

2.118 URBAN TRANSITION (UT)

2.118.01 Purpose

The UT (URBAN TRANSITION) zone is generally located in the north part of Keizer and includes a number of parcels which are not contiguous to each other. The zone is intended to retain and protect for future urban use properties which are undeveloped or underdeveloped and do not have available urban facilities such as sanitary sewer, water, drainage, and streets. The zone allows the continuation of legally established uses and certain other limited uses that will not interfere with the efficient, later use of the land for urban development. Properties that have available urban services, or can be served by the City's infrastructure system will be allowed to develop with a demonstration that the efficient use of the land proposed for development will be made and will not impair the development of surrounding properties.^(5/98)

2.118.02 Permitted Uses

The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the UT zone:

- A. Lawful uses other than those listed in this Section 2.118.02 on a property at the time of the effective date of this zone except as provided in Section 2.118.03. ^(5/98)
- B. **Farm use.** ^(5/98)
- C. The propagation of **forest products.** ^(5/98)
- D. **Public and semi-public buildings and structures** rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations, reservoirs, and electrical transmission lines. ^(5/98)
- E. **A mobile home customarily provided in conjunction with farm use** subject to an agreement requiring removal if the property is subsequently placed in a zone that does not permit mobile homes. ^(5/98)
- F. **A mobile home subject to an agreement** requiring removal if the property is subsequently placed in a zone that does not permit mobile homes, and subject to Sections 2.118.11, 2.118.12, and 2.118.13. ^(5/98)
- D. **Nursery.** ^(5/98)
- H. **Child foster home** for five or fewer children. ^(6/99)
- I. **Single Family Dwelling.**
- J. **Accessory Structures** and uses prescribed in Section 2.203.02.

2.118.03 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit:

- A. Any permitted use listed in the most restrictive zone in this zoning ordinance that can be applied in the applicable Comprehensive Plan designation subject to meeting the criteria in Section 3.103.03. (5/98)
- ~~B. Expansion or replacement of a use permitted under Section 2.118.02 subject to meeting the criteria in Section 3.103.03. (5/98)~~
- C. Commercial and industrial activities in conjunction with farm or forest use occurring on the parcel. (5/98)
- D. Use of a mobile home as a temporary hardship dwelling subject to Section 2.406. (5/98)
- ~~E. Single family dwelling meeting criteria in Section 2.118.04 and Sections 2.118.11, 2.118.12, and 2.118.13. (5/98)~~
- F. E. Child foster home for six, seven or eight children, providing such home:
 - 1. Is properly accredited by the Council on Accreditation on Child and Family Programs;
 - 2. Be located on a lot of no less than 16,000 square feet;
 - 3. The lot shall be located on an arterial or major collector street;
 - 4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space;
 - 5. Shall have setbacks for all structures of no less than 16 feet on each side and 30 feet along the back of the property;
 - 6. Shall have usable paved off-street parking for no less than 6 vehicles, plus one additional usable off-street paved parking space is to be provided for each foster child that owns or is the principal driver of any vehicle;
 - 7. At least on half of the lot area (no less than 8,000 square feet) shall consist of open space, grass and landscaping, including landscaping area at least 8 feet wide for permanent visual screening along the sides and back of the property. (which landscaping along sides and back of the property shall be designed for a minimum height of no less than 6 feet after five years) Decks, patios, paved areas, and parking areas, (paved or unpaved) shall not be

included when calculating the amount of required open space, grass and landscaping.

8. Is not located within one-half (1/2) mile of another child foster home of six to eight children, as measured between the closest lot lines of the existing child foster home and the proposed child foster home.

All child foster homes shall meet all applicable laws and regulations, including, but not limited to, applicable building codes.^(6/99)

2.118.04 Conditional Use Criteria

~~Before a conditional use permit may be approved, it must be found that the following criteria applicable to the proposed use will be satisfied:~~

- ~~A. The use will not increase traffic beyond the capacity of existing roads.^(5/98)~~
- ~~B. It will be located in such a manner that any significant unused portion of the property has adequate development options and will not restrict development options on adjacent properties.^(5/98)~~
- ~~C. The use can utilize rural services or existing urban services, and will not individually or together with nearby uses increase pressure for installation of new urban services.^(5/98)~~
- ~~D. The use meets the development standards of the most restrictive zone in the zoning ordinance consistent with the Comprehensive Plan designation.^(5/98)~~
- ~~E. The expansion will result in an accumulated increase of no greater than 50 percent of the total ground floor and outside storage area lawfully existing on the effective date of the application of this zone to the property.^(5/98)~~
- ~~F. The Comprehensive Plan designation clearly indicates that the use to be expanded will be a permitted use in the zones typically applied in the applicable designation.^(5/98)~~
- ~~G. No new residential structures or mobile homes except as provided for in section 2.118.02.E are permitted unless the area is designated for residential development and the most restrictive zone would permit the residential use or mobile home.^(5/98)~~

2.118.05 Development Standards

The standards and regulations in this chapter and the additional standards and regulations referenced in the Development Code apply to all lots, structures and uses unless indicated otherwise. Development of a parcel with a new single family dwelling or accessory structure will require the submittal of a “shadow plat” to be accompanied with the building permit to assure the placement of the new structure does not preclude the potential for future redevelopment of the parcel to identified

urban densities of the underlying Comprehensive Plan designation. -No structure or use shall be approved until all requirements in this chapter have been satisfied. (5/98)

The provisions of this chapter are complementary and supplementary to other provisions of this ordinance. In the event of a conflict between a provision of this chapter and a more restrictive provision of this ordinance applicable to a particular lot, structure or use, the more restrictive provision shall apply. (5/98)

2.118.06 Height

Within an UT zone, there is no height limit except a maximum of 35 feet for dwellings, and structures associated with special uses, and conditional uses. Buildings and structures erected, altered, or enlarged shall not exceed 45 feet in height. ~~Greater height may be requested and approved as a conditional use.~~ (5/98)

2.118.07 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the UT Zone except for modifications permitted under Section 2.202, General Exceptions or as required in Section 2.4. (5/98)

A. Minimum Yard Setback Requirements

SETBACKS	Residential Uses	Non-Residential Uses
Front	10 feet (5)	20 feet
Side	5 feet (1)	10 feet
Rear	(2)	20 feet
Street-side (3)	10 feet	20 feet
Garage Entrance (4)	20 feet	20 feet

- (1) *Zero side yard dwelling units are subject to the setback provisions in Section 2.404. (5/98)*
- (2) *The rear yard setback shall be as follows: 14 feet for a 1-story home; 20 feet for a 2-story home. (5/98)*
- (3) *Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)*
- (4) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)*
- (5) *The minimum front setback from an access easement shall be ten (10) feet. (10/15)*

2.118.08 Other Development Standards

All development in the UT Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements:

- A. **Off Street Parking:** Parking shall be as specified in Section 2.303. (5/98)
- B. **Subdivisions and Partitions:** Land divisions shall comply with provisions of Section 2.310. (5/98)
- C. **Yards and Lots:** Yards and lots shall conform to the standards of Section 2.312. (5/98)
- D. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the UT zone shall comply with the following standards:
(5/98)
 - 1. Single family homes shall comply with the design standards in Section 2.314. (5/98)
- E. **Signs:** Signs shall conform to the requirements of Section 2.308. (5/98)
- F. **Accessory Structures:** Accessory structures shall conform to requirements in Section 2.313. (5/98)
- G. **Landscaping:** A minimum of 30% of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in Section 2.309. (5/98)
- H. **Lot Coverage:** The maximum coverage allowed for buildings, accessory structures and paved parking shall be 70%. (5/98)

2.118.09 Development Priorities and Growth Management

The City of Keizer Comprehensive Plan establishes priorities for the future expansion of public facilities and services to currently unserved areas in the City. These unserved areas are in an UT or EFU zone. The map shown on Figure 2.118-1

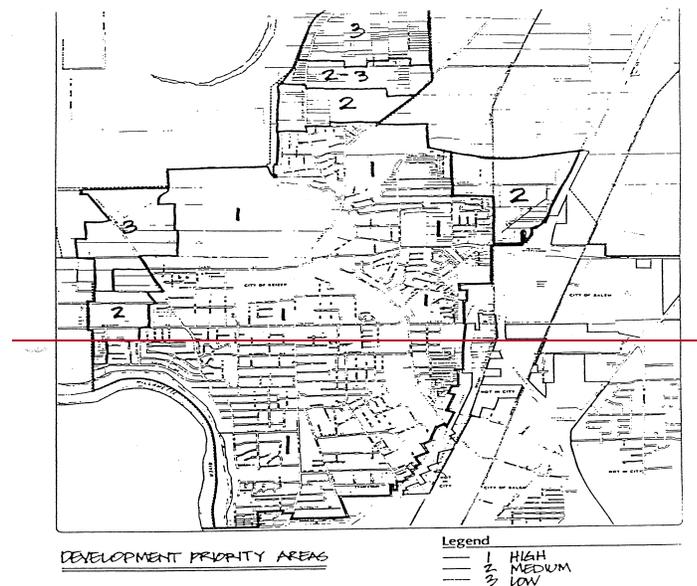


Figure 36-1

~~indicates three development priorities for the UT and EFU zoned areas in the City. Priority 1 areas are surrounded by or are immediately adjacent to areas where public sewer and water currently exists, where LIDs or other commitments for service extension are approved, and where new growth is likely during the next 10 years. Priority 2 areas have a medium priority for service extensions, and will likely experience new growth in 5 to 15 years. Priority 3 areas have a low priority for service extensions, and are not expected to experience growth for 10 to 20 years. The following development standards apply to these development priority areas.~~ (5/98)

2.118.10 Divisions of Land and Automatic Rezoning

- A. A subdivision, residential planned development or other residential development involving the division of land into 4 or more lots intended to be occupied by dwellings or mobile homes, or the establishment of a mobile home park, may be considered on property in the UT zone if public sewer and water will be available at the time of development. Notwithstanding the zone change procedures in Section 3.1, upon approval and recordation of the plat, or establishment of the mobile home park, the land included in the plat or park shall automatically be rezoned to the RS (SINGLE-FAMILY RESIDENTIAL) Zone. (5/98)
- B. Residential developments that are not allowable in the RS zone may only be considered as part of, or subsequent to, a change to a zone that allows the proposed development. (5/98)
- C. Notwithstanding the zone change procedures in Section 3.110, upon approval and recordation of a partition plat, the land included in the plat shall automatically be rezoned to the RS (SINGLE FAMILY RESIDENTIAL) Zone. The following regulations shall apply when property line adjustments and partitionings of land within the UT zone are proposed: (6/16)
 - 1. Existing parcels with dwellings may be separated from the remaining property provided the dwelling parcel does not preclude future redevelopment of the remaining parcel to maximum densities allowed in the Comprehensive Plan designation, and any additional street right-of-way required by adopted standards is dedicated along the parcel's street frontage. In addition, the following minimum lot sizes apply for the parcel containing the dwelling: (5/98)
 - a. Served by both public sewer and water: ~~65~~,000 square feet. (5/98)
 - b. Lacking public sewer or water: 20,000 square feet. (5/98)

- c. Lacking both public sewer and water: 1 acre ~~in priority 1 and 2 development areas, 2 acres in priority 3 development areas.~~ (5/98)
2. Street and drainage improvements applicable to any parcel created under Subsection 1 shall be imposed at the time the remnant parcel is developed for urban use. (5/98)
3. The location of parcel lines shall not significantly reduce feasible options for the future location of urban roads or services, or preclude basic development options on the property or adjacent properties. A development plan may be required which indicates how the proposed division will not preclude future development at densities allowed in the Comprehensive Plan. (5/98)
- ~~4. Partitioning of land creating an undeveloped parcel of less than 5 acres in area shall not be allowed in Priority 2 and 3 areas. Minimum lot dimension standards in Priority 2 and 3 areas are: (5/98)~~
 - ~~a. The property shall have no dimension less than 100 feet. (5/98)~~
 - ~~b. The property shall have not less than 100 feet of frontage on a dedicated street that shall have a right-of-way width of not less than 40 feet. (5/98)~~

2.118.11 Requirements for On-Site Sewage Disposal Permits

The following conditions shall be met prior to the approval of an on-site sewage disposal system permit in conjunction with other criteria when applicable:

- A. The property shall not lie within the boundary of a sewer service district as it was drawn prior to the inclusion within the City limits or within the boundary of an improvement district for sewer services that has been proposed by the City. (5/98)
- B. The property must lie more than 300 feet in a straight line from an existing sewer line which can be extended to the property to provide gravity sewer service. (5/98)
- C. The property shall not be serviced by a city or district water system. (5/98)
- D. The property owner shall sign a non-remonstrance agreement for future sewer service by the City. (5/98)
- E. The property shall have no dimension less than 100 feet. (5/98)
- F. The property shall have not less than 100 feet of frontage on a dedicated street which shall have a right-of-way of not less than 40 feet. (5/98)
- G. Applicant shall have obtained from the County Sanitarian a favorable site evaluation to install an on-site sewage disposal system. (5/98)

- H. The applicant will be required to connect the proposed improvements to the public sewer system if, in the future, the public sewer system comes to within 300 feet of the building. (5/98)