



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, OR 97301-2540

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NOTICE OF ADOPTED AMENDMENT

06/24/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Banks 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: Friday, July 05, 2013

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: K.J. Won, City of Banks
Gordon Howard, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative

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FORM 2

DLCD

Notice of Adoption

In person electronic mailed

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DEPT OF

JUN 17 2013

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **20-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

Jurisdiction: **City of Banks**

Local file number: **ZCA-81-12**

Date of Adoption: **6/11/2013**

Date Mailed: **6/13/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 11/19/2012

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".

Banks City Council adopted Ord #2013-06-01 that amends the Banks Zoning Code. These changes provide updated zoning regulations for residential districts and create four new residential districts, including 1 mixed use zone, that will serve to implement the City's long term housing needs. The new districts conform with the land uses designated in the City's adopted UGB and will be assigned accordingly to individual properties within the UGB expansion area following their annexation into the City.

Does the Adoption differ from proposal? Please select one

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **N/A**

Acres Involved: **0**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

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

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File No. 001-12 (19584) [17489]

DLCD file No. _____

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

Local Contact: **Jolynn Becker**

Phone: (503) 324-5112 Extension:

Address: 13680 NW Main Street

Fax Number: 503-324-6674

City: **Banks**

Zip: 97106-

E-mail Address: **jbecker@cityofbanks.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 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.



ORDINANCE NO. 2013-06-01

**AN ORDINANCE AMENDING AND REPEALING PORTIONS OF
CHAPTER 151 OF THE BANKS CODE OF ORDINANCES TO ESTABLISH NEW
RESIDENTIAL ZONING DISTRICTS AND DEVELOPMENT STANDARDS**

WHEREAS, the Banks City Council adopted Ordinance No. 110.30 amending the Banks Comprehensive Plan to update the city's long term housing and residential land needs, and has initiated a legislative process to amend Chapter 151, Banks Zoning Code (BZC) in conformance with the adopted land needs; and

WHEREAS, the proposed zoning code amendments will serve to implement the "Housing/Land Needs Model" provided by the Oregon Housing and Community Services for the City; and

WHEREAS, the proposed zoning code amendments comply with the residential housing densities adopted by Ordinance No. 110.30; and

WHEREAS, the proposed zoning code amendments to the residential districts are necessary and will be assigned accordingly to properties located within the Urban Growth Boundary (UGB) expansion area per Ordinance 2011-04-01, following future annexations into the City of Banks; and

WHEREAS, the proposed zoning code amendments are attached as City file ZCA-81-12 (Exhibit A) and will add or revise present code sections in Chapter 151, BZC; and

WHEREAS, the Banks Planning Commission has considered the proposed zoning code amendments on November 27, 2012 and unanimously adopted a motion to forward the proposal to City Council with a recommendation that Council adopt the proposed amendments; and

WHEREAS, the "DLCD Notice of Proposed Amendment" was delivered to the DLCD Salem office in accord with ORS 197.610 and OAR 660-018-0020; and

WHEREAS, the Banks City Council has conducted the first evidentiary hearing on December 11, 2012 regarding the proposed amendment and accepted the Planning Commission's recommendation.


NOW THEREFORE, THE CITY OF BANKS ORDAINS AS FOLLOWS:

Section 1. Amend The Banks Code of Ordinances TITLE XV LAND USAGE, CHAPTER 151: ZONING CODE SECTIONS ADOPTION BY REFERENCE, as specified in Exhibit A.

Section 2. This ordinance becomes effective thirty days after passage.

BROUGHT BEFORE the Banks City Council on May 14, 2013.


ADOPTED BY the Banks City Council on June 11, 2013.



Mayor Peter C. Edison

Summary of Votes:

Brian Biehl	Yes/No	Absent
Rob Fowler	<input checked="" type="radio"/> Yes/No	
Christy Greagor	<input checked="" type="radio"/> Yes/No	
Mark Gregg	<input checked="" type="radio"/> Yes/No	
Dan Keller	<input checked="" type="radio"/> Yes/No	
Craig Stewart	Yes/No	Absent

Attest: 

Angie Lanter, Interim City Recorder

EXHIBIT A

151.022 ZONING CLASSIFICATION DISTRICTS AND SUB-DISTRICTS

The City is divided into the following zoning classification districts and sub-districts, with applicable abbreviated designation/suffix:

<u>Districts</u>	<u>Abbreviated Designation</u>
LOW DENSITY SINGLE-FAMILY	LDSF
SINGLE-FAMILY RESIDENTIAL	R5
HIGH DENSITY SINGLE-FAMILY	HDSF
MULTI-FAMILY RESIDENTIAL	R2.5
HIGH DENSITY MULTI-FAMILY	HDMF
MIXED USE	MU
COMMUNITY FACILITIES	CF
GENERAL COMMERCIAL	C
GENERAL INDUSTRIAL	I

<u>Sub-Districts</u>	<u>Suffix</u>
PLANNED UNIT DEVELOPMENT	PD
HISTORIC RESOURCE OVERLAY	H

Section 151.040 is repealed and replaced in its entirety as follows:

151.040 PERMITTED LAND USES IN RESIDENTIAL ZONING DISTRICTS

The intent and purpose of each residential zoning district is described as follows:

(A) Low Density Single-Family (LDSF) District is intended to provide single-family detached dwellings in a low density residential environment.

(B) Single-Family Residential (R5) District is intended to provide single-family detached dwellings in a medium density residential environment.

(C) High Density Single-Family (HDSF) District is intended to provide single-family attached dwellings in a higher density residential environment.

(D) Multi-Family Residential (R2.5) District is intended to provide multi-family dwellings in a medium density residential environment.

(E) High Density Multi-Family (HDMF) District is intended to provide multi-family dwellings in a higher density residential environment.

(F) Mixed-Use (MU) District is intended to provide a mix of medium density residential uses together with small to medium scale retail and service commercial plus civic uses that emphasize a pedestrian environment.

The land uses listed in Table 151.040-A are permitted in the residential zoning districts as shown, subject to the provisions of this Chapter. Only land uses which are specifically listed in Table 151.040-A, and land uses which are approved as “similar” to those listed in this table may be permitted. Land uses identified as “sub-district” are subject to the provisions of Section 151.021. Land uses designated with a “CU” require Conditional Use approval prior to development or a change in use, in accordance with Sections 151.115 – 115.122.

Table 151.040-A
Land Uses Permitted in Residential Zoning Districts

<u>Land Use</u>	<u>LDSF</u>	<u>R5</u>	<u>HDSF</u>	<u>R2.5</u>	<u>HDMF</u>	<u>MU</u>
<u>Single-Family Detached Housing</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>S**</u>
<u>Accessory Dwelling Unit</u>	<u>S*</u>	<u>S*</u>	<u>S*</u>	<u>S*</u>	<u>S*</u>	<u>S*</u>
<u>Single-Family Attached Housing</u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>S**</u>
<u>Manufactured Home – individual lot</u>	<u>S****</u>	<u>S****</u>	<u>S****</u>	<u>S****</u>	<u>N</u>	<u>S****</u>
<u>Manufactured Home Park</u>	<u>S*****</u>	<u>S*****</u>	<u>S*****</u>	<u>CU</u>	<u>N</u>	<u>S*****</u>
<u>Two-Family Housing (Duplex)</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>
<u>Multi-Family Housing</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>S**</u>
<u>Residential Home</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>S**</u>
<u>Daycare Facility</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>S**</u>
<u>Home Occupation</u>	<u>S***</u>	<u>S***</u>	<u>S***</u>	<u>S***</u>	<u>S***</u>	<u>S***</u>
<u>Agriculture and Horticulture</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Accessory Structure or Use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Church and Place of Worship</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>

<u>Land Use</u>	<u>LDSF</u>	<u>R5</u>	<u>HDSF</u>	<u>R2.5</u>	<u>HDMF</u>	<u>MU</u>
<u>Club, Lodge and Similar Use</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
<u>Government Office and Facilities</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
<u>Library, Museum and Comm. Center</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
<u>Wireless Communication Facility</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>N</u>
<u>Public Park and Recreational Facility</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>N</u>
<u>Public and Private School</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>N</u>
<u>Bed and Breakfast</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>
<u>Live/Work Residence</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>
<u>Retail Sales and Service</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S**</u>
<u>Prof. and Administrative Offices</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S**</u>
<u>Medical and Dental Offices/Clinic</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S**</u>
<u>Food/Beverage Sales, No Drive-Thru</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S**</u>
<u>Similar Use per Section 151.178 (A)</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>

Key:

- P = Permitted, subject to site/development review
- S* = Permitted, with standards per Section 151.041(D)
- S** = Permitted, with standards per Section 151.041(B)
- S*** = Permitted, with standards per Section 151.122
- S**** = Permitted, with standards per Section 151.041(F)
- S***** = Permitted, with standards per Section 151.121
- CU = Conditional Use required per Section 151.116
- N = Not permitted

Section 151.041 is repealed and replaced in its entirety as follows:

151.041 DEVELOPMENT STANDARDS.

- (A) The development standards in Table 151.041-A apply to all uses, structures, buildings, and development allowed in the Residential Districts.

**Table 151.041-A
Development Standards in Residential Zoning Districts**

<u>Development Standard</u>	<u>LDSF</u>	<u>R5</u>	<u>HDSF</u>	<u>R2.5</u>	<u>HDMF</u>	<u>MU</u>
<u>Minimum Density (DU/Net Acre.)</u>	<u>6.22</u>	<u>8.71</u>	<u>10.89</u>	<u>17.42</u>	<u>24.00</u>	<u>10.00</u>
<u>Minimum Lot Area (square feet)</u>	<u>7,000*</u>	<u>5,000*</u>	<u>4,000</u>	<u>5,000</u>	<u>10,000</u>	<u>S**</u>
<u>Minimum Lot Width (feet)</u>	<u>70</u>	<u>50</u>	<u>40</u>	<u>50</u>	<u>100</u>	<u>S**</u>
<u>Minimum Lot Depth (feet)</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>S**</u>
<u>Maximum Building Coverage (%)</u>	<u>40</u>	<u>40</u>	<u>50</u>	<u>50</u>	<u>60</u>	<u>S**</u>
<u>Setback Requirements:</u>						
<u>Minimum Front Yard (feet)</u>	<u>20</u>	<u>20</u>	<u>15</u>	<u>20</u>	<u>15</u>	<u>S**</u>
<u>Minimum Side Yard (feet)</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>S**</u>
<u>Minimum Street Side Yard (feet)</u>	<u>15</u>	<u>15</u>	<u>10</u>	<u>15</u>	<u>10</u>	<u>S**</u>
<u>Minimum Rear Yard (feet)</u>	<u>15***</u>	<u>15***</u>	<u>15***</u>	<u>15***</u>	<u>15***</u>	<u>S**</u>
<u>Maximum Building Height (feet)</u>	<u>30</u>	<u>30</u>	<u>35</u>	<u>30</u>	<u>35</u>	<u>S**</u>

Key:

- *= Maximum lot size in LDSF Zone is 10,000 sf, and a duplex in LDSF or R5 Zones requires a minimum lot size of 9,000 sf.
- **=See standard specified in Section 141.041(B).
- ***=Accessory structure allowed a minimum rear yard of 5 Feet.

(B) MIXED USE. The development standards below apply to all uses, structures, buildings, and development allowed in the Mixed Use District.

(1) Mixed Use Development Required. Residential uses with commercial or civic uses shall be included as part of a mixed use development. Both “vertical” mixed use (housing above the ground floor), and “horizontal” mixed use (housing on the ground floor) developments are allowed, subject to the standards cited in Section 151.041.001 herein.

(a) “Mixed-use Building” means a building that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.

- (b) “Gross Floor Area” is the sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one-half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use’s minimum parking standard), attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.
- (2) Limitation on Street Level Housing. No more than 50 percent of a single street frontage shall be occupied by residential uses. This standard is intended to reserve store front space for commercial and civic uses. It does not limit residential uses above the street level on upper stories, or behind street level store fronts.
- (3) Density. The minimum residential density standard is 10 dwelling units per net acre. There is no maximum density standard, and development shall otherwise be controlled by standards specified for the MU District.
- (4) Commercial Establishment Size Limits. The gross floor area of commercial establishments in the MU District shall not exceed 10,000 square feet.
- (5) Indoor/Outdoor Operations. All permitted uses shall be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas.
- (6) Floor-to-Floor Heights and Floor Area of Ground-Floor Space.
- (a) All commercial floor space provided on the ground floor of a mixed-use building shall have a minimum floor-to-ceiling height of 11 feet for new building construction.
- (b) All commercial floor space provided on the ground floor of a mixed-use building shall contain the following minimum floor area:
- (i.) At least 800 square feet or 25 percent of the lot area (whichever is greater) on lots with street frontage of less than 50 feet; or
- (ii.) At least 20 percent of the lot area on lots with 50 feet of street frontage or more.
- (7) Lot Area per Unit. The minimum lot area per dwelling unit shall be 4,356 square feet for mixed-use buildings.

(8) Floor Area Ratio. The maximum FAR, which means the ratio of a building's gross floor area to the area of the lot on which the building is located, shall be 2.0 for mixed-use buildings.

(9) Setbacks.

(a) The entire building façade shall either abut front and street side property lines or be located within 10 feet of such property lines.

(b) The minimum rear setback shall be 20 percent of the lot depth.

(c) No interior side setbacks are required, except when MU-zoned property abuts residentially zoned property, in which case the minimum side setback required in the MU District shall be the same as required for the abutting residentially zoned lot.

(10) Building Height. The maximum building height shall be 45 feet for mixed-use buildings.

(11) Off-Street Parking.

(a) Required off-street parking for residential uses in mixed-use buildings shall be one space per dwelling unit.

(b) Off-street parking is not required for nonresidential uses unless such uses exceed 2,500 square feet of gross floor area, in which case off-street parking shall be provided based on one space for every 1,000 square feet of floor area in excess of 2,500 square feet.

(c) Off-street parking spaces shall be located to the rear of the principal building or otherwise screened to be not visible from the public right-of-way.

(12) Transparency.

(a) A minimum of 60 percent of the street-facing building façade shall be comprised of clear windows that allow views of indoor space or product display areas.

(b) The bottom of any window or product display window used to satisfy the transparency standard of paragraph (1) above shall not be more than 2 feet above the adjacent sidewalk.

(c) Product display windows used to satisfy these requirements shall have a minimum height of 4 feet and be internally lighted.

(13) Doors and Entrances.

(a) Buildings shall have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.

(b) Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

(C) LIVE/WORK RESIDENCE. The development standards listed below apply to all Live-Work Residences. Live/work residence means a habitable structure constructed in accordance with the Uniform Building Code that allows for a professional office or commercial retail or service use to be operated on the ground floor, with the business owner's residence on the upper floor. The permitted live/work housing types are defined below:

- (1) Live/work House: A single-family detached or attached dwelling with no more than 50 percent of the ground floor of the building available as business space.
- (2) Live/work Townhouse: A residential, fee simple townhouse unit in which a business may be operated. The commercial portion of the building shall be limited to the ground floor and may not exceed 50 percent of the square footage of the entire townhouse unit, excluding the garage.
- (3) Live/work Apartment: A primarily residential multi-story, multi-unit building with those apartments on the ground floor having space designated as available for business use not to exceed 50 percent of the square footage of the entire apartment unit, excluding the garage. Apartment units may be for rent or for sale in condominium or cooperative ownership.

(D) ACCESSORY DWELLING UNIT. The development standards listed below apply to all Accessory Dwelling Units. Accessory dwelling unit means a small, secondary housing unit on a single-family lot, usually the size of a studio apartment. The additional unit can be a portion of an existing house, or a unit attached above a garage. Accessory dwelling units shall comply with the following standards:

- (1) The primary residence or accessory dwelling unit shall be owner-occupied. Alternatively, the owner may appoint a family member as a resident caretaker of the principal house and manager of the accessory dwelling.

- (2) A maximum of one accessory dwelling unit is allowed per lot.
- (3) The maximum floor area of the accessory dwelling unit shall not exceed 800 square feet.

(E) LANDSCAPING STANDARDS. The following landscaping standards apply to all new developments located in the HDSF, R2.5 and HDMF Districts. Additional landscaping standards as applicable are specified in Sections 151.073 and 151.074.

(1) Landscaping Plan Required. A landscape plan is required for submittal and approval for all new developments cited in the residential districts above. Submittal of a landscape plan drawn to scale shall show information and conform to requirements as follows:

(a) The location and height of existing and proposed fences, buffering or screening materials;

(b) The location, size, and type of existing trees having a six-inch or greater diameter measured 4.5 feet above ground;

(c) Plant selection shall not include invasive species and include a combination of deciduous and evergreen trees, shrubs, and ground covers to be used for all planted areas, the selection of which shall provide, as applicable, erosion control, visual interest, buffering, privacy, open space, pathway identification, shading, and wind buffering. When new vegetation is planted, soils shall be amended, as necessary, to allow for healthy plant growth.

(i) Trees shall have a minimum diameter or caliper measured 4.5 feet above ground of two inches or greater at time of planting.

(ii) Shrubs shall be planted from five gallon containers or larger.

(iii) All landscaped areas that are not planted with trees and shrubs shall have ground cover plants that are sized and spaced as follows: a minimum of one plant per 12 inches on center in triangular spacing, or other planting pattern that is designed to achieve 75 percent coverage of the area not covered by shrubs and tree plantings.

(iv) Non-plant ground covers such as bark dust, chips, aggregate, or other non-plant ground covers may be used and shall

be confined to areas underneath plants. Non-plant ground covers shall not be a substitute for ground cover plants.

(d) Method of irrigation for proposed trees and plant materials;

(e) An arborist's report may be required for sites with mature trees to be preserved and protected during construction.

(f) Other information as deemed appropriate by the City Planner.

(2) Landscape Area Standard. The minimum area of required landscaping shall be 15 percent of the total site area.

(F) STANDARDS FOR MANUFACTURED HOMES LOCATED OUTSIDE MANUFACTURED HOME PARKS. The following standards apply to manufactured homes located outside manufactured home parks in the LDSF, R5 and HDSF Districts:

(1) The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet.

(2) The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.

(3) The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.

(4) The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community and which is comparable to the predominant materials used on dwellings on adjoining sites as determined by the Planning Commission.

(5) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.

(6) The manufactured home shall have a garage or carport constructed of like materials.

(7) In addition to the above standards, the manufactured home shall comply with the development standards cited in Table 151.041-A.

Section 151.121 is amended as follows:
151.121 MANUFACTURED HOME PARK

(B) Minimum area – one (1) acre.

(V) A manufactured home located in a manufactured home park smaller than three (3) acres shall have:

(1) A pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width;

(2) Exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community and which is comparable to the predominant materials used on dwellings on adjoining sites as determined by the Planning Commission.



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POSTAGE DUE 60¢

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Attention: Plan Amendment Specialist
Dept. of Land Conservation & Dev.
635 Capitol Street NE, Suite 150
Salem, OR
97301-2540

