

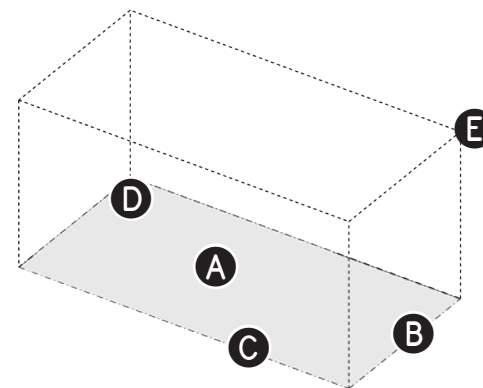
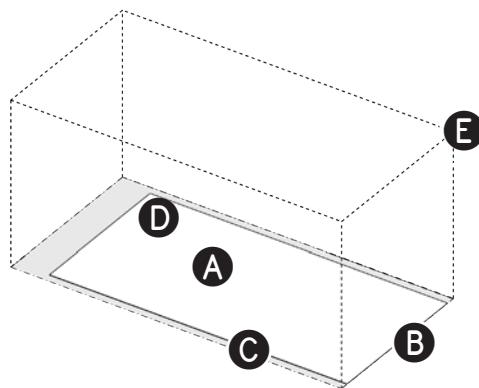
## DEVELOPMENT AND DESIGN STANDARDS



## SUMMARY OF BASE ZONE DEVELOPMENT STANDARDS

The base zone development standards will apply to new development along with the new form based standards.

Building envelope standards are summarized in the table.



14.13.010 DENSITY LIMITATIONS	C-1 AND C-3	P-1
<b>A</b> Minimum lot size (square feet)	5,000	5,000
<b>B</b> Minimum lot width (feet)	25	25
<b>C</b> Setbacks – Front and 2nd Front / Side / Rear (feet)	0 / 0 / 0	0 / 0 / 0
<b>D</b> Maximum lot coverage (%)	85-90	100
<b>E</b> Maximum building height (feet)	50	50
Density – Land Area Required per Unit (sq. feet)*	1,250 *	1,250 *

Roof slopes shall be between 5:12 and 12:12 except for shed roof additions or shed dormers may be 3:12.

### 14.30.030 – CCDRD General Standards

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#### **A. Purpose**

The design standards for the City Center Design Review District require a minimum level of design on every building. These standards are intended to promote district character, attention to detail, human-scale and pedestrian-oriented design, while affording flexibility to use a variety of architectural styles.

City Center development is intended to implement the CCARP community vision and must address the following design objectives:

- Articulation – All street-facing buildings must incorporate design elements that break up façades into smaller planes.
- Eyes on the street – A certain percentage of the area of each street-facing façade must be windows.
- Main entrance – On street-facing façades, at least 1 main entrance must meet standards for location, orientation, and visibility.
- Detailed design – All street-facing buildings must include several features selected from a menu.

**B. Applicability**

Design Standard	Where it applies
Articulation – 14.30.030(BC)(1)	Applicable to dwellings facing the street when the closest wall of the street-facing façade is within 50 feet of a front or street side lot line.
Windows – 14.30(C)(2)	Applicable to dwellings facing the street, when the closest wall of the street-facing façade is within 50 feet of a front or street side lot line, and Applicable to dwellings in a cluster or grouping, either facing a shared open space (e.g. a common courtyard) or a pedestrian path.
Main entrance – 14.30(C)(3)	Applicable to dwellings facing the street, when the closest wall of the street-facing façade is within 50 feet of a front or street side lot line, and Applicable to dwellings in a cluster or grouping, either facing a shared open space (e.g. a common courtyard) or a pedestrian path.
Detailed design – 14.30(C)(4)	Applicable to dwellings facing the street, when the closest wall of the street-facing façade is within 50 feet of a front or street side lot line, and Applicable to dwellings in a cluster or grouping, either facing a shared open space (e.g. a common courtyard) or a pedestrian path.

Design Standard	Where it applies
Transitional space – 14.30(C)(5)	Applicable to ground floor dwellings with access from the street or shared open space (e.g. a common courtyard), and access entry door is: (a) Within 10 feet of the street-facing property line, or (b) Within the front yard setback, or (c) Within 10 feet of a shared open space common tract or easement.
Pedestrian circulation – 14.30(C)(6)	Applicable to the entire site, and Applicable only for new buildings.
Off-street parking – 14.30(C)(7)	Applicable to clustered parking where parking spaces are 5 or more.

The design standards in this subsection apply to the types of development listed below when the closest wall of the street-facing façade is within 50 feet of a front or street side lot line.

1. New dwellings.
2. Expansions of structures in that add area to any street-facing façade. The design standards for such expansions are applicable as follows:
  - a. Expansions that add 75 square feet or less of street-facing façade area are exempt from all design standards.
  - b. Expansions that add more than 75 square feet and less than 200 square feet of street-facing façade area are subject to Subsection Section 14.30(B)(1), Eyes on the Street. The expanded façade area must meet

the standards of Section 14.30(B)(1), Eyes on the Street, without consideration of the original street-facing façade area.

- c. Expansions that add 200 square feet or more of street-facing façade area are subject to the following design standards:
  - 3. The entire street-facing façade shall comply with Section 14.30(B) P (2) Windows.
  - 4. Section 14.30(B)(3) Main Entrance is applicable if an expansion would create a new main entrance. No expansion shall bring the street-facing façade out of conformance, or further out of conformance if already nonconforming, with the design standard.
  - 5. Section 14.30(B)(1) Articulation is applicable for expansions that add 20 lineal feet or more to the length of the street-facing façade.
  - 6. Section 14.30(B)(4) Detailed Design is not applicable for expansions. However, no expansion shall bring the street-facing façade out of conformance, or further out of conformance if already nonconforming, with the Detailed Design standards.
  - 7. Multiple expansions are allowed within a 5-year period if the street-facing façade will comply with the design standards that would have been applicable if the expansions occurred at the same time.
  - 8. Remodels that convert an attached garage to a habitable residential space. When applicable, the design standards apply only to the street-facing façade of the garage being converted. The following design standards are applicable:
    - a. Section 14.30(B)(3) Main Entrance is applicable if the garage conversion would create a new main entrance. No conversion shall bring the street-facing façade out of conformance, or further out of conformance if already nonconforming, with the design standard.

- b. Section 14.30(B)4 Detailed Design is not applicable. However, no conversion shall bring the street-facing façade out of conformance, or further out of conformance if already nonconforming, with the design standard.

## C. Standards

All buildings that meet the applicability provisions in Section 14.30(B) Applicability shall meet the following design standards. The graphics provided are intended to illustrate how development could comply with these standards and should not be interpreted as requiring a specific architectural style. An architectural feature may be used to comply with more than one standard.

1. Articulation. All buildings shall incorporate design elements that break up all street-facing façades into smaller planes as follows.
  - a. For buildings with 25 to 50 feet of street frontage, a minimum of 1 of the following elements shall be provided along the street-facing façades.
    - i. A porch at least 5 feet deep.
    - ii. A balcony that is at least 2 feet deep and is accessible from an interior room.
    - iii. A bay window that extends at least 2 feet wide.
    - iv. A section of the façade that is recessed by at least 2 feet deep and 6 feet long.
    - v. A gabled dormer.
  - b. For buildings with over 50 feet of street frontage, at least 1 element in Subsection 4.161(1) i.-v. above shall be provided for every 25 ft of street frontage.
  - c. Elements shall be distributed along the length of the façade so that there are no more than 25 feet between 2 elements.
  - d. For buildings with less than 25 feet of street frontage, the building articulation standard is not applicable.
2. Windows. At least 15% of the area of each street-facing façade must be windows.

- a. Windows used to meet this standard must be transparent and allow views from the building to the street. Glass blocks and privacy windows in bathrooms do not meet this standard.
  - b. Window area is considered the entire area within the outer window frame, including any interior window grid. Glazed portions of entrance doors count as window area.
  - c. Doors used to meet this standard must face the street or be at an angle of no greater than 45 degrees from the street.
  - d. Door area is considered the portion of the door that moves. Door frames do not count toward this standard.
3. Main entrance. At least 1 main entrance must meet both of the following standards.
- a. Be no further than 8 ft behind the longest street-facing wall of the building.
  - b. Face the street, be at an angle of up to 45 degrees from the street, or open onto a porch. If the entrance opens up onto a porch, the porch must meet all of these additional standards.
    - i. Be at least 25 sq ft in area with a minimum 4-ft depth.
    - ii. Have at least 1 porch entry facing the street.
    - iii. Have a roof that is no more than 12 ft above the floor of the porch.
    - iv. Have a roof that covers at least 30% of the porch area.
4. Detailed design. All buildings shall include at least 5 of the following features on any street-facing façade.
- a. Covered porch at least 5 ft deep, as measured horizontally from the face of the main building façade to the edge of the deck, and at least 5 ft wide.
  - b. Recessed entry area at least 2 ft deep, as measured horizontally from the face of the main building façade, and at least 5 ft wide.
  - c. Offset on the building face of at least 16 in from 1 exterior wall surface to the other.



- d. Dormer that is at least 4 ft wide and integrated into the roof form.
  - e. Roof eaves with a minimum projection of 12 in from the intersection of the roof and the exterior walls.
  - f. Roof line offsets of at least 2 ft from the top surface of 1 roof to the top surface of the other.
  - g. Tile or wood shingle roofs.
  - h. Horizontal lap siding between 3 to 7 in wide (the visible portion once installed). The siding material may be wood, fiber-cement, or vinyl.
  - i. Brick, cedar shingles, stucco, or other similar decorative materials covering at least 40% of the street-facing façade.
  - j. Gable roof, hip roof, or gambrel roof design.
  - k. Window trim around all windows at least 3 in wide and 5/8 in deep.
  - l. Window recesses, in all windows, of at least 3 in as measured horizontally from the face of the building façade.
  - m. Balcony that is at least 3 ft deep, 5 ft wide, and accessible from an interior room. For Townhouses this standard is 2 ft deep and 4 ft wide.
  - n. One roof pitch of at least 500 sq ft in area that is sloped to face the southern sky and has its eave line oriented within 30 degrees of the true north/south axis.
  - o. Bay window at least 2 ft deep and 5 ft long. For Townhouses this standard is 2 ft deep by 4 ft wide.
  - p. Attached garage width, as measured between the inside of the garage door frame, of 35% or less of the length of the street-facing façade.
  - q. For Townhouses, balconies and bay windows may encroach into a required setback area.
5. Transitional space. Ground floor dwellings which have their entry access from the street or a shared open space (e.g. a common courtyard) must include an area of transition between the public realm of the right-of-way (or

tract or easement). The standards below apply when the private dwelling entry access door is within 10 feet of the street-facing property line; within the front yard setback, or within 10 feet of a shared open space common tract. The transitional space between the public realm and the entry door may be either vertical or horizontal, as described below.

- a. A vertical transition must be an uncovered flight of stairs that leads to the front door or front porch of the dwelling. The stairs must rise at least 3 ft, and not more than 8 ft, from grade. The flight of stairs may encroach into the required front yard, and the bottom step must be at least 4 ft from the front lot line.
  - b. A horizontal transition shall be a covered porch with a depth of at least 6 ft. The porch may encroach into the required front yard, but it must be at least 4 ft from the front lot line.
6. Pedestrian circulation. The on-site pedestrian circulation system must include the following:
  - a. Continuous connections between the primary buildings, streets abutting the site, ground level entrances, common buildings, common open space, and vehicle and bicycle parking areas.
  - b. At least 1 pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage.
  - c. Pedestrian walkways must be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards.
  - d. Walkways must be constructed with a hard surface material, must be permeable for stormwater, and must be no less than 3 ft wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-ft-wide walkway must be provided. The walkways must be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.
7. Off-street parking.
  - a. Off-street parking may be arranged in clusters, subject to the following standards:
    - i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.


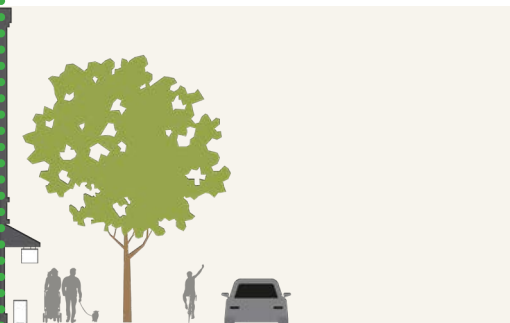

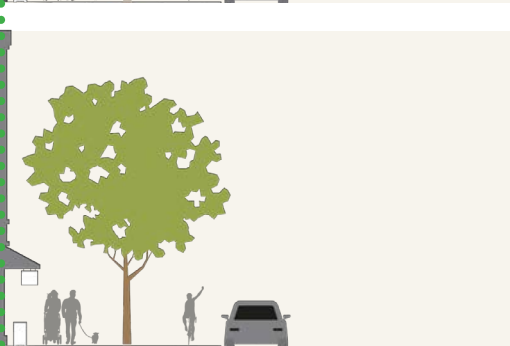
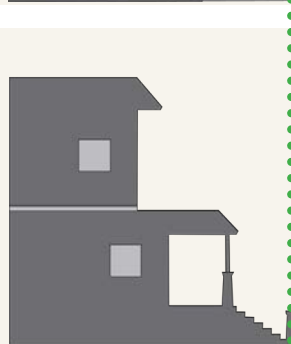
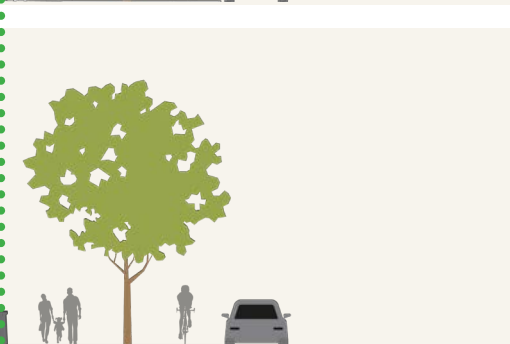
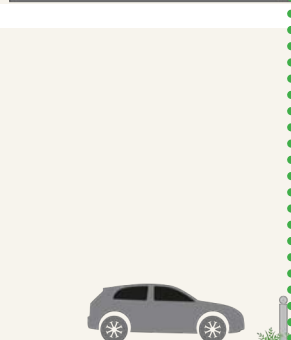
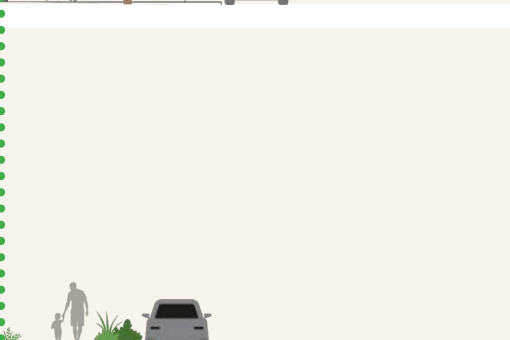
- ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
  - iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
- b. Clustered parking areas may be covered.
- c. Off-street parking spaces and vehicle maneuvering areas must not be located:
  - i. Within of 20 feet from any street property line, except alley property lines;
  - ii. Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- d. Off-street parking spaces must not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- e. Landscaping, fencing, or walls at least three feet tall must separate clustered parking areas and parking structures from common courtyards and public streets.
- f. Garages and carports (whether shared or individual) must not abut common courtyards.
- g. Individual attached garages up to 200 square feet must be exempted from the calculation of maximum building footprint for cottages.
- h. Individual detached garages must not exceed 400 square feet in floor area.
- i. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

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## FRONTAGE TYPES

## BUILD-TO LINE / FRONTAGE LINE

## FRONTAGE CATEGORIES

SHOPFRONT			URBAN Frontages	URBAN RESIDENTIAL Frontages	RETAIL-READY	
FORECOURT						
PORCH-STOOP-TERRACE						
LANDSCAPE FRONTAGE 1, 2, AND 3			LANDSCAPE Frontages			

## EXAMPLES



Shopfront frontage is characterized by a façade that is aligned close to the frontage line with the building entrance at sidewalk grade.



Forecourt frontage is characterized by portions of the façade close to the frontage line alternated by portions of the façade which are set back.

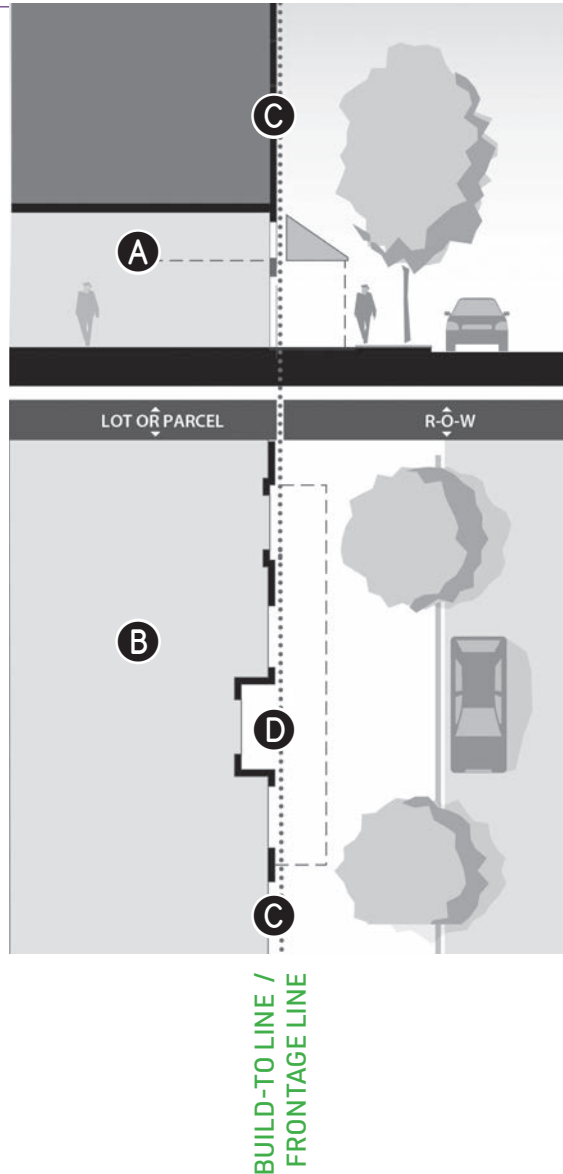


Porch-stoop-terrace frontage is characterized by a façade that is aligned close to the frontage line with the first story set back from the frontage line with a porch, a stoop, or a terrace.



Landscape frontage 2 is characterized by a low wall, fence, and/or vertical landscaping such as a hedge that is aligned with the frontage line.

## FRONTAGE TYPES



### URBAN FRONTAGE – SHOPFRONT

The Shopfront Frontage is characterized by a façade that is built up to the Build To Line or Frontage Line which is typically the front lot line.

The building entrance shall be at sidewalk grade. The Shopfront Frontage shall have substantial glazing on the ground floor. Building entries shall provide a canopy or awning and/or be recessed behind the front building façade.

When marked on the Regulating Plan as “Retail-ready Frontage Requirement,” additional standards must be met to ensure that the ground floor of the building can accommodate retail and/or restaurant uses.

**A** “Retail ready” minimum ground floor height (feet) 18

**B** “Retail ready” minimum ground floor depth (feet) 20

**C** Building Setback from Build-to Line (feet) 0

Retail ready ground floor shall be constructed to meet commercial building standards.

**D** Building entries shall provide a canopy or awning and/or be recessed behind the front building façade.

Encroachments such as canopies, awnings, or bay windows are allowed to encroach beyond the Build To Line or Frontage Line (or into the Right of Way) by a maximum of 3 feet.





*Retail-ready  
shopfronts*



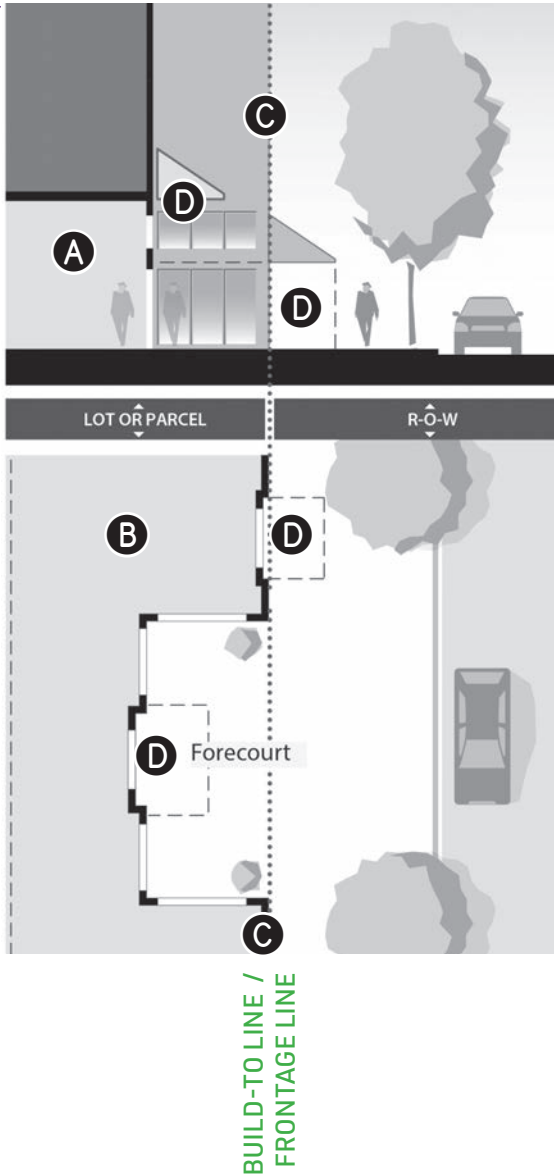
*Bay window and  
awning encroachments  
into the Right of Way*



*Recessed entry*



## FRONTAGE TYPES



### URBAN FRONTAGE – FORECOURT

Forecourt Frontage is created by recessing a portion of the façade behind the Build To Line or Frontage Line. Forecourt Frontage shall be used in conjunction with the Shopfront Frontage. Forecourt Frontage is appropriate for commercial or residential uses, outdoor seating, and hardscaped plaza and/or landscaped gardens.

When marked on the Regulating Plan as “Retail-ready Frontage Requirement,” additional standards must be met to ensure that the ground floor of the building can accommodate retail and/or restaurant uses.

**A** “Retail ready” minimum ground floor height (feet) 18

**B** “Retail ready” minimum ground floor depth (feet) 20

**C** Building Setback from Build-to Line for Shopfront Frontage (feet) 0

Retail ready ground floor shall be constructed to meet commercial building standards.

**C** Each dwelling unit which is accessed from the forecourt or the sidewalk shall comply with either the vertical or horizontal standard.

Vertical separation –  
Distance from ground:  
Minimum 18 inches;  
maximum 3 feet;  
Horizontal separation –  
Distance from Build To  
Line: Minimum 3 feet;  
maximum 15 feet

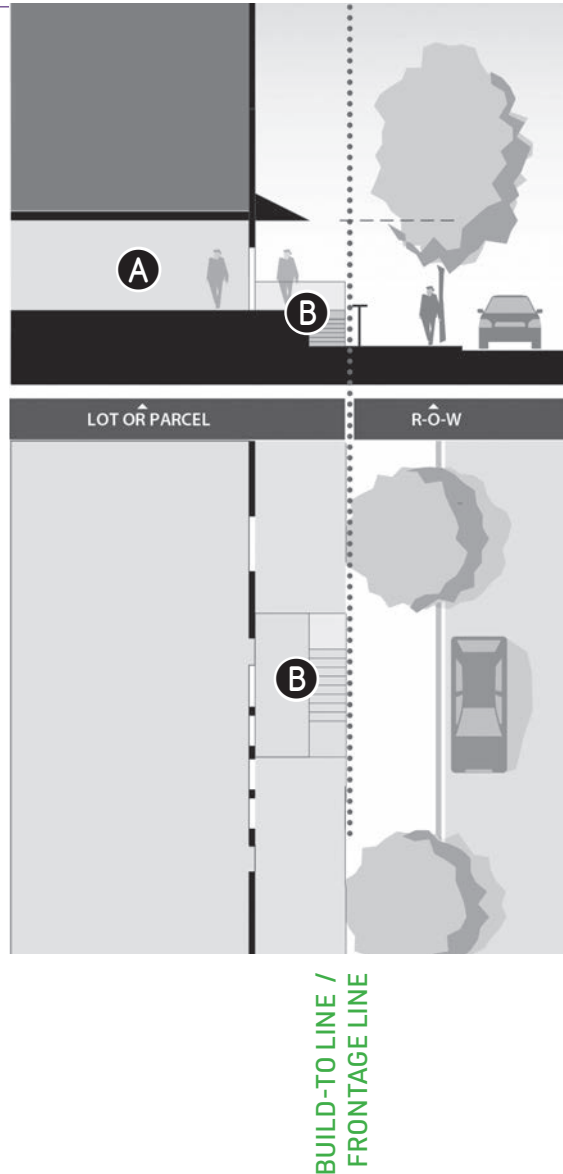
**D** Building entries shall provide a canopy or awning and/or be recessed behind the front building façade.



*Forecourts shared by multiple retail establishments and restaurants*



## FRONTAGE TYPES



### URBAN FRONTAGE – RESIDENTIAL PORCH-STOOP-TERRACE

Urban Residential Building Frontage is characterized by a façade which is set behind the Build To Line and a building entry threshold, such as a porch or terrace, set between the building and the Build To Line or Frontage Line. The threshold may be at the pedestrian sidewalk level, elevated above it, or sunken below it. The residential building entry is accessed from the threshold. Landscaping may be provided in the setback area between the building and the sidewalk. A Porch-Stoop-Terrace Frontage is appropriate for residential uses and service commercial or office uses.

**A** Minimum ground floor height (feet)

9

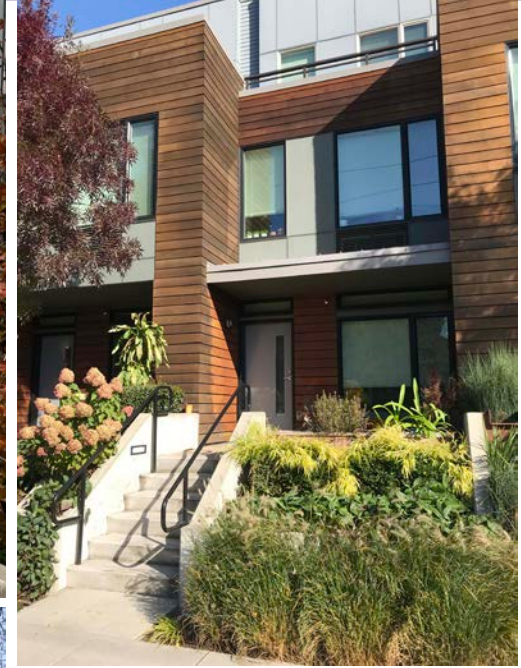
**B** Each dwelling unit which is accessed from the sidewalk shall comply with either the vertical or horizontal standard.

Vertical separation – Distance from ground: Minimum 18 inches; maximum 3 feet;  
Horizontal separation – Distance from Build To Line: Minimum 3 feet; maximum 15 feet

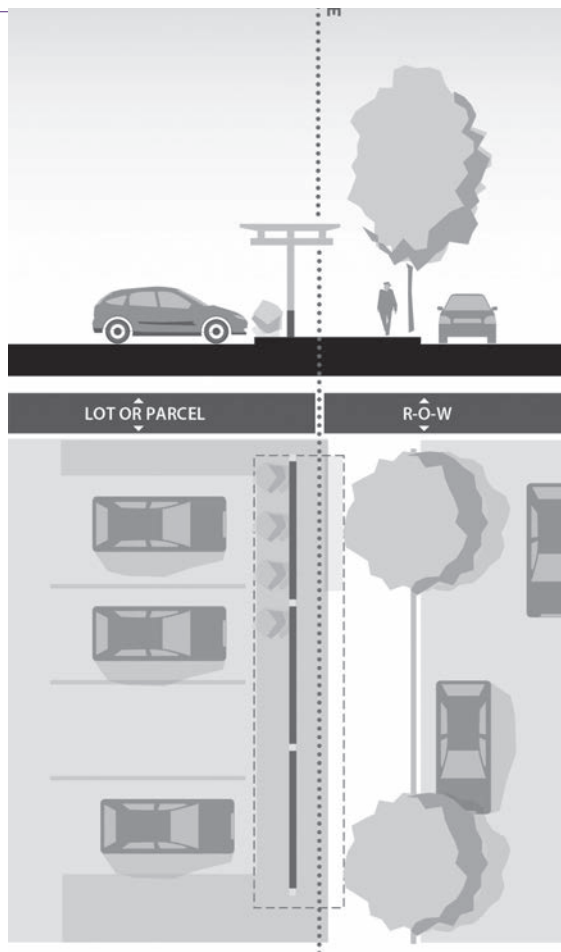




*Stoop and terrace  
entries*



## FRONTAGE TYPES



### LANDSCAPE FRONTAGE 1 – LOW WALL AND TRELLIS

- A** Vertical Landscaping or Structure Setback from Build-to Line, maximum feet

5

- B** Height of Structure or Planting, feet

The underside of the Trellis portion of a Low Wall and Trellis shall be a minimum of 8 feet above grade and a maximum of 14 feet above grade. The Low Wall portion of a Low Wall and Trellis shall be a minimum of 1.5 feet and a maximum of 3 feet and have a minimum depth of 1.5 feet.

- C** Materials

The Trellis shall be heavy timber or steel (or a similar material) and shall consist of open structure with no decking or awning material. The Trellis shall have masonry, heavy timber, or steel (or similar metal) supporting columns spaced no more than 30 feet on center. The Low Wall shall be wood, masonry, and/or concrete.

- D** Openings

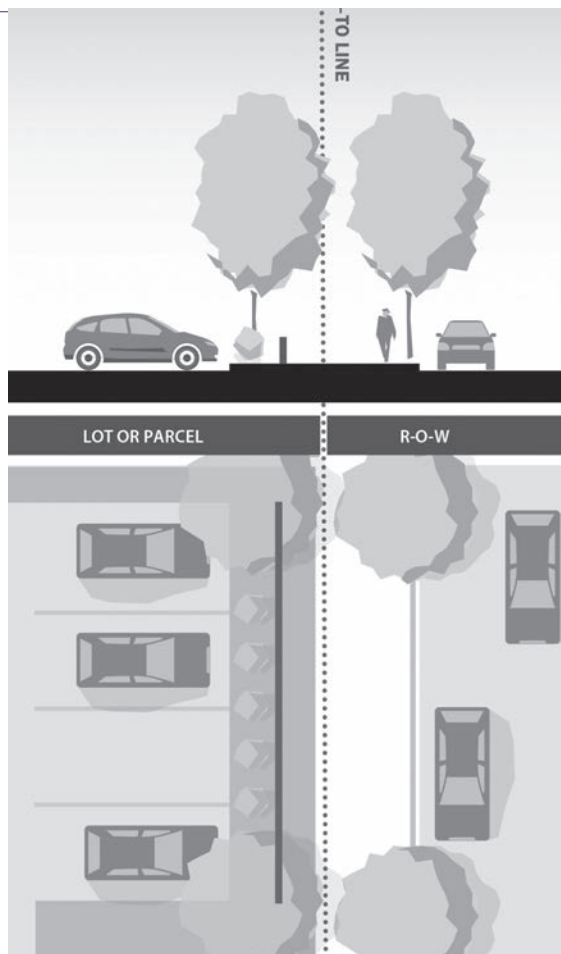
Openings in the Low Wall and Trellis are allowed for pedestrian pathways, sidewalks, plazas, and driveways.

- E** Surface Parking Setback

Surface Parking shall be set back a minimum of 3 feet from the Low Wall and Trellis.

- F** Ground Cover and Planting

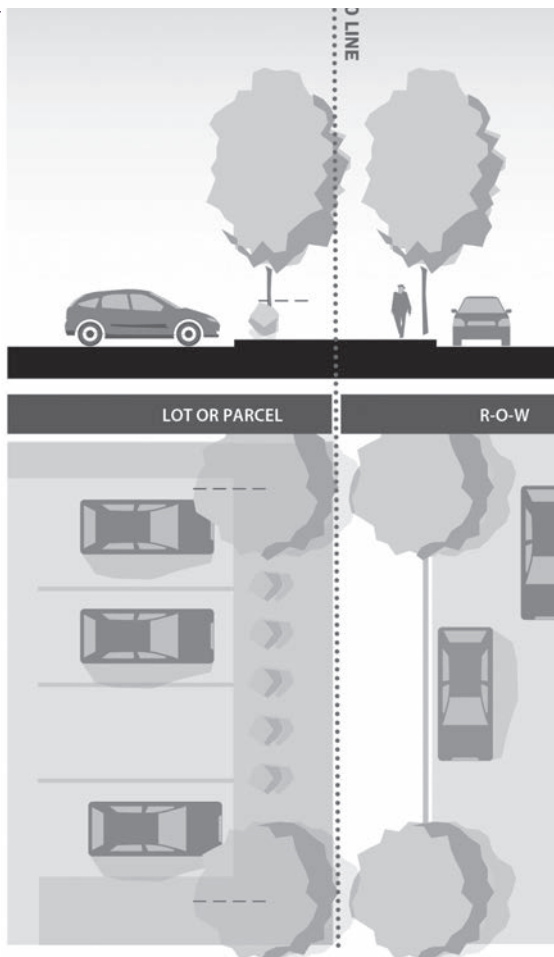
The area between the Build-to Line and the Trellis shall be hardscaped with either masonry pavers or stamped concrete. The setback between the Low Wall and surface parking shall be planted with low shrubs, groundcover, and climbing plants.



## LANDSCAPE FRONTAGE 2 - URBAN FENCE OR WALL

- |   |   |
|---|---|
| <b>A</b> Vertical Landscaping or Structure Setback from Build-to Line, maximum feet | 5   |
| <b>B</b> Height of Structure or Planting, feet                                      | The fence or the wall shall be at least 2 feet high and no more than 3 feet high.   |
| <b>C</b> Materials  | Walls shall be wood masonry, and/or concrete; fences shall be made of wrought iron, steel, or a similar material (but not chain-link) and must be dark in color. Fences may be no more than 50% sight obscuring.                          |
| <b>D</b> Openings   | Openings in the Urban Fence or Wall are allowed for pedestrian pathways, sidewalks, plazas, and driveways.  |
| <b>E</b> Surface Parking Setback  | The surface parking area shall be set back, at a minimum, an additional 5 feet to provide room for required landscaping and stormwater infiltration and/or retention.   |
| <b>F</b> Ground Cover and Planting  | In addition to the required fence or wall, trees and shrubs shall be provided. One large tree is required every 30 linear feet minimum. The shrubs shall be at least as high as the wall or fence, and shall be no more than 6 feet high. |

## FRONTAGE TYPES



### LANDSCAPED FRONTAGE 3 - LOW HEDGE

<b>A</b>	Vertical Landscaping or Structure Setback from Build-to Line, minimum feet	5
<b>B</b>	Height of Structure or Planting, feet	The shrubs shall be a minimum of 3 feet high. If a low wall is provided in place of shrubs it shall be a minimum of 3 feet high.
<b>C</b>	Materials	The surface parking area shall be screened with a continuous row of hedges or shrubs immediately adjacent to the parking area, except where there is a driveway. Shrubs must be mostly opaque year round. A low wall may be substituted for the shrubs but the trees and groundcover plants are still required.
<b>D</b>	Openings	Openings in the Landscape Frontage are allowed for pedestrian pathways, sidewalks, plazas, and driveways.
<b>E</b>	Surface Parking Setback	10 feet minimum
<b>F</b>	Ground Cover and Planting	In addition to the required shrubs, one large tree is required every 30 linear feet. The shrubs/hedge shall be interrupted with a gap of up to 2 feet wide in order to accommodate trees.



## FRONTAGE TYPES







# 07

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## References



## Traditional Downtown/CBD

Table 3-11 provides design guidance for the respective design elements for ODOT roadways through the Traditional Downtown/CBD context. With this design approach, the goal is to design roadways in the Traditional Downtown/CBD context for a target speed of 20-25 mph. Figure 3-8 illustrates various cross section scenarios for how the design elements within this type of context may be arranged.

Table 3-11: Design Element Recommendations for Traditional Downtown/CBD

	Design Element	Guidance
Pedestrian Realm	Frontage Zone	4' to 2'
	Pedestrian Zone	10' to 8'
	Buffer Zone	6' to 0'
	Curb/Gutter <sup>1</sup>	2' to 0.5'
Transition Realm <sup>6</sup>	Separated Bicycle Lane (Curb Constrained Facility) <sup>2</sup>	8' to 7'
	On-Street Bicycle Lane (not including Buffer) <sup>2</sup>	6' to 5'
	Bicycle/Street Buffer <sup>2</sup>	3' to 2'
	Right Side Shoulder (if travel lane directly adjacent to curb) <sup>3,5</sup>	2' to 0'
	On-Street Parking	7' to 8'
Travelway Realm <sup>5</sup>	Travel Lane <sup>4,5</sup>	11'
	Right Turn Lane (including Sny Distances)	11' to 12'
	Left Turn Lane <sup>4</sup>	11'
	Left Side / Right Side Sny Distance	1' to 0'
	Two-Way-Left-Turn Lane	11' to 12'
	Raised Median - No Turn Lane (including Sny Distances)	8' to 11'
	Left-Turn Lane with Raised Curb Median/separator (includes 16" separator & Sny Distances)	12' to 14'

<sup>1</sup> Where curb and gutter is used and on-street parking is provided or travel lane is directly adjacent to curb, gutter pan should be included in shoulder/sny or on-street parking measurement. Gutter pan should be included in travel lane, bicycle lane or turn lane measurements only where a smooth transition from gutter pan to roadway surface is provided.

<sup>2</sup> Refer to Bicycle Facility Selection process (Section 3.2.2) to determine appropriate bicycle facility type. Consider raised bicycle lanes where appropriate. 5-foot on-street bicycle lane is allowed only with a street buffer. When a raised buffer is used to protect the bicycle lane, the width should be 6' if parking is adjacent or if signs or other features are anticipated.

<sup>3</sup> Overall shoulder width depends on other section elements. Elimination of shoulder width/lateral offsets should only be considered in constrained locations and needs to be balanced with all cross-section and drainage needs. If the travel lane is next to a curb with a gutter (e.g., a 2-foot curb zone), the gutter typically serves as the right-side shoulder. A wider shoulder may be needed to accommodate drainage based on hydrological analysis or other specific needs.

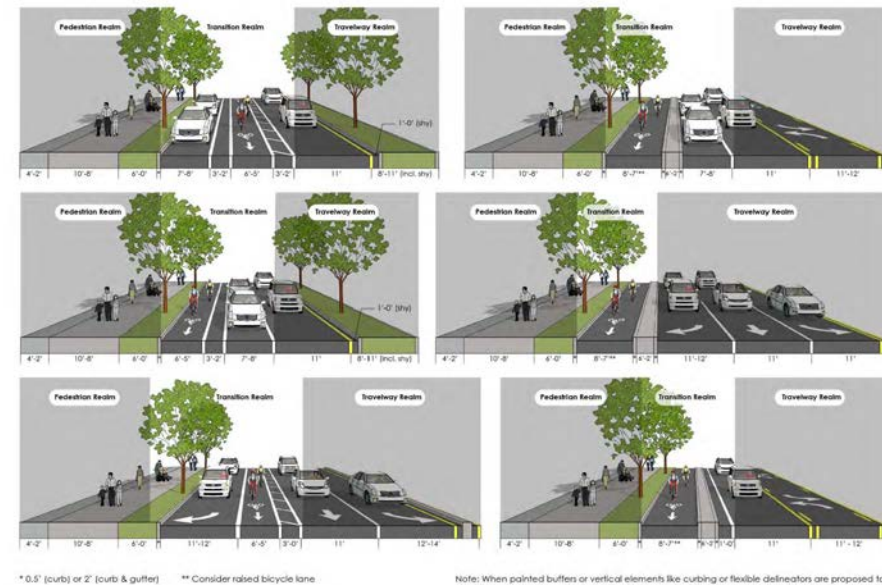
<sup>4</sup> 11-foot lane width preferred to 12-foot lane; 10-foot lane width requires design approval from the State Roadway Engineer. On freight or transit-oriented streets, a 10-foot travel lane is generally not appropriate without a buffer zone or shoulder.

<sup>5</sup> On Reduction Review Routes, comply with ODOT Freight Mobility Policies, ORS 366.215 and OAR 731-012. Element dimensions may need to be modified.

<sup>6</sup> When painted buffers or vertical elements like curbing or flexible delineators are proposed to provide separation in a bicycle facility design, evaluate long-term maintenance needs and provide a solution to identified problems.

# ODOT Urban Blueprint

Figure 3-8: Example Cross Section Options for Traditional Downtown/CBD. See Table 3-11 for additional information.



## Urban Mix

Table 3-12 provides design guidance for the respective design elements for ODOT roadways through the Urban Mix context. With this design approach, the goal is to design roadways for a target speed of 25-30 mph. Figure 3-9 illustrates various cross section scenarios for how the design elements within this type of context may be arranged.

Table 3-12: Design Element Recommendations for Urban Mix

Design Element		Guidance
Pedestrian Realm	Frontage Zone	1'
	Pedestrian Zone <sup>7</sup>	8' to 5'
	Buffer Zone	6' to 0'
	Curb/Gutter <sup>1</sup>	2' to 0.5'
Transition Realm <sup>6</sup>	Separated Bicycle Lane (Curb Constrained Facility) <sup>2</sup>	8' to 7'
	On-Street Bicycle Lane (not including Buffer) <sup>2</sup>	6' to 5'
	Bicycle/Street Buffer (preferred for On-Street Lane) <sup>2</sup>	4' to 2'
	Right Side Shoulder (if travel lane directly adjacent to curb) <sup>3,5</sup>	2' to 0'
	On-Street Parking	8'
Travelway Realm <sup>5</sup>	Travel Lane <sup>4,5</sup>	11' to 12'
	Right Turn Lane (including Shy Distances)	11' to 12'
	Left Turn Lane <sup>4</sup>	11' to 12'
	Left Side / Right Side Shy Distance	1' to 0'
	Two-Way-Left-Turn Lane	11' to 12'
	Raised Median – No Turn Lane (including Shy Distances)	8' to 11'
	Left-Turn Lane with Raised Curb Median/Separator (including 16" separator & Shy Distances)	12' to 14'

<sup>1</sup> Where curb and gutter is used and on-street parking is provided or travel lane is directly adjacent to curb, gutter pan should be included in shoulder/shy or on-street parking measurement. Gutter pan should be included in travel lane, bicycle lane or turn lane measurements only where a smooth transition from gutter pan to roadway surface is provided.

<sup>2</sup> Refer to Bicycle Facility Selection process (Section 3.2.2) to determine appropriate bicycle facility type. Consider raised bicycle lanes where appropriate. 5-foot on-street bicycle lane is allowed only with a street buffer. When a raised buffer is used to protect the bicycle lane, the width should be 6' if parking is adjacent or if signs or other features are anticipated.

<sup>3</sup> Overall shoulder width depends on other section elements. Elimination of shoulder width/lateral offset should only be considered in constrained locations and needs to be balanced with all cross-section and drainage needs. If the travel lane is next to a curb with a gutter (e.g., a 2-foot curb zone), the gutter typically serves as the right-side shoulder. A wider shoulder may be needed to accommodate drainage based on hydrological analysis or other specific needs.

<sup>4</sup> 11-foot lane width preferred; 10-foot lane width requires design approval from the State Roadway Engineer. On right- or transition-oriented streets, a 10-foot travel lane is generally not appropriate without a buffer zone or shoulder.

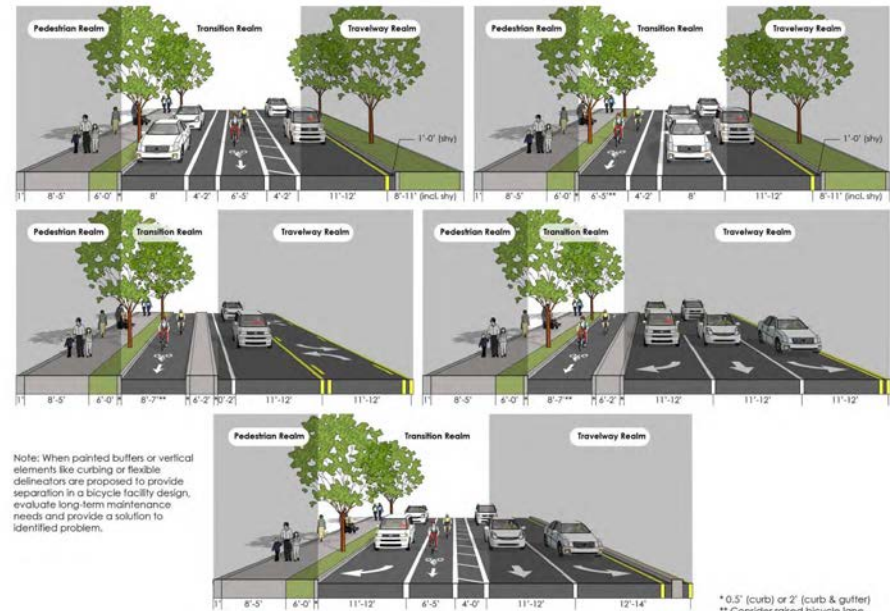
<sup>5</sup> On Reduction Review Routes, comply with ODOT Freight Mobility Policies, ORS 366.215 and OAR 731-012. Element dimensions may need to be modified.

<sup>6</sup> When painted buffers or vertical elements like curbing or flexible delineators are proposed to provide separation in a bicycle facility design, evaluate long-term maintenance needs and provide a solution to identified problems.

<sup>7</sup> 5-foot pedestrian zone requires a paved frontage zone and/or a paved buffer zone. Minimum "sidewalk" width is 6-feet.

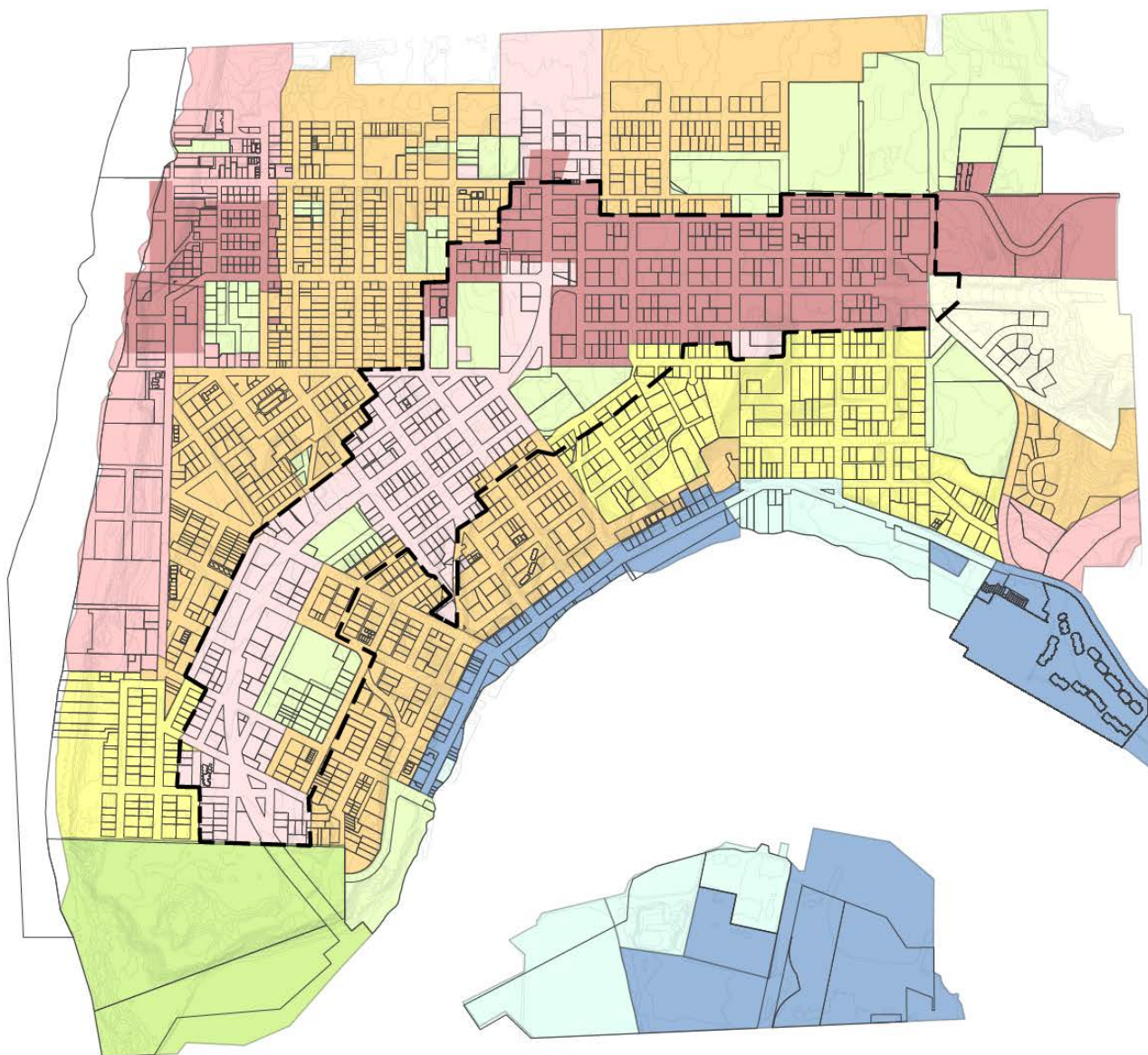
# ODOT Urban Blueprint

Figure 3-9: Example Cross Section Options for Urban Mix. See Table 3-12 for additional information.







## Base Zones

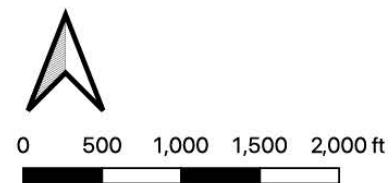


### Newport Zoning Map

#### Zoning

C-1	R-1	P-1
C-2	R-2	P-2
C-3	R-3	P-3
I-1	R-4	W-1
I-2		W-2
I-3		

	Tax Lots 2023
	City Center Revitalization Plan Boundary



## Land Uses

### CCDRD - LAND USE LISTING

Applicable regulations	C-1	C-3	P-1	R-2	R-4
Uses					
Office/Professional Offices	P	P			C
Retail sales and service					
Sales-oriented, general retail	P	P			
Sales-oriented, general retail	C	P			
Personal services / Beauty and Barber Shops	P	P			C
Entertainment	P	P			
Repair-oriented	P	P			
Major Event Entertainment	C	P			
Vehicle Repair	C	P			
Self-Service Storage	X	P			
Parking Facility	P	P			
Contractors and Industrial Service	X	P			
Manufacturing and Production					

Applicable regulations	C-1	C-3	P-1	R-2	R-4
Custom Creative Work	P	P			
Light Manufacturing	X	C			
Warehouse, Freight Movement, & Distribution	X	P			
Wholesale Sales	X	P			
Waste and Recycling Related	C	C			
Basic Utilities	P	P			
Utility Corridors	C	C			
Community Service	P	P			
Family Child Care Home	P	P			P
Child Care Center	P	P			P
Educational Institutions					
Elementary & Secondary Schools / Public Schools	C	C	P		
College and Universities / Public Colleges or Universities	P	P	P		C
Trade/Vocational Schools/Other	P	P			
Hospitals	C	C			P

Applicable regulations	C-1	C-3	P-1	R-2	R-4
Courts, Jails and Detention Facilities	X	P	P		
Communication Facilities	P	P			
Residences on Floors Other than Street Grade	P	P			
Affordable Housing	P	P			
Transportation Facilities	P	P	P		P
Residential			P		
Single-Family				P	P
Two-Family				P	P
Townhouse				P	P
Single Room Occupancy				P	P
Cottage Cluster				P	P
Multi-family				P	P
Manufactured Homes				P	P
Manufactured Dwelling Park				P	P
Accessory Dwelling Units	P	P		P	P
Accessory Uses				P	P



Applicable regulations	C-1	C-3	P-1	R-2	R-4
Home Occupations				P	P
Community Services / Community Buildings			P		
Parks				P	P
Publicly Owned Recreation Facilities				C	C
Libraries				C	C
Utility Substations				C	C
Public or Private Schools				C	P
Religious Institutions / Places of Worship				C	C
Emergency Shelter				P	P
Residential Care Homes					P
Nursing Homes				X	P
Motels and Hotels				X	C
Rooming and Boarding Houses				P	P
Membership Organizations				X	P
Museums				X	P
Condominiums				P	P

Applicable regulations	C-1	C-3	P-1	R-2	R-4
Hostels				X	C
Recreational Vehicle Parks				X	C
Necessary Public Utilities and Public Service Uses or Structures				C	C
Residential Facility				P	P
Movies Theaters				X	C
Assisted Living Facilities				C	P
Bicycle Shop				X	C
Short-Term Rentals				P	P
Public Open Space			P		
Any Building Erected by a Governmental Entity			P		
Fairgrounds			P		
Public Cemeteries			P		
Water & Wastewater Treatment Plants			P		
Performing Arts Centers			P		
Visual Arts Centers			P		

Applicable regulations	C-1	C-3	P-1	R-2	R-4
Senior Centers			P		
Airport and Accessory Structures			P		
Public Golf Courses			P		
City Halls			P		
County Courthouses			P		
City of County Maintenance Facilities			P		
Publicly Owned Recreational Vehicle Parks			C		
Public Museums			P		
Public Restrooms			P		
Recreation Equipment			P		
Post Office			P		
Parking Lots			P		
Public Hospitals			P		
Water Storage Facilities			P		
Public Libraries					
Fire Stations					

Applicable regulations	C-1	C-3	P-1	R-2	R-4
Police Stations					
Accessory Structures for Any of the Above [Public Uses]					

# Appendix



**Date** 30 June 2025  
**Subject** City of Newport CCARP  
**To** Derrick I. Tokos, AICP, Community Development Director, City of Newport  
**From** Marcy McInelly, AIA, Urbsworks, Inc.

## APPENDIX A

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### DRAFT

## Newport City Center Design Review District – Amendments to the Newport Municipal Code

### Contents

- Summary of Amendments Table
- Track change amendments

### Summary of Amendments

#### Title XIV – Zoning (Chapters 14.03 through 14.30)

Chapter	Subsection	Description of Amendments or Discussion
14.03.050 – Residential Uses		Footnote to land use table listing for R-2, to permit Cottage Clusters, Multifamily uses, and Rooming and Boarding Houses in the CCDRD.
14.03.070 – Commercial and Industrial Uses		Footnotes to the land use table listings for C-1 and C-3: <ul style="list-style-type: none"> <li>· To permit residential uses in the CCDRD on C-1- and C-3-zoned land, and</li> <li>· To permit residential uses on the ground floor of buildings in the CCDRD.</li> </ul>
14.03.100 – Public Uses		Footnote to land use table listing for P-1, to permit residential uses in the CCDRD on P-1-zoned land.

Chapter	Subsection	Description of Amendments or Discussion
14.06.060 – Recreational Vehicle Parks		Added language to make limitations on Recreational Vehicle Parks the same for CCDRD as they currently are for Historic Nye Beach Design Review District.
14.09.050 – Mobile Food Units		Added language to make limitations on Mobile Food Units the same for City Center parking district as they currently are for Historic Nye Beach parking district: only permitted if it is a Mobile Food Unit Pod.
14.13.010 – Density Limitation	NMC 14.13.020 - Table "A"	<p>Table "A" manages the lot size, density, form, shape, and size of buildings by land use district. Exceptions for special areas such as Nye Beach Design Review District, are referenced in the footnotes.</p> <p>Similar to the way that special zoning and design standards that apply to Nye Beach Design Review District is established in footnote #4, a new footnote is added to reference the special zoning standards that apply to the City Center Design Review District (CCDRD):</p> <p><i>Special Zoning Standards apply to C-1, C-3, P-1, R-2, and R-4 zoned property within the City Center Design Review District as outlined in NMC 14.30.200.</i></p> <p>Where the standards in NMC 14.30.200 differ from those in Table A, the standards in 14.30.200 will govern development form in the CCDRD.</p>
14.14.100 – Special Are Parking Requirements	.100 – Special Are Parking Requirements	<p>Section A establishes boundaries for special parking districts, including the City Center parking district.</p> <p>Sections B through D describe the way parking requirements are determined and managed.</p> <p>Note that the boundary defined by subsection (A)(3) for the City Center parking district is larger than the area defined by the CCDRD:</p> <p><i>City Center. That area bounded by SW Fall Street, SW 7th Street, SW Neff Street, SW Alder Street, SW 2nd</i></p>

Chapter	Subsection	Description of Amendments or Discussion
		<p><i>Street, SW Nye Street, Olive Street, SE Benton Street, SW 10th Street, SW Angle Street, SW 11th Street, SW Hubert Street, and SW 10th Street.</i></p> <p>Parking management committees are established in Title II – Administration, Section 2.05 – Boards and Commissions, subsection .085 – Parking Advisory Committee. This subsection establishes parking management committees for Bayfront, Nye Beach, and City Center parking district.</p> <p><i>Discussion item: Are amendments necessary to this section?</i></p>
14.15 – Residential Uses in Nonresidential Zoning Districts	.020 –	<p>Multiple text changes to ensure that residential uses are permitted outright use, subject to the CCDRD FBC provisions.</p> <p>Purpose of section: To regulate the placement of residences in nonresidential zoning districts., as in:</p> <p>(B) C 2 zones: For areas outside of the Historic Nye Beach Design Review District, residences are prohibited at street grade. For floors other than street grade, residences are allowed as an outright permitted use. On lands zoned C-2 that are within the Historic Nye Beach Design Review District, residential uses shall be allowed as specified in Chapter 14.30, Design Review Standards.</p> <p>Also addresses affordable housing</p>
14.19.020	.020 – Definitions	<p>Discussion item:</p> <p>Reconcile the definition of “City Center” which is cross referenced from this section to 14.14.100 (C), and which reads as:</p> <p><i>“3. City Center. That area bounded by SW Fall Street, SW 7th Street, SW Neff Street, SW Alder Street, SW 2nd Street, SW Nye Street, Olive Street, SE Benton Street, SW 10th Street, SW Angle Street, SW 11th Street, SW</i></p>



Chapter	Subsection	Description of Amendments or Discussion
		<i>Hurbert Street, and SW 10th Street”</i> with other similar definitions, such as the definition of City Center District and City Center Design Review District (see next item).
14.30 – Design Review Districts: Overlay Zones Established	.020 –(B)	New text establishing the CCDRD and describing the boundaries. The text for the boundary of the CCDRD is the same as the text provided by DEA in their Comprehensive Plan amendments (“Newport Peninsula Urban Design Plan Comprehensive Plan,” document called <i>RevisedAmendments_Ch4d_Newport-Peninsula-Urban-Design-Plan_perDT</i> ,” in Boundary, page 2):  <i>The City Center District is US Highway 101 and adjacent properties between the north end of the Yaquina Bay Bridge and US Highway 20, and US Highway 20 and adjacent properties between US Highway 101 and the eastern city limits.</i>
	.030 – Adoption of Design Review: Guidelines and Standards	References the “City Center Design Review District Form Based Code ” and states that the <i>Regulating Plan, Public Realm Standards, and Development and Design Standards, contained therein shall be the standards applicable to the City Center Design Review District.</i>
	.040 – Design Review Required .050 – Exemptions	No change to this section. The clear and objective standards of the CCDRD Form Based Code apply to all development within the design district, including housing.  .040 Subsections (A)-(E) define the square footage and height thresholds for new construction, improvement, or relocations in that require a design review permit under the CCDRD FBC.  .050 Subsections (A)-(D) define development activity that is exempt from design review.

Chapter	Subsection	Description of Amendments or Discussion
	.060 – Approval Authority	Adds the City Center Design Review Form Based Code to those documents subject to .060, which establishes that the approval or denial of a Design Review application is a ministerial action performed concurrent with review of a building permit by the Community Development.
	.100 – Special Zoning Standards in Design Review Districts	Adds the CCDRD to areas subject to special zoning standards and references the CCDRD Form Based Code.  Prohibits drive through windows in the area defined as Traditional Downtown Zone within the CCDRD FBC.

# City of Newport Municipal Code

Key to track change proposed amendments

New text

Removed text

## TITLE XIV - ZONING

### 14.03.050 – Residential Uses

#### 14.03.050 Residential Uses.

The following list sets forth the uses allowed within the residential land use classification. Uses not identified herein are not allowed. Short-term rentals are permitted uses in the City of Newport's R-1, R-2, R-3 and R-4 zone districts subject to requirements of [Section 14.25](#).

"P" = Permitted uses.

"C" = Conditional uses; permitted subject to the approval of a conditional use permit.

"X" = Not allowed.

A.	Residential	R-1	R-2	R-3	R-4
	1. Single-Family	P	P	P	P
	2. Two-family	P	P	P	P
	3. Townhouse	X	P	P	P
	4. Single Room Occupancy <sup>4</sup>	P	P	P	P

	5. Cottage Cluster	X	X <sup>9</sup>	P	P
	6. Multi-family	X	X <sup>6</sup>	P	P
	7. Manufactured Homes <sup>1</sup>	P	P	P	P
	8. Manufactured Dwelling Park	X	P	P	P

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<sup>9</sup> Cottage Clusters, Multi-family, and Rooming and Boarding Houses are permitted within the City Center Design Review District (CCDRD), subject to the form based provisions of the CCDRD.

B.	Accessory Dwelling Units	P	P	P	P
	(B. was added on the adoption of Ordinance No 2055 on June 17, 2013; and subsequent sections relettered accordingly. Effective July 17, 2013.)				
C.	Accessory Uses	P	P	P	P
D.	Home Occupations	P	P	P	P
E.	Community Services				
	1. Parks	P	P	P	P
	2. Publicly Owned Recreation Facilities	C	C	C	C
	3. Libraries	C	C	C	C
	4. Utility Substations	C	C	C	C
	5. Public or Private Schools	C	C	C	P
	6. Family Child Care Home	P	P	P	P
	7. Child Care Center	C	C	C	C
	8. Religious Institutions/Places of Worship	C	C	C	C
	9. Emergency Shelter <sup>5</sup>	P	P	P	P
F.	Residential Care Homes	P	P	P	P
G.	Nursing Homes	X	X	C	P
H.	Motels and Hotels <sup>3.</sup>	X	X	X	C
I.	Professional Offices	X	X	X	C
J.	Rooming and Boarding Houses	X	X <sup>6</sup>	C	P
K.	Beauty and Barber Shops	X	X	X	C
L.	Colleges and Universities	C	C	C	C
M.	Hospitals	X	X	X	P
N.	Membership Organizations	X	X	X	p
O.	Museums	X	X	X	P
P.	Condominiums <sup>2</sup>	X	P	P	P
Q.	Hostels	X	X	X	C
R.	Golf Courses	C	C	C	X
S.	Recreational Vehicle Parks	X	X	X	C
T.	Necessary Public Utilities and Public Service Uses or Structures	C	C	C	C
U.	Residential Facility*	X	X	P	P
V.	Movies Theaters**	X	X	X	C
W.	Assisted Living Facilities***	X	C	P	P
X.	Bicycle Shop****	X	X	X	C
Y.	Short-Term Rentals (subject to requirements of Chapter 14.25)	P	P	P	P
Z.	Transportation Facilities	P	P	P	P

<sup>1</sup> Manufactured homes may be located on lots, parcels or tracts outside of a manufactured dwelling park subject to the provisions listed in NMC 14.06.020.

<sup>2</sup> Condominiums are a form of ownership allowed in all zones within dwelling types otherwise permitted pursuant to subsection (A).

<sup>3</sup> Hotels/motels units may be converted to affordable housing provided they are outside of the Tsunami Hazard Overlay Zone.

<sup>4</sup> A building with four to six units on a lot or parcel in an R-1 or R-2 zone district, or a combination of buildings of at least four units each subject to the density limitations of an R-3 or R-4 zone district.

<sup>5</sup> Subject to a public hearing before the Newport City Council to establish compliance with the requirements of ORS 197.782.

*(14.03.050 amended by the adoption of Ordinance No. 2194 on May 16, 2022; effective June 15, 2022.)*

*(Section 14.03.050 was amended by Ordinance No. 2182 adopted on May 17, 2021: effective June 16, 2021.)*

*(Section 14.03.050 was amended by Ordinance No. 2144, adopted on May 6, 2019: effective May 7, 2019.)*

*(Chapter 14.03.050 amended by Ordinance No. 2216, adopted on January 2, 2024, effective February 2, 2024.)*

14.03.070 – Commercial and Industrial Uses

14.03.070 Commercial and Industrial Uses.

The following list sets forth the uses allowed within the commercial and industrial land use categories.

“P” = Permitted uses.

“C” = Conditional uses; allowed only after the issuance of a conditional use permit.

“X” = Not allowed.

		C-1 <u>11</u>	C-2 <sup>1</sup>	C-3 <u>11</u>	I-1	I-2	I-3
1.	Office	P	X	P	P	P	X
2.	Retails Sales and Service						

<sup>11</sup> Residential uses within the C-1 and C-3 zones in the CCDRD are permitted, subject to the form based provisions of the CCDRD.



	a. Sales-oriented, general retail	P	P	P	P	P	C
	b. Sales-oriented, bulk retail	C	X	P	P	P	C
	c. Personal Services	P	C	P	P	C	X
	d. Entertainment	P	P <sup>2</sup>	P	P	C	X
	e. Repair-oriented	P	X	P	P	P	X
3.	Major Event Entertainment	C	C	P	P	C	X
4.	Vehicle Repair	C	X	P	P	P	X
5.	Self-Service Storage <sup>6</sup>	X	X	P	P	P	X
6.	Parking Facility	P	P	P	P	P	P
7.	Contractors and Industrial Service <sup>6</sup>	X	X	P	P	P	P
8.	Manufacturing and Production						
	a. Custom Creative Work <sup>8</sup>	P	P	P	P	C	C
	b. Light Manufacturing	X	X	C	P	P	P
	c. Heavy Manufacturing	X	X	X	X	C	P
9.	Warehouse, Freight Movement, & Distribution	X	X	P	P	P	P
10.	Wholesale Sales	X	X	P	P	P	P
11.	Waste and Recycling Related	C	C	C	C	C	C
12.	Basic Utilities <sup>3</sup>	P	P	P	P	P	P
13.	Utility Corridors	C	C	C	C	C	C
14.	Community Service <sup>7,8</sup>	P	C	P	P	C	X
15.	Family Child Care Home	P	P	P	X	X	X
16.	Child Care Center	P	P	P	P	P	X
17.	Educational Institutions						
	a. Elementary & Secondary Schools	C	C	C	X	X	X
	b. College & Universities	P	X	P	X	X	X
	c. Trade/Vocational Schools/Other	P	X	P	P	P	P
18.	Hospitals	C	C	C	X	X	X
19.	Courts, Jails, and Detention Facilities	X	X	P	C	X	X
20.	Mining						
	a. Sand & Gravel	X	X	X	X	C	P
	b. Crushed Rock	X	X	X	X	X	P
	c. Non-Metallic Minerals	X	X	X	X	C	P
	d. All Others	X	X	X	X	X	X
21.	Communication Facilities <sup>4</sup>	P	X	P	P	P	P
22.	Residences on Floors Other than Street Grade	P <u>1</u>	P	P <u>10</u>	X	X	X
23.	Affordable Housing <sup>5</sup>	P	P	P	P	X	X
24.	Transportation Facilities	P	P	P	P	P	P

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1 Residential uses on the ground floor of buildings within the C-1 and C-3 zones in the CCDRD are permitted, subject to the form based provisions of the CCDRD.

1. Any new or expanded outright permitted commercial use in the C-2 zone district that exceeds 2,000 square feet of gross floor area. New or expanded uses in excess of 2,000 square feet of gross floor area may be permitted in accordance with the provisions of Chapter 14.34, Conditional Uses. Residential uses within the C-2 zone are subject to special zoning standards as set forth in Section 14.30.100.

2. Recreational Vehicle Parks are prohibited on C-2 zoned property within the Historic Nye Beach Design Review District.

3. Small wireless facilities shall be subject to design standards as adopted by City Council resolution.

4. Communication facilities located on historic buildings or sites, as defined in Section 14.23, shall be subject to conditional use review for compliance with criteria outlined in Sections 14.23 and 14.34.

5. Permitted as outlined in Chapter 14.15 or, in the case of hotels/motels, the units may be converted to affordable housing provided they are outside of the Tsunami Hazard Overlay Zone defined in NMC Chapter 14.50.

6. Self-service storage use; salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; and auto and truck salvage and wrecking are prohibited within the South Beach Transportation Overlay Zone, as defined in Section 14.43.020.

7 For emergency shelters subject to ORS 197.782, city staff shall determine if standards listed under ORS 197.782 have been satisfied when the shelter is located in a zone where community service uses are listed as permitted. In those zones where community service uses are listed as conditional, a public hearing shall be held by the Newport City Council to establish compliance with statutory requirements.

8. Transitional housing as defined in ORS 197.746 must be operated by a public or non-profit entity, with

residential tenancy limited to a period of time that is not more than 30 days.

*(Citation amended by the adoption of Ordinance No. 2199 on August 15, 2022; effective September 14, 2022.)*

*(14.03.070 amended by the adoption of Ordinance No. 2194 on May 16, 2022; effective June 15, 2022.)*

*(Section 14.03.070 was amended by Ordinance No. 2180, adopted on April 5, 2021; effective May 5, 2021.)*

*(Section 14.03.070 amended by the adoption of Ordinance No. 2196 on November 7, 2022; effective December 6, 2022.)*

*Chapter 14.03.070 amended by Ordinance No. 2216, adopted on January 2, 2024, effective February 2, 2024.)*

*(Chapter 14.03.060 and 14.03.070 amended by Ordinance No. 2220, adopted on February 20 2024, effective March 20, 2024.)*

*(Section 14.03.070 amended by Ordinance No. 2222, adopted on September 16, 2024; effective October 16, 2024.)*

#### 14.03.100 – Public Uses

#### 14.03.100 Public Uses

. The following list sets forth the uses allowed within the public land use classification. Uses not identified herein are not allowed.

"P" = Permitted Uses.

"C" = Conditional uses; permitted subject to the approval of a conditional use permit.

"X" = Not allowed.

		P-1 <u>2</u>	P2	P-3
1.	Public Parks	P	P	P

2 Residential uses are permitted within the P-1 zone in the City Center Design Review District (CCDRD), subject to the form based provisions of the CCDRD.

2.	Public Open Space	P	P	P
3.	Public Schools, Colleges, or Universities	P	X	X
4.	Any Building or Structure Erected by a Governmental Entity	P	X	X
5.	Community Buildings	P	X	X
6.	Fairgrounds	P	X	X
7.	Public Cemeteries	P	P	X
8.	Water & Wastewater Treatment Plants	P	X	X
9.	Performing Arts Centers	P	X	X
10.	Visual Arts Centers	P	X	X
11.	Senior Centers	P	X	X
12.	Airport and Accessory Structures	P	X	X
13.	Public Golf Courses	P	P	X
14.	City Halls	P	X	X
15.	County Courthouses	P	X	X
16.	Jails and Juvenile Detention Facilities	P	X	X
17.	City or County Maintenance Facilities	P	X	X
18.	Publicly Owned Recreational Vehicle Parks	C	C	X
19.	Public Museums	P	X	X
20.	Public Restrooms	P	P	X
21.	Recreation Equipment	P	P	X
22.	Post Office	P	X	X
23.	Parking Lots	P	P	X
24.	Public Hospitals	P	X	X
25.	Transportation Facilities ( <i>Amended by Ord. No. 2199</i> )	P	P	P
26.	Water Storage Facilities	P	X	X
27.	Public Libraries	P	X	X
28.	Fire Stations	P	X	X
29.	Police Stations	P	X	X
30.	Accessory Structures for Any of the Above	P	P	P

#### 14.06.060 – Recreational Vehicle Parks

#### 14.06.060 Recreational Vehicle Parks

Recreational vehicle parks are allowed conditionally in an R-4 or I-2 zone district, and conditionally if publicly owned in the P-1 and P-2 zoning districts (excluding those P-1 properties within the Historic Nye Beach Design Review District and the City Center Design Review District), subject to subsections A through D below and in accordance with Section 14.52, Procedural

Requirements. Recreational vehicle parks are allowed outright in C-1, C-2, C-3, and I-1 zoning districts (excluding those C-2 properties within the Historic Nye Beach Design Review District and the City Center Design Review District ), subject to the subsections A through D as follows:

- A. A building permit(s) shall be obtained demonstrating that the recreational vehicle park complies with the standards contained in Chapter 918, Division 650 of the Oregon Administrative Rules.
- B. The developer of the park obtains verification from Lincoln County Environmental Health that the recreational vehicle park satisfies applicable Oregon Health Authority Rules.
- C. The developer provides a plan of the proposed park that contains the following.
  - 1. A cover sheet that includes:
    - a. The name of the recreation park and a vicinity map identifying its location;
    - b. The name of the owner;
    - c. The name of the operator;
    - d. The name of the person who prepared or submitted the plans; and
    - e. A key identifying the symbols used on the plan.
  - 2. The plot plan (on a separate sheet) that includes:
    - a. Proposed and existing construction; and
    - b. A scale drawing of the general layout of the entire recreation park showing property survey monuments in the area of work and distances from park boundaries to public utilities located outside the park (indicated by arrows without reference to scale).
    - c. For work that involves an addition to, or a remodeling of, an existing recreation park, the



plot plan must show the facilities related to the addition and/or the facilities to be remodeled.

- d. The following features must be clearly shown and identified on the plot plan:
  - i. The footprint of permanent buildings, including dwellings, mobile homes, washrooms, recreation buildings, and similar structures;
  - ii. Any fixed facilities that are to be constructed in each space, such as tables, fire pits, or patios;
  - iii. Property line boundaries and survey monuments in the area of work;
  - iv. The location and designation of each space by number, letter or name; and
  - v. Plans for combination parks must also show the portions of the park that are dedicated to each activity (e.g. camp ground, organizational camp, mobile home park, picnic park, recreational vehicle park, etc.).
3. Park utility systems must be clearly shown and identified on a separate sheet that contains the following information:
  - a. Location of space sewer connections, space water connections and service electrical outlets;
  - b. The location of the public water and wastewater lines from which service is to be obtained, including the location and size of the water meter;
  - c. The location, type and size of private water and wastewater lateral lines that are to be constructed internal to the park;
  - d. Street layout and connections to public street(s);

- e. Disposal systems, such as septic tanks and drain fields, recreational vehicle dump stations, gray water waste disposal sumps, washdown facilities, sand filters, and sewer connections;
  - f. Fire protection facilities, such as fire hydrants, fire lines, tanks and reservoirs, hose boxes and apparatus storage structures;
  - g. The location of trash enclosures and receptacles; and
  - h. Placement of electrical transformers, electrical lines, gas lines, and Liquid Petroleum Gas (LPG) tank placement within the park.
4. Existing and finished grade topography for portions of the property where the park is to be located, if existing grades exceed five percent.

*(Section 14.06.060(C) was amended by Ordinance No. 2222, adopted on September 16, 2024; effective October 16, 2024.)*

- D. The Park complies with the following provisions (in case of overlap with a state requirement, the more restrictive of the two requirements shall apply):
- 1. The space provided for each recreational vehicle shall not be less than 400 square feet, exclusive of any space used for common areas (such as roadways, general use structures, walkways, parking spaces for vehicles other than recreational vehicles, and landscaped areas). The number of recreational vehicles shall be limited to a maximum of 22 per gross acre.
  - 2. One-way roadways shall be a minimum of 12-feet in width and two-way roadways shall not be less than 20 feet in width. If parking is permitted on the margin of the roadway, then the parking area must be a minimum of 10-feet in width. Roadways must be designed such that they are capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds, and they may be surfaced with asphalt, concrete, crushed rock, gravel or other similar materials.

3. A space provided for a recreational vehicle shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide run-off of surface water. The part of the space which is not occupied by the recreational vehicle, not intended as an access way to the recreation vehicle or part of an outdoor patio, need not be paved or covered with gravel provided the area is landscaped or otherwise treated to prevent dust or mud.
4. A recreational vehicle space shall be provided with piped potable water and sewage disposal service. A recreational vehicle staying in the park shall be connected to the water and sewage service provided by the park if the vehicle has equipment needing such service.
5. A recreational vehicle space shall be provided with electrical service.
6. Solid waste, recycling, and compostable receptacles shall adhere to the enclosure and access requirements set forth in NMC 14.11.060(B) and (C), unless an alternative approach is approved, in writing, by the solid waste and recycling service provider. Receptacles must have tight-fitting lids, covers or closable tops, and be constructed out of durable, rust-resistant, water tight, rodent-proof and washable material. Receptacles are to be provided at a minimum rate of one 30-gallon container for each four recreational vehicle parking spaces and be located within 300 feet of each recreational vehicle parking space. If the solid waste and recycling service provider indicates, in writing, that larger receptacles and/or tighter spacing is needed, then their recommendation shall be followed.
7. The total number of off-street parking spaces in the park shall be provided in conformance with [Section 14.14.030](#). Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete, or similar material.

8. The park shall provide toilets, lavatories, and showers for each sex in accordance with Table 14.06.060-A. The toilets and showers shall afford privacy, and the showers shall be provided with private dressing rooms. Facilities for each sex shall be located in separate buildings, or, if in the same building, shall be separated by a soundproof wall.

Table 14.06.060-A

Parking Spaces	Number of Toilets		Number of Sinks <sup>1</sup>	
	Men's <sup>2</sup>	Women's	Men's	Women's
1-15	1	1	1	1
16-30	1	2	1	2
31-60	2	3	2	3
61-100 <sup>3</sup>	3	4	3	4

1. One additional sink must be provided for each two toilets when more than six toilets are required.

2. Urinals may be acceptable for not more than 1/3 of the required toilets.

3. Recreational parks with more than 100 parking spaces shall provide one additional toilet per sex for each additional 30 spaces or fraction thereof.

9. The park shall provide one utility building or room containing one clothes washing machine, and one clothes drying machine for each ten recreational vehicle spaces, or any fraction thereof.
10. Building spaces required by Subsection 8 and 9 of this section shall be ventilated, and otherwise designed in accordance with the requirements of the Oregon Structural Specialty Code.
11. Except for the access roadway, a park that is located within or adjacent to a residentially zoned area shall be screened on all sides by a sight-obscuring hedge or fence not less than six feet in

height unless modified a conditional use permit process as provided in NMC Chapter 14.34 (if a conditional use permit is required for the RV park) or an adjustment or variance procedure outlined in NMC Chapter 14.33. Reasons to modify the hedge or fence buffer required by this section may include, but are not limited to, the location of the RV park is such that adequate other screening or buffering is provided to adjacent properties (such as the presence of a grove or stand of trees), the location of the RV park within a larger park or development that does not require screening or has its own screening, or screening is not needed for portions not adjacent to other properties (such as when the RV park fronts a body of water). Any modifications to the hedge or fence requirement of this subsection should factor in any applicable screening and setback requirements under [Section 14.18.020](#) (Adjacent Yard Buffer) for non-residentially zoned property abutting a residentially zoned property.

12. Each space within a recreational vehicle park shall be provided a minimum of 50 square feet of outdoor area landscaped or improved for recreational purposes as provided in NMC 14.11.020.

*(Chapter 14.06 was amended by Ordinance No. 2170, adopted on September 21, 2020; effective October 21, 2020.)*

*(Chapter 14.06 was amended by Ordinance No. 2222, adopted on September 16, 2024; effective October 16, 2024.)*

#### 14.09.050 – Mobile Food Units

## CHAPTER 14.09 TEMPORARY USES

### 14.09.050 Mobile Food Units

Notwithstanding any other restrictions and prohibitions in this code, a mobile food unit, not associated with a

special event, may be located within the City of Newport subject to the following:

- A. The lot, parcel or tract upon which the mobile food unit will be placed is zoned for commercial, industrial, or water-related use or it is a residential construction site where ten (10) or more units are being built; and
- B. The lot, parcel or tract upon which the mobile food unit will be placed is located at least 500 feet from the grounds of any elementary or secondary school when said school(s) are in session. For the purpose of this subsection, "in session" is the period of time commencing one-half hour prior to the start of the school day and ending one-half hour after dismissal at the end of the school day; and
- C. The lot, parcel or tract upon which the mobile food unit will be placed is located outside of the [Nye Beach, City Center](#), or Bayfront parking districts, the geographic boundaries of which are defined in NMC Section 14.14.100, unless the use is a Mobile Food Unit Pod; and
- D. Written consent is obtained from the property owner where the mobile food unit is to be placed; and
- E. The mobile food unit is placed such that it or any associated structure does not occupy required landscaping or obstruct a sidewalk, drive isle, fire lane, clear vision area or accessible parking; and
- F. 10-feet of clearance is maintained between each mobile food unit and between such units and existing or proposed buildings; and
- G. Mobile food unit service windows are to be oriented to pedestrians (i.e. no drive thru windows) and if directed toward a public right-of-way shall maintain a minimum five (5) foot separation from the right-of-way; and
- H. Electrical connection(s) are placed on the ground and covered with a cable protection ramp or equivalent where crossing drive isles or pedestrian paths; and
- I. Any power generating equipment separate from and



external to the mobile food unit is located at least 10-feet from other mobile food units and buildings and is fully screened from view; and

- J. Signage associated with each mobile food unit is limited to that which is permanently affixed to the vehicle in accordance with NMC 10.10.070, and one portable a-frame sign that complies with the parameters outlined in NMC 10.10.060(E); and
- K. Awnings, if any, are fully attached to the mobile food unit and located entirely on the subject lot, parcel, or tract; and
- L. Each mobile food unit is limited to a single piece of outdoor cooking equipment situated no less than 10-feet from the unit and any building; and
- M. A minimum of one (1) trash receptacle per mobile food unit is located on the lot, parcel, or tract with at least 10-feet of separation between the receptacle(s) and combustible fuel tanks; and
- N. Mobile food units parked for more than two (2) hours or that provides customer seating shall be situated within 500-feet of an accessible restroom with handwashing facilities; and
- O. The permit for a mobile food unit other than a mobile food unit pod, if approved, shall be issued for a period not to exceed two (2) years. Upon like application and approval, the permit may be renewed for additional (2) year intervals.

#### 14.09.060 Mobile Food Unit Pods

In addition to complying with the provisions of NMC 14.09.050, a mobile food unit pod may be located within the City of Newport subject to the following:

- A. The mobile food units include a sheltered common customer seating area that conforms with the following parameters:
  - 1. Has a maximum of 50 percent of the structure enclosed with walls or sides. Membrane structures may be fully enclosed; and

2. Are not more than 15-feet in height.
  - 1.
- B. Each mobile food unit is connected to city sanitary sewer service, water, and a permanent power source located on the lot, parcel, or tract; and
  - 2.
- C. Existing uses on the lot, parcel or tract upon which the mobile food unit pod is to be located possess off-street parking that satisfies the requirements of NMC Chapter 14.14; and
  - 3.
- D. One off-street parking space is provided for each mobile food unit plus one space for every 150 square feet of seating; and
  - 4.
- E. The lot, parcel, or tract shall be landscaped in accordance with NMC Chapter 14.19; and
  - 5.
- F. Areas occupied by customers are illuminated when mobile food units operate during hours of darkness, with fixtures that are downward directed and shielded to prevent glare on abutting properties; and
  - 6.
- G. Use of generators is prohibited; and
  - 7.
- H. Review and approval shall be subject to a Type I decision making procedure as set forth in NMC Chapter 14.52.

#### 14.09.070 Permits Not Transferable Unless Approved

Permits authorized by this section are not transferable to another person or location unless approved by the Community Development Director.

#### 14.09.080 Approval Authority

Unless otherwise provided, placement of temporary structures is subject to review and approval by the Community Development Director as a ministerial action.

#### 14.09.090 Application Submittal Requirements

In addition to a land use application form with the information required in [Section 14.52.080](#), applications for temporary uses shall include the following:

- A. A site plan, drawn to scale, showing:
  - 1. The proposed location of temporary structures, mobile food units, seating areas, and amenities, as applicable.
  - 2. Existing buildings.
  - 3. Existing parking.
  - 4. Access(es) to the parking areas.
  - 5. Any additional structures, seating areas, and amenities associated with the use.
  - 6. The location and size of trash receptacles.
  - 7. Utilities.
  - 8. Existing signs and signs associated with the use.
  - 9. Building elevations or photos of proposed temporary structures or mobile food units.
  - 10. The location of an accessible restroom with handwashing facilities, if applicable.
- B. A signed agreement stating that the applicant is aware of the limitations and conditions attached to the granting of the permit and agrees to abide by such limitations and conditions.
- C. A description of the types of items sold or services rendered, if applicable.
- D. A valid copy of all necessary permits required by State or local health authorities, and other required licenses or permits, such as business license or sign permit obtained by the applicant and maintained on site.

#### 14.09.100 [Fire Marshal Inspection](#)

Prior to the issuance of any permit, the Fire Marshal shall inspect and approve any temporary structure to assure conformance with the provisions of the Fire Code.

#### 14.09.110 Construction Trailer Exemption

Construction trailers located on the site upon which construction is to occur that are used during the course of the construction project are exempt from the process outlined in this section and may be permitted at the time of building permit approval provided said structures comply with the building code and the vision clearance requirements of the zoning code.

(Chapter 14.09 was adopted by Ordinance No. 2187 on September 7, 2021; effective October 7, 2021.)

## CHAPTER 14.12 MINIMUM LOT SIZE

### 14.12.010 Minimum Size

All lots hereafter created within the City of Newport shall have a minimum lot area and width as listed in Table A for the zone indicated. It is not the intent of the Zoning Ordinance to deprive owners of substandard lots the use of their property. Substandard single lots lawfully created prior to the passage of this Zoning Ordinance shall not be prevented from being built upon solely because the lot does not comply with the minimum lot size requirements of this ordinance. However, the density standards shall apply to all partitioning or re-subdivision of property in the future and to developments of over two dwelling units at one time.

### 14.12.020 General Exceptions to Lot Size Requirements

A residentially zoned lot having less width or less area than required under the terms of this ordinance that was of record prior to December 5, 1966, may be occupied by a single-family dwelling or two-family dwelling, provided all yard requirements (setbacks) are complied with. Substandard lots in R-3 and R-4 zones may be occupied by multi-family dwellings not exceeding the density limitations for that zone provided in Table A, as provided in [Section 14.13](#) herein below, but only upon allowance of a conditional use in accordance with the provisions of [Section 14.33](#), Conditional Uses, and [Section 14.52](#), Procedural Requirements.\*

*(Section 14.12.020 was amended by Ordinance No. 2182, adopted on May 17, 2021; effective on June 16, 2021.)*

14.13.010 – Density Limitation

## CHAPTER 14.13 DENSITY LIMITATIONS

### 14.13.010 Density Limitations

A residential building structure or portion thereof hereafter erected shall not exceed the maximum living unit density listed in Table A, as hereinafter set forth, for the zone indicated, except in the case of a lot having less than is required and of record prior to December 5, 1966, which may be occupied by a single-family dwelling unit, providing other requirements of this ordinance are complied with, except to the extent that a higher density may specifically be allowed by any term or provision of this Ordinance.

(BY THIS REFERENCE, THERE IS INCLUDED HEREIN AND MADE A PART HEREOF, A TABLE OF DENSITY AND OTHER REQUIREMENTS, DESIGNATED "TABLE A".)

#### NMC 14.13.020

Table "A"

Zone District	Min. Lot Area (sf)	Min. Width	Required Setbacks <sup>3, 7</sup>			Lot Coverage (%)	Max. Building Height	Density (Land Area Required Per Unit (sf))
			Front/2 <sup>nd</sup> Front <sup>1</sup>	Side	Rear			
R-1	7,500 sf	65-ft	15-ft / 15-ft or 20-ft / 10-ft	5-ft & 8-ft	15-ft	54 %	30-ft	SFD - 7,500 sf <sup>2</sup> Duplex - 3,750 sf <sup>2</sup>
R-2	5,000 sf <sup>3</sup>	50-ft	15-ft / 15-ft or 20-ft / 10-ft	5-ft	10-ft	57%	30-ft	SFD – 5,000 sf <sup>2</sup> Duplex - 2,500 sf <sup>2</sup> Townhouse - 2,500 sf <sup>3</sup>
R-3	5,000 sf <sup>3</sup>	50-ft	15-ft / 15-ft or 20-ft / 10-ft	5-ft	10-ft	60%	35-ft or 40-ft <sup>9</sup>	1,250 sf <sup>3</sup>
R-4 <sup>4</sup>	5,000 sf <sup>3</sup>	50-ft	15-ft / 15-ft or	5-ft	10-ft	64%	35-ft	1,250 sf <sup>3, 5</sup>



			20-ft / 10-ft				or 40-ft <sup>9</sup>	
C-1	5,000 sf	0	0 or 15-ft from US 101 <sup>8</sup>	0	0	85-90% <sup>6</sup>	50-ft <sup>6</sup>	n/a
C-2 <sup>4,3</sup>	5,000 sf	0	0 or 15-ft from US 101 <sup>8</sup>	0	0	85-90% <sup>6</sup>	50-ft <sup>6</sup>	n/a
C-3	5,000 sf	0	0 or 15-ft from US 101 <sup>8</sup>	0	0	85-90% <sup>6</sup>	50-ft <sup>6</sup>	n/a
I-1	5,000 sf	0	15-ft from US 101	0	0	85-90% <sup>6</sup>	50-ft <sup>6</sup>	n/a
I-2	20,000 sf	0	15-ft from US 101	0	0	85-90% <sup>6</sup>	50-ft <sup>6</sup>	n/a
I-3	5 acres	0	15-ft from US 101	0	0	85-90% <sup>6</sup>	50-ft <sup>6</sup>	n/a
W-1	0	0	0	0	0	85-90% <sup>6</sup>	40-ft <sup>6</sup>	n/a
W-2	0	0	0	0	0	85-90% <sup>6</sup>	35-ft <sup>6</sup>	n/a
E-C, E-D and E-N	0	0	0	0	0	100%	40-ft <sup>6</sup>	n/a
P-1	0	0	0	0	0	100%	50-ft	n/a
P-2	0	0	0	0	0	100%	35-ft	n/a
P-3	0	0	0	0	0	100%	30-ft	n/a

<sup>1</sup> Front and second front yards shall equal a combined total of 30-feet. Garages and carports shall be setback at least 20-feet from the access street for all residential structures.

<sup>2</sup> Density limitations apply where there is construction of more than one single-family dwelling (SFD) or duplex on a lot or parcel.

<sup>3</sup> Density limitations for townhouses and cottage clusters is the minimum area required per townhouse or cottage cluster unit; whereas, minimum lot area, minimum lot width, and setbacks, apply to the perimeter of the lot, parcel, or tract dedicated to the townhouse or cottage cluster project.

<sup>4</sup> Special Zoning Standards apply to R-4 and C-2 zoned property within the Historic Nye Beach design Review District as outlined in NMC 14.30.100.

<sup>5</sup> Density of hotels, motels, and non-residential units shall be one unit for every 750 sf of land area.

<sup>6</sup> Height limitations, setbacks, and lot coverage requirements for property adjacent to residential zones are subject to the height and yard buffer requirements of NMC Section 14.18.

<sup>7</sup> Front and 2<sup>nd</sup> front setbacks for a townhouse project or cottage cluster project shall be 10-feet except that garages and carports shall be setback a distance of 20-feet.

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<sup>3</sup> Special Zoning Standards apply to C-1, C-3, P-1, R-2, and R-4 zoned property within the City Center Design Review District as outlined in NMC 14.30.200.

<sup>8</sup> The 15-foot setback from US 101 applies only to land situated south of the Yaquina Bay Bridge.

<sup>9</sup> The 40-ft height allowance is limited to multi-family uses with pitched roof construction, where the predominate roof pitch is 4:12 or steeper, and where no adjustments are being sought under the provisions of NMC Chapter 14.51.

*(Section 14.13.010 was amended by Ordinance No. 2222, adopted on September 16, 2024; effective October 16, 2024.)*

*(Section 14.13.010 was amended by Ordinance No. 2225, adopted on October 7, 2024; effective November 6, 2024.)*

## 14.14 – Parking and Loading Requirements

### CHAPTER 14.14 PARKING AND LOADING REQUIREMENTS

#### 14.14.010 Purpose

The purpose of this section is to establish off-street parking and loading requirements, access standards, development standards for off-street parking lots, and to formulate special parking areas for specific areas of the City of Newport. It is also the purpose of this section to implement the Comprehensive Plan, enhance property values, and preserve the health, safety, and welfare of citizens of the City of Newport.

#### 14.14.020 Definitions

For purposes of this section, the following definitions shall apply:

**Access.** The point of ingress and egress from a public street to an off-street parking lot or loading and unloading area.

**Aisle.** Lanes providing access to a parking space.

**Gross Floor Area.** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

**Loading Space.** A parking space for the loading and unloading of vehicles over 30 feet in length.

**Parking Space.** An area for the parking of a vehicle.

**Site Plan.** A map showing the layout of the building, parking, landscaping, setbacks, and any other pertinent information concerning the development of a site.

**Use.** Any new building, change of occupancy, or addition to an existing building.

#### 14.14.030 Number of Parking Spaces Required

- A. Off-street parking shall be provided and maintained as set forth in this section. Such off-street parking spaces shall be provided prior to issuance of a final building inspection, certificate of occupancy for a building, or occupancy, whichever occurs first.

8.

- B. For any expansion, reconstruction, or change of use, the entire development shall satisfy the requirements of Section 14.14.050, Accessible Parking. Otherwise, for building expansions the additional required parking and access improvements shall be based on the expansion only and for reconstruction or change of type of use, credit shall be given to the old use so that the required parking shall be based on the increase of the new use. For the purpose of this section “old use” is any use or structure on a property within the last 10 years.

9.

- C. Any use requiring any fraction of a space shall provide the entire space. In the case of mixed uses such as a restaurant or gift shop in a hotel, the total requirement shall be the sum of the requirements for the uses computed separately.

10.

- D. Required parking shall be available for the parking of operable automobiles of residents, customers, or employees, and shall not be used for the storage of vehicles or materials or for the sale of merchandise.

11.

- E. A site plan, drawn to scale, shall accompany a request for a land use or building permit. Such plan shall demonstrate how the parking requirements required by this section are met.

12.

- F. Parking shall be required at the following rate. All calculations shall be based on gross floor area unless otherwise stated.

13.

*(\*Section previously amended by Ordinance No. 1332 (5-23-83), Ordinance No. 1447 (12-16-85), Ordinance No. 1462 (5-3-86), Ordinance No. 1548 (8-21-89), Ordinance No. 1638 (7-20-92), and Ordinance No. 1622 (10-7-91); section amended in its entirety by Ordinance No. 1780 (11-17-97); and amended in its entirety by Ordinance No. 2010 (1-6-2011).)  
Chapter 14.14.030 amended by Ordinance No. 2215, adopted October 16, 2023, effective November 16, 2023.*

1.	General Office	1 space/600 sf
2.	Post Office	1 space/250 sf
3.	General Retail (e.g. shopping centers, apparel stores, discount stores, grocery stores, video arcade, etc.)	1 space/300 sf
4.	Bulk Retail (e.g. hardware, garden center, car sales, tire stores, wholesale market, furniture stores, etc.)	1 space/600 sf
5.	Building Materials and Lumber Store	1 space/1,000 sf
6.	Nursery – Wholesale Building	1 space/2,000 sf 1 space/1,000 sf
7.	Eating and Drinking Establishments	1 space/150 sf
8.	Service Station	1 space/pump

9.	Service Station with Convenience Store	1 space/pump + 1 space/ 200 sf of store space
10.	Car Wash	1 space/washing module + 2 spaces
11.	Bank	1 space/300 sf
12.	Waterport/Marine Terminal	20 spaces/berth
13.	General Aviation Airport	1 space/hangar + 1 space/300 sf of terminal
14.	Truck Terminal	1 space/berth
15.	Industrial	1.5 spaces/1,000 sf
16.	Industrial Park	1.5 spaces/5,000 sf
17.	Warehouse	1 space/2,000 sf
18.	Mini-Warehouse	1 space/10 storage units
19.	Single-Family Detached Residence	2 spaces/dwelling
20.	Duplex	1 space/dwelling
21.	Apartment	1 space/unit for first four units + 1.5 spaces/unit for each Additional unit
22.	Condominium (Residential)	1.5 spaces/unit
23.	Townhouse	1.5 spaces/unit
24.	Cottage Cluster	1 space/unit
25.	Elderly Housing Project	0.8 space/unit if over 16 dwelling units

26.	Boarding House/Single Room Occupancy	0.5 spaces/guest room or unit
27.	Congregate Care/Nursing Home	1 space/1,000 sq. ft.
28.	Hotel/Motel	1 space/room + 1 space for the manager (if the hotel/motel contains other uses, the other uses shall be calculated separately)
29.	Park	2 spaces/acre
30.	Athletic Field	20 spaces/acre
31.	Recreational Vehicle Park	1 space/RV space + 1 space/10 RV spaces
32.	Marina	1 space/5 slips or berths
33.	Golf Course	4 spaces/hole
34.	Theater	1 space/4 seats
35.	Bowling alley	4 spaces/alley
36.	Elementary/Middle School	1.6 spaces/classroom
37.	High School	4.5 spaces/classroom
38.	Community College	10 spaces/classroom
39.	Religious/Fraternal Organization	1 space/4 seats in the main auditorium
40.	Day Care Facility	1 space/4 persons of license occupancy
41.	Hospital	1 space/bed
42.	Assembly Occupancy	1 space/8 occupants (based on 1 occupant/15 sf of exposition/meeting/assembly room conference use not elsewhere specified)

B. On-Street Credit. A dwelling unit on property zoned for residential use, located outside of special parking areas as defined in NMC 14.14.100, shall be allowed an on-street parking credit that reduces the required number of off-street parking spaces by one off-street parking space for every one on-street parking space abutting the property subject to the following limitations:

1. On-street parking is available on both sides of the street adjacent to the property; and
2. The dwelling unit is not a short-term rental; and
3. Each on-street parking space is 22-ft long by 8-ft wide and parallel to the edge of the street, unless an

alternate configuration has been approved and marked by the City of Newport; and

4. Each on-street parking space to be credited must be completely abutting, and on the same side of the street, as the subject property. Only whole spaces qualify for the on-street parking credit; and
5. On-street parking spaces will not obstruct a clear vision area required pursuant to Section 14.17; and
6. No adjustments are being sought under the provisions of NMC Chapter 14.51; and
7. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street parking spaces are allowed except as authorized by the City of Newport.

*(Section 14.14.030 was amended by Ordinance No. 2182, adopted on May 17, 2021; effective on June 16, 2021.)*

*(Section 14.14.030 was amended by Ordinance No. 2222, adopted on September 16, 2024; effective October 16, 2024.)*

#### 14.14.040 Parking Requirements for Uses Not Specified

The parking space requirements of buildings and uses not set forth above shall be determined by the Planning Director or designate. Such determination shall be based upon requirements for the most comparable building or use specified in [Section 14.14.030](#) or a separate parking demand analysis prepared by the applicant and subject to a Type I decision making procedure as provided in [Section 14.52](#), Procedural Requirements.

#### 14.14.050 Accessible and Electric Vehicle Parking

Parking areas shall meet all applicable accessible parking and electric vehicle charging infrastructure requirements of the Oregon Structural Specialty Code to ensure adequate access for disabled persons, and sufficient electric vehicle parking infrastructure for future users.

*(Amended by the adoption of Ordinance No. 2199 on August 15, 2022; effective September 14, 2022.)*



#### 14.14.060 Compact Spaces

For parking lots of five vehicles or more, 40% of the spaces may be compact spaces measuring 7.5 feet wide by 15 feet long. Each compact space must be marked with the word "Compact" in letters that are at least six inches high.

*(Amended by the adoption of Ordinance No. 2199 on August 15, 2022; effective September 14, 2022.)*

#### 14.14.070 Bicycle Parking

Bicycle parking facilities shall be provided as part of new multi-family residential developments of five units or more; new retail, office, and institutional developments; and park-and-ride lots and transit transfer stations.

- A. The required minimum number of bicycle parking spaces is as follows, rounding up to the nearest whole number:

Parking Spaces Required	Bike Spaces Required
1 to 4 <sup>a</sup>	1
5 to 25	1
26 to 50	2
51 to 100	3
Over 100	1/25

<sup>a</sup>. Residential developments less than 5 units are exempt from bicycle parking requirements.

- B. Bicycle parking for multiple uses (such as commercial shopping centers) may be clustered in one or several locations but must meet all other requirements for bicycle parking.
- C. Each required bicycle parking space shall be at least two and a half by six feet. An access aisle at least five feet wide shall be provided and maintained beside or between each row of bicycle parking.
- D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object (e.g., a "rack") upon which a bicycle can be locked.

- E. Areas set aside for required bicycle parking must be clearly marked and reserved for bicycle parking only.

*(Amended by the adoption of Ordinance No. 2199 on August 15, 2022; effective September 14, 2022.)*

#### 14.14.080 Shared Parking

The off-street parking requirements of two or more uses, structures, or parcels may be satisfied by the same parking lot or loading spaces used jointly to the extent that it can be shown by the owners or operators of the uses, structures, or parcels that their parking needs do not overlap. If the uses, structures, or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract, or other appropriate written document to establish the joint use.

#### 14.14.090 Parking Lot Standards

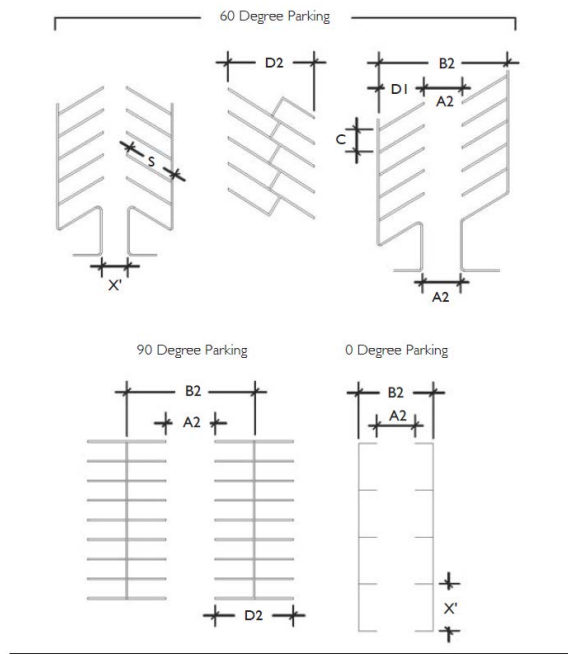
Parking lots shall comply with the following:

- A. Parking Lot Minimum Standards. Parking lots shall be designed pursuant to the minimum dimensions provided in Table 14.14.090-A and Figure 14.14.090-A.

Table 14.14.090-A. Parking Lot Minimum Dimensions for Standard Space

<u>PARKING</u>  <u>ANGLE</u>  <u>&lt; °</u>	<u>CURB</u>  <u>LENGTH</u>	<u>STALL DEPTH</u>		<u>AISE WIDTH</u>		<u>BAY WIDTH</u>		<u>STRIPE</u>  <u>LENGTH</u>
		<u>SINGLE</u>	<u>DOUBLE</u>	<u>ONE</u>	<u>TWO</u>	<u>ONE</u>	<u>TWO</u>	
		<u>D1</u>	<u>D2</u>	<u>WAY</u> <u>A1</u>	<u>WAY</u> <u>A2</u>	<u>WAY</u> <u>B1</u>	<u>WAY</u> <u>B2</u>	
<u>90°</u>	<u>8'-6"</u>	<u>18'</u>	<u>36'</u>	<u>23'</u>	<u>23'</u>	<u>59'</u>	<u>59'</u>	<u>18'</u>
<u>60°</u>	<u>10'</u>	<u>20'</u>	<u>40'</u>	<u>17'</u>	<u>18'</u>	<u>57'</u>	<u>58'</u>	<u>23'</u>
<u>45°</u>	<u>12'</u>	<u>18'-6"</u>	<u>37'</u>	<u>13'</u>	<u>18'</u>	<u>50'</u>	<u>55'</u>	<u>26'-6"</u>
<u>30°</u>	<u>17'</u>	<u>16'-6"</u>	<u>33'</u>	<u>12'</u>	<u>18'</u>	<u>45'</u>	<u>51'</u>	<u>32'-8"</u>
<u>0°</u>	<u>22'</u>	<u>8'-6"</u>	<u>17'</u>	<u>12'</u>	<u>18'</u>	<u>29'</u>	<u>35'</u>	<u>8'-6"</u>

Figure 14.14.090-A. Parking Lot Minimum Dimensions



B. Surfacing.

1. All parking lots that are required to have more than five parking spaces shall be graded and surfaced with asphalt or concrete. Other material that will provide equivalent protection against potholes, erosion, and dust may be approved by the City Engineer if an equivalent level of stability is achieved.
2. Parking lots having less than five parking spaces are not required to have the type of surface

material specified in subsection (1), above. However, such parking lot shall be graded and surfaced with crushed rock, gravel, or other suitable material as approved by the City Engineer. The perimeter of such parking lot shall be defined by brick, stones, railroad ties, or other such similar devices. Whenever such a parking lot abuts a paved street, the driveway leading from such street to the parking lot shall be paved with concrete from the street to the property line of the parking lot.

3. Parking spaces in areas surfaced in accordance with subsection (1) shall be appropriately demarcated with painted lines or other markings.

C. Joint Use of Required Parking Spaces. One parking lot may contain required spaces for several different uses, but the required spaces assigned to one use may not be credited to any other use.

D. Satellite Parking.

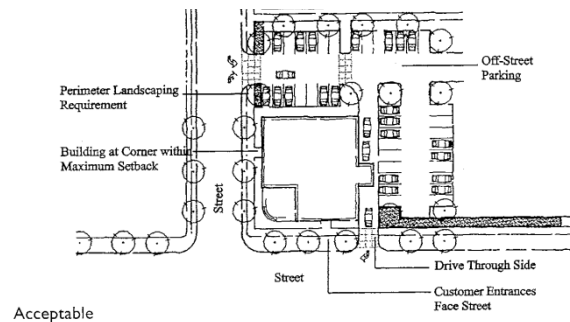
1. If the number of off-street parking spaces required by this chapter cannot be provided on the same lot where the principal use is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to as satellite parking spaces.
2. All such satellite parking spaces shall be located within 200 feet of the principal building or lot associated with such parking.
3. The applicant wishing to take advantage of the provisions of this section must present satisfactory written evidence that the permission of the owner or other person in charge of the satellite parking spaces to use such spaces has been obtained. The applicant must also sign an acknowledgement that the continuing validity of the use depends upon the continued ability to provide the requisite number of parking spaces.

4. Satellite parking spaces allowed in accordance with this subsection shall meet all the requirements contained in this section.

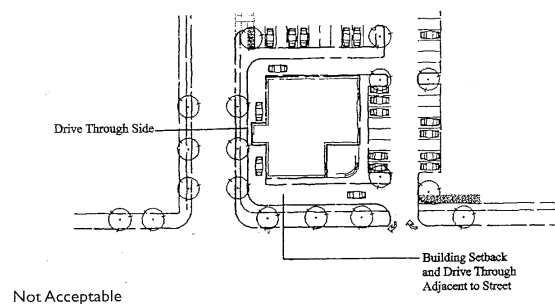
E. Lighting. Lighting from parking lots shall be so designed and located as to not glare onto neighboring residential properties. Such lighting shall be screened, shaded, or designed in such a way as to comply with the requirement contained in this section. This section is not intended to apply to public street lighting or to outdoor recreational uses such as ball fields, playing fields, and tennis courts.

F. Drive-Up/Drive-In/Drive-Through Uses and Facilities. Drive-up or drive-through uses and facilities shall conform to the following standards, which are intended to calm traffic, and protect pedestrian comfort and safety (Figures 1 and 2).

Figure 1 – Drive-Up and Drive-Through Facilities



1. The drive-up/drive through facility shall orient to an alley, driveway, or interior parking area, and not a street; and
2. None of the drive-up, drive-in or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) are located within 20 feet of a street and shall not be oriented to a street corner. (Walk-up only teller machines and kiosks may be oriented to a street or placed adjacent to a street corner); and
3. Drive-up/in queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way.



- G. Driveway Standards. Driveways shall conform to the requirements of Chapter 14.46.
- H. Landscaping and Screening. Parking lot landscaping and screening standards must comply with Section 14.19.050.
- I. Preferential Carpool/Vanpool Parking. Parking areas that have designated employee parking and more than 20 vehicle parking spaces shall provide at least 10% of the employee parking spaces, as preferential carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the employee entrance of the building than other parking spaces, with the exception of ADA accessible parking spaces.

*(Sections G., H., and I., added by the adoption of Ordinance No. 2199 on August 15, 2022; effective on September 14, 2022.)*

#### 14.14.100 Special Area Parking Requirements

- A. The boundary of the special areas are defined as follows:
  - 1. Nye Beach. That area bounded by SW 2nd Street, NW 12th Street, NW and SW Hurbert Street, and the Pacific Ocean.
  - 2. Bayfront. That area bounded by Yaquina Bay and the following streets: SE Moore Drive, SE 5th and SE 13th, SW 13th Street, SW Canyon Way, SW 10th, SW Alder, SW 12th, SW Fall, SW 13th, and SW Bay.
  - 3. City Center. That area bounded by SW Fall Street, SW 7th Street, SW Neff Street, SW Alder Street, SW 2nd Street, SW Nye Street, Olive Street, SE Benton Street, SW 10th Street, SW Angle Street, SW 11th Street, SW Hurbert Street, and SW 10th Street.
- B. Uses within a special area where public parking meters are utilized, in all or part of the special area,



may pay a fee in lieu of providing the off-street parking required in this section provided the parking demand does not exceed 20 spaces. Such fee shall be in the amount established by Council resolution. Uses with a parking demand in excess of 20 spaces must provide off-street parking sufficient to accommodate the excess demand. Parking ratios in subsection 14.14.030 or a parking demand analysis authorized under subsection 14.14.040 shall be used to determine a use(s) parking demand.

- C. Existing uses that provide off-street parking in order to comply with the provisions of this section, or prior parking ordinances, shall not be required to retain such parking if they are located within a special area where public parking meters are utilized, in all or part of the special area.
- D. Uses within a special area shall be subject to a "Parking District Business License Annual Fee" in an amount set by Council resolution, unless the City requires payment for the use of public parking in all or part of the special area. The annual business license fee established under this subsection shall exempt new development or redevelopment from having to provide up to five (5) off-street parking spaces. Uses that generate a demand for more than five (5) off-street parking spaces shall provide the additional spaces in accordance with the provisions of this section.

*(Section 14.14.100 adopted by Ordinance No. 2081, adopted on May 18, 2015; effective June 18, 2015.)  
Chapter 14.14..100 amended by Ordinance No. 2215, adopted October 16, 2023, effective November 16, 2023.*

#### 14.14.110 Loading and Unloading Areas

Off-street loading and unloading areas shall be provided per this section.

- A. Whenever the normal operation of any use requires that goods, merchandise, or equipment be routinely delivered to or shipped from that use, a sufficient off-street loading and unloading area must be provided in accordance with this subsection to accommodate the delivery or shipment operations in a safe and convenient manner.

- B. The loading and unloading area must accommodate the numbers as set forth in Table A. At a minimum, a loading and unloading space must be 35 feet in length, 10 feet in width, and 14 feet in height. The following table indicates the number of spaces that, presumptively, satisfy the standard set forth in this subsection.

Table 14.14.110-A, Required Loading Spaces

Square footage of Building	Number of Loading Spaces
0-19,999	0
20,000 – 79,999	1
80,000 – 119,999	2
120,000+	3

- C. Loading and unloading areas shall be located and designed so that vehicles intending to use them can maneuver safely and conveniently to and from a public right-of-way or any parking space or parking lot aisle. No space for loading shall be so located that a vehicle using such loading space projects into any public right-of-way.
- D. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.
- E. Whenever a change of use occurs after January 1, 1995, that does not involve any enlargement of a structure, and the loading area requirements of this section cannot be satisfied because there is insufficient area available on the lot that can practicably be used for loading and unloading, then the Planning Commission may waive the requirements of this section.
- F. Whenever a loading and unloading facility is located adjacent to a residential zone, the loading and unloading facility shall be screened per unloading facility shall be screened per [Section 14.18](#).

#### 14.14.120 Variances

Variances to this section may be approved in accordance with provisions of [Section 14.33](#), Adjustments and Variances, and a Type III Land Use Action decision process consistent with [Section 14.52](#), Procedural Requirements.\*

## 14.15 – Residential Uses in Nonresidential Zoning Districts

### CHAPTER 14.15 RESIDENTIAL USES IN NONRESIDENTIAL ZONING DISTRICTS

#### 14.15.010 Purpose

It is the intent of this section to regulate the placement of residences in nonresidential zoning districts.

#### 14.15.020 Residential Uses in Nonresidential Zoning Districts

Residences shall be allowed in nonresidential zones as follows:

- A. **C-1 zones:** Residences are prohibited at street grade, except in the City Center Design Review District, where they are a use permitted outright, subject to the form based provisions of the CCDRD. For floors other than street grade, residences are allowed as an outright permitted use.
- B. **C-2 zones:** For areas outside of the Historic Nye Beach Design Review District, residences are prohibited at street grade. For floors other than street grade, residences are allowed as an outright permitted use. On lands zoned C-2 that are within the Historic Nye Beach Design Review District, residential uses shall be allowed as specified in Chapter 14.30, Design Review Standards.
- C. **C-3 zones:** Same as the C-1 zone.
- D. **For all I zones:** One residence for a caretaker or watchman as an accessory use is allowed as a permitted use.
- E. **W-2 zones:** Residences are prohibited at street grade. For floors other than street grade, residences are allowed subject to the issuance of a conditional use permit in accordance with the provisions of

[Section 14.34](#), Conditional Uses, and [Section 14.52](#),  
[Procedural Requirements](#).

- F. **For all other nonresidential zones:** Residences are prohibited.
- G. **Affordable Housing:** Notwithstanding other provisions of this section, Affordable Housing shall be permitted at street grade provided:
1. It is situated outside of the Tsunami Hazards Overlay Zone; and
    - a. The property is zoned for commercial or public use, as outlined in Section 14.03.020; or
    - b. The property is zoned I-1, is publicly owned, and is adjacent to land zoned for residential use or a school.
  2. Development standards for Affordable Housing under this sub-section shall be the same as those that apply to the adjacent residentially zoned property. If there is no adjacent land zoned for residential use, then the development standards of the R-4 zone shall apply.
  3. Affordable Housing on property within the Historic Nye Beach Design Review District, shall satisfy the development standards specified in Chapter 14.30, Design Review Standards.

*(Section 14.15 amended by the adoption of Ordinance No. 2194 on May 16, 2022; effective June 15, 2022.)*

*(Section 14.15.020 adopted by Ordinance No. 2125, adopted on December 4, 2017; effective January 3, 2018.)*

*(Chapter 14.15.020 amended by Ordinance No. 2216, adopted on January 2, 2024, effective February 2, 2024.)*

## CHAPTER 14.16 ACCESSORY USES AND STRUCTURES

### 14.16.010 Purpose

The provisions of this section are intended to establish the relationship between primary and accessory structures or uses and to specify development criteria for accessory structures or uses.

#### 14.16.020 General Provisions

- A. Accessory uses and structures are those of a nature customarily incidental and subordinate to the primary use of a property. Typical accessory structures include detached garages, sheds, workshops, greenhouses, gazebos, and similar structures that, with the exception of Accessory Dwelling Units, are not intended for habitation by people. The Community Development Director, or the Director's designee, shall determine if a proposed accessory use is customarily associated with, and subordinate to, a primary use and may at his/her discretion elect to defer the determination to the Planning Commission. A determination by the Planning Commission shall be processed as a code interpretation pursuant to [Section 14.52](#), Procedural Requirements.
- B. An accessory use or structure includes a single tent, not more than 120 square feet in size, used to camp free of charge in the backyard of a lot, parcel, or tract with an occupied dwelling unit.
- C. An accessory use or structure shall be subject to, and comply with, the same requirements that apply to the primary use except as provided in this section.

*(14.16.020 amended by the adoption of Ordinance No. 2206 on February 21, 2023; effective March 23, 2023.)*

#### 14.16.030 Accessory Use or Structure on a Separate Lot or Parcel

An accessory use or structure may be located on a lot or parcel that is separate from the primary use provided:

- A. The lot or parcel upon which the accessory use or structure is to be located is contiguous to the property containing the primary use; and
- B. The subject lots or parcels are under common ownership and within the same zone district; and
- C. A deed restriction, in a form approved by the city, is recorded stating that the property on which the accessory use or structure is to be located cannot be sold or otherwise transferred separate from the lot or



parcel containing the primary use. This restriction shall remain in effect until a primary use is situated on the same lot or parcel as the accessory building or the accessory building is removed.

#### 14.16.040 Development Standards (Excluding Accessory Dwelling Units)

Accessory buildings and structures, except for Accessory Dwelling Units, shall conform to the following standards:

- A. The maximum floor area of the accessory structure in a residential zoning district shall not exceed 1,500 square feet or 65% of the total floor area of the primary structure, whichever is less.
- B. The maximum height of an accessory building in a residential zoning district shall not exceed that of the primary structure.
- C. Accessory buildings shall not extend beyond the required front yard setback lines of adjacent lots or parcels.
- D. Regardless of the setback requirements, a rear yard in a residential zone district may be reduced to five (5) feet for a one-story detached accessory building provided the structure does not exceed 625 square feet in size and 15 feet in height.

#### 14.16.050 Development Standards - Accessory Dwelling Unit Standards

Accessory Dwelling Units shall conform to the following standards:

- A. Accessory Dwelling Units are exempt from the housing density standards of residential zoning districts.
- B. A maximum of one Accessory Dwelling Unit is allowed for each detached single-family dwelling on a lot or parcel.

*(Section 14.16.050(B) was amended by Ordinance No. 2182, adopted on May 17, 2021; effective on June 16, 2021.)*

- C. Accessory Dwelling Units may be a portion of the primary dwelling, attached to a garage, or a separate free-standing unit.
  - D. The maximum floor area for a freestanding Accessory Dwelling Unit shall not exceed 800 square feet or 75% of the area of the primary dwelling, whichever is less.
  - E. The maximum floor area for an Accessory Dwelling Unit that is a portion of a primary dwelling or attached to a garage shall not exceed 800 square feet or 75% of the area of the primary dwelling, whichever is less.
  - F. However, an Accessory Dwelling Unit that results from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than 800 square feet.
  - B. The maximum height of an Accessory Dwelling Unit detached from the primary dwelling shall not exceed that of the primary dwelling. An Accessory Dwelling Unit attached to the primary dwelling is subject to the height limitation of the residential zone district within which it is located.
- 14.
- C. Accessory Dwelling Units shall not extend beyond the required front yard setback lines of the adjacent lots or parcels.

*(Section 14.16.050 adopted by Ordinance No. 2152, adopted on November 4, 2019; effective December 4, 2019.)*

#### 14.16.060 Conditional Use Approval of Accessory Dwelling Units

If one or more of the standards of this Chapter cannot be met, an owner may seek approval of an Accessory Dwelling Unit as a Conditional Use, pursuant to [Chapter 14.34](#). A Conditional Use Permit may allow relief from one or more of the standards of the Chapter, but does not excuse the owner from complying with the standards that can be satisfied.

*(Chapter 14.16 was replaced on the adoption of Ordinance No. 2055; adopted on June 17, 2013; effective July 17, 2013.)*

## CHAPTER 14.17 CLEAR VISION AREAS

### 14.17.010 Purpose

The purpose of this section is to promote safety at intersections and drive access points by reducing obstructions to clear vision at intersections.

### 14.17.020 Clear Vision Area Defined

A vision clearance area includes the following:

- A. At the intersection of two streets, a triangle formed by the intersection of the curb lines, with each leg of the vision clearance triangle being a minimum of 35 feet in length. Where curbs are absent, the edge of the asphalt or future curb locations shall be used as a guide. The City Engineer may modify this requirement, in writing, upon finding that more or less distance is required (i.e., due to traffic speeds, roadway alignment, etc.).
- B. A portion of a lot subject to a front yard setback as defined in [Section 14.11](#). A clear vision area does not include that portion of a second front yard outside of the area described in subsection (A).

### 14.17.030 Clear Vision Area Requirements

A clear vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction, except for an occasional utility pole or tree, exceeding three feet in height, measured from the top of the curb, or where no curb exists, from the street centerline grade. Trees located within a clear vision area shall have their branches and foliage removed to the height of eight feet above the grade.

### 14.17.040 Maintenance of Clear Vision Areas

It shall be the duty of the person who owns, possesses, or controls real property or right-of-way adjacent thereto, to maintain a clear vision area in the manner provided in this section.

#### 14.17.050 Exemptions for Buildings

A building erected in compliance with zoning ordinance setbacks is exempt from this section.

#### 14.17.060 Liability

The person owning, in possession of, occupying or having control of any property within the city shall be liable to any person who is injured or otherwise suffers damage by reason of the failure to remove or trim obstructions and vegetation as required by this section. Furthermore, the person shall be liable to the city for any judgment or expense incurred or paid by the city, by reason of the person's failure to satisfy the obligations imposed by this section.

#### 14.17.070 Variances

The requirements of this section shall be subject to the processes and criteria contained in [Section 14.33](#).

*(Chapter 14.17 repealed and re-enacted by Ordinance No. 2031, adopted March 5, 2013; and made effective by Ordinance No. 2054 adopted on June 3, 2013; effective June 13, 2013.)*

## CHAPTER 14.18 SCREENING AND BUFFERING BETWEEN RESIDENTIAL AND NONRESIDENTIAL ZONES

### 14.18.010 Height Buffer

Non-residential sites of districts abutting or having any portion located adjacent to any residential zone shall have a height limitation beginning at a height of ten feet at the property line abutting the residential zone and increasing at a slope of 1:2 for R-1 property, 1:1 for R-2 property, 2:1 for R-3 property, and 3:1 for R-4 property until intersecting the height limit otherwise established in that district.

### 14.18.020 Adjacent Yard Buffer

On any portion of a site in a non-residential zone that abuts a residential zone, a minimum interior yard of 10 feet planted and maintained as a landscaped screen shall be required.

### 14.18.030 Separated Yard Buffer

On any portion of a non-residential site that is opposite from a residential district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of ten feet shall be required. The minimum yard shall be planted and maintained as a landscape screen (excluding areas required for access to the site).

## CHAPTER 14.19 LANDSCAPING REQUIREMENT

### 14.19.010 Purpose

The purpose of this section is to provide for the installation, long-term maintenance and protection of trees, vegetation and other landscape elements within the City of Newport recognizing however, that development often times requires the removal of trees and other plant material. When removal is done, the purpose of this section is to require replacement that is attractive, well placed and enhances the overall appearance of the property and the City as a whole. It is further the purpose of this section to:

- A. Aid in air purification and storm water runoff retardation;
- B. Aid in the reduction of noise and glare;
- C. Provide visual buffers;
- D. Enhance the beauty of the city;
- E. Improve property values;
- F. Reduce erosion; and
- G. To protect and enhance the natural beauty, environment and greenspace within the City of Newport to advance economic development, attract residents and promote tourism.

### 14.19.020 Definitions

For purposes of this section, the following definitions shall apply. Where no definition is given, the common usage of the word shall be used. If there is a conflict between the definitions contained in this section and the more general definitions contained in the definitions section of this Ordinance, this section shall apply.

- A. Addition. An increase in the gross floor area.
- B. Bayfront. The area of the city defined in the Bayfront Plan section of the City's Comprehensive Plan.

- C. Buffer. The use of landscaping, or the use of landscaping along with berms or fences, that obscure the sight from an abutting property and uses, that at least partially and periodically obstructs view and noise. For purposes of this Section, the buffer does not count toward the required landscaping.

(\* Entire section amended by Ordinance No. 1827 (9-7-00).)

14.19.020 – Definitions

- D. City Center. The area of the city defined in Section 14.14.100(C) of this Code.

- E. Development. That which is done on a tax lot or parcel of property under one ownership pursuant to any permit issued by the City of Newport Department of Planning and Community Development.

- F. Gross Floor Area. The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

- G. Hanging Basket. A basket of flowers or other plant material that is over a public right-of-way or private property and attached to a building, pole, wall, tree or other attachment. In no case shall a hanging basket be less than eight feet above a sidewalk or other pedestrian way or within two feet of a street or driveway.

- H. Landscaped Area. That area within the boundaries of a given lot or other area authorized for landscaping purposes which is devoted to and consists of landscaping.

- I. Landscaping. Material placed in a landscaped area including but not limited to grass, trees, shrubs, flowers, vines and other groundcover, native plant materials, planters, brick, stone, natural forms, water forms, aggregate and other landscape features, provided, however that the use of brick, stone,



aggregate or other inorganic materials shall not predominate over the use of organic plant material. Landscaping does not include sidewalks, fences, walls, benches or other manufactured materials unless same is incidental to the total area of the landscaped area.

- J. Landscaping Plan. A drawing to scale showing the location, types and density of landscaping.
- K. Maintain or Maintenance. Any activity such as pruning, mulching, mowing, fertilizing, removal and replacement of dead vegetation and other similar acts that promote the life, growth, health or beauty of the landscape vegetation.
- L. Nye Beach. The area of the City defined in the Historic Nye Beach Overlay District section of this Ordinance.
- M. Planter. A decorative container for flowers, bushes, trees and other plant materials including but not limited to window boxes, planter boxes, flower pots and other containers.
- N. Sight obscuring. Landscaping, berms, fences, walls or a combination of all those elements that completely blocks the ability to see through it.
- O. Window or Planter Box. A decorative box, pot, or other container that contains flowers and other plant material that is placed immediately below a window, along a walkway or other location. In no case shall a window or planter box extend more than two feet or 20% of the distance from the building to the street curb into the public right-of-way, whichever is less.

#### 14.19.030 Applicability

The provisions of this ordinance shall apply to all new commercial, industrial, public/institutional, and multi-family development, including additions to existing development or remodels.

*(Section 14.19.030 was amended by Ordinance No. 2182, adopted on May 17, 2021: effective June 16, 2021.)*

#### 14.19.040 General Requirements

The objective of this section is to encourage the planting and retention of existing trees and other vegetation to improve the appearance of off-street parking areas, yard areas and other vehicular use areas; to protect and preserve the appearance, character, and value of surrounding properties, and thereby promote the general welfare, safety and aesthetic quality of the City of Newport; to establish buffer strips between properties of different land uses in order to reduce the effects of sight and sound and other incompatibilities between abutting land uses; to insure that noise, glare and other distractions within one area does not adversely affect activity within the other area. Prior to the issuance of a building permit, landscaping plans showing compliance with this section are required.

- A. No landscape plan submitted pursuant to this section shall be approved unless it conforms to the requirements of this ordinance.
- B. Landscape plans shall be submitted for all development. Said plans shall include dimensions and distances and clearly delineate the existing and proposed building, parking space, vehicular access and the location, size and description of all landscape areas and materials.

*(Section 14.19.040(B) was amended by Ordinance No. 2182, adopted on May 17, 2021: effective June 16, 2021.)*

- C. Landscaping shall not obstruct the view at the intersection of two or more streets or alleys; or at the intersection of a street and a driveway.
- D. A guarantee of performance bond or escrow agreement shall be required in an amount to be determined by the Planning Director and approved by the City Attorney as to form to insure satisfactory completion of the landscaping plan as approved if the required landscaping is not installed prior to certificate of occupancy as required by the Building Code.

#### 14.19.050 Landscaping Required for New Development, Exceptions

All new development, except for one and two family residences, shall be required to install landscaping per this section. For purposes of this section, new development shall mean construction upon a vacant lot or a lot that becomes vacant by virtue of the demolition of an existing building. Landscaping shall be provided as follows:

- A. Area. Landscaping shall be ten percent of the total square footage of a lot or parcel.
- B. Location. Landscaping shall be located along a street frontage or frontages.
  - 1. For commercial and industrial zoned lots south of the Yaquina Bay Bridge that abut US 101, landscaping shall include a minimum 15-foot wide landscape buffer.

*(Section 14.19.050(B)(1) added by the adoption of Ordinance No. 2196 on November 7, 2022; effective December 6, 2022.)*

- C. Exceptions. The right-of-way between a curb and a property line, not counting any sidewalk, driveway or other hard surfaces, may be used and counted toward the required landscaping as long as it has been determined by the Planning Director that the right-of-way is not needed for future street expansion. A developer may also plant a street tree within the sidewalk and it shall count toward meeting landscaping requirements subject to approval by the Planning Director and the City Engineer. A window or planter box may also be used to meet landscaping requirements at a ratio of 1 to 1. If the developer chooses to exercise this option, he or she shall enter into an agreement that the landscaping in the right-of-way is to be maintained as landscaping.
- D. Landscaping and Screening for Parking Lots. The purpose of this subsection is to break up large expanses of parking lots with landscaping. Therefore, all parking areas or each parking bay where a development contains multiple parking areas shall comply with the following provisions:
  - 1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering

areas, shall be landscaped. This 10 percent landscaping requirement includes landscaping around the perimeter of parking areas as well as landscaped islands within parking areas. Such landscaping shall consist of canopy trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.

2. All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 12 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than 6 feet, to ensure adequate soil, water, and space for healthy plant growth;
3. All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within 2 years of planting, not less than 50 percent of that area is covered with living plants; and
4. Wheel stops, curbs, bollards or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than 2 feet from any such barrier.
5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.
6. The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards. Parking lots abutting sidewalk or walkway shall be screened using a low-growing hedge or low garden wall to a height of between 3 feet and 4 feet.

7. The provisions of this subsection do not apply to areas for the storage and/or display of vehicles.

*(Section 14.19.050(D.) amended by the adoption of Ordinance No. 2199 on August 15, 2022; effective September 14, 2022.)*

#### 14.19.060 Landscaping Requirements for Additions and Remodels

For purposes of this section, addition means any development that increases the floor area of a building. Remodel is any work requiring a building permit. For additions and remodels, landscaping shall be provided as follows:

- A. Area. If the subject development after completion complies with the requirements for new development, no additional landscaping is required. If the subject development does not comply with the requirement for new development, landscaping shall be installed so as follows:
  1. For projects with a value of \$80,000 or less, no additional landscaping is required.
  2. For projects with a value of \$80,001 to \$160,000, the amount of landscaping shall be no less than 25% of that required for new development.
  3. For projects with a value of \$160,001 to \$250,000, the amount of landscaping shall be no less than 50% of that required for new development.
  4. For projects with a value of \$250,001 to \$475,000, the amount of landscaping shall be no less than 75% of that required for new development.
  5. For projects with a value greater than \$475,000, the amount of landscaping shall be 100% of that required for new development.

Values shall be based on year 2022 dollars and adjusted on July 1 of each year for inflation. The adjustment shall be based on the latest available U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers (CPI-U).

For purposes of this section, the value shall be based on the amount placed on the application for a building permit. If the Building Official determines that the value is below the actual value as calculated by the formulas developed by the State of Oregon Building Codes Division, the value on the permit shall be as determined by the Building Official. If there is a dispute as to the value, the matter shall be referred to the Planning Commission for resolution. The procedure used shall be the same as for a Type I variance contained in [Section 14.33](#) of this Ordinance.

In the case where a second addition or remodel is commenced within one year of the first addition or remodel, the two projects shall be counted as one with regard to determining the above landscaping requirements.

B. Location. Landscaping shall be located along a street frontage or frontages.

1. For commercial and industrial zoned lots south of the Yaquina Bay Bridge that abut US 101, landscaping shall include a minimum 15-foot wide landscape buffer.

C. Exceptions. The right-of-way between a sidewalk and a property line may be used and counted toward the required landscaping as long as it has been determined by the Planning Director that the right-of-way is not needed for future street expansion. If the developer chooses to exercise this option, he or she shall enter into an agreement that the landscaping in the right-of-way is to be maintained as landscaping. In addition, window boxes may be substituted for surface landscaping. The calculation shall be one square foot of window box accounts for three square feet of surface landscaping as required in Subsection A of this Section. A developer may also plant a street tree within the sidewalk and it shall count toward meeting landscaping requirements subject to approval by the Planning Director and the City Engineer.

Development in the Historic Nye Beach Design Review District shall follow the same landscaping requirements as [Subsection 14.19.080](#) (City Center and Bayfront) of Section 14.19 if landscaping requirements are not specified elsewhere. If landscaping is required under a permit issued under the design review design guidelines or design standards, then the permit requirements shall be the applicable landscaping requirements. If the permit requirements specify landscaping requirements that are to be implemented in conjunction with, or in addition to, the landscape requirements of this section, then the landscaping requirements of the permit shall be implemented in conjunction with, or in addition to, the requirements of landscaping specified in [Subsection 14.19.080](#) (City Center and Bayfront) of Section 14.19.

*\* Amended by Ordinance No. 1865 (12-1-03).*

#### 14.19.080 City Center and Bayfront

Because the City Center and Bayfront areas were platted and built on very small lots and many of the existing buildings are located on or near the property lines, a strict area landscaping requirement is difficult to obtain and places an undue burden on the property owner. Those areas shall therefore be subject to this section rather than [Sections 14.19.050](#) and [14.19.060](#) of this ordinance.

- A. New Development. The requirement for new development, defined as building on a vacant lot, shall be 10% of the lot area. In lieu of the 10%, hanging baskets or window/planter boxes may be substituted for surface landscaping, or any combination thereof. The calculation for square footage may be up to one square foot of hanging basket, planter box or window box for every three feet of otherwise required landscaping.
- B. Additions. Landscaping shall be required at a rate of 10% of the area of the addition. In lieu of the 10%, hanging baskets or window/planter boxes may be substituted for surface landscaping, or any combination thereof. The calculation for square footage may be up to one square foot of hanging basket, planter box or window box for every three feet of otherwise required landscaping.



- C. Remodels. Landscaping shall be required per [Section 14.19.060](#) except that in lieu of providing surface landscaping, window/planter boxes or hanging baskets may be substituted at a rate of one square foot of window/planter box or hanging basket for every ten square feet otherwise required.

#### 14.19.090 Maintenance of Required Landscaping

Landscaping required by this section, whether existing prior to January 1, 1999 or not, shall be reasonably maintained based on the time of year and kept free of weeds and garbage. Failure to maintain required landscaping may be found to be a violation and subject to penalties contained in [Section 14.54](#) of this Code.

#### 14.19.100 Variances

Variances to the requirements of this section shall be subject to the processes and criteria contained in [Section 14.33](#), Adjustments and Variances, and [Section 14.52](#), Procedural Requirements.\* As a condition of approval, the Planning Commission may require a bond to assure satisfactory completion of the required landscaping. The Planning Commission may also approve, in lieu of providing a strict landscaping area, window or planter boxes in numbers and size to comply with the intent of this section or a reduction of up to 25% of the required landscaping when the Commission finds that the architectural character of the building is of such quality to justify the reduction. The Commission may also waive up to 25% of the area requirement if the developer puts in an automatic sprinkling system to water the landscaping. The required parking may be reduced up to 10% of the number ordinarily required by this Code if the parking spaces lost is put into landscaping. The site plan prepared by a registered surveyor as required by [Sections 14.33.040](#) is not required for a variance under this Section. If there is a neighborhood design review process, that process supersedes the requirements in this section and, if the design review committee finds that the landscaping is consistent with their review, supersedes the need for a variance otherwise required by this Section.

*(\*Amended by Ordinance No. 1989 (1-1-10).)*

## CHAPTER 14.30 DESIGN REVIEW STANDARDS

### 14.30.010 Purpose

Design review districts may be adopted by the City of Newport in accordance with applicable procedures to ensure the continued livability of the community by implementing standards of design for both areas of new development and areas of redevelopment. Design review is an important exercise of the power of the City to regulate for the general welfare by focusing on how the built environment shapes the character of the community.

The Newport Comprehensive Plan identifies six potential urban design districts within the Newport Peninsula including the City Center District (and Highway 101 corridor), Waterfront District, Nye Beach District, Upland Residential District, East Olive District, and the Oceanfront Lodging/Residential District. Additionally, neighborhood plans may be adopted for other areas of Newport that include as an objective the implementation of design review to maintain and/or provide a flexible approach to development by offering two methods of design review from which an applicant can choose. One method of design review is under clear and objective design standards and procedures to allow development that is consistent with the standards to occur with certainty in a timely and cost effective manner. A second alternative method of design review is review under design guidelines, which are a more flexible process for proposals that are creative/innovative and meet the identified guidelines of the applicable design review district.

It is further the purpose of these standards to:

- A. Preserve the beautiful natural setting and the orientation of development and public improvements in order to strengthen their relationship to that setting.

- B. Enhance new and redeveloping architectural and landscape resources to preserve and strengthen the historic, scenic and/or identified neighborhood character and function of each setting.
- C. Improve the vehicular and pedestrian networks in order to improve safety, efficiency, continuity, and relationships connecting Newport neighborhoods.
- D. Strengthen Newport's economic vitality by improving its desirability through improved appearance, function, and efficiency.
- E. Improve the built environment in order to strengthen the visual appearance and attractiveness of developed areas.
- F. Implement the goals and objectives of the adopted neighborhood plans.

#### 14.30.020 Design Review Districts: Overlay Zones Established

The following:

- A. Historic Nye Beach Design Review District. The Historic Nye Beach Design Review District Overlay Zone shall be indicated on the Zoning Map of the City of Newport with the letters HNBO and is the area described as follows:

Beginning at the northeasterly corner of SW Hubert Street and SW 2nd Street; thence westerly along the north line of SW 2nd Street to the west line of SW Dolphin Street, said point also being the southeast corner of Lot 1, Block B, Barlow Blocks Addition to the City of Newport; thence north along the west line of SW Dolphin Street to 10 feet beyond the north line of Lot 7, said Barlow Blocks Addition; thence westerly, 10 feet north of and parallel with said north line of Lot 7 to the Pacific Ocean; thence northerly along the Pacific Ocean to the south line of NW 12th Street; thence east along the south line of NW 12th Street to the east line of an alley between NW Spring Street and NW Hubert Street; thence south along the east line of said alley way to

the north line of NW 10th Street; thence southwesterly to the southwest corner of the intersection of NW 10th Street and NW Brook Street; thence south along the west line of NW Brook Street to the south line of NW 8th Street; thence east along the south line of NW 8th Street to the west line of NW Hurbert Street; thence south along the west line of NW Hurbert Street to the north line of NW 6th Street; thence east to the northeast intersection of NW 6th Street and NW Hurbert Street; thence south along the east line of NW Hurbert Street and SW Hurbert Street to the north line of SW 2nd Street and the point of beginning.

B. City Center Design Review District. The City Center Design Review District Overlay Zone shall be indicated on the Zoning Map of the City of Newport with the letters CCDRD and is the area described as follows:

The City Center Design Review District is US Highway 101 and adjacent properties between the north end of the Yaquina Bay Bridge and US Highway 20, and US Highway 20 and adjacent properties between US Highway 101 and the eastern city limits.

#### 14.30.030 Adoption of Design Review: Guidelines and Standards

The document entitled “Newport Design Review: Guidelines and Standards” dated July 29, 2015, is hereby adopted by reference and made a part hereof. The guidelines and standards contained therein shall be the guidelines and standards applicable to the Historic Nye Beach Design Review District.

The document entitled “City Center Design Review District Form Based Code ” dated [September 2025], is hereby adopted by reference and made a part hereof. The Regulating Plan, Public Realm Standards, and Development and Design Standards, contained therein shall be the standards applicable to the City Center Design Review District.

#### 14.30.040 Design Review Required

The following development activities in an established design review district are required to obtain a design review permit under the design standards in an identified design review district or, in the alternative, to apply for a design review permit and to obtain approval under the design guidelines for that design review district:

- A. New construction, substantial improvement, or relocation of one or more dwelling units.
- B. New construction, substantial improvement, or relocation of a commercial or public/institutional building.
- C. New construction, substantial improvement, or relocation of a residential accessory structure that contains more than 200 square feet of gross floor area and is not more than 10 feet in height.
- D. New construction, substantial improvement, or relocation of a commercial accessory structure that contains more than 120 square feet of gross floor area.
- E. An addition that increases the footprint of an existing building by more than 1,000 square feet.

#### 14.30.050 Exemptions

The following activities are exempt from the provisions of this chapter:

- A. Development activity that is subject to the provisions of Newport Municipal Code Chapter 14.23, Historic Buildings and Sites.
- B. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions.
- C. Development that does not involve the construction, substantial improvement, or relocation of a dwelling unit, commercial or public/institutional building, or accessory structure.

- D. Conversion of space within an existing structure into an accessory dwelling unit.

*(Section 14.30.050 revised by Ordinance No. 2152, adopted on November 4, 2019; effective December 4, 2019.)*

#### 14.30.060 Approval Authority

The following are the initial review authorities for a Design Review application:

- A. Community Development Director. For projects subject only to the design standards specified in ~~the following documents entitled “Newport Design Review: Guidelines and Standards,” dated July 29, 2015.~~ The approval or denial of a Design Review application by the Community Development Director is a ministerial action performed concurrent with City review of a building permit.
  - a. Entitled “Newport Design Review: Guidelines and Standards,” dated July 29, 2015. The approval or denial of a Design Review application by the Community Development Director is a ministerial action performed concurrent with City review of a building permit.
  - b. Entitled “City Center Design Review District Form Based Code.”
- B. Planning Commission. For projects that require design review under the design guidelines contained in the document entitled “Newport Design Review: Guidelines and Standards,” dated July 29, 2015, including the following:
  - 1. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that is over 65 feet in length or 35 feet in height; or
  - 2. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure

that does not meet the design standards contained in the document entitled “Newport Design Review: Guidelines and Standards” dated July 29, 2015; or

3. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that involves a conditional use, a variance, or any other type of land use permit for which a Type III Land Use Action decision process is required, pursuant to [Chapter 14.52](#), Procedural Requirements.

#### 14.30.070 Application Submittal Requirements

- A. For requests that are subject to Community Development Director review for compliance with design standards, an application for Design Review shall consist of the following:
  1. A completed and signed City of Newport Building Permit Application Form.
  2. Building plans that conform to the submittal requirements for a building permit that include a site plan, floor plan, exterior architectural elevations, cross-section drawings, and construction specifications illustrating how the design standards have been met.
  3. A written checklist identifying the design elements used to comply with the design standards.
- B. For requests that are subject to Planning Commission review for compliance with design guidelines, an application for Design Review shall consist of the following:
  1. Submittal requirements for land use actions listed in [Section 14.52.050](#).
  2. Exterior elevations of all buildings on the site as they will appear after development. Such plans shall indicate the material, texture, shape, and other design features of the building(s), including all mechanical devices.



3. A parking and circulation plan illustrating all parking areas, drive isles, stalls, and points of ingress/egress to the site.
4. A landscape plan showing the location, type and variety, size and any other pertinent features of the proposed landscaping and plantings for projects that involve multi-family, commercial, and public/institutional development.

*(Section 14.30.070(B)(4) was amended by Ordinance No. 2182, adopted on May 17, 2021: effective June 16, 2021.)*

5. A lighting plan identifying the location and type of all permanent area lights, including parking area lighting, along with details of the lighting fixtures that are to be installed.
6. A written set of proposed findings that explain how the project complies with the applicable design guidelines.
7. Any other information the applicant believes is relevant to establishing that the project complies with applicable design guidelines.

C. All plans shall be drawn such that the dimensions can be verified with an engineers or architects scale.

#### 14.30.080 Permitted Uses

In addition to uses permitted outright or conditionally in the underlying zoning district, the following uses are permitted within areas subject to design review.

A. Historic Nye Beach Design Review District.

1. Tourist Commercial (C-2) zoned property.
  - a. Up to five (5) multi-family dwelling units per lot or parcel are permitted outright provided they are located on a floor other than a floor at street grade.
  - b. A single-family residence is permitted outright if located on a floor other than a floor at street grade.

- c. A single-family residence is permitted outright, including the street grade floor, within a dwelling constructed prior to January 1, 2004. Residential use at the street grade is limited to the footprint of the structure as it existed on this date.
- d. Single family, duplex, townhouses, cottage clusters, and multi-family dwelling units, including at the street grade, are permitted outright on property located south of NW 2nd Court and north of NW 6th Street, except for properties situated along the west side of NW Cliff Street.

*(Section 14.30.080(A)(1)(d) was amended by Ordinance No. 2182, adopted on May 17, 2021; effective June 16, 2021.)*

*(Section 14.30.080(A)(1)(d) was amended by Ordinance No. 2165, adopted on June 15, 2020; effective July 15, 2020.)*

- a.
- 2. High Density Multi-Family Residential (R-4) zoned property.
  - a. Uses permitted outright in the C-2 zone district that are not specified as a use permitted outright or conditionally in the R-4 zone district, are allowed subject to the issuance of a conditional use permit in accordance with the provisions of Chapter 14.34, Conditional Uses and subject to the limitation that the use not exceed a total of 1,000 square feet of gross floor area. This provision does not preclude an application for a use as a home occupation under [Chapter 14.27](#), Home Occupations.

#### 14.30.090 Prohibited Uses

The following uses are prohibited within areas subject to Design Review.

##### A. Historic Nye Beach Design Review District

- 1. Any new or expanded outright permitted commercial use in the C-2 zone district that exceeds 2,000 square feet of gross floor area. New or expanded uses in excess of 2,000 square feet of gross floor area may be permitted in accordance with the provisions of [Chapter 14.34](#),

## Conditional Uses.

2. Recreational vehicle parks within the Tourist Commercial (C-2) and Public Structures (P-1) zoning districts.

*(Section 14.30.090 revised by Ordinance No. 2120, adopted on September 18, 2017; effective October 18, 2017.)*

### 14.30.100 Special Zoning Standards in Design Review Districts

All zoning standards and requirements applicable under Ordinance No. 1308 (as amended) in the subject zoning district shall apply, except that the following additional zoning standards are applicable for the design review district as applicable in the underlying zoning designation and shall be modified for each district as specified.

#### A. Historic Nye Beach Design Review District:

1. No drive through windows are allowed.
2. Commercial buildings with frontage on NW and SW Coast Street, W Olive Street, NW and SW Cliff Street, NW Beach Drive, and NW Third Street shall be set back from the property line fronting the street no more than 5 feet unless the development provides for a pedestrian oriented amenity (such as a courtyard, patio, or café with outdoor seating), compliance with the setback is precluded by topography or by easement, or a larger setback is authorized by the Planning Commission through the design review process.
3. Required yards and setbacks established in [Chapter 14.11](#) (Required Yards and Setbacks) and [Chapter 14.18](#) (Screening and Buffering between Residential and Non-Residential Zones) shall be reduced by 50%, except for [Section 14.11.030](#), Garage Setback, which is to remain at 20-feet. A setback for a garage that is less than 20-feet may be permitted if it is found by the Planning Commission to be consistent with the Design Review Guidelines pursuant to NMC [14.30.060\(B\)](#).

4. The following adjustments to [Chapter 14.12](#) (Minimum Size) and [Chapter 14.13](#) (Density Limitations, Table “A”) are allowed within the District.
  - a. The minimum lot area within both the R-4 and C-2 zones shall be 3,000 square feet.
  - b. The minimum lot width for the R-4 zone shall be 30 feet.
5. Residential use permitted on C-2 zoned property located south of NW 2nd Court and north of NW 6th Street, except for properties situated along the west side of NW Cliff Street, shall comply with the following additional requirements:
  - a. The maximum residential density is 1,250 square feet per unit.
  - b. The maximum building height is 35 feet.
  - c. The maximum lot coverage in structures is 64%. If the proposed residential use provides at least 1 off-street parking space for each dwelling unit in a below-grade parking structure (for the purposes of this section below-grade is defined to mean that 50% or more of the perimeter of the building is below-grade) located directly below the residential portion of the structure, the maximum lot coverage allowed is 90%.
  - d. The residential use provides at minimum 1 off-street parking space for each dwelling unit.
  - e. At least one residential building per lot is set back from the property line abutting the street no more than 5 feet.

*(Section 14.30.100(A)(5) was amended by Ordinance No. 2165, adopted on June 15, 2020; effective July 15, 2020.)*

6. The following adjustments to the off-street parking requirements of [Chapter 14.14](#) (Parking, Loading, and Access Requirements) are provided for uses within the District:

- a. Commercial uses shall have the first 1,000 square feet of gross floor area exempted from the off-street parking calculation.
- b. All uses within the District shall be allowed an on-street parking credit that shall reduce the required number of off-street parking spaces by one off-street parking space for every one on-street parking space abutting the property subject to the following limitations:
  - i. Each on-street parking space must be in compliance with the City of Newport standards for on-street parking spaces.
  - ii. Each on-street parking space to be credited must be completely abutting the subject property. Only whole spaces qualify for the on-street parking credit.
- a. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street parking spaces are allowed except as authorized by the City of Newport.

#### B. City Center Design Review District

- 1. No drive through windows are allowed within the area identifies as the Traditional Downtown Zone as identified in the City Center Design Review District Form Based Code.
- 2. Adjustments to Chapter 14.12 (Minimum Size) and Chapter 14.13 (Density Limitations, Table "A") are allowed within the City Center Design Review District as detailed in the City Center Design Review District Form Based Code, subsection 5, Development and Design Standards.

*(Section 14.30.100 revised by Ordinance No. 2120, adopted on September 18, 2017; effective October 18, 2017.)*

#### 14.30.110 Modification of a Design Review Permit

A modification of an approved design may be requested of the approving authority for any reason by an applicant. Applications for a modification shall be submitted and processed in the same manner as the original application.

- A. If the requested modification is from an approval issued under design standards, the modification request shall be approved by the Community Development Director if the modification also meets the design standards.
- B. If the modification does not meet the design standards or if the modification is from an approval issued under the design guidelines, the modification shall be processed under the design review process for compliance with the applicable design guidelines. The Commission's authority is limited to a determination of whether or not the proposed modification is consistent with the applicable design review guidelines.

*(Chapter 14.30 was revised by Ordinance No. 2084; adopted September 21, 2015; effective October 21, 2015.)*