



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

11/19/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Monmouth Plan Amendment
DLCD File Number 001-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, December 05, 2012

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Mark Fancey, City of Monmouth
Gordon Howard, DLCD Urban Planning Specialist
Angela Lazarean, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DEPT OF

NOV 15 2012

LAND CONSERVATION AND DEVELOPMENT

DATE STAMP

For Office Use Only

Jurisdiction: **City of Monmouth**

Local file number: **LA 12-01**

Date of Adoption: **11/6/2012**

Date Mailed: **11/12/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date:

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☒ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Legislative Amendment 12-01 includes a number of Zoning and Development Ordinance and Sign Code amendments. In particular, the amendments include updated Zoning and Development Ordinance sections related to parking and landscaping and street trees. The amendments also include revised sections of the Sign Code, most notably, updated definitions and standards related to electronic message or reader board signs.

Does the Adoption differ from proposal? Yes, Please explain below:

The adopted amendments include revisions to Zoning and Development Ordinance Sections 96.015 regarding minimum offstreet parking standards for multi-family developments and Section 96.345 adding a new list of street and parking lot trees.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

| | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
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Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

DLCD File No. 001-12 (19441) [17238]

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None

Local Contact: **Mark Fancey**

Phone: (503) 751-0147 Extension:

Address: **151 Main Street W.**

Fax Number: **503-838-0725**

City: **Monmouth**

Zip: **97361-**

E-mail Address: **mfancey@ci.monmouth.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

CITY OF MONMOUTH, COUNTY OF POLK

STATE OF OREGON

An Ordinance Amending the Monmouth)
Zoning and Development Ordinance and)
Sign Code)

ORDINANCE NO. 1305

WHEREAS, the City of Monmouth has deemed it necessary to develop amendments to the Monmouth Zoning and Development Ordinance and Sign Code; and

WHEREAS, the Planning Commission held a public hearing on said amendments on September 5, 2012, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, the City Council held a public hearing on said amendments on October 2, 2012, at which time the public was given full opportunity to be present and heard on the matter. NOW, THEREFORE,

THE CITY OF MONMOUTH DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Monmouth does hereby amend the Monmouth Zoning and Development Ordinance and Sign Code as set forth in Exhibit A.

Read for the first time: October 16, 2012

Read for the second time: November 6, 2012

Adopted by the City Council: November 6, 2012

Approved by the Mayor: November 6, 2012

ATTEST:


John E.D. Oberst, Mayor



Phyllis L. Bolman, City Recorder

Exhibit A

Amendments to Zoning and Development Ordinance Sections 90.325 and 90.330:

90.325 Standards for Zone Changes. No zone change shall be approved by the Planning Commission or enacted by the City Council unless it conforms to the Comprehensive Plan and meets the following standards:

A. The proposed zone change meets at least one of the following standards:

1. The zoning on the land for which the zone change is initiated is erroneous and the zone change would correct the error;
2. Conditions in the neighborhood surrounding the land for which the zone change is initiated have changed to such a degree that the zoning is no longer appropriate, and the zone change would conform to the new conditions of the neighborhood;
3. There is a public need for land use of the kind for which the zone change is initiated and that public need can best be met by the zone change.

B. The proposed change is consistent with applicable goals and policies of the Comprehensive Plan.

BC. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property. A Traffic Impact Analysis, pursuant to Section 96.415, may be required by the Public Works Director to determine the adequacy of existing or planned transportation facilities and demonstrate compliance with OAR 660-012-0060.

CD. The proposed change is appropriate considering the surrounding land uses and the density and pattern of development in the area.

(Amended by Ordinance 1260, January 3, 2008 and by Ordinance 1275, June 16, 2009.)

90.330 Standards for Plan Map Amendment. No Comprehensive Plan Map amendment shall be approved by the Planning Commission or enacted by the City Council unless the amendment meets the following standards:

A. The proposed Comprehensive Plan Map amendment meets at least one of the following standards:

1. The Comprehensive Plan designation for the land for which the Plan amendment is initiated is erroneous and the Plan amendment would correct the error;
2. Conditions in the neighborhood surrounding the land for which the Plan amendment is initiated have changed to such a degree that the Comprehensive Plan designation is no longer appropriate, and the Plan amendment would conform to the new conditions in the neighborhood;
3. There is a public need for land use of the kind for which the Plan amendment is initiated and that public need can best be met by the Plan amendment.

B. The proposed change is consistent with applicable goals and policies of the Comprehensive Plan.

BC. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property. A Traffic Impact Analysis, pursuant to Section 96.415, may be required by the Public Works Director to determine the adequacy of existing or planned transportation facilities and demonstrate compliance with OAR 660-012-0060.

CD. The proposed change is appropriate considering the surrounding land uses and the density and pattern of development in the area.

Amendments to Zoning and Development Ordinance Sections 96.000 through 96.345:

Parking

96.000 Purpose. The regulations in this Chapter are established to provide appropriate location and design of parking and loading areas and appropriate location, design, and capacity of accesses. The parking requirements are intended to provide sufficient parking in close proximity to the various uses for residents, customers, and/or employees; and to maintain traffic carrying capacity of nearby streets. These regulations apply to both motorized vehicles, hereafter called vehicles, and bicycles.

96.005 Parking Areas Required. Any building constructed, enlarged, altered or subject to a change of use shall establish and maintain parking areas in accordance with the provisions of Sections 96.005 to 96.030 **96.040** "Parking", unless specified within individual zones.

96.0210 General Requirements for Parking and Loading Areas.

A. Parking spaces and maneuvering areas shall be designed as depicted in the diagrams and tables in Section 96.035 **96.040**.

B. Any private or public parking area shall be surfaced with asphaltic concrete and shall be adequately graded and drained as required by the City. Appropriate bumper guards or wheel barriers shall be installed 2.5 feet from a required yard or from a property line and 4.5 feet from any structure excluding a private garage.

C. A public parking area located in any residential district or adjacent to any residential use shall be enclosed with an ornamental fence, masonry wall, or compact evergreen hedge having a height of not less than two (2) feet and maintained in good condition and shall observe the required front, side, or rear yard setbacks.

D. Lighting of parking and loading areas shall be directed entirely onto the loading or parking area, shall be deflected away from any residential use and shall not cast a glare or reflection onto any public street.

E. The provision and maintenance of off-street parking and loading space shall be a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking or loading space. The subsequent use of the property for which the building

permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Ordinance.

F. No owner or occupant of a lot or building shall change the use to which the lot or building is put, thereby increasing parking or loading requirements, until the required increase in off-street parking or loading is provided.

G. Each off-street parking space for a dwelling shall be located on the same lot with the dwelling. Other required parking space shall be located not farther than 300 feet from the building or use that it is to serve, measured in a straight line from the building or use.

H. Each required automobile parking space shall have access to a street or alley.

I. No portion of a parking space or aisle, as is identified in Section 96.035 **96.040**, shall be located in a required setback.

J. The minimum driveway length between a garage face and the back edge of the sidewalk shall be 20 feet.

K. Compact car parking spaces may be provided on the following basis:

10 or more total spaces required; 20 percent of total

8 to 9 spaces required; 2 spaces

4 to 7 spaces required; 1 space

1 to 3 spaces required; 0 space

account for up to 30 percent of the required parking spaces, provided the spaces are permanently designated by sign(s) as being for use by compact cars only.

All compact car parking spaces shall be a minimum of eight feet, six inches in width and a minimum of 16 feet in depth.

L. For two-way circulation, the minimum aisle width shall be 20 feet. Adequate ingress, egress and turn around space shall be provided.

M. Expansion of Existing Structures. When an existing structure is expanded, additional vehicle parking shall be provided in accordance with the provisions of this ordinance. If the expansion requires no more than two additional vehicle spaces, no additional parking shall be required.

N. Change in Use. No additional parking shall be required when an existing structure is changed from one use type to another, as listed in Section 96.020, and the vehicle parking requirements for each use type are the same or require no more than two additional vehicle spaces. If the change in use requires more than two additional vehicle spaces, additional parking shall be provided in accordance with the provisions of this ordinance.

O. Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially

overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.

96.0105 Required Number of Parking Spaces. The number of parking spaces required for any building or land use shall be determined from the following table:

| | |
|---|--|
| A. Residential Uses | <u>Applicable Zones</u> <u>Low Density Residential (RS) Zone (RS)</u> <u>Medium Density Residential (RM) Zone</u> <u>High Density Residential (RH) Zone</u> <u>Mixed Density Residential (MX) Zone</u> <u>Main Street District (MS) Zone</u> <u>Commercial Retail Transitional (CRT) Zone</u> |
| <u>Residential Use</u> | <u>Number of Spaces Required</u> |
| 1. Single-family dwelling | 2 spaces per dwelling unit |
| 2. Medium-Density Residential Zone (RM) — High-Density Residential Zone (RH) — Commercial Retail Transitional Zone (CRT) | |
| 2. Two-family dwelling (duplex) | 4 spaces |
| 4. Multi-family dwellings | |
| 3. <u>Multi-family</u> studio units or 1-bedroom units less than 500 sq. feet in size | 1 <u>space</u> per unit |
| 4. <u>Multi-family</u> 1-bedroom units 500 sq. feet in size or larger | 1.5 <u>spaces</u> per unit |
| 5. <u>Multi-family units with 2– or more bedrooms units-</u> | 1.75 <u>1 space per unit bedroom</u> |
| 6. 3-bedroom or greater units | 2 per unit |
| 7. Retirement complexes for persons 55 years or greater | 1 space per unit |
| 87. Quad dwelling | 4 <u>spaces</u> per each unit |
| 98. Quint dwelling | 5 <u>spaces</u> per each unit |
| 109. Clubs, fraternity, and sorority houses, rooming or boarding houses | 4 <u>spaces</u> for every 5 guest rooms |
| f. Dormitories | 1 space for every 100 square feet |
| Commercial uses within the CRT Zone shall be subject to the requirements of Sections 96.005 to 96.030 “Parking” | |
| 10. Main Street District Zone (MSD) - All residential uses | 1 <u>space per unit</u>. On-street parking spaces adjacent to the property line may be counted as part of the required residential parking |

| | |
|--|--|
| <u>B. Commercial Uses</u> | <u>Applicable Zones</u> <u>Commercial Office (CO) Zone</u> <u>Commercial Highway (CH) Zone</u> <u>Commercial Retail (CR) Zone</u> <u>Commercial Retail Transitional (CRT) Zone</u> <u>Main Street District (MS) Zone</u> <u>Mixed Density Residential (MX) Zone</u> |
| <u>Commercial Use</u> | <u>Number of Spaces Required</u> |
| <u>1. Commercial Lodging:</u> | <u>Number of Spaces Required:</u> |
| <u>1. Parking for Commercial Uses in the Main Street District (MS) Zone</u> | <u>No spaces required</u> |
| 2. Hotel | 1 space per two guest rooms plus one space per two employees |
| 3. Motel | 1 space per guest room or suite plus 1 additional space for owner or manager |
| 4. Club, lodge | Meet the combined requirements of the uses being conducted such as hotel, restaurant <u>eating and drinking establishment</u> , auditorium, etc. |
| <u>2. Institutions:</u> | <u>Number of Spaces Required:</u> |
| 5. Welfare or correctional <u>institution</u> | 1 space per 5 beds for patients or institution inmates |
| 6. Convalescent hospital, sanitarium, rest home, home for the aged | 1 space per 2 beds for patients or nursing home, residents |
| 7. Hospital | 3 spaces per 2 beds |
| <u>3. Places of Public Assembly:</u> | <u>Number of Spaces Required:</u> |
| 8. Church | 1 space per four seats or 8 feet of bench length in main auditorium |
| 9. Library; reading room | 1 space per 400 square feet of floor area plus 1 space per 2 employees |
| 10. Pre-school nursery; kindergarten; child care facilities | 2 spaces per teacher or employee |
| 11. Elementary or middle school | 1 1/2 spaces per classroom plus 1 space per administrative employee or 1 space per 4 seats or 8 feet of bench length in the auditorium or assembly room, whichever is greater <u>3 spaces per classroom</u> |
| 12. High school | 1 1/2 spaces per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main auditorium, whichever is greater <u>6 spaces per classroom</u> |
| 13. College; commercial school for adults | 1 1/2 spaces per classroom, plus 1 space per 5 students that the school is designed to accommodate <u>6 spaces per classroom</u> |
| 14. Other auditoriums; meeting room | 1 space per 4 seats or 8 feet of bench length |

| | |
|---|---|
| 15. Place of public assembly without fixed seats | 1 space per 100 square feet |
| 4. Commercial Amusements: | Number of Spaces Required: |
| 16. Stadium; arena; theater | 1 space per 4 seats or 8 feet of bench length |
| 17. Bowling alley | 5 spaces per alley plus 1 per 2 employees |
| 18. Dance hall; skating rink | 1 space per 100 square feet of gross floor area plus 1 space per 2 employees |
| 19. Amusement Center (Arcade, pool tables, etc.) | 1 space per 80 square feet of floor area. |
| 5. Commercial: | Number of Spaces Required: |
| 20. Retail store, except a service shop | 1 space per 400 square feet of gross floor area |
| 21. Service or repair shop; retail store handling exclusively bulky merchandise such as automobiles and furniture | 1 space per 650 square feet of gross floor area |
| 22. Bank, office, medical and dental clinic | 1 space per 400 square feet of gross floor area plus 1 space per 2 employees |
| 23. Eating or drinking establishment | 1 space per 200 square feet of gross floor area |
| 24. Mortuary | 1 space per 4 seats or 8 feet of bench length in chapels |
| 25. Parking for Neighborhood Commercial Conditional Uses listed in the Mixed Density Residential (MX) Zone | No spaces required. On-street parking spaces adjacent to the business may be used for parking. |
| C. Industrial Uses | Applicable Zones Light Industrial (IL) Zone Industrial Park (IP) Zone General Industrial (GI) Zone |
| Industrial Use | Number of Spaces Required |
| 1. Storage warehouse; air; rail or trucking freight terminal | 1 space per 1,000 square feet of gross floor |
| 2. Wholesale establishment; | 1 space per 700 square feet of gross floor area |
| 3. Manufacturing establishment | 1 space per 700 square feet of gross floor area |

The number of parking spaces required for buildings and uses not specifically listed in this section shall be determined by the Planning Commission.

96.01520 Loading Space.

A. Any building constructed, enlarged, altered, or subject to a change of use in order to accommodate a commercial activity shall establish and maintain one or more loading spaces for commercial vehicles in accordance with the provisions of Sections 96.005 to 96.030.

B. Each required loading space shall have a minimum width of 12 feet.

C. Each required loading space shall have a minimum length of 30 feet.

D. Each required loading space shall have a minimum height of 14 feet.

E. Each required loading space shall have access to a street or alley.

F. Each required loading space shall have a surface of asphaltic concrete or Portland cement concrete.

G. Number of loading spaces required:

Commercial office buildings:

1. Up to 30,000 square feet of gross floor area = 0 spaces
2. More than 30,000 square feet to 100,000 square feet of gross floor area = 1 space
3. More than 100,000 square feet of gross floor area = 2 spaces

All other commercial or industrial buildings:

1. Up to 5,000 square feet of gross floor area = 0 spaces
2. More than 5,000 square feet to 30,000 square feet of gross floor area = 1 space
3. More than 30,000 square feet to 100,000 square feet of gross floor area = 2 spaces
4. More than 100,000 square feet of gross floor area = 3 spaces

H. In the Main Street District, contiguous properties may share a common loading space.

(Amended by Ordinance 1267, November 4, 2008)

96.025 Minimum Handicap Parking. The number of handicap spaces needed for any structure or use.

1. Handicap parking shall be provided for all uses in accordance the standards in Table 96.030(6); parking spaces used to meet the standards in 96.030(6) shall be counted toward meeting off-street parking requirements.

2. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway;

3. Handicap spaces shall be grouped in pairs where possible;

4. Where covered parking is provided, covered handicap spaces shall be provided in the same ratio as covered non-accessible spaces;

5. Required handicap parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.

6. The minimum number of required handicap parking are shown in the table below.

| <u>Minimum Number of Handicap Parking Spaces</u> | | | |
|--|--|--|--|
| <u>Total Number of Parking Spaces Provided (per lot)</u> | <u>Total Minimum Number of Handicap Parking Spaces (with 60" access aisle, or 96" aisle for vans*)</u> | <u>Van Handicap Parking Spaces with min. 96" wide access aisle</u> | <u>Handicap Parking Spaces with min. 60" wide access aisle</u> |
| <u>1 to 25</u> | <u>Column A</u> <u>1</u> | <u>1</u> | <u>0</u> |
| <u>26 to 50</u> | <u>2</u> | <u>1</u> | <u>1</u> |
| <u>51 to 75</u> | <u>3</u> | <u>1</u> | <u>2</u> |
| <u>76 to 100</u> | <u>4</u> | <u>1</u> | <u>3</u> |
| <u>101 to 150</u> | <u>5</u> | <u>1</u> | <u>4</u> |
| <u>151 to 200</u> | <u>6</u> | <u>1</u> | <u>5</u> |
| <u>201 to 300</u> | <u>7</u> | <u>1</u> | <u>6</u> |
| <u>301 to 400</u> | <u>8</u> | <u>1</u> | <u>7</u> |
| <u>401 to 500</u> | <u>9</u> | <u>2</u> | <u>7</u> |
| <u>501 to 1000</u> | <u>2% of total parking provided in each lot</u> | <u>1/8 of Column A**</u> | <u>7/8 of Column A***</u> |
| <u>1001</u> | <u>20 plus 1 for each 100 over 1000</u> | <u>1/8 of Column A**</u> | <u>7/8 of Column A***</u> |
| <u>*vans and cars may share access aisles</u> <u>**one out of every 8 handicap spaces</u> <u>***7 out of every 8 handicap parking spaces</u> | | | |

Source: American Disabilities Act Standards for Accessible Design

96.02530 Parking of Bicycles. Any apartment, dormitory, fraternity, sorority, student home, or other multiple-family residential structure having more than four (4) dwelling units or more than twelve (12) residents shall provide a parking area for bicycles. Any new retail, office and institutional development shall provide a parking area for bicycles. Such a Bicycle parking areas shall include meet the following requirements:

A. Bicycle parking shall be located in a well-lighted, secure and generally visible location A-sheltered area having direct access to an adjacent sidewalk or parking area. The bicycle parking area need not be fully enclosed but shall provide shelter from precipitation.

B. A parking surface of asphaltic concrete, or Portland cement concrete, or a brick paving system.

C. ~~Racks, frames, posts, or other devices of metal, concrete, wood, or other durable material. Such devices shall be adequate to hold and permit the locking of one (1) bicycle~~

for every dwelling unit. Bicycle racks shall be securely anchored. A five-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking. Bicycle parking shall not obstruct walkways.

D. Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary rack which support the frame so the bicycle cannot easily be pushed or fall to one side. Racks that require a user-supplied lock shall accommodate locking the frame and both wheels using either a cable or U-shaped lock.

E. Bicycle parking areas incorporating the standard inverted "U" shaped bicycle rack, or functionally equivalent structure, shall have the following dimensions:

1. The minimum height of the bicycle rack shall be 36 inches from the base to the top of the rack.

2. The minimum length for the bicycle rack shall be two feet.

3. A bicycle rack shall accommodate at least two bicycles.

4. The exterior surface of bicycle racks shall be non-abrasive, non-marring, and durable.

96.0305 Access To State Highways. Access to State Highways is granted by the Oregon Department of Transportation (ODOT). A change of use to which the lot or building is put may require amending an existing highway approach permit.

96.03540 Pedestrian Access and Circulation

A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all mixed-use, commercial, and office developments shall provide a continuous pedestrian system. Multi-family development that proposed ten (10) or more units in a single building, or that includes two or more buildings, shall also provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections 1-4, below:

1. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose, in accordance with the provisions of Section 96.410 Transportation Improvements Standards.

2. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

a. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

b. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

c. "Primary entrance" for commercial, mixed use, and office buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

d. "Primary entrance" for residential buildings is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.

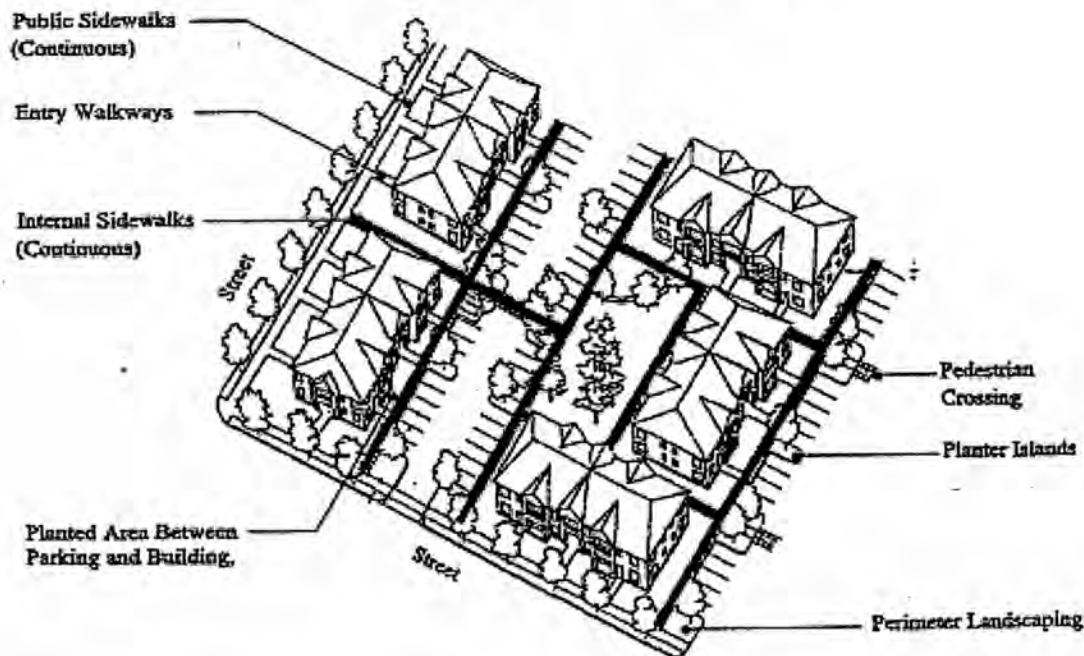
3. Connections Within Development. Connections within developments shall be provided as required in subsections a-c, below:

a. Walkways shall connect all building entrances to one another to the extent practicable, as generally shown in Figure 96.03540(1);

b. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 96.03540(1); and

c. Large parking areas shall be broken up so that no contiguous parking area exceeds three (3) acres. Parking areas may be broken up with plazas, large landscape areas with pedestrian access ways (i.e., at least 20 feet total width), streets, or driveways with street-like features, Street-like features, for the purpose of this section, means a raised sidewalk of at least 4-feet in width, 6-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.

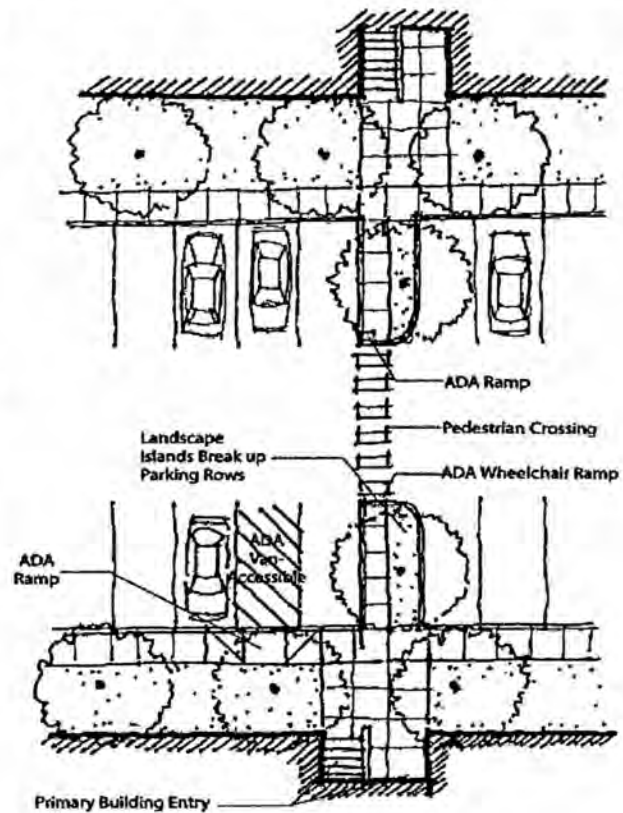
Figure 96.03540(1) Pedestrian Pathway System (Typical)



B. Walkway Design and Construction. Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections 1-4, as generally illustrated in Figure 96.03540(2):

1. **Vehicle/Walkway Separation.** Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the City may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed for withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

Figure 96.03540(2) Pedestrian Walkway Detail (Typical)



2. **Crosswalks.** Where walkways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials (*e.g.*, light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

3. **Walkway Width and Surface.** Walkway and accessway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director, at least six (6) feet wide. Multi-use paths (*i.e.*, for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide. (See also, Section 3.4.100 - Transportation Standards for public, multi-use pathway standard.)

4. **Accessible routes.** Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

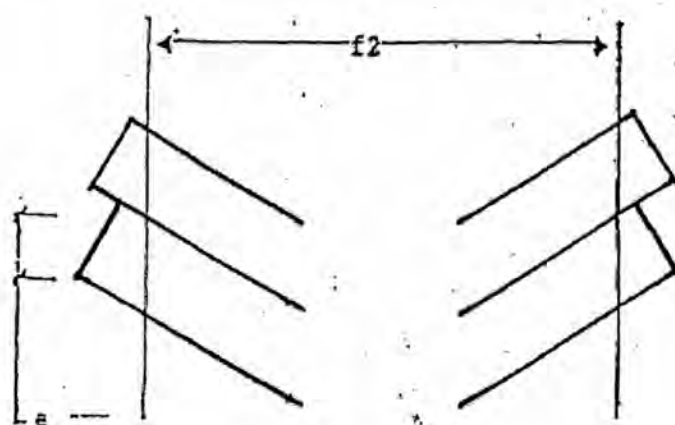
(Section 96.035 added by Ordinance 1275, June 16, 2009.)

96.045 Parking Area Specifications.

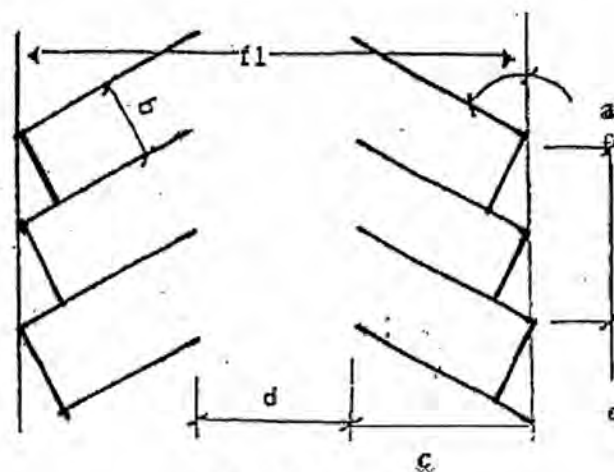
Parking spaces and maneuvering areas shall be designed as depicted in the following table and diagram.

Parking standards table & diagram

| Parking Angle Degrees | Stall Width b | Stall to Curb (19' Long and 14.5 Short) c | Aisle Width D | Curb Length e | Front of Stall to Front of Stall f1 | Overlap Front of Stall Front of Stall f2 |
|-----------------------|---------------|---|---------------|---------------|-------------------------------------|--|
| 0 | 9' 0" | 9' 0" | 12.0 | 14.5 | 30.0 | |
| 20 | 9' 0" | 13.4 15.6 | 11.0 11.0 | 16.7 20.9 | 37.8 41.0 | 29.4 33.3 |
| 30 | 9' 0" | 15.0 17.8 | 11.0 11.0 | 17.1 20.9 | 41.6 45.6 | 38.3 38.5 |
| 40 | 9' 0" | 16.2 19.1 | 12.0 12.0 | 16.9 20.3 | 44.4 50.2 | 37.5 43.9 |
| 45 | 9' 0" | 16.6 19.8 | 13.0 13.0 | 16.6 19.8 | 46.2 52.6 | 39.9 46.7 |
| 50 | 9' 0" | 16.9 20.4 | 15.0 15.0 | 16.2 19.1 | 48.8 52.8 | 43.0 50.7 |
| 60 | 9' 0" | 17.1 21.0 | 18.0 18.0 | 15.0 17.3 | 52.2 60.0 | 47.6 55.7 |
| 70 | 9' 0" | 16.7 21.0 | 19.0 19.0 | 13.4 15.0 | 52.4 61.0 | 49.3 57.9 |
| 80 | 9' 0" | 15.8 20.3 | 24.0 24.0 | 11.1 12.2 | 55.6 64.3 | 54.1 62.9 |
| 90 | 9' 0" | 14.5 19.0 | 24.0 24.0 | 9.0 9.0 | 53.0 62.0 | |



Overlap Front



Typical Dimensions

Amendments to Zoning and Development Ordinance Sections 96.305 through 96.345:

Landscaping and Street Trees

96.305 Title. Sections 96.305 to 96.345 “Landscaping and Street Trees” shall be known as the Monmouth Landscaping and Street Tree Ordinance.

96.310 Purpose. Monmouth recognizes the aesthetic and economic value of landscaping and encourages its use to maintain a pleasant community character. Monmouth values its existing trees and wishes to both protect and retain them. The purpose of this Ordinance is to promote attractive street views, and pleasing commercial frontages; to shade and soften the visual impact of parking lots; to require that trees be protected and retained and if not possible, to be replaced with similar or appropriate trees; and to establish regulations for the planting, maintenance, removal and replacement of plant materials in the public rights-of-way, and in multi-family, commercial, industrial, and subdivision developments.

96.312 Scope. All construction, expansion or redevelopment of structures or parking lots for commercial, multi-family, or industrial uses shall be subject to the landscaping requirements of this Section.

96.315 Definitions. In addition to the definitions set forth in Section 90.905 of the Monmouth Zoning Ordinance, for the purposes of carrying out the intent and purposes of this chapter, words, phrases and terms, as used herein, shall be deemed to have meaning ascribed to them in this section. To the extent that the definition of a word or phrase in this section differs from the definition of the same or a similar word or phrase in Section 90.905, the definition set forth in this section shall control for the purpose of carrying out and applying the terms and provisions of this chapter.

Caliper. The diameter of the tree trunk measured five (5) inches above the base of the tree.

Diameter at breast height (dbh). A tree's diameter, in inches, at 4 1/2 feet above the ground.

Multi-Family Development. As used in this section, multi-family developments are those residential uses subject to the Site Plan Review requirements of Section 90.255.

Ground cover. Low-growing vegetation, excluding grass, that covers the ground in a solid mat.

Hazard tree. ~~Any tree with any structural defect, disease, or a combination of these that make it subject to a structural failure that may cause damage to persons and/or property.~~

Heritage tree. Any tree, designated as such by the Historical Buildings and Sites Commission City Council as provided under Section 96.520, due to its location, size, age, species, botanical interest, commemorative planting, or historical significance.

Noxious Weed. Any plant classified by the Oregon State Weed Board that is injurious to public health, agriculture, recreation, wildlife, or any public or private property.

Park Strip. A portion of street right-of-way that is located between the curb and the sidewalk.

Plant materials. Trees, shrubs and perennials.

Right-of-way. The area between a street, or public easement, and private property.

Remove or Removal. The act of removing a tree by digging up, cutting down, or any act which causes a tree to die within a period of three (3) years, including, but not limited to, damage inflicted on the root system; changing the ground level at trunk or root zone; excessive pruning or any other action that is deemed harmful to the tree.
eliminating, moving, or taking away any tree from its present location.

Severely prune. To top a tree, or to remove more than, twenty (20) percent of the canopy within one (1) year.

Specimen tree. A mature, well-developed example of a species.

Significant tree. A particularly impressive or unusual example of a healthy tree defined by size, shape, age or other special species characteristic such as:

A. Healthy trees over 50 feet in height; or

B. A group of twelve inch or greater caliper stand of evergreen or non-fruit bearing, hardwood trees; or

C. Rare or endangered species, unusual specimen or mature tree species not normally found in this geographic location.

Street tree. A tree or substantial shrub on land lying within a right-of-way or within a public utility easement.

Topping. The severe cutting back of limbs within the tree's crown so as to remove the normal canopy and to disfigure the tree.

Tree. Any self-supporting woody perennial that matures at a height of greater than six (6) feet.

Xeriscaping. A method of landscape design that minimizes water use. Plants whose natural requirements are appropriate to the local climate are emphasized, and care is taken to avoid losing water to evaporation and run-off. The specific plants used in xeriscaping depend upon the climate.

96.320 Compliance with other regulations. The regulations set forth herein are intended to apply in addition to and not in lieu of any other applicable regulations, including, but not limited to, Chapter 33 of the Monmouth City Code entitled "Trees Within Rights-of-Way".

96.322 Minimum Area Requirements

Landscaped areas may include landscaping: around buildings; in open spaces and outdoor recreation areas; in islands and perimeter planting areas in parking and loading areas; and in areas devoted to buffering and screening as required in this Section and elsewhere in this Ordinance. The following area requirements shall be the minimum areas devoted to landscaping:

A. Multi-family Developments: In the Medium Density Residential and High Density Residential Zones, a minimum of 15 percent of the gross land area shall be devoted to landscaping in multi-family developments. Interior courtyards, atriums, solar

greenhouses, roof gardens and storm drainage retention areas, may be included with general landscaped areas in the calculation of this percentage.

B. Commercial Developments: In all commercial zones, except the Main Street District, a minimum of 10 percent of the gross land area shall be devoted to landscaping in commercial developments.

C. Industrial Developments: In all industrial zones, a minimum of 10 percent of the gross land area shall be devoted to landscaping in industrial developments.

D. For expansion of existing developments and parking lots, the required landscape minimum percentage shall be maintained.

96.325 Citywide standards General Landscape Requirements. The following regulations shall apply to all required landscaping throughout the City of Monmouth:

A. All required landscaping shall be installed prior to occupancy of a development unless arrangements are made with the City Manager to complete the landscaping at a later date, in which case a bond, or other form of security acceptable to the City Manager, in an amount sufficient to insure completion of the landscaping is required.

B. Where landscaping or the preservation of existing trees is required, the property owner, or, in the case of street trees, the owner of the adjacent property, shall maintain the landscaping and/or trees during the normal life of the plant materials. Topping or severely pruning trees shall not occur. Only dead, damaged or diseased plant materials shall be removed and shall be replaced as soon as reasonably possible, with aesthetically appropriate plant materials.

C. Existing plant materials. Significant existing plant materials, including, but not limited to, ~~h~~Heritage trees, as designated under Section 96.520, and specimen significant trees, as defined by this ordinance, shall be preserved and shall be integrated into the landscape plan when a plan is required. Tree preservation priority shall be given to ~~h~~Heritage and specimen significant trees and trees located within, or adjacent to, sensitive natural areas, designated wetlands, flood plains, and well head protection areas. Only healthy trees which are appropriate for the site at their mature size must be preserved. Removal of ~~h~~Heritage trees must be approved by the City Manager and shall be allowed only if the tree is a hazardous tree shall be as provided under Section 96.545.

D. Protection from construction. Excavations, driveways, and general construction activities shall not occur within six (6) feet of any tree required to be preserved or within of 80 percent of the distance between the drip line and trunk of the tree, whichever is greater. Construction plans for property adjacent to significant plant materials including, but not limited to, ~~h~~Heritage and specimen significant trees, must be approved in advance by the City Planner.

E. Noxious weeds as listed by the Oregon State Weed Board, shall be removed during site development.

F. Xeriscaping may be used as a landscaping option. All xeriscaping plans shall be prepared by a licensed landscape professional.

96.330 Commercial, Industrial and Multi-Family Developments.

A. Site plans for all commercial, industrial and multi-family developments shall include a landscape plan, to be reviewed under the provisions of Section 90.255 of the Monmouth

Zoning Ordinance entitled "Site Plan Review". The landscape plan shall include a detailed planting plan, the location, size and variety of all proposed and existing plant materials, groundcover and lawn areas and the method of irrigating the landscaped areas.

B. Landscaping with plant materials, lawn and/or groundcover is required in the setback/yard area. Gravel and/or bark mulch may be used for traveled surfaces such as paths and to mulch around the base of individual plant materials. Spacing of the plant materials, groundcover and/or lawn shall be appropriate to the species and the purpose for the planting. ~~Where landscaping is required for screening and/or buffering, the plant materials shall be at least six (6) feet in height and 80 percent opaque within two (2) growing seasons.~~

C. ~~Parking lot trees. The intent of requiring parking lot trees is to provide a canopy effect to shade and soften the visual impact of the parking lot. Parking lots which provide ten or more parking places shall have trees in planters at the rate of one (1) tree for every seven (7) parking spaces. The planters shall be a minimum of three (3) feet by three (3) feet and shall be protected by either curbs or tire stops. At the end of each parking aisle and in non parking areas (excluding traffic aisles) there shall be curbed planters, landscaped with appropriate plant materials.~~

~~D. Landscape contractor required. All landscaping installations shall be done by a landscape contractor licensed by the State of Oregon.~~

96.335 Residential subdivisions. Residential subdivisions shall submit, as part of the tentative subdivision plan application, a landscape plan delineating the type and placement of all street trees. **For all new subdivisions, trees shall be planted in designated park strips. Where there is no designated park strip, street trees shall be planted in yard areas adjacent to the street.**

96.340 Street Required trees plantings. **Tree plantings in accordance with this section are required for all landscape areas, including but not limited to, parking lots for 10 or more cars, and public street frontages.**

A. Street Trees

A- **1. Acceptable trees.** Street trees in **designated park strips** may be planted by the abutting property owner, after obtaining the consent of the City Manager as required by Section 96.325, provided the species is on the list of acceptable species set forth in Section 96.345 and meet all other requirements of Sections 96.305 to 96.345 "Landscaping and Street Trees." Street trees under utility wires **shall be of a species designated as appropriate in Section 96.345** whose size and growth habit will not interfere with the overhead utility lines. Street trees shall have a minimum of a two (2) inch trunk caliper and shall be typical of the species, be healthy nursery stock, be free of pests and diseases and be of similar species to existing trees in the area.

B- **2. Planting requirements.** Street trees shall be planted a maximum of **30 to 50 feet apart based upon the species size as shown in Section 96.345. Trees shall be planted in the appropriate park strip width, subject to limitations regarding planting under power lines as shown in Section 96.345** shall be planted in the and shall not be planted within 25 feet of a street corner, ten (10) feet of a fire hydrant, within a 10 foot triangular visual clearance area of a street intersection, driveway or alley, within four (4) feet of a street curb, or within ten (10) feet from a water valve, transformer or other above ground facility of an underground utility.

3. Planting, maintenance, and removal of street trees shall comply with all requirements of Chapter 33 of the Monmouth City Code: Street Tree Ordinance.

B. Parking lot trees. The intent of requiring parking lot trees is to provide a canopy effect to shade and soften the visual impact of the parking lot. Parking lots which provide ten or more parking places shall have trees in planters at the rate of one (1) tree for every seven (7) parking spaces. The planters shall be a minimum of three (3) feet by three (3) feet and shall be protected by either curbs or tire stops. At the end of each parking aisle and in non-parking areas (excluding traffic aisles) there shall be curbed planters, landscaped with appropriate plant materials.

C. Areas where trees may not be planted.

Unless approved otherwise by the City Manager, trees may not be planted:

1. Within 25 feet of a street corner

2. Within 10 feet of fire hydrants and utility poles;

3. Within 20 feet of street light standards;

4. Within a 10-foot triangular visual clearance area of a street intersection, driveway or alley

5. Within four feet from an existing curb face, except where required for street trees;

6. Within ten (10) feet from a water valve, transformer or other above ground facility of an underground utility

7. Within 10 feet of a public sanitary sewer, storm drainage, or water line; or

8. Where the City Manager determines the trees may be a hazard to the public interest or general welfare.

96.342 Buffering and screening.

A. Buffer plantings are used to reduce apparent building scale, provide a transition between contrasting architectural styles, and generally mitigate incompatible or undesirable views and are used to soften rather than block viewing. Where required, a mix of plant materials shall be used to achieve the desired buffering effect. At a minimum, this mix shall consist of trees, shrubs, and ground cover, and may also consist of existing vegetation, such as natural areas that will be preserved.

B. Buffering is required for parking areas containing 10 or more spaces, loading areas, and vehicle maneuvering areas. A minimum five-foot wide perimeter landscaping buffer shall be provided around parking areas to buffer these uses from adjacent properties and the public right-of-way.

Where parking abuts this perimeter landscape buffer, either parking stops shall be used or planters shall be increased in width by 2.5 feet. On-site plantings shall be used between parking spaces, as well as between parking bays and vehicle maneuvering areas. Low-lying ground cover and shrubs, balanced with vertical shrubs and trees, shall be used to buffer the view of these facilities. Decorative walls and fences may be used in conjunction with plantings, but may not be used alone to comply with buffering requirements.

C. Screening is required where unsightly views or visual conflicts must be obscured or blocked and/or where privacy and security are desired. Fences and walls used for screening may be constructed of wood, concrete, stone, brick, wrought iron, or other commonly used fencing/wall materials. Acoustically designed fences and walls shall also be used where noise pollution requires mitigation. A chain link fence with slats shall qualify for screening only if a landscape buffer is provided in compliance with this section.

D. Where landscaping is required for screening and/or buffering, the plant materials shall be at least six (6) feet in height and 80 percent opaque within two (2) growing seasons.

E. The requirements of Section 96.340(B) and Section 96.342 shall pertain only to new parking lots.

96.345 Acceptable street and parking lot trees.

~~A. Japanese Maple (Acer palmatum) many varieties for size and color.~~

~~B. Norway Maple (Acer platanoides) some purple leaved varieties.~~

~~C. Red Maple (Acer rubrum) some very upright varieties.~~

~~D. European White Birch (Betula pendula) several varieties.~~

~~E. Raywood Ash (Fraxinus oxycarpa "Raywood") lovely, rounded open crown, Good color.~~

~~F. Sweetgum, Liquidambar (Liquidambar styraciflua) excellent Fall color. Upright branching.~~

~~G. Tulip Tree (Liriodendron tulipifera) Large, dense. Interesting flower. Turns yellow in the fall.~~

~~H. Saucer Magnolia (Magnolia soulangeana)~~

~~I. Flowering Crabapple (Malus) many varieties of size and color.~~

~~J. London Plane (Platanus acerifolia)~~

~~K. Flowering Cherry (Prunus) many varieties of size and color.~~

~~L. Bradford Flowering Pear (Pyrus calleryana "Bradford")~~

~~M. Scarlet Oak (Quercus coccinea)~~

~~N. Pin Oak (Quercus palustris) holds on to brown leaves long into Winter,~~

~~O. Red Oak (Quercus rubra)~~

~~P. Japanese Snowbell (Styrax japonica)~~

~~Q. American Linden (Tilia americana)~~

R. Little-leaf Linden (*Tilia cordata*)—several varieties

S. Elm (*Ulmus parvifolia*)

T. Zelkova (*Zelkova serrata*)

| Common Name | Scientific Name | Mature Height | Canopy Spread | Minimum Park Strip Width | | Overhead Powerlines | |
|---------------------------------------|--|---------------|---------------|--------------------------|----------|---------------------|----------|
| | | | | 4 feet | 8 feet | Yes | No |
| <u>Accolade Elm</u> | <u><i>Ulmus japonica x wilsoniana</i> 'Morton'</u> | <u>70'</u> | <u>60'</u> | | <u>X</u> | | <u>X</u> |
| <u>Akebono Flowering Cherry</u> | <u><i>Prunus yedoensis</i></u> | <u>25'</u> | <u>25'</u> | | <u>X</u> | <u>X</u> | |
| <u>American Hornbeam</u> | <u><i>Carpinus caroliniana</i></u> | <u>20-30'</u> | <u>20-30'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Amur Maackia</u> | <u><i>Maackia amurensis</i></u> | <u>12-30'</u> | <u>12-30'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Amur Maple</u> | <u><i>Acer ginnala</i></u> | <u>20'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Anglo Yew</u> | <u><i>Taxus x media</i> 'Hicksii'</u> | <u>2-20'</u> | <u>2-20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Aristocrat Pear</u> | <u><i>Pyrus calleryana</i> 'Aristocrat'</u> | <u>40'</u> | <u>28'</u> | <u>X</u> | | | <u>X</u> |
| <u>Autumn Blaze Pear</u> | <u><i>Pyrus calleryana</i></u> | <u>30'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | |
| <u>Autumn Applause Ash</u> | <u><i>Fraxinus americana</i> 'Autumn Applause'</u> | <u>40'</u> | <u>28'</u> | <u>X</u> | | | <u>X</u> |
| <u>Autumn Brilliance Serviceberry</u> | <u><i>Amelanchier x grandiflora</i></u> | <u>20'</u> | <u>15'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Bigleaf Snowbell Tree</u> | <u><i>Styrax obassia</i></u> | <u>35'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Blirelana Plum</u> | <u><i>Prunus x blireiana</i></u> | <u>20'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Canada Red Chokecherry</u> | <u><i>Prunus virginiana</i> 'Canada red'</u> | <u>25'</u> | <u>20'</u> | | <u>X</u> | <u>X</u> | |
| <u>Capital Pear</u> | <u><i>Pyrus calleryana</i> 'Capital'</u> | <u>35'</u> | <u>12'</u> | <u>X</u> | | <u>X</u> | |
| <u>Chanticleer Pear</u> | <u><i>Pyrus calleryana</i> 'Chanticleer'</u> | <u>20-35'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Chokecherry</u> | <u><i>Prunus virginiana</i></u> | <u>20-30'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Bur Oak</u> | <u><i>Quercus macrocarpa</i></u> | <u>55'</u> | <u>45'</u> | | <u>X</u> | | <u>X</u> |
| <u>Cascara</u> | <u><i>Rhamnus Purshiana</i></u> | <u>30'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Catalpa</u> | <u><i>Catalpa speciosa</i></u> | <u>60'</u> | <u>40'</u> | | <u>X</u> | | <u>X</u> |
| <u>Centurion Crabapple</u> | <u><i>Malus</i> 'Centurion'</u> | <u>20'</u> | <u>15'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Chancellor linden</u> | <u><i>Tilia cordata</i> 'Chancole'</u> | <u>35'</u> | <u>20'</u> | <u>X</u> | | | <u>X</u> |
| <u>Chinese Dogwood</u> | <u><i>Cornus kousa chinensis</i></u> | <u>25'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | |
| <u>Chinese Elm</u> | <u><i>Ulmus parvifolia</i></u> | <u>40-50'</u> | <u>45'</u> | | <u>X</u> | | <u>X</u> |
| <u>Chinese Flame Tree</u> | <u><i>Koelreuteria bipinnata</i></u> | <u>20-30'</u> | <u>20-30'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Chinese Tupelo</u> | <u><i>Nyssa sinensis</i></u> | <u>40'</u> | <u>30'</u> | <u>X</u> | | <u>X</u> | |
| <u>Columnar Goldenrain</u> | <u><i>Koelreuteria paniculata</i></u> | <u>30'</u> | <u>6'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Columnar Siberian Crabapple</u> | <u><i>Malus Baccata</i></u> | <u>30'</u> | <u>10'</u> | <u>X</u> | | | <u>X</u> |
| <u>Cornelian Cherry Dogwood</u> | <u><i>Cornus mas</i></u> | <u>15-20'</u> | <u>20-25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |

| <u>Common Name</u> | <u>Scientific Name</u> | <u>Mature Height</u> | <u>Canopy Spread</u> | <u>Minimum Park Strip Width</u> | | <u>Overhead Powerlines</u> | |
|--------------------------------|--|----------------------|----------------------|---------------------------------|---------------|----------------------------|-----------|
| | | | | <u>4 feet</u> | <u>8 feet</u> | <u>Yes</u> | <u>No</u> |
| <u>Crabapple</u> | <u>Malus spp.</u> | <u>10-25'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Crape Myrtle</u> | <u>Lagerstroemia cultivars</u> | <u>20'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Crimson Cloud Hawthorn</u> | <u>Crataegus laevigata</u> | <u>25'</u> | <u>18'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Crimson Spire Oak</u> | <u>Quercus alba x Q. robur 'Crimschmidt'</u> | <u>45'</u> | <u>15'</u> | <u>X</u> | | | <u>X</u> |
| <u>David's Maple</u> | <u>Acer davidii</u> | <u>30'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | |
| <u>Dogwoods</u> | <u>Cornus spp.</u> | <u>15-30'</u> | <u>30'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Eastern Redbud</u> | <u>Cercis canadensis</u> | <u>20-35'</u> | <u>25-40'</u> | | <u>X</u> | | <u>X</u> |
| <u>Edith Bogue Magnolia</u> | <u>Magnolia grandiflora</u> | <u>30'</u> | <u>15'</u> | <u>X</u> | | <u>X</u> | |
| <u>English Oak</u> | <u>Quercus robur</u> | <u>50-60'</u> | <u>40'</u> | | <u>X</u> | | <u>X</u> |
| <u>European Hornbeam</u> | <u>Carpinus betulus</u> | <u>50'</u> | <u>35'</u> | | <u>X</u> | | <u>X</u> |
| <u>Flowering Ash</u> | <u>Fraxinus ornus</u> | <u>30'</u> | <u>15'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Forest Green Oak</u> | <u>Quercus frainetto 'Schmidt'</u> | <u>50'</u> | <u>30'</u> | <u>X</u> | | | <u>X</u> |
| <u>Galaxy Magnolia</u> | <u>Magnolia 'Galaxy'</u> | <u>35'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Glenleven Linden</u> | <u>Tilia cordata 'Gleneven'</u> | <u>45'</u> | <u>30'</u> | | <u>X</u> | | <u>X</u> |
| <u>Glorybower Tree</u> | <u>Clerodendrum trichotomum</u> | <u>20'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | |
| <u>Golden Desert Ash</u> | <u>Fraxinus excelsior 'Aureafolia'</u> | <u>25'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | |
| <u>Goldenrain Tree</u> | <u>Koelreuteria paniculata</u> | <u>20-40'</u> | <u>20-40'</u> | | <u>X</u> | | <u>X</u> |
| <u>Green Ash</u> | <u>Fraxinus pennsylvanica</u> | <u>50-60'</u> | <u>45'</u> | | <u>X</u> | | <u>X</u> |
| <u>Green Vase Zelkova</u> | <u>Zelkova serrata 'Green vase'</u> | <u>50'</u> | <u>40'</u> | | <u>X</u> | | <u>X</u> |
| <u>Hackberry</u> | <u>Celtis occidentalis</u> | <u>60-80'</u> | <u>40-60'</u> | | <u>X</u> | | <u>X</u> |
| <u>Hedge Maple</u> | <u>Acer campestre</u> | <u>30'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Jacquemontii Birch</u> | <u>Betula jacquemontii</u> | <u>40'</u> | <u>30'</u> | <u>X</u> | | | <u>X</u> |
| <u>Japanese Hornbeam</u> | <u>Carpinus japonicus</u> | <u>20-30'</u> | <u>12-15'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Japanese Maple</u> | <u>Acer palmatum</u> | <u>8-20'</u> | <u>6'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Japanese Pagoda Tree</u> | <u>Sophora japonica</u> | <u>50-70'</u> | <u>50-70'</u> | | <u>X</u> | | <u>X</u> |
| <u>Japanese Snowbell</u> | <u>Styrax japonicum</u> | <u>20-30'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Japanese Tree Lilac</u> | <u>Syringa reticulata</u> | <u>25'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>June Snow Giant Dogwood</u> | <u>Cornus controversa 'June snow'</u> | <u>40'</u> | <u>30'</u> | <u>X</u> | | | <u>X</u> |
| <u>Katsura Tree</u> | <u>Cercidiphyllum japonicum</u> | <u>40-60'</u> | <u>20-30'</u> | | <u>X</u> | | <u>X</u> |
| <u>Legacy Sugar Maple</u> | <u>Acer saccharum 'Legacy'</u> | <u>50'</u> | <u>35'</u> | | <u>X</u> | | <u>X</u> |
| <u>Lilacs</u> | <u>Syringa spp.</u> | <u>6-20'</u> | <u>6-20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Little Leaf Linden</u> | <u>Tilia cordata</u> | <u>30-50'</u> | <u>30'</u> | | <u>X</u> | | <u>X</u> |
| <u>Maidenhair Tree</u> | <u>Ginkgo biloba</u> | <u>40-70'</u> | <u>25-35'</u> | | <u>X</u> | | <u>X</u> |
| <u>Metro Gold Hedge Maple</u> | <u>Acer campestre 'Panacek'</u> | <u>30'</u> | <u>25'</u> | | <u>X</u> | | <u>X</u> |
| <u>Mountain Ash</u> | <u>Sorbus spp.</u> | <u>10-30'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |

| <u>Common Name</u> | <u>Scientific Name</u> | <u>Mature Height</u> | <u>Canopy Spread</u> | <u>Minimum Park Strip Width</u> | | <u>Overhead Powerlines</u> | |
|------------------------------------|--|----------------------|----------------------|---------------------------------|---------------|----------------------------|-----------|
| | | | | <u>4 feet</u> | <u>8 feet</u> | <u>Yes</u> | <u>No</u> |
| <u>Newport Plum</u> | <u>Prunus cerasifera</u> | <u>20'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Norwegian Sunset Maple</u> | <u>Acer truncatum x Acer platanoides</u> | <u>35'</u> | <u>25'</u> | <u>X</u> | | | <u>X</u> |
| <u>Pacific Sunset Maple</u> | <u>Acer truncatum x Acer platanoides</u> | <u>30'</u> | <u>25'</u> | <u>X</u> | | | <u>X</u> |
| <u>Paperbark Maple</u> | <u>Acer griseum</u> | <u>20-30'</u> | <u>20-30'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Persian Parrotia</u> | <u>Parrotia persica</u> | <u>35'</u> | <u>20'</u> | <u>X</u> | | | <u>X</u> |
| <u>Pin Oak</u> | <u>Quercus palustris</u> | <u>60-80'</u> | <u>40'</u> | | <u>X</u> | | <u>X</u> |
| <u>Pyramidal European Hornbeam</u> | <u>Carpinus betulus 'Fastigiata'</u> | <u>40'</u> | <u>25'</u> | <u>X</u> | | | <u>X</u> |
| <u>Queen Elizabeth Maple</u> | <u>Acer campestre 'Evelyn'</u> | <u>35'</u> | <u>30'</u> | <u>X</u> | | | <u>X</u> |
| <u>Raywood Ash</u> | <u>Fraxinus oxycarpa</u> | <u>30-40'</u> | <u>20-30'</u> | | <u>X</u> | | <u>X</u> |
| <u>Red Barron Crabapple</u> | <u>Malus 'Red Baron'</u> | <u>18'</u> | <u>8'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Red Oak</u> | <u>Quercus rubra</u> | <u>60-75'</u> | <u>40'</u> | | <u>X</u> | | <u>X</u> |
| <u>Red Maple</u> | <u>Acer rubrum</u> | <u>40-50'</u> | <u>40-50'</u> | | <u>X</u> | | <u>X</u> |
| <u>Redmond Linden</u> | <u>Tilia americana 'Redmond'</u> | <u>40'</u> | <u>25'</u> | | <u>X</u> | | <u>X</u> |
| <u>Redspire Pear</u> | <u>Pyrus calleryana 'Redspire'</u> | <u>35'</u> | <u>25'</u> | <u>X</u> | | | <u>X</u> |
| <u>Red Sunset Maple</u> | <u>Acer rubrum 'Franksred'</u> | <u>45'</u> | <u>35'</u> | | <u>X</u> | | <u>X</u> |
| <u>Rocky Mountain Glow Maple</u> | <u>Acer grandidentatum 'Schmidt'</u> | <u>25'</u> | <u>15'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Rocky Mountain Maple</u> | <u>Acer glabrum</u> | <u>20-35'</u> | <u>20-25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Rocky Mountain White Oak</u> | <u>Quercus gambelli</u> | <u>20-30'</u> | <u>20-30'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Sango Kaku Japanese Maple</u> | <u>Acer Palmatum 'Sango Kaku'</u> | <u>18'</u> | <u>14'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Saratoga Ginkgo</u> | <u>Ginkgo biloba 'Saratoga'</u> | <u>35'</u> | <u>30'</u> | <u>X</u> | | | <u>X</u> |
| <u>Saucer Magnolia/Tulip Tree</u> | <u>Magnolia x soulangiana</u> | <u>15-30'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Sawtooth Oak</u> | <u>Quercus acutissima</u> | <u>40'</u> | <u>40'</u> | | <u>X</u> | | <u>X</u> |
| <u>Scarlet Oak</u> | <u>Quercus coccinea</u> | <u>50-80'</u> | <u>45'</u> | | <u>X</u> | | <u>X</u> |
| <u>September Goldenrain</u> | <u>Koelreuteria paniculata 'September'</u> | <u>30'</u> | <u>25'</u> | <u>X</u> | | <u>X</u> | |
| <u>Smoke Tree</u> | <u>Cotinus coggygia</u> | <u>10-15'</u> | <u>15'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Snowcloud</u> | <u>Amelanchier laevis</u> | | | | | | |
| <u>Serviceberry/Juneberry</u> | <u>'Snowcloud'</u> | <u>25'</u> | <u>15'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Sourwood</u> | <u>Oxydendrum arboreum</u> | <u>35'</u> | <u>20'</u> | | <u>X</u> | | <u>X</u> |
| <u>Sterling Linden</u> | <u>Tilia tomentosa 'Sterling'</u> | <u>45'</u> | <u>35'</u> | <u>X</u> | | | <u>X</u> |
| <u>Sunburst Honeylocust</u> | <u>Gleditsia triacanthos 'Sunburst'</u> | <u>45'</u> | <u>35'</u> | | <u>X</u> | | <u>X</u> |
| <u>Swamp White Oak</u> | <u>Quercus bicolor</u> | <u>45'</u> | <u>45'</u> | | <u>X</u> | | <u>X</u> |

| <u>Common Name</u> | <u>Scientific Name</u> | <u>Mature Height</u> | <u>Canopy Spread</u> | <u>Minimum Park Strip Width</u> | | <u>Overhead Powerlines</u> | |
|------------------------------|--|----------------------|----------------------|---------------------------------|---------------|----------------------------|-----------|
| | | | | <u>4 feet</u> | <u>8 feet</u> | <u>Yes</u> | <u>No</u> |
| <u>Tatarian Maple</u> | <u>Acer tataricum</u> | <u>20-25'</u> | <u>20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Tricolor Beech</u> | <u>Fagus sylvatica 'Purpurea Tricolor'</u> | <u>35'</u> | <u>25'</u> | <u>X</u> | | | <u>X</u> |
| <u>Trident Maple</u> | <u>Acer buergeranum</u> | <u>20-30'</u> | <u>25-30'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Tulip Tree</u> | <u>Liriodendron tulipifera</u> | <u>60'</u> | <u>30'</u> | | <u>X</u> | | <u>X</u> |
| <u>Turkish Filbert</u> | <u>Corylus colurna</u> | <u>40'</u> | <u>30'</u> | | <u>X</u> | | <u>X</u> |
| <u>Urbanite Ash</u> | <u>Fraxinus pennylvanica 'Urbanite'</u> | <u>50'</u> | <u>40'</u> | | <u>X</u> | | <u>X</u> |
| <u>Village Green Zelkova</u> | <u>Zelkova serrata 'Village Green'</u> | <u>40'</u> | <u>38'</u> | | <u>X</u> | | <u>X</u> |
| <u>Vine Maple</u> | <u>Acer circinatum</u> | <u>20-25'</u> | <u>20-25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>White Ash</u> | <u>Fraxinus americana</u> | <u>60-80'</u> | <u>50'</u> | | <u>X</u> | | <u>X</u> |
| <u>White Fringe</u> | <u>Chionanthus virginicus</u> | <u>12-20'</u> | <u>12-20'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Winged Sumac</u> | <u>Rhus copallinum</u> | <u>15-25'</u> | <u>15-25'</u> | <u>X</u> | | <u>X</u> | <u>X</u> |
| <u>Yellow Wood</u> | <u>Cladrastis kentukea</u> | <u>30-45'</u> | <u>30-45'</u> | | <u>X</u> | | <u>X</u> |
| <u>Zelkova</u> | <u>Zelkova serrata</u> | <u>50-80'</u> | <u>40-60'</u> | | <u>X</u> | | <u>X</u> |

Amendments to Zoning and Development Ordinance Section 90.110:

90.110 Specific Requirements for Certain Land Uses.

A. Parking Areas. Screening of parking areas serving more than ten (10) vehicles is required as follows:

1. Parking areas shall include special design features, which effectively screen these areas from view. Such design features may include landscaped berms, decorative walls or raised planters.
2. Landscape planters may be used to define or screen off street parking areas from the public right-of-way.
3. Materials used shall achieve a balance between low growing and vertical shrubbery and trees.
4. Trees shall be planted in landscaped islands in all parking areas and shall be uniformly distributed at a rate of one (1) tree for each seven (7) spaces, or fraction thereof, to achieve a canopy effect.
5. The minimum dimension of landscaped islands shall be three (3) feet and plant materials shall be protected from vehicular damage by wheel guards or curbs.

B. Refuse Containers or Areas. Any refuse container or disposal area, which would be visible from a public street or right-of-way, shall be screened from view by placement of a

solid screen (e.g., wood fence, masonry or stone wall) not less than five (5) feet in height. Fences shall not exceed seven (7) feet in height. All refuse material shall be contained within the screened area.

CB. Outdoor Swimming Pools. All swimming pools having a depth of two (2) feet or more shall be enclosed by a fence, preventing passage, having a minimum height of four (4) feet. Fences shall have a self-latching gate.

DC. Compliance. ~~The requirements stated in subsection A, Parking Lots, shall pertain only to new parking lots developed after the passage of this Ordinance.~~ The requirements stated in Section ~~BA~~, Refuse Containers or Areas; and ~~CB~~, Outdoor Swimming Pools, shall apply to existing refuse containers and areas and to existing outdoor swimming pools. All applicable screening and landscaping requirements shall be met within one (1) year from the effective date of this Ordinance.

Amendments to Zoning and Development Ordinance Sections 91.330 and 91.340:

91.330 Permitted Uses. Within any MX Zone, no structure shall be used, constructed, erected, or altered, and no lot shall be used or occupied for any purposes except the following:

E. **Residential Care Homes and Facilities.** Residential care homes are residential treatment or training homes or adult foster homes licensed by the State of Oregon. They may provide residential care alone, or in conjunction with treatment and/or training, for five (5) or fewer individuals ("homes") or six (6) to fifteen (15) individuals ("facilities") who need not be related. Staff persons required to meet State licensing requirements shall not be counted in the number of facility residents and need not be related to each other or the residents. Residential care homes and facilities shall comply with the following standards, consistent with ORS 197.660-670:

1. **Licensing.** All residential care homes shall be duly licensed by the State of Oregon.
2. **Parking.** A minimum of one (1) parking space shall be provided for each employee and typical number of visitors, in accordance with Sections 96.005 to 96.030~~45~~ "Parking."

91.340 Conditional Uses. If authorized under the procedures provided for conditional uses in this Ordinance, the following uses will be permitted in the MX Zone:

A. **Neighborhood Commercial Land Uses.** All neighborhood commercial uses shall comply with the following standards, which are intended to promote land use compatibility and transition between neighborhood commercial and residential uses.

3. **Location and Access.** Neighborhood commercial developments shall have frontage onto a collector or arterial with available on-street parking on adjacent minor collector or local streets, and shall conform to the building orientation, parking location, and pedestrian access and circulation standards in Sections 96.005~~0~~ to 96.035~~45~~.

Amendments to Zoning and Development Ordinance Section 92.045:

92.045 Parking. Parking and loading spaces for uses and activities in the CO Zone shall be provided in accordance with the requirements of Sections 96.005 to 96.03045, "Parking."

Amendments to Zoning and Development Ordinance Section 92.145:

92.145 Parking. Parking and loading spaces for uses and activities in the CH Zone shall be provided in accordance with the requirements of Sections 96.005 to 96.03045, "Parking."

Amendments to Zoning and Development Ordinance Section 92.240:

92.240 Parking. Parking and loading spaces for uses and activities in the CR Zone shall be provided in accordance with the requirements of 96.0050 to 96.03045, "Parking."

Amendments to Zoning and Development Ordinance Section 92.355:

92.355 Parking. Parking and loading spaces for uses and activities in the CRT Zone shall be provided in accordance with the requirements of Sections 96.005 to 96.03045, "Parking" and shall be determined by the actual or proposed use of the property.

Amendments to the Zoning and Development Ordinance Section 93.042:

93.042 Development Standards.

All development in the IL Zone shall comply with the following provisions and all other applicable provisions of this Ordinance:

A. Off-street parking. Off-street parking shall conform to the standards of Sections 96.005 to 96.03045, "Parking".

Proposed amendments to Zoning and Development Ordinance Section 93.137:

93.137 Development Standards

All development in the IP Zone shall comply with the following provisions and all other applicable provisions of this Ordinance:

A. Off-street parking. Off-street parking shall conform to the standards of Sections 96.005 to 96.03045, "Parking".

Amendments to Zoning and Development Ordinance Section 93.235:

93.235 Development Standards. All development in the General Industrial Zone shall comply with the following provisions and all other applicable provisions of this Ordinance:

A. Off-street parking. Off-street parking shall conform to the standards of Sections 96.005 to 96.03045, "Parking".

Amendments to Zoning and Development Ordinance Section 94.050:

94.050 Parking. Parking and loading spaces for uses and activities in the PS Zone shall be provided in accordance with the requirements of Sections 96.005 to 96.03045, "Parking."

Amendments to Zoning and Development Ordinance Section 94.140:

94.140 Campus Planning Criteria. Within the boundaries of WOU, the Campus Development Plan shall conform to the following general planning criteria:

F. Off-street parking:

1. Provide and maintain a minimum of one (1) off-street parking space for each 2.5 full-time-equivalent student, faculty and staff.
2. Parking areas shall generally conform to the requirements of Sections 96.005, 96.0150, 96.020, 96.02530 and 96.03045. Other sections of Sections 96.0050 to 96.03045 do not apply to the PSC Zone.
3. **Parking Lot Access.** Access to parking lots shall be limited to curb cuts no wider than 25 feet. Curb cuts shall be not closer to street intersections than 50 feet. Parking lots shall have no more than one (1) curb cut per each side of street frontage. Driving aisles within parking lots shall be a minimum of 25 feet wide.

Amendments to Zoning and Development Ordinance Section 96.225:

96.225 Parking in Required Yards. Parking in required yard areas is permitted in certain cases depending upon the zoning of both the subject property and the zoning of adjacent property, and subject to the provisions of Sections 96.005 to 96.03045, "Parking."

Amendments to Zoning and Development Ordinance Section 97.235:

97.235 Development Standards.

O. Recreational Vehicle (RV) Parking Area. Manufactured home subdivisions may include RV parking areas in their design. If included, such RV parking areas shall conform to the requirements of the Zoning Ordinance, Sections 96.0050 to 96.03045, "**Parking**". The RV parking area shall have a surface of asphaltic concrete or Portland Cement Concrete. Each space designated for the parking of recreational vehicles shall have a minimum width of ten (10) feet, a minimum length of 22 feet, and sufficient area beyond the space to allow the entry and exit of recreational vehicles.

Amendments to Zoning and Development Ordinance Section 96.245:

96.245 Projections into Required Rear Yards.

- A. Cornices, eaves, gutters, fire escapes, outside stairways or other unenclosed, unroofed projections may extend into a required rear yard a maximum distance of five (5) feet.
- B. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, gutters, and other ornamental features may project not more than 1-1/2 feet into a required rear yard.
- C. Uncovered patios, porches, and decks attached to the main building and having a height of two (2) feet or less may extend to the rear property line.
- ~~D. Garden sheds or accessory structures that are less than 500-square feet in size or under ten (10) feet in height may be placed within three (3) feet of a side or rear property line.~~

Amendments to the Sign Code – Chapter 81 of the City Code.

81.020 Exempt Signs. The following signs, when they meet the stated provisions, are not subject to the other provisions of this Sign Code, except for the enforcement, penalty provisions and vision clearance requirements.

A. “A-board” signs provided:

- (1) The display/structure height does not exceed 40” tall, nor 24” inches wide, except at an intersection, as defined in Appendix B.
- (2) There is only one sign per business.
- (3) The sign is located immediately adjacent to either the building or to the curb which adjoins the sidewalk adjacent to the building, to preclude interference with pedestrian traffic.
- (4) The sign is displayed only during hours when the business is open.

B. Garage sale signs: See MCC (Monmouth City Code) 61.180.

C. “MANAGED BY __” sign, provided it does not exceed three (3) square feet.

D. Memorial tablets, cornerstones, or similar plaques provided they do not exceed six (6) square feet in size.

E. Signs painted on, or placed upon a window, in a non-residential zone, provided such signs do not obscure more than fifty (50) percent of such window. ~~Signs which remain longer than thirty (30) days will be considered permanent and must comply with the provisions of the Sign Code that regulate permanent signs.~~

F. Small, incidental signs, provided they do not exceed two (2) square feet in size. Such signs are limited to two (2) non-illuminated, exterior signs per lot or one (1) per street frontage, whichever is greater.

G. Neon signs tube lighting, provided they that it does not exceed two (2) square feet in size. Such signs are Neon tube lighting is limited to one (1) two (2) per street frontage, provided that one (1) is an “Open” sign.

H. “PRIVATE PARKING” signs, not exceeding two (2) square feet.

I. Real estate directional signs not exceeding two (2) square feet in size.

J. Seasonal signs and lighting provided that the display is only visible for 90 days per calendar year.

K. Any sign within a building that communicates only to persons within a building, unless otherwise noted.

L. Strings of lights in non-residential zones, provided they:

- (1) do not exceed five (5) watts per bulb, and
- (2) the bulbs are placed no closer than six (6") inches apart and
- (3) the bulbs do not flash or blink in any way, seasonal lighting excepted.

M. Temporary, non-illuminated signs meeting the following criteria:

- (1) Real estate or construction signs, that do not exceed six (6) square feet in residential zones or 32 square feet in commercial and industrial zones. Such signs shall be removed within seven (7) days from the sale, lease or rental of the property or completion of the project.
- (2) One residential development promotional sign not exceeding 32 square feet may remain during the promotion of the project.
- (3) Signs for charitable fund raisings, sales, or temporary events, provided they do not exceed 16 square feet. Such signs shall not be placed more than fourteen (14) days prior to the event and must be removed within two (2) days of the conclusion of the event. Limit of six (6) such event signs per lot per year.
- (4) Political signs, provided they do not exceed six (6) square feet in size. Such signs are to be erected no more than 60 days prior to, and removed within seven (7) days following an election.
- (5) Temporary Promotional Signs. Displays for a center-wide promotion or event that are removed immediately upon cessation of such event or promotion.

N. Directional and informational signs placed by a government or governmental agency, including, but not limited to traffic signs, lights and signals ~~placed by a governmental agency.~~

O. Advertising signs placed at a sports facility owned by a government or governmental agency.

81.030 Prohibited Signs. The following signs are prohibited.

A. All signs not specifically exempt from or allowed by the Sign Code.

~~B. Bulletin boards or Reader Boards, except as allowed in MCC 81.090 B(6).~~

~~C. Flashing, **animated, moving, or rotating** signs and strobe lights, except time and temperature signs.~~

~~D. Movable, temporary, or bench signs except as may be authorized in MCC 81.020.~~

- ED. Moving, rotating, or otherwise animated signs or parts thereof, except barber poles.
- FE. Obscene signs.
- GF. Obsolete signs.
- HG. Off-premises signs, except as exempt in MCC 81.020.
- IH. Public address system or sound devices used in conjunction with any sign.
- J. Signs which consist of flags, posters, pennants, ribbons, streamers, strings of light bulbs, spinners or elements creating sound, except as exempt from this Sign Code pursuant to MCC 81.020 L.
- KJ. Three-dimensional statue, caricature or representation of persons, animals or merchandise as a sign or incorporated into a sign structure, except by Variance.
- LK. A sign described in MCC 81.020 N not placed by a government or governmental agency, or which hides from view any such sign placed by a government or governmental agency.
- ML. Wall graphics or murals except by permission of the City Council.
- NM. Wind sign or device.
- ON. Any sign placed so that it obstructs any fire escape, stairway or standpipe, or that interferes with human exit through any upper story window, or other emergency access/egress.
- PO. Signs that are trailer mounted for advertising purposes, except signs exempt from this Sign Code under MCC 81.020 M(5).

81.090 Signs in Commercial, Industrial and Main Street District Zones:

B. Types of Signs Permitted.

- (6) ~~Bulletin Board or~~ Electronic Reader Board. Forty percent of permitted sign area is allowed as ~~an bulletin board or~~ electronic reader board, subject to the following requirements.

(a) Maximum sign area: 24 square feet.

(b) Maximum height: Four (4) feet.

(c) Maximum length: Twelve (12) feet.

(d) A maximum of two (2) lines of text shall be displayed at once.

- (e) Scrolling text is allowed; however, text shall not be flashing and the display shall not contain any special effects or additional animation beyond scrolling.
- (f) Scrolling speed shall be constant and shall not exceed five (5) characters per second.
- (g) Scrolling motion shall be from left to right or from top to bottom and shall be unidirectional as opposed to variable.
- (h) Other than scrolling as set forth above, sign content as defined may be changed no more frequently than once every 10 seconds.
- (i) The sign shall only display letters, numbers and punctuation marks, intended to convey a message in narrative form. Said message shall be limited to advertising items available on the premises, conveying information pertinent to services provided on the premises, promoting community events, and displaying time and temperature.
- (j) All copy shall be the same single solid color.
- (k) All copy shall be the same font type and size.
- (l) All copy shall contrast sufficiently with the background in order to allow for ease of reading.
- (m) The background shall be a single solid color.

81.150 Definitions Relating to Signs.

Animated (Moving) Sign: Any sign or permanent structure that uses movement, projection, or change of lighting or other electrical impulses to depict action or create a special effect.

Bulletin Board (or Reader Board). A sign of a permanent nature, but which has manually changeable copy or remotely changeable electronic copy. This does not include electronic changeable copy that is repetitive, flashing, scrolling, or short duration sequencing.

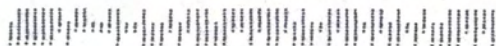
Electronic Message Center Reader Board. An electronically-controlled, changeable copy sign that consists in whole or in part of light emitting diodes (LEDs), ~~including all its controls, with a face of recessed lamp bulbs with display copy.~~ Such signs shall only display an ordered sequence of letters, numbers and/or punctuation marks intended to transmit a message. The message shall refer exclusively to items or services available on the premises, community events, or time and temperature.

Neon tube lighting. Any electric discharge lighting tube sign, regardless of fill gas used. Fluorescent lighting used as internal sign illumination source is excepted A sign that includes one or more directly visible neon tube light sources or lighting sources of a similar nature, such as light emitting diodes (commonly known as LED displays), or a sign that includes lighting that creates a similar visual effect as neon tube light sources.

Permanent sign: A sign, authorized by a Sign Permit, attached to a building, structure, or ground, which will be permanently in place for the duration of the permit use. Examples of permanent signs include wall signs, projecting signs, freestanding or monument signs, and marquee or awning signs.

Reader Board (or Bulletin Board). A sign of permanent nature, but which has manually changeable copy or remotely changeable electronic copy. This does not include electronic changeable copy that is repetitive, flashing, scrolling, or short duration sequencing.

Rotating Sign: A sign that revolves, rotates, or otherwise moves, in whole or part.



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