelling space
Nursing home, convalescent care facility, extended care facility, or similar institution		1 for every three patient/resident beds
Office		1 per 300 square feet of floor area
Park		For a park with an athletic field: 1 per 3 spectator seats, 1 space per 18 inches of bench-viewer bench length, or 25 per field, whichever amount is greatest
		For a park without an athletic field: 2.6 per acre
Religious institution, membership club or community center, fraternal hall, or similar place of assembly		1 for every six seats or one space for each 50 square feet of floor area used for assembly, whichever is greater
Retail store (general), including a grocery store, book store, gift shop, or any other general retail or shop		1 per 300 square feet of floor area
Retail store (bulk), including for sale of furniture, appliances, vehicles, building materials, home furnishings, garden supplies, or agricultural supplies		1 per 500 square feet of bulk merchandise area or storage

School for children or daycare, including a preschool, Head Start facility, kindergarten, elementary, middle, or junior high school		2 per classroom
School, other (including a high school, trade school, or college facility)		5 per classroom
Service or repair shop		1 per 500 square feet of floor area
Short-term rental of dwelling		1 per rented bedroom in addition to parking required for dwelling, with never less than 2 total parking spaces on the subject property
Skating rink, arcade, gym, or other similar indoor recreational or athletic use or commercial amusement enterprise		1 per 100 square feet of floor area
Warehouse, storage, or similar enterprise		1 per 2,000 square feet of floor area
Other business or industrial use not elsewhere listed		1 per 2 employees on maximum shift or operating hours

2. Exemptions—Downtown Zone.

a. There is no minimum off-street parking requirement for uses located within one hundred (100) feet of Broadway Street between OR 224 and 2nd Avenue. Uses in the Downtown zone but located outside the above described area are required to provide off-street parking in accordance with the table in Subsection Q.1, except that the minimum

number of required off-street parking spaces may be reduced as follows:

- (1) Reduce the minimum parking standard by ten (10) percent where the project is located within one thousand three hundred twenty (1,320) feet of an existing or planned public

transit bus stop; and/or

(2) Reduce the minimum parking standard by twenty (20) percent where the city decision-making body determines there is public on-street parking adjacent to the subject site in a quantity equal to the reduction in the number of required parking spaces.

b. Expansion of a nonconforming development, building or use that does not comply with the minimum parking ratios shall provide additional parking spaces based on the floor area or capacity added and not on the area or capacity existing prior to the expansion.

3. Reduced Parking for Internal Conversions. When a duplex, triplex, or fourplex is created through internal conversion of an existing single-family dwelling, the minimum number of required parking spaces (including existing retained parking spaces) shall be as follows:

a. Duplex: Two spaces total.

b. Triplex: Three spaces total.

c. Fourplex: Four spaces total.

4. On-street Parking Credit for Commonwall Dwellings. For each commonwall dwelling, the minimum parking requirement may be reduced by no more than one space if on-street parking is available that meets standards a through e below.

a. The space is a legal place to park (consistent with location standards in the Estacada Municipal Code, such as not next to a fire hydrant or a mailbox).

b. The space is abutting the subject lot (on the same side of the street).

c. The space is on a street with a minimum paved width that meets standard for the local streets with parking on both sides, as established in the adopted Transportation System Plan.

d. The space is least 22 feet long and 7 feet wide.

e. Only one commonwall dwelling can claim the space towards its off-street parking reduction.

5. The maximum number of off-street automobile parking spaces allowed per site equals the minimum number of required spaces, pursuant to EMC 16.76.010 Subsections Q, 1-2, times a factor of:

a. [1.2] spaces for uses fronting a street with adjacent on-street parking spaces; or

b. [1.5] spaces, for uses fronting no street with adjacent on-street parking.

R. Bicycle Parking.

1. Minimum Required Bicycle Parking Spaces. Uses shall provide long- and short-term bicycle parking spaces, as identified in Subsection R, 10 of this section. Where two options are provided (e.g., two spaces, or one per eight

- bedrooms), the option resulting in more bicycle parking is used.
2. Exemptions. This section does not apply to single-family and two-family housing (attached, detached, or manufactured housing), home occupations, agriculture and livestock uses.
 3. Location and Design.
 - a. Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or fifty (50) feet, whichever is less. Long-term (i.e., covered) bicycle parking should be incorporated whenever possible into building design. Cover for bicycle parking can be provided by buildings, or roof overhangs, awnings, bicycle lockers, bicycle storage within buildings or freestanding shelters. Parking provided within a building shall be easily accessible for bicycles.
 - b. Short-term bicycle parking, when allowed within a public right-of-way, shall be coordinated with the design of street furniture, as applicable.
 - c. Bicycle parking for multiple uses, or a facility with multiple structures, may be clustered within fifty (50) feet of each building's entrance in one or several locations.
 - d. Bicycle parking shall not impede or create a hazard to pedestrians.
 4. Visibility and Security. Bicycle parking for customers and visitors shall be visible from street sidewalks or building entrances to provide sufficient security from theft and damage.
 5. Options for Storage. Long-term bicycle parking requirements for multiple family uses and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.
 6. Lighting. For security, bicycle parking shall be at least as well lit as vehicle parking.
 7. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only, and separated from motor vehicle parking to prevent damage to parked bicycles.
 8. Rack Types.
 - a. Bicycle racks must hold bicycles securely by the frame and be securely anchored.
 - b. Bicycle racks must accommodate both:
 - (1) Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock; and
 - (2) Locking the frame and both wheels without removal of wheels to the rack with a chain or cable not longer than six feet.
 9. Rack Dimensions.
 - a. Bicycle parking spaces shall be at least six feet long and two feet wide.
 - b. Covered parking spaces shall include at least seven feet of overhead

clearance.

- c. An aisle width five feet wide shall be provided for bicycle maneuvering.

10. Bicycle Parking Table:

Uses Categories	Specific Uses	Long-Term Spaces (Covered or Enclosed)	Short-Term Spaces (Near Building Entry)
Residential Categories			
Household Living	Multifamily	1 per 4 units	2, or 1 per 20 units
Group Living		2, or 1 per 20 bedrooms	None
	Dormitory	1 per 8 bedrooms	None
Commercial Categories			
Retail Sales and Service		2, or 1 per 12,000 sq. ft. of floor area	2, or 1 per 5,000 sq. ft. of floor area
	Lodging	2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 40,000 sq. ft. of floor area
Office		2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 40,000 sq. ft. of floor area
Commercial Outdoor Recreation		8, or 1 per 20 auto spaces	None
Major Event Entertainment		8, or 1 per 40 seats or per CU review	None
Industrial Categories			
Manufacturi		2, or 1 per	

ng And Production		15,000 sq. ft. of floor area	None
Warehouse And Freight Movement		2, or 1 per 40,000 sq. ft. of floor area	None
Institutional Categories			
Basic Utilities	Bus transit center	8	None
Community Service		2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 10,000 sq. ft. of floor area
	Park and ride	8, or 5 per acre	None
Parks (active recreation areas only)		None	8, or per CU review
Schools	Grades 2-5	1 per classroom, or per CU review	1 per classroom, or per CU review
	Grades 6-12	2 per classroom, or per CU review	4 per school, or per CU review
Colleges	Excluding dormitories (see Group Living, above)	2, or 1 per 20,000 sq. ft. of net building area, or per CU review	2, or 1 per 10,000 sq. ft. of net building area, or per CU review
Medical Centers		2, or 1 per 70,000 sq. ft. of net building area, or per CU review	2, or 1 per 40,000 sq. ft. of net building area, or per CU review
Religious Institutions and Places of Worship		2, or 1 per 4,000 sq. ft. of net building area	2, or 1 per 2,000 sq. ft. of net building area

Daycare		2, or 1 per 10,000 sq. ft. of net building area	None
Other Categories	Determined through Land Use Review, Site Design Review, or CU Review, as applicable		

(Ord. 2007-6 §§ 10, 11; Ord. 2003-10 § 1; prior code § 10.238; Ord. No. 2012-005, § 8, 9-10-2012; Ord. No. 2016-003, § 1(Exh. A), 5-23-2016; Ord. No. 2017-006, § 6, 11-13-2017; 2018-001, § 1, 6-11-2018; Ord. No. 2018-003, § 3(Exh. 6), 10-8-2018)

SECTION 40: **ADOPTION** “16.84.040 Nonconforming Lots Of Record” of the Estacada Municipal Code is hereby *added* as follows:

A D O P T I O N

16.84.040 Nonconforming Lots Of Record(*Added*)

- A. Except as provided in subsection B, lots of record that do not conform to the dimensional or area requirements of the applicable base zone may be developed. Any new structure built on the lot(s) must conform to the development standards for the applicable base zone (such as setbacks, lot coverage, minimum off-street parking, etc.) and must meet all requirements related to infrastructure and public utilities.
- B. If the lot area is less than the minimum lot size for a single-family dwelling in the applicable zone, any residential use of the lot shall be limited to a single-family dwelling, a duplex, or a commonwall dwelling, provided those housing types are permitted in the zone.


SECTION 41: **EFFECTIVE DATE** Considered at the Council meeting of October 10, 2022, continued to October 24, 2022, passed by a vote of 4 ayes and 3 nays, considered for the second time at the meeting of November 14, 2022, and passed by a vote of 4 ayes and 2 nays, considered for a third time at the meeting of December 12, and passed by a vote of 4 ayes and 3 nays, this 12th day of December, 2022.

PASSED AND ADOPTED BY THE ESTACADA COUNCIL DECEMBER 12, 2022.

	AYE	NAY	ABSENT	ABSTAIN
Sean Drinkwine	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Jerry Tenbush	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
Paul Strobel	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
Charity Hughes	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Joel Litkie	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Michael McElroy	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Katy Dunsmuir	<u> </u>	<u> X </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Sean Drinkwine, Mayor, Estacada



Sadie Main, City Recorder, Estacada