



**CITY OF LEBANON**  
*It's easier from here.*

**Lebanon Municipal Code Title 16: Development Code**  
**Article Two: Land Use and Land Use Zones**

**Chapter 16.07:**  
**Neighborhood Mixed Land Use Zone**

16.07.010	Background.....	1
16.07.020	Purpose and Implementation.....	1
16.07.030	Introduction.....	2
16.07.040	Process for Review of Neighborhood Mixed-Use Land Use Applications.....	3
16.07.050	Residential Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	5
16.07.060	Commercial Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	6
16.07.070	Industrial Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	7
16.07.080	Public Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	8
16.07.090	Other Land Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	9
16.07.100	Neighborhood Mixed-Use Zone Development Standards.....	9

**Adopted by City Council on  
December 10, 2008**

CITIZEN SERVICES & DEVELOPMENT CENTER

925 Main Street • Lebanon, Oregon 97355 • 541.258.4906 • 541.258.4955 Fax • [www.ci.lebanon.or.us](http://www.ci.lebanon.or.us)

# Chapter 16.07: Neighborhood Mixed-Use Zone

## Table of Contents:

16.07.010	Background.....	1
16.07.020	Purpose and Implementation.....	1
A.	Purpose.....	1
B.	Implementation.....	2
16.07.030	Introduction.....	2
A	Impact Classifications.....	2
B	Key to Procedures, Standards, and Conditions of Approval.....	2
16.07.040	Process for Review of Neighborhood Mixed-Use Land Use Applications.....	3
A.	Neighborhood Mixed-Use Zone Reviews.....	3
B.	Process for Basic Review of Applications and Impact Mitigation for Projects Deemed Major Land Use Actions thus Requiring Planned Development Reviews.....	3
16.07.050	Residential Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	5
16.07.060	Commercial Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	6
16.07.070	Industrial Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	7
16.07.080	Public Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	8
16.07.090	Other Land Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU).....	9
16.07.100	Neighborhood Mixed-Use Zone Development Standards.....	9
A.	Development Standards for the Neighborhood Mixed-Use Zone.....	9
B.	Utilization of Appropriate Development Standards for the Different Types of Land Use Requests Permissible in the Neighborhood Mixed-Use Zone.....	10

# Chapter 16.07: Neighborhood Mixed-Use Zone

## 16.07.010 BACKGROUND

- A. This Chapter contains all of the standards for the Neighborhood Mixed-Use Zone (Z-NMU). The standards are intended to be applied to all reviews in the Neighborhood Mixed-Use Zone.
- B. The creation of a lot or parcel through the subdivision or partition process is an outright permitted action in the Mixed Use Zone subject to the provisions of Chapter 16.23 and any other applicable requirements in this Code (e.g., Community Development Standards, Chapters 16.12 - 16.19).

## 16.07.020 PURPOSE AND IMPLEMENTATION

### A. Purpose

1. To provide lands suitable for primarily residential uses, with flexibility to allow neighborhood commercial services, in a transition area between commercial and residential areas.
2. Commercial, Light Industrial, and "Other" Land Uses shall not occupy more than 5,000 square feet in any single structure. However, such building size restrictions do not apply to allowed Residential uses and Public Uses (Civic and Institutional).
3. The types of businesses envisioned in this area include coffee shops, delis, bakeries, small offices, or day care facilities. Essentially, the Neighborhood Mixed-Use Zone is a blending of commercial and residential uses to create a transition zone between such uses. Specifically, the Neighborhood Mixed Use Zone combines elements of the Neighborhood Commercial (Z-NCM) and Mixed Density Residential (Z-RM) zones.
4. The Neighborhood Mixed-Use Zone is intended to:
  - a. Provide a buffer or transition between commercial development and residential areas.
  - b. Provide effective connectivity for pedestrians and bicyclists between residential areas and commercial areas.
  - c. Encourage pedestrian-oriented development.
  - d. Promote efficient use of land and urban services.
  - e. Promote independence of movement, especially for the young and the elderly who can conveniently walk, cycle, or ride transit.
  - f. Create a mixture of land uses that encourages employment and housing options in close proximity to one another.
  - g. Provide opportunities for the development of support services and amenities in neighborhoods so as to encourage those who choose to work at home, home occupations and the further decentralization and diversification of the local economy.
  - h. Encourage reduction in auto use, especially by shortening trips between residences and jobs/services/recreation.
  - i. Encourage the development of a variety of housing choices.

## **B. Implementation**

As noted in Chapter 4 of the 2004 Lebanon Comprehensive Plan, “[t]he new 2004 category of **Neighborhood Mixed Use** is a category to which property can be redesignated by future Comprehensive Plan Map amendments. However, this Comprehensive Plan does not assign any land to this new designation.” Given the transitional nature of this zone, any redesignation of parcels to C-NMU (and subsequently Z-NMU) must not only be consistent with the purposes of this zone, the land proposed for redesignation must also be adjacent to both commercial and residential areas.

### **16.07.030 INTRODUCTION**

#### **A Impact Classifications**

1. As noted in Chapter 16.03, all land use types are further divided into three subcategories by the degree of impacts or off-site impacts that the uses could reasonably be expected to exert on the surrounding properties and neighborhood.
2. Please see Section 16.03.010.E of Chapter 16.03 (pages 2 and 3) for the details of this impact classification system.

#### **B Key to Procedures, Standards, and Conditions of Approval**

1. **Outright Permitted Uses with Site Review and Building Permit:** “OP” means the use is permitted outright and a **Building Permit** is issued after a **site review** determines that all setbacks and other lot and building site requirements are satisfied.
2. **Permitted Uses with Ministerial Review:** “MR” approval is gained through a ministerial review process (see Chapter 16.20).
3. **Permitted with Administrative Review:** “AR” means the use is permitted through an Administrative Review process that takes into account all applicable requirements (see Chapter 16.20).
4. **Permitted with Conditional Use Approval:** “CU” means the use is permitted with a Conditional Use approval (Chapter 16.21).
5. **Site Reviews:** The processing of a variety of land use applications may also include detailed site reviews (site plan reviews). These requirements are addressed in LDC Chapters 16.21 - 16.24 (Article Four).
6. **Decision Criteria and/or Additional Conditions of Approval:** The standards and review processes outlined in this Code in **Article Three: Community Development and Use Standards** and in **Article Four: Land Use And Development Review/Decision Requirements And Procedures**, as well as applicable Overlay Zones (Chapter 16.11) may set additional decision criteria and/or conditions of approval.
7. **Not Permitted:** The code provisions are also intended to make it more difficult to place incompatible uses near one another; an “N” designation means the use is not permitted.
  - a. **Existing Uses.** The “Not Permitted” (“N”) designation is not retroactive and does not impact existing uses.
  - b. **No New Uses.** The “Not Permitted” (“N”) designation indicates that no new uses of this type are allowed on a property to which this designation applies.

## **16.07.040 PROCESS FOR REVIEW OF NEIGHBORHOOD MIXED-USE LAND USE APPLICATIONS**

### ***A. Neighborhood Mixed-Use Zone Reviews***

All applications for **Residential**, **Commercial**, **Industrial**, **Public**, and **Other Uses** in the Neighborhood Mixed-Use Zone (Z-NMU) that are **not** deemed Major Land Use Actions are subject to:

1. The appropriate review process indicated in **Tables 16.07-2 thru 16.07-6**, and
2. **May** also be subject to:
  - a. Site Reviews (e.g., to determine that all setbacks and other lot and building site requirements are satisfied).
  - b. Standards noted and the review processes outlined in this Code in **Article Three: Community Development and Use Standards** and in **Article Four: Land Use And Development Review/Decision Requirements And Procedures**,
  - c. Applicable Overlay Zones (Chapter 16.11) may set additional conditions of approval.

### ***B. Process for Basic Review of Applications and Impact Mitigation for Projects Deemed Major Land Use Actions thus Requiring Planned Development Reviews***

1. For purposes of this chapter, if a proposed development in a mixed use zone is deemed a Major Land Use Action according to **Table 16.07-1** on the following page, it shall be processed as a Planned Development.
2. See Chapter 16.23 for the details of the process for *Planned Development Reviews*.

**Table 16.07-1:  
Characteristics of Major Land Use Actions in the Neighborhood Mixed-Use Zone  
(Projects in the Neighborhood Mixed Use Zone Requiring a Planned Development Review)**

Note: Acreage refers to the size of the area being developed, not the total lot or parcel or lot size.

<b>Characteristics</b>	<b>Residential Uses</b>	<b>Commercial Uses</b>	<b>Industrial Uses</b>	<b>Public and Other Uses</b>	<b>Mixed Uses *</b>
<b>If the project's acreage exceeds the thresholds below, that land use application shall be deemed a Major Land Use Action and processed as a Planned Development (see Chapter 16.23).</b>					
Planned Development Application Required if Project Acreage Exceeds	5 or more acres	5 or more acres	2 or more acres	5 or more acres	2 or more acres
<b>If a proposed development is characterized by two or more of the characteristics listed below (in the four rows immediately following), that land use application shall be deemed a Major Land Use Action and processed as a Planned Development (see Chapter 16.23).</b>					
Acreage of Project or Size of project	Subdivisions of 25 or more lots	NA	NA	NA	NA
Multi-Year Phasing	Yes	Yes	Yes	Yes	Yes
Class III Impacts	Yes	Yes	Not allowed in Z-NMU	Yes	Yes
Projected Demand on Public Infrastructure and City Provided Utilities Exceed Actual or Designed Capacities in Adopted Master Facilities Plans	Yes	Yes	Yes	Yes	Yes

**\* MIXED-USE DEVELOPMENT:** Mixed use development is the co-location of various types of uses within a single building, complex or site. For example, Mixed Use Development could include residential with commercial, or with public or institutional uses). Mixed Use Development could be "vertical" (e.g., housing above ground floor commercial), and/or "horizontal" (housing in one or more buildings, and commercial or other uses in other buildings on a site), or both vertical and horizontal mixed use on a mixed use site.

## 16.07.050 RESIDENTIAL USES ALLOWED IN THE NEIGHBORHOOD MIXED-USE ZONE (Z-NMU)

<b>Table 16.07-2: Residential Land Uses Allowed in the Neighborhood Mixed-Use Zone</b>	
<i>Land Uses</i>	
(Examples of uses are in Chapter 16.03; definitions are in the Glossary, Chapter 16.32.)	
(See page 8 of Chapter 16.03 for further details and listings regarding Residential Uses)	
<b>Residential Uses with <u>Class I</u> Impacts:</b>	
Single Family (not attached)	<b>OP</b>
Accessory Dwelling	<b>AR</b>
Accessory Structures (with a permitted use)	<b>OP</b>
-no taller than 25ft. and no larger than 1,000 square feet of building footprint	<b>AR</b>
taller than 25 ft. or larger than 1,000 square feet of building footprint	<b>AR</b>
Duplex (2 dwellings sharing a common wall on one lot) -- One duplex on a lot	<b>OP</b>
Manufactured Home	<b>OP</b>
Family Child Care in a Home	<b>OP</b>
Other Residential Uses such as Bed & Breakfasts, Home Occupations	<b>MR</b>
Other Residential Uses such as Hospice Facilities	<b>AR</b>
<b>Residential Uses with <u>Class II</u> Impacts:</b>	
Town House/Rowhouse (2 or more common-wall single family dwellings), each on its own lot,	<b>AR</b> up to 19 <b>CU</b> for 20 or more
Cottage Cluster (2-4 single family dwellings on one lot)	<b>CU</b>
Zero Lot Line Housing (may include one common wall)	<b>AR</b>
Multifamily (3 or more dwellings on lot), includes Triplexes, Apartments, Senior Housing, Assisted Living, & Single Room Occupancies, Boarding or Rooming Facilities	<b>AR</b> up to 19 <b>CU</b> for 20 or more
Other Residential Uses such as Nursing and Convalescent Homes, Retirement Center Apartments	<b>MR</b>
<b>Residential Uses with <u>Class III</u> Impacts:</b>	
State Regulated Special Residential Units	<b>AR</b>
<ul style="list-style-type: none"> <li>• Group Living Homes (5 or fewer)</li> <li>• Group Facility (6+)</li> </ul>	<b>CU</b> for 6 or more
Manufactured Home Park	<b>N</b>
Other Residential uses <b>such as</b> Dormitories, and Houseboats	<b>CU</b>
<b>Key:</b> OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N =Not permitted; * = Number of Units following an AR or CU designation. Also see Table 16.07-1: Characteristics of Major Land Use Actions Matrix -- Projects in a NMU Zone Requiring a Planned Development Review (Chapter 16.23).	

**16.07.060 COMMERCIAL USES ALLOWED IN THE NEIGHBORHOOD MIXED-USE ZONE (Z-NMU)**

**Table 16.07-3: Commercial Land Uses Allowed in the Neighborhood Mixed-Use Zone**

(See pages 10-12 of Chapter 16.03 for further details and listings regarding Commercial Uses)

**Commercial activity shall not occupy more than 5,000 square feet in any single structure.**

***Use Categories***

**Commercial Uses with Class I Impacts:**

Offices	<b>AR</b>
Commercial Uses such as Stores Selling Groceries, Printed Material, Books & Videos, Pharmaceuticals, Stationery, and Arts & Crafts; and Laundromats Tanning; Hair and Personal Care Services	<b>AR</b>
Other Commercial Uses, such as Parcel Service Stores, Photocopy and Blueprint Services, Photographic Studios, Convenient Stores; Restaurants, Cafes, Delicatessens (Food & Beverage Sales without drive up facilities), Tailors and Seamstresses	<b>CU</b>

**Commercial Uses with Class II Impacts:**

Other Commercial Uses such as Educational, Arts and Training Facilities, Health Clubs Medical, Optical and Dental Labs, Food & Beverage Sales with drive up facilities; Drive-Up/Drive-In/Drive-Through (Financial Institutions with Drive Up Operations, Drive-Up Windows, Kiosks, ATM's, similar uses/facilities)	<b>CU</b>
Other Commercial Uses such as, Entertainment, Indoor Continuous Activities like Theaters, Gyms, Membership Clubs, Bowling Alleys, Skate Rinks, and Game Arcades; Pool Halls, Indoor Firing Ranges; Exhibition and Meeting Areas, Hotels, Laundry Drop Off Facilities, Liquor Stores (OLCC License) Taverns & Bars; Lodges; Stores Selling, Leasing, or Renting: Furniture, Appliances, Garden Supplies, Home Improvements, Household Products, Plants	<b>N</b>

**Commercial Uses with Class III Impacts:**

Parking Lot (when not an accessory use)	<b>N</b>
Breweries (5,000 square feet or less)	<b>CU</b>
Other Commercial Uses such as Auto Sales and Services, Commercial Centers, Breweries (larger than 5,000 square feet), Distilleries, and Wineries; Mini-Storage Units, Outdoor Amphitheaters Sales or Leasing of Consumer Vehicles Including Passenger Vehicles, Motorcycles, Light and Medium Trucks, & Other Recreational Vehicles, Shopping Mall.	<b>N</b>
Other Class III Uses	<b>N</b>

**Key:** OP = Outright Permitted (Building Permit issued after a site review); MR = subject to Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N =Not permitted; \* = Number of Units following an AR or CU designation. Also see Table 16.07-1: Characteristics of Major Land Use Actions Matrix -- Projects in a NMU Zone Requiring a Planned Development Review (Chapter 16.23).

## 16.07.070 INDUSTRIAL USES ALLOWED IN THE NEIGHBORHOOD MIXED-USE ZONE (Z-NMU)

<b>Table 16.07-4: Industrial Land Uses Allowed in the Neighborhood Mixed-Use Zone</b>	
(See pages 14-16 of Chapter 16.03 for further details and listings regarding Industrial Uses)	
<b>Industrial activity shall not occupy more than 5,000 square feet in any single structure.</b>	
<i>Land Uses</i>	
<b>Industrial Uses with <u>Class I</u> Impacts:</b>	
Industrial Uses such as Assembly of Light Machinery, Equipment, Appliances, and Other Electrical Items, Building, Heating, Plumbing or Electrical Contractor Shops; Electric Motor Repair, Manufacture (Light) or Assembly (Light) of Instruments, including Musical Instruments, Precision Items, Photofinishing Laboratories; Repair of Scientific or Professional Instruments, Research and Development Laboratories; Sign Manufacturing.	<b>CU</b>
Other Industrial Uses such as Household Moving and General Freight Storage & Warehouse, Janitorial, Caretaker and Building Maintenance Services, Off-site (Separate) Warehouses used by Retail Stores like Furniture and Appliance Stores.	<b>N</b>
<b>Industrial Uses with <u>Class II</u> Impacts:</b>	
Industrial Uses such as sales of Electrical Supplies and Plumbing Supplies.	<b>CU</b>
Industrial Uses such as Exterminators; Laundry, Dry-Cleaning, and Carpet Cleaning Plants; Breweries, Distilleries, and Wineries (larger than 5,000 sq ft); Movie Production Facilities; Parcel Receiving and Distribution Services & Warehouse; Printing, Publishing and Lithography Production of Artwork and Toys; Weaving or Production of Textiles or Apparel; Woodworking, including Cabinet Makers.	<b>N</b>
Other Industrial Uses such as Fuel Oil Distributors; Machine Shops, Mail Order Houses; Major Distribution Centers; Major Post Offices; Manufacture or Assembly of Machinery, Equipment, Vehicles, Appliances, and Other Electrical Items [no discharge permits required] Production of Prefabricated Structures, Including Mobile / Manufactured / Modular Homes; Sale and Storage of Landscaping Materials; Sale or Rental of Machinery, Equipment, Heavy Trucks, Special Trade Tools, Welding Supplies, Machine Parts, Janitorial Supplies, Restaurant Equipment, and Store Fixtures; Tool Repair, Towing and Vehicle Storage; Truck Freight Terminal and Warehouse; Wholesalers of Food, Clothing, Auto Parts, Building Hardware, and Office Supplies.	<b>N</b>
<b>Industrial Uses with <u>Class III</u> Impacts:</b>	
Industrial Uses such as Auto and Truck Salvage and Wrecking; Concrete Batching and Asphalt Mixing; Energy Production; Fuel yards; Hazardous-Waste Collection Sites; Heavy Truck Servicing and Repair; Truck Stop; Lumber Mills, Pulp and Paper Mills, and Other Wood Products Manufacturing; Manufacture or Assembly of <u>Heavy</u> Machinery, Equipment, Vehicles, Appliances (discharge permits required). Railroad Yards; Tire Retreading or Recapping; Waste Composting or Transfer; wrecking yards.	<b>N</b>
<b>Key:</b> OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N =Not permitted; * = Number of Units following an AR or CU designation. Also see Table 16.07-1: Characteristics of Major Land Use Actions Matrix -- Projects in a NMU Zone Requiring a Planned Development Review (Chapter 16.23).	

**16.07.080 PUBLIC USES ALLOWED IN THE NEIGHBORHOOD MIXED-USE ZONE (Z-NMU)**

<b>Table 16.07-5: Public Uses (Civic or Institutional) Allowed in the Neighborhood Mixed-Use Zone</b>	
(See page 18 of Chapter 16.03 for further details and listings regarding Public Uses)	
<b>Use Categories</b>	
Public Uses with <b>Class I</b> Impacts: City offices and Facilities; Community Development Center; Libraries; and Utility Offices.	<b>CU</b>
<b>Public Uses with Class II Impacts:</b>	
Public Uses such as Community Centers, Colleges, Universities, Community Colleges, and Adult Education Facilities Municipal Courts; Museums, Nursery Schools, Preschools Public Safety Facilities, Including Fire/Emergency Medical Services and Police Stations, and Emergency Communication Broadcast Facilities; Public Squares, Plazas, Senior Centers, Social Service Facilities, Soup Kitchens, Vocational Training for the Physically or Mentally Challenged, Utility Substations, Youth Club facilities.	<b>CU</b>
Other Public Uses such as Boat Launching Areas, Botanical Gardens, City Maintenance Shops; Hospitals and Large Medical Complexes Publicly Owned Swimming Pools, Recreational Trails, Surplus Food Distribution Centers; Transit Centers, Water Towers and Reservoirs.	<b>CU</b>
Other Public Uses such as Schools	<b>CU</b>
Other Public Uses such as Meeting Facilities or Related Facilities	<b>CU</b>
Other Public Uses such as Daycare, adult or child day care (12 or fewer children); does not include Family Daycare under ORS 657A.250.	<b>CU</b>
Other Public Uses such as Parks and, Recreation Facilities, Open Space, Pedestrian Amenities, Publicly owned RV Parks	<b>CU</b> [OP for dedicated wetlands and detention facilities; AR if Projects Implement the City's Adopted Facilities Plans]
<b>Public Uses with Class III Impacts:</b>	
Public Uses such as Shelters for Short Term or Emergency Housing (e.g., Homeless Shelters) when operated by a Public or Non-profit Agency.	<b>CU</b>
Other Public Uses such as Cemeteries	<b>CU</b>
Other Public Uses such as Bus Barns (public), Treatment Plants and Facilities (Water and Sewage).	<b>CU</b> [AR if Projects Implement the City's Adopted Facilities Plans]
<b>Key:</b> OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N =Not permitted; * = Number of Units following an AR or CU designation. Also see Table 16.07-1: Characteristics of Major Land Use Actions Matrix -- Projects in a NMU Zone Requiring a Planned Development Review (Chapter 16.23).	



<b>Table 16.07-7: Development Standards for Neighborhood Mixed Use Zone</b>	
<b>Standard</b>	
<b>See Lot Sizes (Table 16.6-6), Building/Structure Height (Table 6.06-7), Lot Coverage (Table 16.6-8)</b>	
<b>All Residential Uses</b>	Same as Residential Mixed Density (Z-RM) Requirements
<b>All Other Uses</b>	There shall be no minimum lot size for other uses.
<b>Yard Requirements</b>	
<b>All Uses</b>	Yards shall be required as if the use proposed was in the Z-RM, Z-NCM, or Z-PU zone. The placement of the use in a zone with respect to yard requirements shall be by the Planning Official.
<b>Clear Vision Area</b>	
<b>All Uses</b>	A clear vision area shall be maintained as provided in Section 12-2.7.4, and a 20 foot triangle at intersections.

**B. Utilization of Appropriate Development Standards for the Different Types of Land Use Requests Permissible in the Neighborhood Mixed-Use Zone**

Neighborhood Mixed-Use lands are open to a variety of development types including residential, limited light commercial, limited Public Uses, and limited very light (select Class I) industrial land uses, subject to the following standards.

1. Non-residential development is required to utilize site designs that minimize adverse impacts to adjacent residential properties.
2. The Neighborhood Mixed-Use Zone includes development standards applicable for all development in this zone.
3. In addition, the development standards applicable to other types of land uses shall be utilized in setting the conditions of approval:
  - a. For Residential Uses in the Mixed Use Zone, see the standards in Chapter 16.05.
  - b. For Commercial Uses in the Mixed Use Zone, see the standards in Chapter 16.08.
  - c. For Industrial Uses in the Mixed Use Zone, see the standards in Chapter 16.09.
  - d. For Public Uses in the Mixed Use Zone, see the standards in Chapter 16.10.
4. The Conditional Use Review (Chapter 16.21), Subdivision Review (Chapter 16.22), and/or Review of Planned Developments (Chapter 16.23) may set additional conditions of approval.