City of Independence

Planning Commission
Monday, August 3, 2026 @ 7:00 PM
Civic Center - Council Chambers

(see agenda footer for meeting attendance information)

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
   - 3.1. Regular Meeting 06/15/2026
   - 3.2. Walking Tour 07/06/2026
4. **Visitors/Public Comment**
5. **Reports/Presentations**
6. **Unfinished Business**
7. **New Business**
   - 7.1. Public Hearing: Park and Open Space Dedication Requirements
   - 7.2. Discussion: Potential Changes to Building Height Requirements
   - 7.3. Discussion: Recent Legislation
8. **Other Discussion/Information Items**
9. **Adjournment**

Meeting Attendance Information:

The Planning Commission will hold this meeting in-person in City Hall Council Chambers, via video conference (Zoom) or by phone. Meetings are also live-streamed on the City's YouTube channel at: https://www.youtube.com/c/CityofIndependenceOR.

- To attend in person, the City Hall address is 555 S. Main St.
- For Zoom login visit:https://us06web.zoom.us/j/83546322322?pwd=cSIAbnaH5dCkbWKeJZ1brWyQRIESg0.1
- To participate in the meeting **by phone, dial US: +1-253-215-8782** and enter **Webinar ID: 835 4632 2322** and **Passcode: 186023**

Written comments are also welcome and may be delivered to City Hall or emailed to PlanningComments@ci.independence.or.us no later than 4:00 pm the day of the meeting.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 72 hours in advance of the meeting to Myra Russell, City Recorder, 503-838-1212/TTY:

800-735-2900.

City of Independence
Minutes

Planning Commission Meeting
Monday, June 15, 2026

1. **Call to Order**. Commissioner Paraskevas called the meeting to order at 7.00 pm.

2. **Roll Call**.

Present:	Commissioner Patrick Fugeman Commissioner Jose Oliveros Commissioner Rebecca Jay Commissioner Sally Coen Commissioner Alex Paraskevas Commissioner John Southgate
Absent:	Chair Chappell, Excused
City Staff Present:	Fred Evander, City Planner Myra Russell, City Recorder

3. **Minutes**.

3.1. **Regular Meeting 05/04/2026**.
Action:
Commissioner Jay moved to approve the minutes from the 5/4/2026 meeting; Commissioner Fugeman seconded. Discussion: None.
Roll call vote. Motion 6-0-0
Ayes: Patrick Fugeman, Jose Oliveros, Rebecca Jay, Sally Coen, Alex Paraskevas, John Southgate
Nays: None
Abstentions: None

4. **Visitors/Public Comment**. None.

5. **Reports/Presentations**. None.

6. **Unfinished Business**. None.

7. **New Business**.

7.1. **Extension Request for SUB 2024-01 (940 S. 7th Street)**.
Planner Evander introduced the agenda item. This is a request for an extension for the Habitat for Humanity project at 940 South 7th Street, with a representative explaining that previous federal funding sources had fallen through due to changes in administration, but they are now pursuing a $750,000

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Community Development Block Grant. They hope to start building by June 2027. Councilors commented that they appreciate that this project is still moving forward.

Action:

Commissioner Coen moved to approve the extension of the land use approval granted under SUB 2024-01, with the conditions and findings articulated within the Notice of Decision for the project.; Commissioner Jay seconded. Discussion: None.

Roll call vote. Motion 6-0-0

Ayes: Patrick Fugeman, Jose Oliveros, Rebecca Jay, Sally Coen, Alex Paraskevas, John Southgate

Nays: None

Abstentions: None

7.2. **Public Hearing - More Housing, Same (Great) Neighborhood Development Code Changes**.

Commissioner Paraskevas read the hearing script regarding how the meeting would be conducted. State Law Required Statements read.

- Declaration of Conflicts of Interest, Ex-Parte Contact, Bias: None
- Public Hearing opened at 7:08 pm by Commissioner Paraskevas.
- Staff Report as submitted in the agenda packet was reviewed by Planner Evander. Matt Hastie from MIG presented a summary of recommended amendments to the development code aimed at expanding housing options and increasing flexibility for property owners while maintaining small-scale development. The key recommendations included allowing middle housing types like duplexes, triplexes, and cottage clusters on lots under 10,000 square feet, with standards for parking, access, and design quality. Matt noted that while these amendments are recommended for City Council adoption, additional changes to building height standards and park dedication requirements may be considered after implementation.
- Discussion: Commissioner Southgate asked about feedback from developers. Evander said yes they talked to developers and have had positive feedback.
- Further questions from the Commission. None.
- Objections or testimony received: None.
- Public Testimony: None.
- Discussion: Staff Response to testimony-None.
- Hearing closed at 7:30 PM.

Action:

Commissioner Jay moved to forward a recommendation of approval of LA 2026-03, to the Independence City Council; Commissioner Coen seconded. Discussion: None

Roll call vote. Motion 6-0-0

Ayes: Patrick Fugeman, Jose Oliveros, Rebecca Jay, Sally Coen, Alex Paraskevas, John Southgate

Nays: None

Abstentions: None

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7.3. **Street Naming Request: Rename Madrona Street E. in Southwest Crossing Subdivision**.

Planner Evander presented information on a name change in the Southwest Crossing development. The partition had the street named Madrona Street E. That won't work for Independence because Monmouth has a Madrona Street E also. This would cause duplicate numbers and issues for police, fire, etc. It was suggested to name it I Street instead. No one lives on the street yet, so no one is impacted by this change.

Action:

Commissioner Southgate moved to find that renaming is in the best interest of the city and the six-mile area and forward the City Council a recommendation to change the road name from Madrona Street E to I Street.; Commissioner Jay seconded. Discussion: None.

Roll call vote. Motion 6-0-0

Ayes: Patrick Fugeman, Jose Oliveros, Rebecca Jay, Sally Coen, Alex Paraskevas, John Southgate

Nays: None

Abstentions: None

7.4. **Discussion: Park and Open Space Dedication Requirements**.

For open space requirements, the committee reviewed proposed new standards that would distinguish between urban and less urban areas, moving away from a blanket 15% requirement to a more flexible approach based on usable common space requirements for developments with 20 or more units. The committee agreed to continue discussions on these standards in August.

8. Other Discussion/Information Items.

- July meeting field trip idea-explore Edwards Addition in Monmouth. Evander will see if one of the developers can go on the tour.
- Walking Tour on June 24 post-war era. Commissioners are encouraged to attend.

9. Adjournment. Commissioner Paraskevas adjourned the meeting at 7: 57 pm.

Minutes submitted by:
Myra Russell, City Recorder

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City of Independence
Minutes

Planning Commission Meeting
Monday, July 6, 2026

1. **Planning Commission Walking Tour**. Planner Fred Evander and City Recorder Myra Russell met with Planning Commissioners Jose Oliveros, Alex Parakevas, John Southgate, Patrick Fugeman, and Sally Coen for a walking tour of the Edwards Addition neighborhood in Monmouth. Commissioners Corby Chappell and Becky Jay were excused. The group was joined by Monmouth City Planner Carter Craig and Edwards Addition developer Eric Olsen.

   Mr. Olsen provided an overview of the history, planning, and development of Edwards Addition before leading the group on a walking tour of the neighborhood. Commissioners viewed a variety of housing types, including single-family homes, cottage clusters, accessory dwelling units (ADUs), and townhomes.

   The tour also highlighted the neighborhood's New Traditional Neighborhood Design (TND) principles, including homes oriented toward the street with front porches, rear-loaded and alley-access garages, pocket parks and shared open spaces, community garden areas, walkable streets with interconnected sidewalks, and an integrated mix of housing types throughout the neighborhood.

   The walking tour ended around 8:15 pm.

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INDEPENDENCE
Oregon's Story Begins Here

PUBLIC HEARING
PARK AND OPEN SPACE DEDICATION REQUIREMENTS (FILE NO. LA | 2026-04)

Staff Report

MEETING DATE: August 3, 2026

FILE NUMBER: LA | 2026-04

RE: **PUBLIC HEARING – PARK AND OPEN SPACE DEDICATION REQUIREMENTS**

CRITERIA:
Oregon State Planning Goals
Independence Comprehensive Plan
Independence Development Code (IDC)
-Subchapter 10: General Provisions
-Subchapter 11: Administrative Provisions

CONTENTS:

I. Summary
II. Description of Changes for Subdivisions
III. Description of Changes for Multiunit Development
IV. Public Process
V. Staff Findings – Oregon State Planning Goals and Independence Comprehensive Plan
VI. Staff Findings – Independence Development Code

ATTACHMENTS:

A. Draft Code Changes (11 pages)
B. Envisioning Open Space Requirements (3 pages)
C. Existing Zoning Map (1 page)

I. SUMMARY

At the meeting of August 3, 2026, the Independence Planning Commission will hold a public hearing on potential revisions to the park and open space dedication requirements for new subdivisions and multiunit developments (i.e. apartments). The proposed changes are meant to respond to suggestions from the recently adopted Park System Master Plan and create distinct requirements for different types of development, appropriately tailored for different areas of the city.

II. DESCRIPTION OF CHANGES FOR SUBDIVISIONS

What is the Problem? – Existing standards for subdivisions in the Independence Development Code require either:

- The dedication of 6.25 percent of a project site for park and open space purposes, or
- The payment of a fee-in-lieu of 13 percent of the market value of the property in lieu of the land dedication.

As written, however, the requirements do not offer guidance about appropriate sizes or locations of parks, or detail any considerations about floodplains, wetlands, or stormwater ponds and whether they are "suitable and adaptable for park and recreation uses."

What is Proposed? – The proposed revisions would establish new standards for subdivisions that are tailored for different portions of the community (see Sections IDC 90.90.060(A)(2) and IDC 90.90.060(A)(3)). The draft would additionally establish basic standards for park suitability (see IDC 90.90.060(B)).

A tiered system would be used to address lands with environmental limitations (see IDC 90.90.060(B)(4-6)). Under the system:

- Unencumbered lands would entirely count toward the 6.25 percent park requirement.
- Floodplains may count toward the 6.25 percent requirement, so long as a paved trail was constructed to make the land suitable for park use.
- Areas with highly restricted potential uses such as those encumbered by wetlands or powerline corridors may count toward the 6.25 percent total, so long as a paved trail was constructed near the area to adapt the land for park use. The land, however, would only count at half its overall acreage in the calculation of the amount of parks required.
- Stormwater ponds that have not been designed to be accessible or usable by the public would not count toward the required park land.

A flexible option that would allow developers the opportunity to suggest an alternative approach is also included in the proposal (see IDC 90.90.060(C)).

III. DESCRIPTION OF CHANGES FOR MULTIUNIT DEVELOPMENT

What is the Problem? – Existing standards in the Independence Development Code additionally require a certain amount of common open space/landscaping and private open space for new multiunit development (i.e. apartments). The standards, however, vary depending on the location of the development and do not include any sort of standard that requires usable open space (such as a sports court or a swimming pool).

What is Proposed? – To address these issues, the proposed draft seeks to establish three sets of standards – usable open space, total landscaping/open space, and private open space – that would apply to future multifamily housing in varying degrees. For more urban contexts,[1] this multi-factor approach would not require large blocks of landscaping but would instead rely on smaller patches of "usable open space" to serve as recreation amenities. More suburban settings, on the other hand, would require landscaping to cover 15 percent of the site and include a certain amount of usable space.

Together the changes would:

- **Require "Usable Open Space" for Apartment Complexes that are Larger than 20 Units in Size (see IDC 19.020(B)) –** At present, apartment complexes in the City of Independence are not required to have "usable open space" (such as a common garden, a pool or a sports court). To help ensure that new

[1] More urban contexts include areas such as the Mixed-Use Pedestrian Friendly Commercial Zones, Downtown Riverfront Zone, and areas in the Central Talmadge Plan.

larger developments include usable amenities, the proposed draft would establish a new usable space standard that would require 500 square feet of usable space plus 50 square feet per unit for any development that is over 20 units. This proposed standard is modeled after a similar requirement in Albany and appears to be reasonable and feasible given a review of existing open space amenities in apartment complexes in Independence (see Attachment B).

- **Require a Standard 15 Percent Landscaping/Open Space for Certain Developments –** Existing landscaping standards in the City of Independence are not clear.

  1. According to IDC 54.205(A), all multifamily developments, other than developments in the Mixed Use Pedestrian Friendly Zones (MUPCs) and the Downtown Riverfront Zone (DRZ), are required to include **20 percent of their site** as landscaping.
  2. When apartment developments are larger than 3 acres in size in the Mixed Density Residential (MX) Zone, **15 percent of the site** is required for open space.
  3. The High-Density Residential (RH) Zone requires **300 square feet of "recreation area" per apartment unit**.

  How these various standards are intended to interact with each other is not clear.

  To help clarify the requirements and make the standards more consistent, the proposed draft would waive the 15 to 20 percent landscaping/open space requirement for new apartment developments in more urban contexts and establish a 15 percent open space requirement for other portions of town (see IDC 54.205(A)).

- **Require Private Open Space such as porches and patios for half of new apartments –** Lastly, under the existing requirements, private open space amenities such as porches and patios are required in many multiunit developments, except in certain zones. The proposed draft would apply the existing standard from the Downtown Riverfront Zone (DRZ) and the Mixed Density Residential (MX) Zone to all new multiunit development in the city.

IV. PUBLIC PROCESS

To inform individuals about these changes, the City of Independence sent a Measure 56 Notice to every property owner that will be affected. Staff additionally posted a notice of the changes on the city website and the Oregon Department of Land Conservation "PAPA" website, and published a notice of the hearings before the Planning Commission and the City Council in the Polk County Itemizer-Observer on July 22, 2026.

No comments have been received to date.

V. STAFF FINDINGS – OREGON STATE PLANNING GOALS AND INDEPENDENCE COMPREHENSIVE PLAN

Updates to the Independence Development Code are required to meet the Oregon State Planning Goals. Among these goals are provisions related to Citizen Involvement (Goal 1), Land Use Planning (Goal 2), Recreational Needs (Goal 8), Housing (Goal 10) and Urbanization (Goal 14), which together are implemented through measures such as the Independence Comprehensive Plan and Development Code. Combined these goals seek to "accommodate urban population and urban employment inside urban growth boundaries" and "ensure efficient use of land" (see Goal 14), while assuring that citizens are

involved in the planning process and items related to future housing, recreation, economic development, and the natural landscape are addressed.

The proposed code revisions have been drafted with this planning framework in mind. Key findings related to the changes are addressed below:

Goal 1. Citizen Participation. Goal 1 of the Oregon State Planning Goals seeks "to develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process." This goal is implemented by the Citizen Involvement Element of the Comprehensive Plan, Subchapter 11 of the Independence Development Code and the city's communication and community engagement efforts.

Several methods were used to share information and encourage individuals to be engaged in this project:

- The city conducted an update to the Park System Master Plan, which provided several opportunities for public comment over the course of 2025 and 2026. Recognition of the need for changes to existing park and open space dedication standards grew out of the effort.
- Following the adoption of the Park System Master Plan, the Independence Planning Commission prepared draft standards to alter the standards for park and open space dedications. The Commission's discussions on the draft occurred over the course of three public meetings (each of which was posted on the City's YouTube page).
- Once a draft was created, the city mailed a Measure 56 notice to every property owner that will be affected by the change. Additionally, the city provided notice about the changes on its website, newsletter, and Facebook page, and posted notice on the State Department of Land Conservation and Development "PAPA" website.
- Notice of the hearings on the proposal was also published in the Polk County Itemizer-Observer.

The Planning Commission will hold a public hearing on the proposed changes at their meeting on August 3. If the Commission recommends approval of the draft, the Council will consider the changes at a public hearing on September 8.

Given these considerations, individuals have had and will have several opportunities to learn about the proposed code changes and to be involved in the process. This goal has been achieved and will continue to be met during the adoption hearings.

Goal 2. Land Use Planning. Goal 2 of the Oregon Planning Goals looks "to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions." This goal is implemented by the Land Use Element of the Independence Comprehensive Plan (which seeks "to encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs") as well as the Independence Development Code.

The revisions to the park and open space dedication standards support this framework – creating a clear process for dedications that better anticipates park needs in Independence. The amendments are intended to:

1. Clarify the park and open space requirements that are required for subdivisions and multiunit

developments.
2. Promote the creation of more usable park and open space areas for future development.

The changes proposed would remove the ambiguity related to existing park and open space dedication standards, establish a clear and objective planning process and policy framework that serves as a basis for all decisions, and ensure that recreation needs are met for residents. This goal has been achieved.

Goal 8: Recreation. Goal 8 of the Oregon State Planning Goals seeks "to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities…" This goal is implemented in Independence through the Park System Master Plan and the Comprehensive Plan goal "To address the evolving recreational needs of the community members of all demographics and abilities, ensure that parks and recreational facilities reflect current and future recreational trends, and promote community livability and lifelong physical health for Independence residents and visitors, consistent with community priorities and available resources."

The proposed park and open space dedication requirements support this framework and address several of the Park System Master Plan's key findings related to park dedication. The Park System Master Plan recommended:

- Incorporating more specific requirements for future land dedications for subdivisions, including standards for how to deal with pollution and environmental limitations (i.e. presence of wetlands or floodplains) in the areas.
- Tweaking the standards for multiunit development to ensure appropriate amenities are included as part of their creation.
- Including an alternative discretionary path if a developer determines that an alternative approach is more beneficial.

Given these considerations, the proposed draft effectively translates the long-term vision articulated within the Park System Master Plan into clear standards that can be applied to new development. This goal is achieved.

Goal 10: Housing. Goal 10 of the Oregon State Planning Goals seeks "to provide for the housing needs of citizens of the state." This goal is implemented in Independence through the Comprehensive Plan goal "to ensure everyone the opportunity to live in safe, affordable, healthy housing and to provide a choice of housing types, densities, and locations."

The proposed code amendments support these goals. The standards clarify requirements for park and open space dedications that are associated with new development and in some instances reduce the amount of area that may be required for parks. Additionally, in instances like new subdivisions, where slightly more land may be required to meet the proposed open space requirements, the standards are not likely to impact the overall production of housing, because:

- The lands to be preserved will likely be wetlands or powerline corridors that are unlikely to develop.
- The development standards for new subdivisions, especially in the Mixed Density Zone (where most new development will occur), are flexible enough to allow individuals to achieve similar densities on the site if a developer so desires.

Given these considerations, the proposed draft effectively balances the encouragement of development that provides for the housing needs of citizens of the state and the assurance that development respects the qualities of Independence (such as the community's expectations regarding open space). This goal is achieved.

Goal 14: Urbanization. Goal 14 of the Oregon State Planning Goals looks "to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities." This goal is implemented through the Intergovernmental Agreement between Polk County and the City of Independence Regarding the Urban Growth Boundary, the Urbanization Element of the Independence Comprehensive Plan, and the Independence Development Code.

The revised standards for park and open space dedications support this planning framework. The draft changes:

- Ensure that park lands are well distributed throughout developing portions of Independence – helping to assist in the orderly transition of lands from rural to urban use.
- Ensure that future developments include a high quality of amenities – helping to support the development of a livable community.

Given these considerations, Goal 14 would be achieved.

The proposed changes effectively balance considerations about land use, recreation, housing, and urbanization. While the Planning Commission may elect to make further revisions to the draft following the public hearing, the proposed code change generally achieves the Oregon State Planning Goals and the goals of the Independence Comprehensive Plan.

VI. STAFF FINDINGS – INDEPENDENCE DEVELOPMENT CODE

Beyond the Oregon State Planning Goals and the goals and policies of the Independence Comprehensive Plan, the proposed changes are required to conform with the Independence Development Code.

Subchapter 10: General Provisions

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10.040 Amendment of Development Code

Any amendment of the text of this development code shall be accomplished by ordinance of the City Council. Proposals for such amendments shall be submitted to the Planning Commission for public hearing. The Planning Commission shall submit to the City Council its written recommendation regarding the proposed amendment. Such recommendation shall be submitted to the City Council within 30 days of the Planning Commission's action on the proposed amendment. Notice shall also be provided to state land use agencies in accordance with statutory requirements. This is a Type IV action – See 11.002 (D).

Staff Response: The Independence Planning Commission will hold a Public Hearing on the draft park and open space dedication requirements on August 3, 2026. Following the hearing, the Commission will either make further changes to the draft or forward a recommendation to the Independence City Council.

If the Commission forwards the City Council a recommendation on the proposal, the Council will consider the changes at a public hearing at their meeting on September 8, 2026. The Council will be given a draft of an ordinance to potentially adopt the changes at the meeting. Given the process, this standard will be met.

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Subchapter 11: Administrative Provisions

11.002 Application Types and Review Procedures

All development permits and land use actions are processed under the City's administrative procedures. There are four types of actions, each with its own procedures.

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D. Type IV Action

A Type IV action is a legislative review in which the City considers and enacts or amends laws and policies. Private parties may request a Type IV action; however, it must be initiated by the Planning Commission, or City Council. The City Council makes the final, local decision. Sections 11.025 and 11.030 list the notice and hearing requirements.

1. Amendments and Revisions of the Comprehensive Plan
2. City Plan Document Adoption, e.g. Water System Plan
3. Zoning Code Amendments

Staff Response: Staff has reviewed the amendment as a Type IV – Legislative Review, which was originally initiated by staff and the Independence Planning Commission based on the findings of the Independence Park System Master Plan. This standard has been met.

11.015 General Provisions

In order to provide for citizen review of the planning process and the orderly keeping of records of actions relating to this Ordinance, the City shall ensure that the following measures are maintained and available for public review.

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Staff Response: Staff has taken appropriate steps to ensure compliance with the standards in Independence Development Code Section 11.015, including publishing notice of the changes in the Polk County Itemizer-Observer, writing a staff report, and keeping a file for the proposal. This standard has been achieved.

11.025 Notice of Public Hearings

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B. Legislative Hearings (Type IV). Notice of Public Hearing by the Planning Commission or City

Council relating to any legislative action shall be published in a newspaper of general circulation a minimum of 10 days prior to the date of the hearing. Notice shall be provided to the Department of Land Conservation and Development in conformance with DLCD rules prior to the first evidentiary hearing by the City for any legislative action.

Staff Response: Staff sent notice of the changes to the Oregon Department of Land Conservation and Development on June 18, 2026, and included information about the changes on the City of Independence Planning Department website and social media. Staff additionally published notice of the Public Hearings before the Planning Commission and the City Council in the Polk County Itemizer-Observer on July 22, 2026. This standard has been met.

POTENTIAL REVISIONS TO THE OPEN SPACE REQUIREMENTS

The purpose of these draft standards is to better articulate the requirements for parks and open space associated with new development in the City of Independence. The draft would:

- Clarify the requirements for open space dedications in new subdivisions including the types of land that may be counted toward the 6.25 percent total that is required for most subdivisions (see IDC 90.90.060).
- Make the requirements for open space associated with multi-unit housing consistent throughout the city. As drafted, the proposal would:

    1. Waive the 15 to 20 percent site landscaping/open space requirement for new apartment developments in the Mixed Use Pedestrian Friendly Commercial Zones, Downtown Riverfront Zone, and Central Talmadge area. A 15 percent open space requirement would be retained for new apartments in other portions of town (see IDC 54.205(A)).
    2. Add a requirement for all apartment developments to include a certain amount of "usable open space" (see IDC 19.020(B)(1)(b)).
    3. Apply the private open space standard from the Downtown Riverfront Zone and the Mixed Density Residential Zone to all new apartment buildings (see IDC 19.020(B)(1)(c).

The Planning Commission will hold a public hearing on the changes at their meeting of August 3.

Changes to Subchapter 19: Residential Design Standards

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19.020 Special Standards for Certain Uses

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B. Multiple-unit ~~family~~ housing. Additional standards for multi-unit~~family~~ housing are listed below: ~~in the applicable underlying zone~~.

1. Multiple-unit housing. New multiple-unit developments shall comply with the following standards:
    a. Common open space/landscaping standard. Common open space/site landscaping is required per IDC 54.205(A)(1).
    b. Minimum Usable Common Open Space. For developments with 20 or more residential units, a usable common area is required (regardless of whether 15 percent of the site is required to be landscaped per IDC 54.205(A)(1)).

        i. Required Usable Common Open Space: The usable space shall be 500 square feet plus 50 square feet per unit over 20 units. No horizontal dimension of the space may be less than 20 feet.

ii. Required Improvement. The required usable common open space must be entirely improved with one or more of the following amenities:

A. Inground permanent swimming pools with a minimum area of 400 square feet, or inground spas or hot tubs. Common patios and decks or pavement abutting and within 50 feet of the swimming pool, spa, or hot tub may be included.
B. Regulation sized and equipped sports courts for tennis, handball, volleyball, pickleball, and/or basketball.
C. Community gardens for use by residents to grow food and other vegetation. Gardens must have irrigation available for use by the residents.
D. Rooftop terrace or ground level courtyards accessible to residents. A terrace or courtyard must include barbeques, tables, and seating that are available for use by residents.
E. Indoor community rooms.
F. Multi-use paths at least 10 feet wide, centered within a 20-foot-wide easement constructed to city standards as approved by the City Engineer. The path must connect to a nearby proposed or existing trail, if applicable.
G. Children's Play Areas that include a play structure or play equipment at least 200 square feet in area, and at least two (2) different children's play amenities/equipment approved for use in a public playground. Equipment must be manufactured to American Society for Testing and Materials (ASTM) F1487-11 standards or other comparable standards applicable to public playground equipment.

iii. Usable common open space may count toward the common open space/landscaping requirement.

c. Private open space standard. Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following standards:

i. A minimum of 50 percent of all ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
ii. A minimum of 50 percent of all upper-floor housing units shall have balconies or porches measuring at least 24 square feet. Upper-floor housing means housing units that are more than 5 feet above the finished grade; and
iii. If feasible, the majority of private open space areas provided shall be oriented toward common open space areas and away from adjacent single-unit residences, trash receptacles, parking and drives.

d. Screening. All exterior garbage collection areas, recycling areas, and mechanical equipment shall be screened to meet the standards of Section 54.010(C) of the

Independence Development Code. Garbage collection areas, recycling areas and mechanical equipment shall be located away from the street.

e. Signs. Signs shall be subject to the provisions of Subchapter 58.

f. Access. Access to the property from a street shall comply with the Public Works Design Standards and be located to minimize traffic congestion and avoid directing traffic into residential areas. All access roads and driveways shall be surfaced with asphaltic concrete or similar permanent surfacing.

Changes to Subchapter 21: Medium-Density Residential (RM)

(Reflects Changes from Draft Infill Code)

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~~21.065 Development Standards for Multiple-Family Development~~

~~A. Signs. Signs shall be subject to the provisions of Subchapter 58.~~

~~B. Landscaping. All development is subject to the landscaping provisions in Subchapter 54. Recreation areas may be included as part of the required landscaping.~~

~~C. Screening. All exterior garbage collection areas, recycling areas, and mechanical equipment shall be screened to meet the standards of Section 54.010(C) of the Independence Development Code. Garbage collection areas, recycling areas and mechanical equipment shall be located away from the street.~~

~~D. Access. Access points to property from a street shall be located to minimize traffic congestion and avoid directing traffic into residential areas. Existing access roads and access points shall comply with the Public Works Design Standards. All access roads and driveways shall be surfaced with asphaltic concrete or similar permanent surfacing.~~

Changes to Subchapter 22: High-Density Residential (RH)

(Reflects Changes from Draft Infill Code)

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~~22.065 Development Standards for Multiple-Family Development~~

~~All multiple-family residential developments in the RH Zone shall comply with the following specific standards:~~

~~A. Signs. Signs shall be subject to the provisions of Subchapter 58.~~

~~B. Landscaping. All development is subject to the landscaping provisions in Subchapter 54. Recreation areas may be included as part of the required landscaping.~~

~~C. Screening. All exterior garbage collection areas, recycling areas, and mechanical equipment shall be screened to meet the standards of Section 54.010(C) of the Independence Development Code. Garbage collection areas, recycling areas and mechanical equipment shall be located away from the street.~~

D. Recreation Area. Each lot having a multiple- unit residential building on it shall have at least 300 square feet of recreation area per dwelling unit. The required recreation area can be located within the required front or rear yards and shall include a combination of planted grass and hardscape areas. Hardscape areas shall not account for more than 50% of the total area. Recreation areas that are provided as shared areas for multiple units shall include a combination of the following amenities:

a. Outdoor seating.

b. Small play structures or nature play structures.

c. Planted grass areas.

E. Access. Access points to property from a street shall be located to minimize traffic congestion and avoid directing traffic into residential areas. Existing access roads and access points shall comply with the Public Works Design Standards. All access roads and driveways shall be surfaced with asphaltic concrete or similar permanent surfacing.

Changes to Subchapter 23: Mixed Density Residential (MX)

(Reflects Changes from Draft Infill Code)

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Section 23.065: Development Standards for Multiple-Family Development

A. Multiple-unit housing. Multiple-unit housing is allowed per the Site Design Review process within the Mixed Residential (MX) Zone. New multiple-unit developments shall comply with all of the following standards:

1. Common open space standard. Inclusive of required setback yards, a minimum of 15 percent of the site area shall be designated and permanently reserved as usable common open space in developments with more than 20 multiple-unit or attached single-unit dwellings as specified by Subsection 23.010(B). The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.
2. Private open space standard. Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following standards:
    a. A minimum of 50 percent of all ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
    b. A minimum of 50 percent of all upper-floor housing units shall have balconies or porches measuring at least 24 square feet. Upper-floor

~~housing means housing units that are more than 5 feet above the finished grade; and~~

~~c. Private open space areas shall be oriented toward common open space areas and away from adjacent single-unit residences, trash receptacles, parking and drives to the greatest extent practicable.~~

~~3. Exemptions. Exemptions to the common open space standard may be granted for the land area associated with the first 20 units of a larger project when the developments are within one-quarter mile (measured walking distance) of a public park; and there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), and maintained pedestrian trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby park provides active recreation areas such as play fields; children's play area, sports courts, walking/fitness course, or similar facilities.~~

~~4. Landscaping. All development is subject to the landscaping provisions in Subchapter 54. Recreation areas may be included as part of the required landscaping.~~

~~5. Screening. All exterior garbage collection areas, recycling areas, and mechanical equipment shall be screened to meet the standards of Section 54.010(C) of the Independence Development Code. Garbage collection areas, recycling areas and mechanical equipment shall be located away from the street.~~

~~6. Signs. Signs shall be subject to the provisions of Subchapter 58.~~

Changes to Subchapter 33: Mixed Use Pedestrian Friendly Commercial Zone (MUPC)

…

33.020 Special Use Limitations for Residential Buildings

Multiple-unit and mixed-use developments in the Mixed Use Pedestrian Friendly Commercial Zone are subject to the requirements in IDC 19.020(B).

…

33.035 Additional Development Standards

In addition to the Commercial Development Standards described in Section 33.030 above, all developments in the MUPC Zone shall comply with the following specific standards:

A. Off-Street Parking. Off-street parking shall be as specified in Subchapter 73.

B. Signs. Signs shall be subject to the provisions of Subchapter 58.

C. Landscaping. All development is subject to the landscaping provisions in Subchapter 54.

D. Subdivisions and Partitions. All subdivisions and partitions shall be reviewed in accordance with the provisions of Subchapter 90.

E. Site Design Review. All new development and expansion of an existing structure or use in the MUPC Zone shall be subject to the Site Design Review procedures of Subchapter 80.

F. Downtown Overlay Design Standards and Guidelines Review. Development within the Downtown Overlay shall be subject to the Downtown Overlay Design Standards and Guidelines review procedures set forth in Section 33.040.

G. Stormwater Facilities. All stormwater facilities shall comply with the requirements of the Independence Public Works Design Standards.

H. Access. ~~Access points to property from a street shall be located to minimize traffic congestion, and maximum effort shall be made to avoid directing traffic into residential areas. Existing access roads and access points shall be used to the maximum extent possible to serve the greatest number of users. All access roads and driveways shall be surfaced with asphaltic concrete or similar permanent surfacing.~~ Access to the property from a street shall comply with the Public Works Design Standards and be located to minimize traffic congestion and avoid directing traffic into residential areas. All access roads and driveways shall be surfaced with asphaltic concrete or similar permanent surfacing.

Changes to Subchapter 34: Downtown Riverfront Zone (DRZ)

(Reflects Changes from Draft Infill Code)

…

34.050 Townhomes, Rowhouses and Multifamily Standards

…

B. Multiple-Unit housing. New multiple-unit developments shall comply with ~~all of~~ the ~~following~~ standards in IDC 19.020(B).

~~1. Private open space standard. Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following standards:~~

~~a. A minimum of 50 percent of all ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);~~

~~b. A minimum of 50 percent of all upper-floor housing units shall have balconies or porches measuring at least 24 square feet. Upper floor housing means housing units that are more than 5 feet above the finished grade; and~~

~~c. Private open space areas shall be oriented toward common open space areas and away from adjacent single-unit residences, trash receptacles, parking and drives to the greatest extent practicable.~~

~~2. Landscaping. All development is subject to the landscaping provisions in Subchapter 54, except as amended in subsection 34.055(B). Recreation areas may be included as part of the required landscaping.~~

~~3. Screening. All exterior garbage collection areas, recycling areas, and mechanical equipment shall be screened to meet the standards of Section 54.010(C) of the Independence Development Code. Garbage collection areas, recycling areas and mechanical equipment shall be located away from the street.~~

~~4. Design Review. All new developments and expansion of an existing development shall be subject to the Site Design Review procedures of Subchapter 80.~~

Changes to Subchapter 54: Buffering, Screening, Landscape and Ash Creek Setback Requirements

…

54.205 Landscaping Requirements.

The following areas shall be landscaped in accordance with the requirements listed below. These requirements may be used in conjunction with the buffering and screening requirements listed in 54.010 above. The requirements in this subsection are not applicable to manufactured dwelling parks, which are regulated by Subchapter 61 of the Independence Development Code.

A. Site Landscaping Standards. Commercial, Industrial, Mixed-Use, and Multiple~~-family~~ Unit residential developments or dwelling structures containing ~~three (3)~~ five (5) or more units, which are not cottage cluster development, require the following landscaping:

~~1. Multiple-family residential developments or dwelling structures containing three (3) or more units:~~

1. ~~a.~~ A minimum of ~~20%~~ 15 percent of the gross site area shall be landscaped. Landscaped areas included within the calculation may include ground cover, shrubs and trees for foundation planting, entrance plantings, parking island and perimeter plants.

~~b. Each ground level unit, excluding manufactured homes, shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide privacy for unit residents.~~

2. ~~c.~~ The standard in IDC 54.205(A)(1)~~(a)~~ shall not apply in the Mixed-Use Pedestrian Friendly Commercial Zones, ~~or the~~ Downtown Riverfront Zone, or areas within the Central Talmadge area.

~~2. Commercial, Industrial and Mixed-Use Developments:~~

~~a. A minimum of 15% of the gross site area is required to be landscaped.~~

~~b. The standard in IDC 54.205(A)(2)(a) shall not apply in the Mixed-Use Pedestrian Friendly Commercial Zones or the Downtown Riverfront Zone~~.

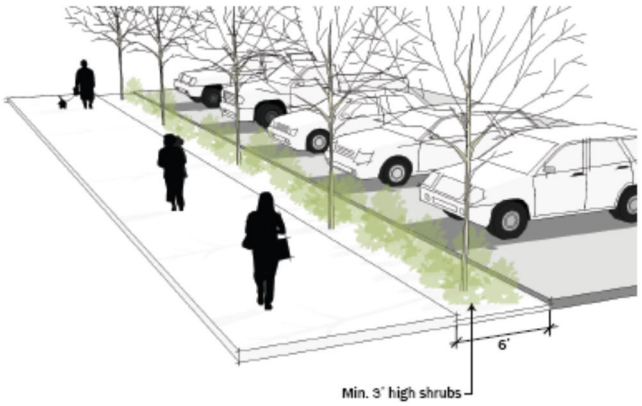
3. Landscape Requirements. For developments that require a set percentage of the site to be landscaped:

a. Landscaping shall be provided in the form of a dedicated landscape zone that has at a minimum a rate of one (1) tree and three (3) shrubs per every 400 square feet of contiguous open space. Remaining area within the 400 square foot open space area shall be planted with ground cover, including grass, that fills the area after three (3) years.

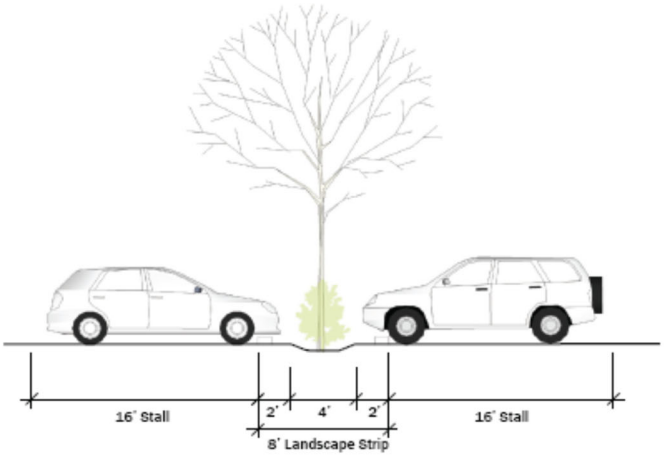
b. Up to 30% of the landscaping requirement for the site may be dedicated to hardscape – walkways, plazas and small gathering areas. Every attempt shall be made to use permeable materials such as grasscrete, gravel, or previous asphalt.

4. Requirements for Additions.

[1]



[2]



[3]

Off-Street Parking Lot Landscaping. *Parking lot appearance and functionality can be improved by [1] a minimum perimeter setback of 6 feet with ground cover, shade trees, and shrubs that are a minimum of 3 feet high [2] internal landscaping strips that are a minimum of 8 feet wide [3] and stormwater detention and retention landscaping that reduces run-off while also providing a buffer between parking and pedestrians.*

a. Any addition to or expansion of an existing structure that falls within the standards in IDC 54.205(A) shall provide landscaping for the addition. To determine the amount of landscaping necessary, the applicant shall calculate the total area that will be covered by new impervious surfaces (whether parking spaces, loading areas or building footprint) and multiply the total by the proportion of landscaping required.

b. Landscaping to be installed for an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the City.

B. Parking Lot Landscaping Standards. Parking lots that contain over ten (10) parking spaces are required to use curbed islands and landscape strips consisting of plantings therein to break up parking areas. The following landscape standards shall apply to off-street parking lots:

1. Perimeter landscaping

a. In all parking lots a minimum perimeter of six (6) feet shall be landscaped within the front and side yard setbacks to buffer the parking lot. Provided that, for parking lots with 20 or fewer parking spaces, the perimeter landscaping shall only be required next to an adjacent street. The six (6) foot wide strip shall be landscaped with:

i. Noninvasive ground cover (including grass),

ii. Shrubs that are a minimum of three (3) feet high after two (2) years and form a continuous screen, and

iii. Approved street trees that are a minimum a 2.5” caliper and are planted at a rate of one (1) every 25 feet.

b. A three (3) foot high wall or planter constructed of either concrete or masonry may be substituted for ground cover or shrubs to screen the sidewalk from parking.

2. Interior landscaping.

In parking lots that have more than ten (10) parking spaces, there shall be a minimum of 150 square feet of landscaping per every ten (10) spaces that includes two (2) shade trees for every ten (10) spaces. Any extra landscaping used along the perimeter of a parking lot or used for parking lot screening (per IDC 54.010(C)) can be used to help meet this requirement.

Changes to Subchapter 90: Subdivision Regulations

…

<u>90.90.060 Land for Public Purposes</u>

A. The applicant shall dedicate to the City a tract of land within or adjacent to the proposed subdivision, not less than 6.25 percent of the gross area of said subdivision for public park and recreation purposes. The following lands shall be dedicated: ~~Any tract of land dedicated shall be approved by the City as being suitable and adaptable for park and recreation uses.~~

1. Lands defined in the Independence Parks System Master Plan or Southwest Independence Concept Plan.

2. When lands are located in the Southwest Concept area and are provided in addition to the areas shown in the Southwest Independence Concept Plan, the lands should be:

    a. A half-acre in size with a minimum dimension of 120 feet in any direction or
    b. Connected to a trail corridor anticipated in the Southwest Concept Plan.

3. When lands are located outside of the Southwest Concept area, the lands should be:

    a. A half-acre in size with a minimum dimension of 120 feet in any direction or
    b. Located in an area that could be next to park land on an adjoining developable parcel, where possible.

    Where a park would not be a half-acre in size but could be sited in a manner to produce a park that meets the requirements of IDC 90.90.060(A)(3)(a) when adjoined to a park on the neighboring property, the Planning Commission may accept the land as a park dedication.

B. Any tract of land proposed to be dedicated to the City shall be suitable and adaptable for park and recreation purposes. The following conditions represent adaptable and suitable park land.

1. The land must not be polluted according to a Phase I Environmental Site Assessment.
2. The land must not be covered with spoils and must be seeded with grass, unless preserved natural habitat exists in the area.
3. The property must have a water service stubbed to the property for future irrigation and other park use.
4. The property must not be located along a railroad track or a major arterial roadway.
5. To ensure “eyes” on the facility, the land must have at least 50 percent of the front facades of buildings that are adjacent to the property or across a street from a park (i.e. with no intervening structures) oriented to the park.
6. Floodplains may be used toward the park requirement, so long as a paved trail at least 10 feet wide is constructed to make the area suitable for use as park land.
7. Lands with highly restricted potential uses such as those encumbered by wetlands or powerline corridors may count toward the required park total so long as a paved trail at least 10 feet wide is constructed along the area to adapt the land for park use. The lands shall, however, only count at half their acreage to determine the required amount of parks. In other words, if only wetlands or power lines are provided as park land for a project site and 6.25 percent of the site is required to be parks, 12.5 percent of the site is required to be provided as open space.

8. Stormwater ponds that have not been designed to be accessible or usable by the public cannot be counted toward the required park or recreation land. Stormwater facilities without fences, which are usable or otherwise enjoyable by the public, such as a stormwater facility next to a walkway as shown in the Southwest Concept Plan, may be counted toward the required park total using the method articulated for wetlands in IDC 90.090.060(B)(5).

C. Where an applicant seeks flexibility from these standards, the applicant may seek a variation from the requirements from the Independence Planning Commission. Factors that the Planning Commission may consider include but are not limited to:

1. Whether the proposed provision of amenities within a park reduces the need for park acreage.
2. Whether the proposed park design achieves other adopted City goals or policies beyond the provision of park acreage alone.

This flexible approach, however, is not intended to propose an alternative to the protection of key pedestrian or riparian corridors shown in adopted City plans such as the Park System Master Plan, Southwest Concept Plan or Central Talmadge Plan.

D. ~~B.~~ Where land is not able to be provided as required in IDC 90.90.060(A) through (C), the Planning Commission shall require ~~At the option of the Planning Commission, the City may permit~~ the applicant to pay a sum of money in lieu of the dedication of land. Said sum shall equal 13.0 percent of the market value of the undivided land as of the date of final plat approval, as carried on the tax roll or as determined by ~~of~~ the Polk County Assessor. Payment of said funds must be made at the time of approval of the final plat map.

E. ~~C.~~ All funds collected in lieu of land shall be credited to a public park and recreation development fund which may only be expended by resolution of the City Council for the purpose of acquiring land for park and recreation purposes or for the development of existing park lands.

ENVISIONING OPEN SPACE REQUIREMENTS–RIVERPLACE APTS.

204 Units

10.13 Acres

Potential Options—Usable Open Space Standard

—400 base and 20 per unit over 20 — 400 + 20(184) = 4,080 square feet
—600 base and 30 per unit over 20 — 600 + 30(184) = 6,120 square feet
—800 base and 40 per unit over 20 — 800 + 40(184) = 8,160 square feet
—1000 base and 50 per unit over 20 — 1000 + 50(184) = 10,200 square feet

Percent Landscaping/Open Space Standard

—10 percent — 1.01 acres
—15 percent — 1.52 acres
—20 percent — 2.03 acres

Draft Standards

—500 base and 50 per unit over 20 — 500 + 50(184) = 9,700 square feet
—15 percent — 1.52 acres (can include setbacks and areas between buildings)

ENVISIONING OPEN SPACE REQUIREMENTS–INDEPENDENCE LANDING

124 Units

5.2 Acres

Potential Options—Usable Open Space Standard

—400 base and 20 per unit over 20 — 400 + 20(104) = 2,480 square feet
—600 base and 30 per unit over 20 — 600 + 30(104) = 3,720 square feet
—800 base and 40 per unit over 20 — 800 + 40(104) = 4,960 square feet
—1000 base and 50 per unit over 20 — 1000 + 50(104) = 6,200 square feet

Percent Landscaping/Open Space Standard

—10 percent — 0.52 acres
—15 percent — 0.78 acres
—20 percent — 1.04 acres

Draft Standards

—500 base and 50 per unit — 500 + 50(104) = 5,700 square feet
—15 percent — But, since in Downtown Riverfront Zone, no site landscaping required

ENVISIONING OPEN SPACE REQUIREMENTS–OSPREY POINT

34 Units (But Mixed Use)
0.47 Acres

Potential Options—Usable Open Space Standard

—400 base and 20 per unit over 20 — 400 + 20(16) = 720 square feet
—600 base and 30 per unit over 20 — 600 + 30(16) = 1,080 square feet
—800 base and 40 per unit over 20 — 800 + 40(16) = 1,440 square feet
—1000 base and 50 per unit over 20 — 1000 + 50(16) = 1,800 square feet

Percent Landscaping/Open Space Standard

—10 percent — 0.05 acres
—15 percent — 0.07 acres
—20 percent — 0.09 acres

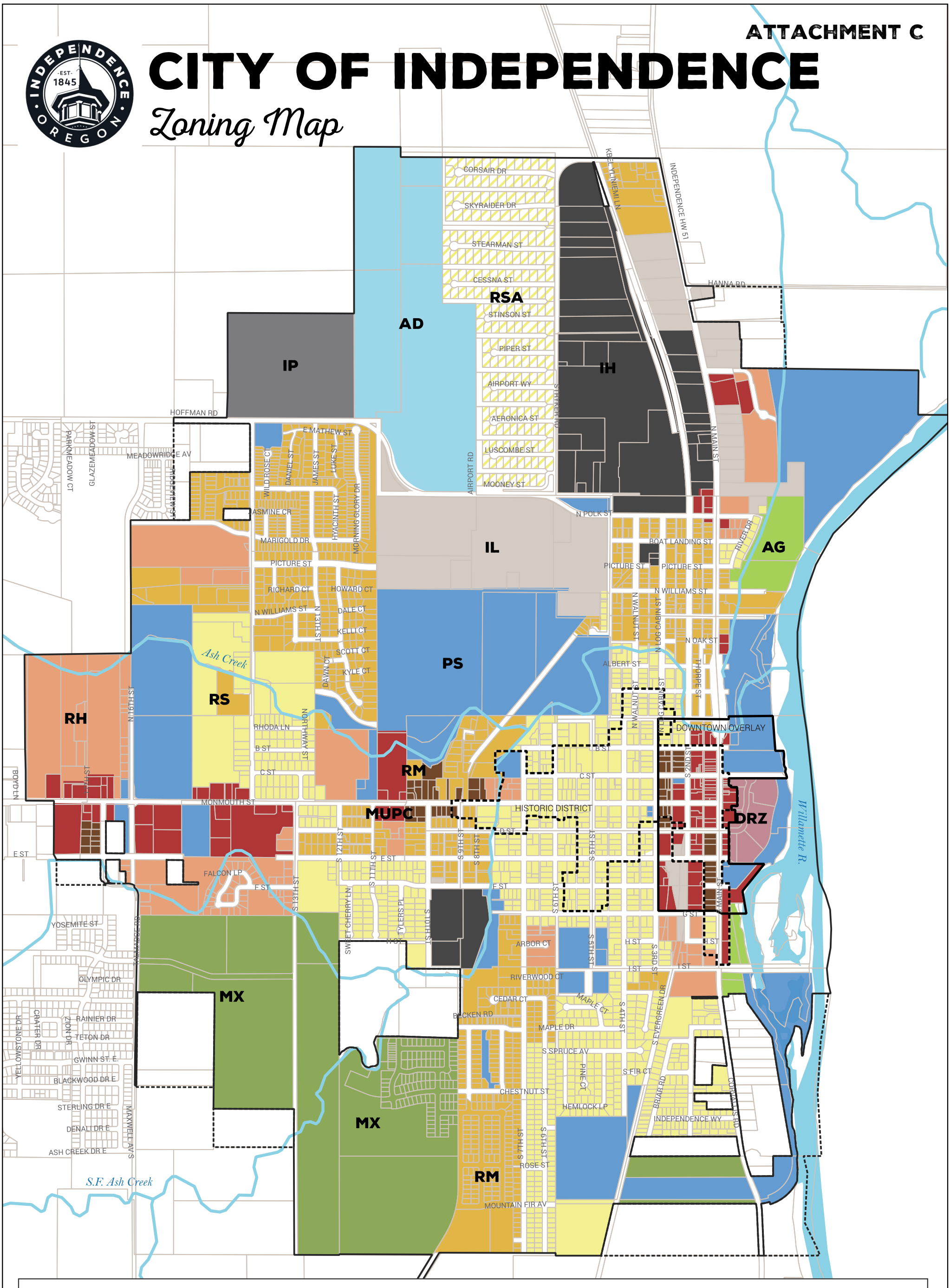
Proposed

—500 base and 50 per unit over 20 — 500 + 50(16) = 1,300 square feet
— 15 percent landscaping — But, since in Downtown Riverfront Zone, no site landscaping required

ATTACHMENT C

CITY OF INDEPENDENCE

Zoning Map



LEGEND

ZONE

- Low-Density Residential (RS)
- Medium-Density Residential (RM)
- High-Density Residential (RH)
- Residential Single-Family Airpark Overlay (RSA)
- Mixed Residential (MX)
- Mixed-Use Pedestrian Friendly Commercial (MUPC)
- MUPC-Transitional (MUPC-T)
- Downtown Riverfront Zone (DRZ)
- Light Industrial (IL)
- Heavy Industrial (IH)
- Industrial Park (IP)
- Airport District (AD)
- Agricultural (AG)
- Public Service (PS)
- City Limits
- Urban Growth Boundary
- Downtown Overlay
- Historic District

Updated 04.12.2026

INDEPENDENCE
Oregon's Story Begins Here

DRAFT CHANGES TO BUILDING HEIGHT LIMITS STAFF REPORT

FROM:	Fred Evander, Community Planner
TO:	Planning Commission
MEETING DATE:	August 3, 2026
FILE NUMBER:	No File Number Assigned
RE:	**DRAFT CHANGES TO BUILDING HEIGHT LIMITS**
ATTACHMENT:	A. Draft Changes to Building Height Limits (3 pages) B. Zoning Map (1 page)

At the Independence Planning Commission meeting of August 3, 2026, the Commission will discuss potential revisions to the height limits in the Independence Development Code.

WHAT IS THE PROBLEM?

Residential zones in the City of Independence allow buildings up to 35 feet tall to the *average height* of the highest roof pitch. As stated within Subchapter 13: Definitions:

> **HEIGHT OF BUILDING**
>
> "Height of Building" means the vertical distance from the grade to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

This height is significantly taller than most structures in residential zones in Independence. Typically, a standard two-story home is an average height of 22 to 24 feet tall.

WHAT IS PROPOSED?

The attached draft would reduce the height of the Low-Density Residential (RS) Zone and the Medium-Density Residential (RM) Zone to a *maximum* of 35 feet and 2.5 stories[1].

[1] As defined in the Independence Development Code, "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the next floor above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor and level directly above a basement or unused underfloor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement or unused underfloor space shall be considered a story.

This change would shift the allowed height from an average to a maximum and create a new standard based on the allowed number of stories, which would require any habitable area greater than two stories to be hidden either in the basement or in the roof of a structure.

As part of the proposal, the standards would only apply in the Low-Density and Medium-Density Residential Zones or in areas that are largely built out with single-family homes at present. The standards would not apply:

- In the High-Density Residential (RH) Zone, which has an existing 45-foot-height limit, because the zone is intended to encourage high density residential development.
- In the Mixed-Density Residential (MX) Zone, which has an existing 35-foot-tall average height limit and is largely undeveloped – and as such has more ability to address design compatibility issues between housing types as the area is developed.

If the Commission feels like the RH and MX Zones should be included in the draft or if any other changes should be made, the Planning Commission can determine that at the meeting.

WHAT ARE OPTIONS TO PROCEED?

The Planning Commission will discuss the proposal at their meeting on August 3.

EXAMPLES OF 2.5 STORY HOMES

DRAFT CHANGES
BUILDING HEIGHT LIMITS

SUBCHAPTER 13: DEFINITIONS

HEIGHT OF BUILDING

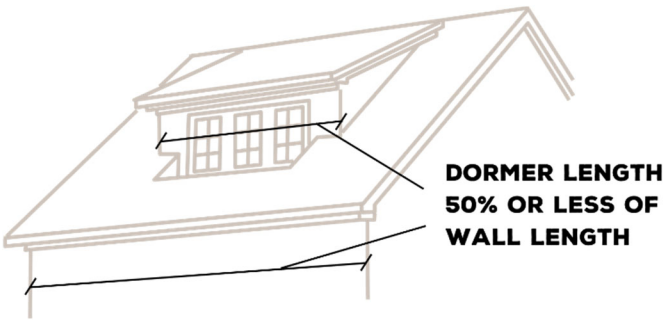
"Height of Building" in the RS and RM Zones:

(1) Building Height (Feet). Is measured as the vertical distance from the average finished grade adjacent to the building to the highest point of the building (typically the peak of the roof).

(2) Building Height (Stories). Is measured in stories as defined in this chapter. When a half story is used, a half story means that portion of a building that is:

- Considered a habitable attic area under a gable, hip or gambrel roof, where any combination of dormers on the roof, if dormers are used, do not exceed 50 percent of the length of the underlying wall, or
- In a visible basement that does meet the definition of a story.

A building incorporating both a habitable attic area and a visible basement shall count the two half stories as one full story.



For all other zones, "Height of Building" means the vertical distance from the grade to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

SUBCHAPTER 18: DENSITY, AREA, AND DIMENSION REQUIREMENTS IN RESIDENTIAL ZONES

DENSITY AND DIMENSION STANDARDS[1] **ZONE**

		RS	RM	RH	MX
Minimum Lot Area					
	Detached Single-Unit	4,800 sf	4,800 sf	4,800 sf	N/A[2]
	Townhouses/Rowhouses	2,400 sf	2,400 sf	1,800 sf	1,800 sf[2]
	Duplex, Triplex, Quadplex (average per unit)	2,400 sf	2,400 sf	1,800 sf	1,800 sf[2]
	Cottage Cluster Development	NA			
	Multiple-Unit Dwellings	N/A	N/A	N/A	N/A[2]
	All Other	4,800 sf	4,800 sf	4,800 sf	None
Minimum Lot Width					
	Townhouses/Rowhouses	20 ft	20 ft	20 ft	20 ft
	Multiple-Unit Dwellings	N/A	N/A	N/A	6 ft/unit min 30 ft/unit max
	All Other	N/A	N/A	N/A	35 ft min 100 ft max
Minimum Setbacks					
-Primary Structures					
	Front	10 ft	10 ft	5 ft	10 ft
	Side	5 ft (10 ft on Corner Lot)			None
	Rear	10 ft	10 ft	10 ft	None
	Alley (Side or Rear)	5 ft	5 ft	5 ft	5 ft
-Attached Garages					
	Garage entrances facing a public street access (driveway length)	19 ft (and 4 feet behind façade)[3]			
	Other	Same as primary structure			
-Detached Garages					
	Front	40 ft	40 ft	40 ft	N/A
	Side (Corner/Alley)	5 ft	5 ft	5 ft	N/A
	Side (Interior)	0	0	0	N/A
	Rear (Interior Lot)	0	0	0	N/A
	Rear (Abutting a Street or Alley)	1 ft	1 ft	1 ft	N/A
	Rear (Corner lot or Other)	Same as Primary Structure			
-Detached Accessory Structures Other than Garages and Fences					

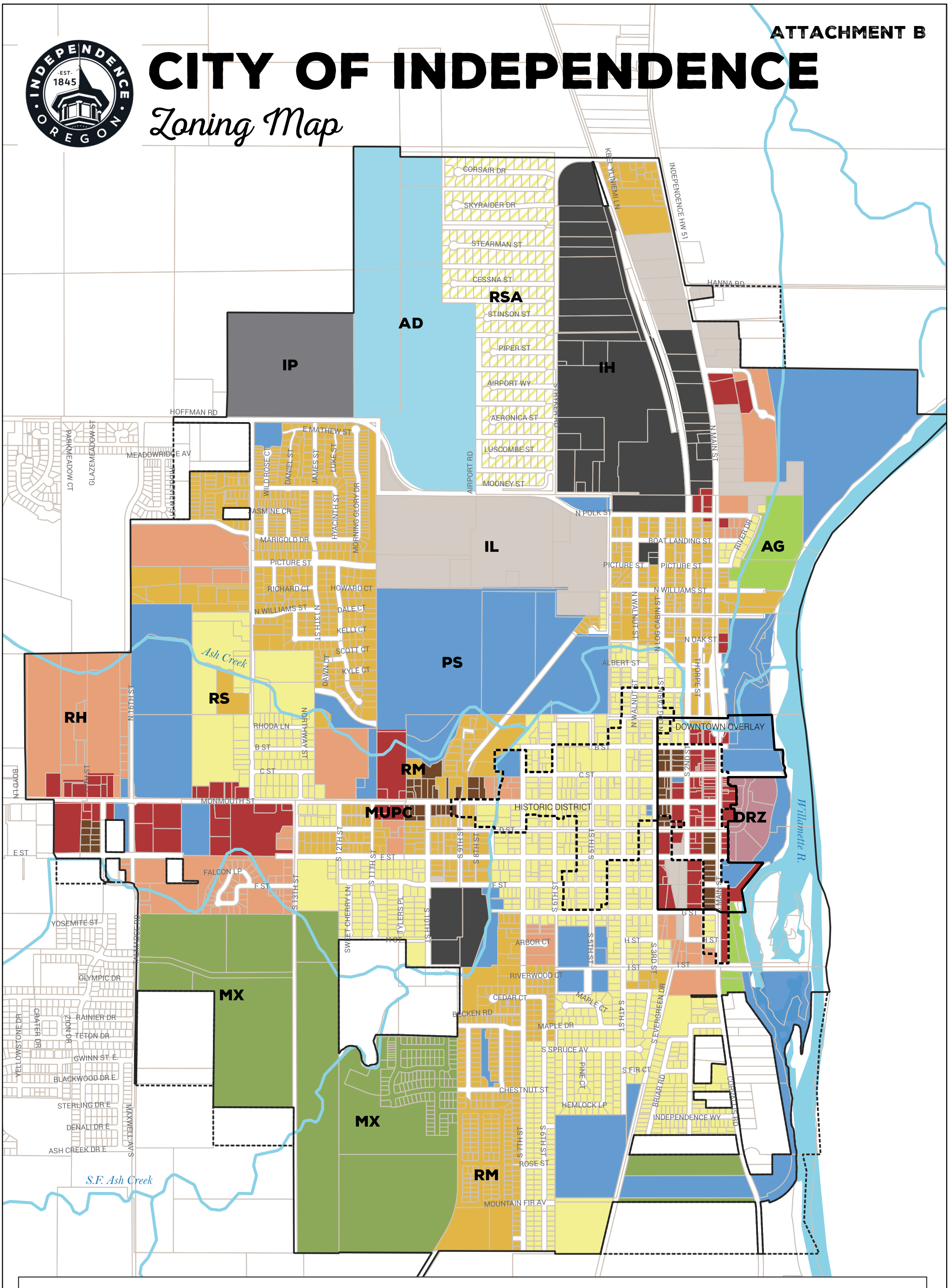
		RS	RM	RH	MX
	Front	Same as Primary Structure			
	Side and Rear	5 ft	5 ft	5 ft	N/A
Maximum Lot Coverage					
	Single-Unit Dwellings	40%	40%	45%	40%
	Multiple-Unit Development	N/A	N/A	60%	70%
	All other Residential Development	45%	45%	50%	50%
	Non-residential development	40%	40%	45%	None
Maximum Height					
	Residential Uses	2.5 stories 35 ft max.	2.5 stories 35 ft max.	45 ft	35 ft
	Church/Public Service Buildings	45 ft	45 ft	45 ft	45 ft
	Other Primary Structure	35 ft	35 ft	45 ft	35 ft
	Accessory Building	15 ft (or, if primary building is multiple stories, the lesser of the height of the primary building or 25 feet)			

Notes:

1. Larger setbacks may be required as a result of the building code.
2. The average density of residential development in the MX zone must be at least 9 units per acre.
3. May be modified per the provisions for garages in front of buildings in IDC 74.005(B)(2).

CITY OF INDEPENDENCE

Zoning Map



LEGEND

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Updated 04.12.2026