



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: December 28, 2015

Jurisdiction: City of Lafayette

Local file no.: LA 2015-01

DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/22/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 001-15 {24010}
Received: 12/22/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Lafayette

Local file no.: **LA 2015-01**

Date of adoption: 12/10/15

Date sent: 12/22/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 9/10/15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Yes. The proposal to allow ADU's in the R-1 and R-2 Districts was not adopted. Slight changes to the downtown design standards such as meters need not be screened.

Local contact (name and title): Jim Jacks

Phone: 503 540-1619

E-mail: jjacks@mwvcog.org

Street address: 100 High St. SE, Suite 200

City: Salem

Zip: 97301-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Amended: 2.102; 2.103; 2.104; 2.105; 2.106; 2.203; 2.207; 3.105.03. Added: 2.312; 2.313; 2.314; 2.315.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: TGM Program.

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Staff reports to the Council dated 11/12/15 & 12/10/15.

Exhibits "A" (a clean copy of the amendments) and "B" (findings).

Mark-up copy of the proposed amendments that were entered into the record at the public hearings (not part of the ordinance or its exhibits).

**BEFORE THE CITY COUNCIL FOR THE CITY OF
LAFAYETTE, OREGON**

**An Ordinance Amending the Lafayette
Zoning and Development Ordinance to
Add Downtown Design and Infill
Standards**)
)
)
)

ORDINANCE NO. 627

THE CITY COUNCIL (the “Council”) OF THE CITY OF LAFAYETTE, OREGON (the “City”) sat for the transaction of City business on Thursday, November 12, 2015 and December 10, 2015 at 6:30 p.m. at the City Hall.

WHEREAS, on November 21, 2013, April 16, 2015 and May 21, 2015 the Lafayette Planning Commission conducted work sessions on downtown design and infill standards; and

WHEREAS, on July 17, 2015 the Lafayette Planning Commission and the Lafayette City Council conducted a joint work session on the proposed amendments for the downtown design and infill standards; and

WHEREAS, on October 15, 2015, the Planning Commission met to consider the proposed action regarding Planning File Legislative Amendment 2015-01, an application by the City of Lafayette to amend the Lafayette Zoning and Development Ordinance to add Downtown Design and Infill Standards, conducted a public hearing at which time the public was given full opportunity to be present and heard on the matter, considered the information provided by City staff and the public, and upon deliberation, voted to recommend the City Council approve the proposed amendments; and

WHEREAS, on November 12, 2015, the City Council met to consider the proposed action regarding Planning File Legislative Amendment 2015-01, an application by the City of Lafayette to amend the Lafayette Zoning and Development Ordinance to add Downtown Design and Infill Standards, conducted a public hearing at which time the public was given full opportunity to be present and heard on the matter, considered the information provided by City staff and the public, received and considered the recommendation of the Planning Commission and passed a motion continuing the hearing to December 10, 2015 at 6:30 p.m. at the City Hall.

WHEREAS, on December 10, 2015, the City Council opened the continued public hearing at which time the public was given full opportunity to be present and heard on the matter, considered the information provided by City staff and the public and passed a motion adopting the November 12 and December 10, 2015 staff reports and approving the proposed amendments to the Lafayette Zoning and Development Ordinance.

NOW THEREFORE, THE CITY OF LAFAYETTE, OREGON, ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Lafayette does hereby adopt the staff reports to the City Council dated November 12, and December 10, 2015.

Section 2. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance, Section 2.102, Low Density Residential (R-1), to read as

shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 3. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance, Section 2.103, Medium Density Residential (R-2), to read as shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 4. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance, Section 2.104, Residential Commercial District (RC), to read as shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 5. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance, Section 2.105, Commercial-Core District (C-1), to read as shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 6. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance, Section 2.106, Commercial-General District (C-2), to read as shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 7. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance, Section 2.203, Off-Street Parking and Loading, to read as shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 8. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance, Section 2.207, Site and Landscaping Design, to read as shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 9. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance to add Section 2.300, Supplemental Standards For Special Uses, including Section 2.312, Accessory Dwelling Units, Section 2.313, Drive-Through Uses, Section 2.314, Automotive Repair, Sales, Storage, and Service, and Section 2.315, Retail Small-Scale Winery, Brewery, or Distillery, as shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 10. The City Council of the City of Lafayette does hereby amend the Lafayette Zoning and Development Ordinance, Section 3.105.03, Applicability of Provisions (Site Development Review Process) to read as shown in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 11. The City Council of the City of Lafayette does hereby adopt those certain findings of fact, conclusionary findings and supporting documentation in Exhibit "B" attached hereto and by this reference made a part hereof.

ADOPTED by the Lafayette City Council on the 10th day of December, 2015.

VOTE: Ayes: 4 Nays: 1 Abstentions: 0 Absent: 1

CERTIFIED:


Chris Pagella, Mayor

ATTESTED:


Angela Speier, Assistant City Administrator

EXHIBIT "A"
ORD. 627

CHAPTER 2
ZONING

2.102 LOW DENSITY RESIDENTIAL DISTRICT (R-1)

2.102.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the R-1 zone:

- A - C. No change.
- D. Accessory structures or uses.
- E - K. No change.

2.103 MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)

2.103.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the R-2 zone:

- A - J. No change.
- K. Accessory structures or uses.
- L - O. No change.

2.104 RESIDENTIAL COMMERCIAL DISTRICT (RC)

2.104.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the RC zone:

- A. 1 - 13. No change.
 - 14. Accessory dwelling units, subject to the provisions of Section 2.312.
- B. 1 - 2. No change.

3. Banks and other financial institutions without a drive-through window.

B. 4 - 10. No change.

2.104.05 Development Standards

All development in the RC zone shall comply with the applicable provisions of Section 2.400. In addition, the following specific standards shall apply:

A - I. No change.

- I. Garage/Carport. A garage or carport of like material and color of the home is required, except for ADUs. If a carport is used, then a minimum 50 square foot storage area shall be provided. The carport or garage shall be at least 240 square feet in size and shall meet building code requirement.

2.105 COMMERCIAL-CORE DISTRICT (C-1)

2.105.01 Purpose

To provide for commercial operations and services required to meet the economic needs of the City of Lafayette, while retaining the historic integrity of the core area. The district is an attractive, walkable, mixed-use environment for residents and visitors alike. The Commercial district is consistent with the Commercial Comprehensive Plan designation.

2.105.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the C-1 zone, subject to the provisions in Section 3.105, Site Development Plan Review:

A - B. No change.

C. Banks and other financial institutions without a drive-through window.

D. No change.

E. Restaurants, bakeries, taverns, snack shops and other types of eating and drinking establishments, including entertainment facilities accessory to the establishment.

F - S. No change.

T. Small scale wineries, distilleries, or breweries subject to the provisions in Section 2.315.

U. Hotels.

2.105.03 Conditional Uses

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Section 3.103:

A - C. No change.

D. Drive-through windows for banks and pharmacies, subject to the provisions in Section 2.313.

2.105.04 Dimensional Standards

The following minimum dimensional standards, with the exception of modifications permitted under Section 2.402, shall be required for all development in the Commercial District.

A - C. No change.

D. Maximum structure height: 55 feet.

2.105.05 Development Standards

All developments in the C-1 District shall comply with the applicable provisions of Section 2.400 of this Ordinance. In addition, the following specific standards shall apply:

A. Off-Street Parking Spaces. Off-street parking shall comply with the following provisions:

1. No change.

2. As an alternative to providing the on-site parking required in A, 1, above, the owner may contribute to a City Council adopted municipal parking fund, an amount equivalent to the parking spaces required by the proposed use.

B. Architectural Design Standards. The following standards are intended to support downtown development and revitalization consistent with Lafayette's vision for the future. The standards build on the historic integrity of downtown Lafayette while allowing contemporary interpretations of building forms and styles.

1. Orientation.

a. Public entrances and primary structures shall be oriented to the street. All buildings shall have at least one entrance abutting a street within 45 degrees.

b. Eighty percent of the abutting street frontage shall have a building placed no farther than 10 feet from the street property line.

c. Trash storage and ground level utilities (e.g., utility vaults and similar obstructions) shall not be placed between buildings and the street.

2. Large Buildings. Where a building with more than 15,000 square feet of gross floor area is proposed, it shall provide articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least one of the following features every 40 feet of building (horizontal length):

- a. Windows;
- b. Weather protection (awnings, canopies);
- c. Building offsets;
- d. Projections, changes in elevation of horizontal direction;
- e. Terraces;
- f. A distinct pattern of divisions in surface materials; or
- g. Screening trees.

The use of ornamentation, changes in cladding material or color, lighting (wall-mounted), and/or similar features is encouraged but by itself is not sufficient to meet the articulation standard.

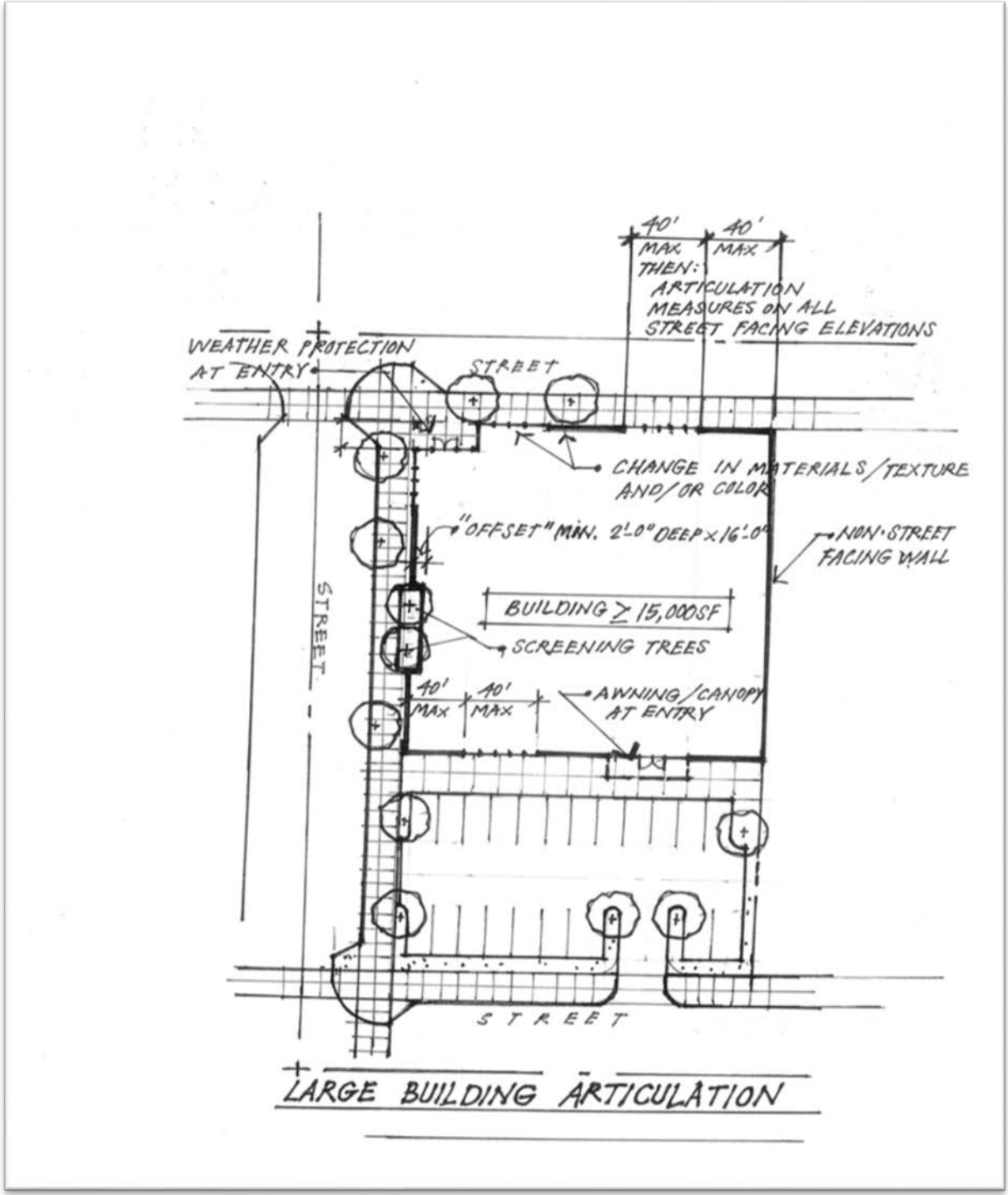


Figure 1: Large Building Articulation

3. Landscaping/pedestrian amenities. If a building is set back from Third Street, at least 75 percent of the setback area shall be improved with pedestrian and landscaping amenities. Permitted landscaping and pedestrian amenities include plazas or extensions of a sidewalk with plants, planters, shrubbery, benches, tables, public art, water fountains, or similar features.

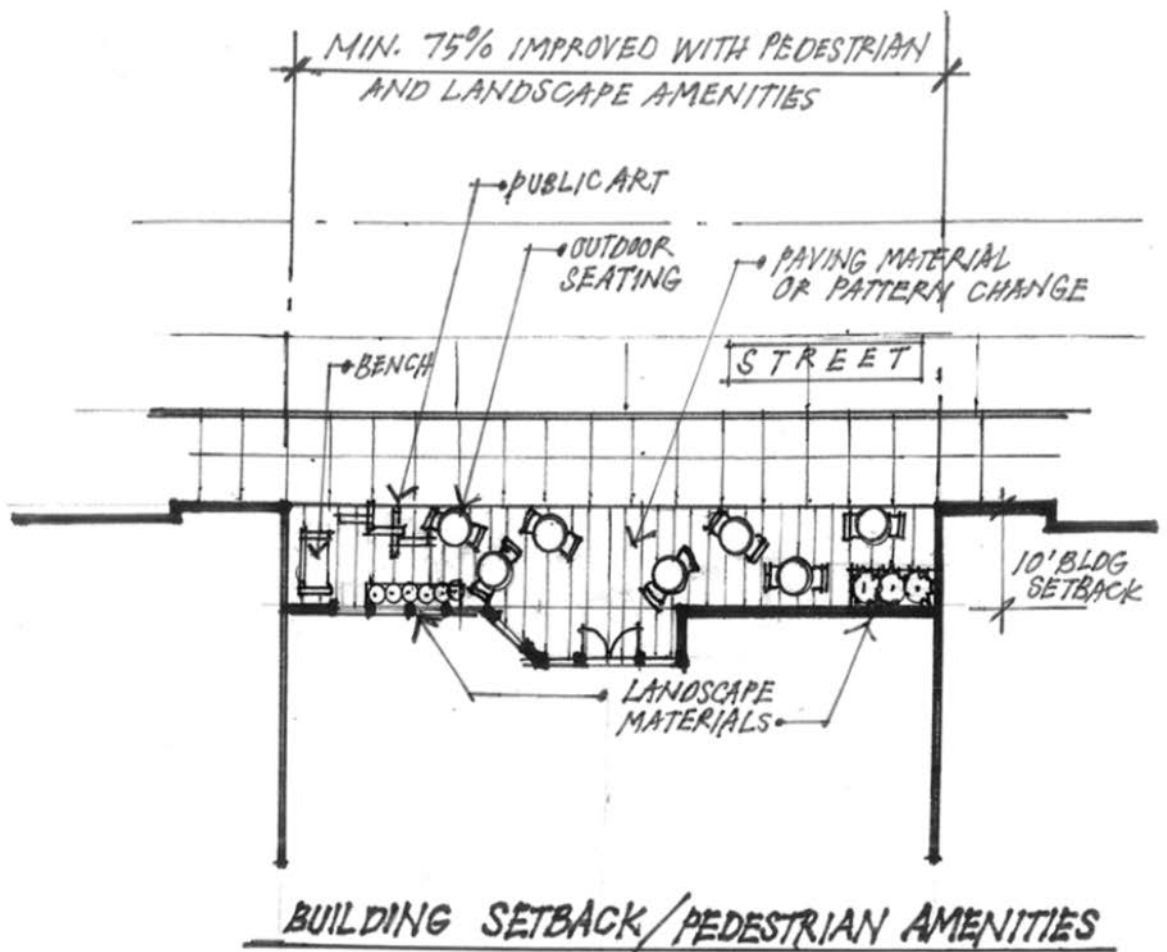


Figure 3: Pedestrian Amenities

4. Storefront Design. All elevations of a building shall contribute to the storefront character of Third Street buildings. This criterion is met by providing all of the architectural features listed in a-f, below, along the front building elevation (i.e., facing the street), as applicable:
 - a. Corner building entrances on corner lots.
 - b. Regularly spaced and similarly-shaped windows with window hoods or trim on all upper building stories.
 - c. Large display windows on the ground-floor (non-residential uses only). Display windows shall be framed by bulkheads, piers, and a storefront cornice that separates the ground-floor from the second story.
 - d. Decorative cornice or parapet at the top of building (flat roof); or eaves provided with pitched roof.
 - e. Completely transparent ground level entrances oriented to a street for natural surveillance and to encourage an inviting business environment.
 - f. Pedestrian shelters that are visually compatible with the architecture of the building, including awnings, canopies, or recesses provided along at least 75 percent of the ground floor elevation(s) of a building where the building abuts a sidewalk, civic space, or pedestrian access ways.
 - g. Siding materials. Exterior siding materials visible from the street right-of-way shall be wood or masonry, or another material indistinguishable in appearance from wood or masonry. Such wood type siding as horizontal lap, shingle, and board and batten are acceptable. Acceptable wood substitutes such as pressed wood products shall only be permitted as a horizontal lap siding. Such masonry type siding as brick and stone are acceptable; stucco material is prohibited. Acceptable masonry substitutes include masonry veneer and concrete or other similar material formed to simulate rock or brick.
 - h. Color Palette. Building exterior paint colors shall conform to the Color Palette in Appendix A.

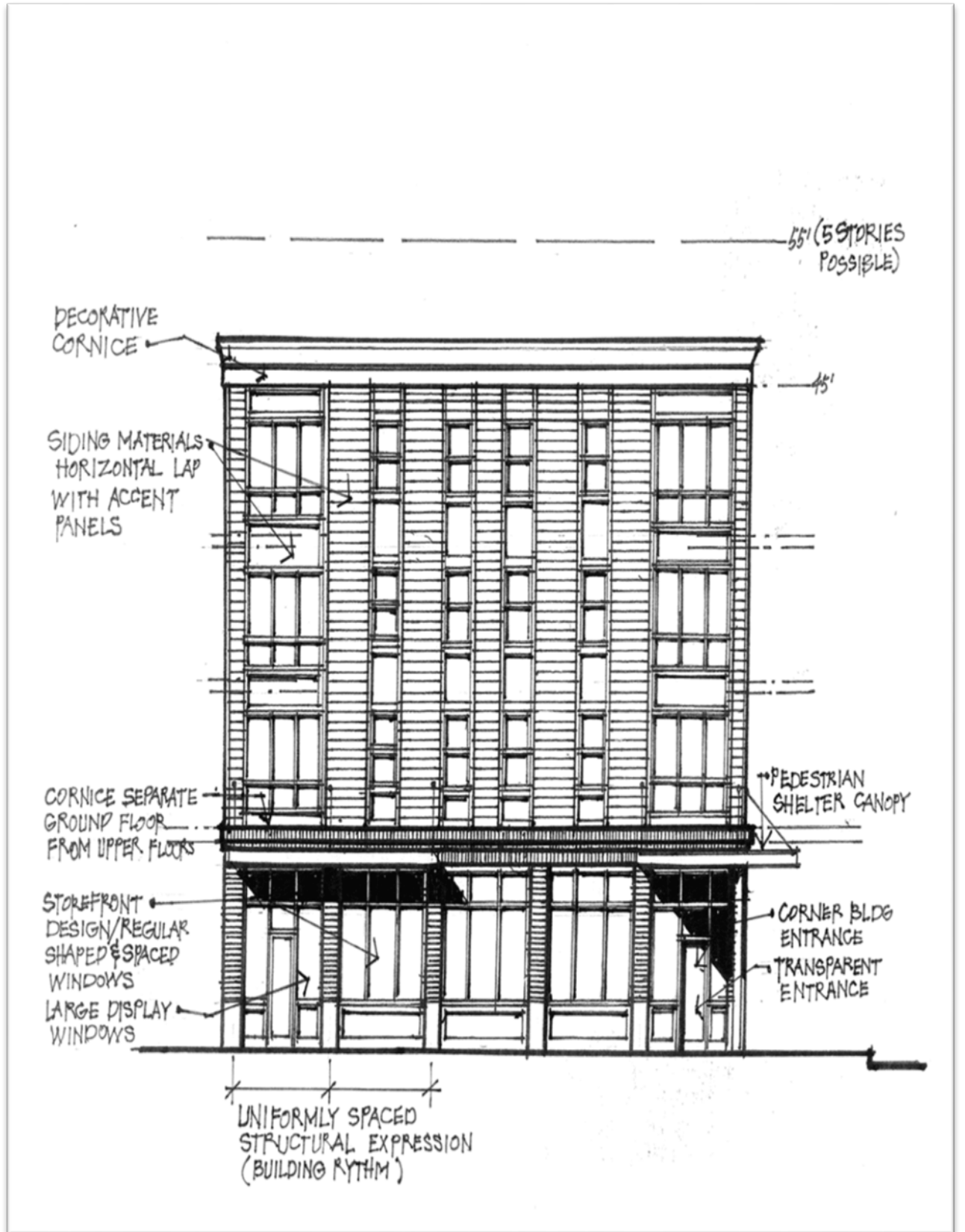


Figure 2: Storefront Design

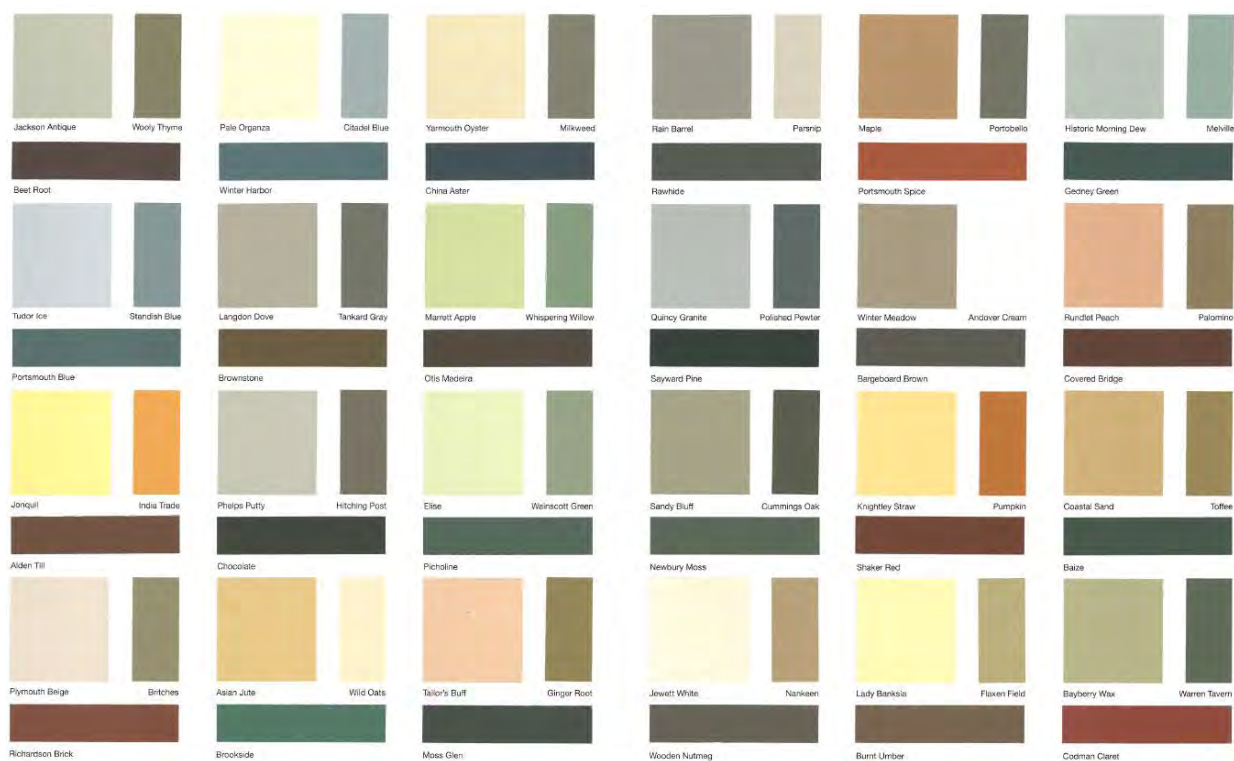
5. Walkways. Walkways shall connect the street right-of-way to primary building entrances, and connect all primary building entrances to one another, including pedestrian crossings through interior parking areas.
6. Mechanical Equipment. Mechanical, electrical, and communications equipment including, transformers, shall be screened from view from public rights-of-way and civic spaces.
7. Trash and Recycling Enclosures. Trash collection and recycling storage areas must be located within a structure or otherwise screened from view in an enclosed facility. Such facilities must be screened from view from public rights-of-way and civic spaces behind a screening wall or fence, constructed to match the materials used on the primary building(s) on the subject site.

C - G. No change.

APPENDIX A, C-1 DISTRICT



Colours shown are available in interior and exterior finishes.



2.106 COMMERCIAL-GENERAL DISTRICT (C-2)

2.106.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the C-2 zone, subject to the provisions in Section 3.105, Site Development Plan Review:

A - GG. No change.

HH. Hotels and motels.

2.106.04 Dimensional Standards

The following minimum dimensional standards, with the exception of modifications permitted under Section 2.402, shall be required for all development in the Commercial District.

A - B. No change.

C. Maximum structure height: 55 feet

2.106.05 Development Standards

All developments in the Commercial General District shall comply with the applicable provisions of Section 2.400 of this Ordinance. In addition, the following specific standards shall apply:

A - C. No change.

D. Design Review. All new development and expansion of an existing structure or use in the Commercial General District shall be subject to the Site Development Review procedures of Section 3.105. All developments in the C-2 district that abut Third Street between Jackson Street and the west city limits shall comply with the Architectural Design Standards in Section 2.105.05.B. As a part of the design review process the City may impose the following conditions on a new or expanding development:

1 - 5. No change.

E - G. No change.

EXHIBIT "A"
ORD. 627

CHAPTER 2
ZONING

2.200 GENERAL DEVELOPMENT STANDARDS

2.203 OFF-STREET PARKING AND LOADING

2.203.05 Off-Street Automobile Parking Requirements

Off-street parking shall be provided as required by Section 2.203.08 in the amount not less than listed below. Off-street parking shall not exceed by 1.5 times the amount listed below.

A. Off-street parking is not required for existing buildings on properties zoned C-1 that are adjacent to Third Street, from Washington Street to Monroe Street. New construction may request an adjustment to parking standards if permitting an adjustment would not adversely impact the surrounding area. The purpose of the adjustment is to provide flexibility for uses that may be unique, or provide greater flexibility for areas that can accommodate a new development with existing parking. An adjustment to the minimum parking standard may be approved based on a determination by the Planning Commission that the adjustment is consistent with approval criteria:

1. Documentation. The applicant shall document that the individual project will require an amount of parking that is different from that required. A parking study prepared by a traffic consultant is required.
2. The study must show that demand management programs, and/or special characteristics of the customer, client, employee, or resident population, will reduce expected vehicle use and parking space demand for the development, as compared to the minimum parking requirements of this Ordinance.
3. The study must show that a reduction in parking will not have an adverse impact on adjacent uses.

A - Q. No change.

2.203.10 Bicycle Parking

A. Minimum Space Requirements

1. The following bicycle parking standards shall apply.

Bicycle Parking Spaces

	Type of Use	Minimum Number of Spaces
A	Single Family Residential	Zero
B	All new development or expansions of more than 20 percent of the original floor area	Minimum of 2
C		Each use shall have the greater of the number of spaces cited in line B or the following:
D	Duplexes, Triplexes, and other, Multi-Family Residential	One (1) per every two dwelling units
E	Retail, Office, Institutional, and Parks	One (1) per every 10 vehicle parking spaces
F	Industrial	One (1) per every 20 vehicle parking spaces
G	Schools	Six (6) for every classroom

B. Minimum Development Requirements: At a minimum bicycle parking facilities shall be consistent with the following design guidelines. The location of bicycle parking facilities from Washington Street to Monroe Street in the C-1 district shall be determined by the City.

1 - 6. No change.

2.207 SITE AND LANDSCAPING DESIGN

2.207.03 Minimum Area Requirements

No change to the 2 lead-in paragraphs.

No change to A - C.

D. Parking Areas: The following standards shall be met for each parking lot or each parking bay where a development contains multiple parking areas:

1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and ground cover plants, as approved by the City. At a minimum, one shade

tree per 5 parking spaces total shall be planted to create a partial tree canopy over and around the parking area.

2. All parking areas with more than 10 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 10 contiguous parking spaces. All landscaped islands shall have minimum dimensions of 48 square feet to ensure adequate soil, water, and space for healthy plant growth.

3. All required parking lot landscaped areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that within 2 years of planting, not less than 50 percent of that area is covered with living plants.

4. Wheel stops, curbs, bollards and other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall not be planted fewer than 2 feet from any such barriers.

5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with best management practices.

2.207.05 Screening and Buffering

A. Screening shall be used to eliminate or reduce the visual impacts of the following uses:

1 - 4. No change.

5. Parking areas for 10 or more vehicles for multi-family developments or multi-family developments that abut other zoning districts that allow residential uses, or 20 or more vehicles for commercial or industrial uses.

6 - 7. No change.

B - C. No change.

EXHIBIT "A"
ORD. 627

CHAPTER 2
ZONING

2.300 SUPPLEMENTAL STANDARDS FOR SPECIAL USES

Section 2.312 ACCESSORY DWELLING UNITS

2.312.01	Purpose
2.312.02	Design Standards

Section 2.313 DRIVE-THROUGH USES

Section 2.314 AUTOMOTIVE REPAIR, SALES, STORAGE, AND SERVICE

Section 2.315 RETAIL SMALL-SCALE WINERY, BREWERY, OR DISTILLERY

2.312 ACCESSORY DWELLING UNITS (ADUs)

2.312.01 Purpose

The purpose of this chapter is to establish appropriate locations, site development standards, and permit requirements to allow for the provision of accessory dwelling units (ADUs) within the city. ADUs, commonly referred to as “granny flats,” are a well-established housing strategy that can aid in the housing and dependent care of family members, provide rental income to offset the costs of homeownership, and add to the supply of affordable housing options available to the citizens of Lafayette.

2.312.02 Design Standards:

ADUs, where allowed, shall conform to all of the following standards:

- A. One Unit. A maximum of one (1) ADU is allowed per legal lot;
- B. Floor Area. An ADU shall not exceed 800 square feet of floor area, or 40 percent of the primary dwelling unit’s floor area, whichever is smaller. The unit may be a detached cottage, a unit attached to a dwelling, an apartment above a garage or the conversion of a portion of an existing dwelling. The floor area of any garage associated with the primary dwelling is not included in the calculation of maximum floor area.
- C. Lot Size. The minimum lot size for a lot with an ADU is 5,000 square feet;
- D. Building Construction. The ADU shall comply with applicable Building Code requirements;
- E. Building Height. The height of an ADU shall not exceed the height of the primary dwelling;
- F. Parking. One parking space per ADU is required. The required parking space may be provided on-street, directly in front of and adjacent to the property if a space is available. The required parking space may also be provided in an existing driveway for the primary dwelling if a space is available. Otherwise, one off-street parking space is required in addition to the minimum parking requirement of the primary dwelling; and
- G. Screening and Buffering. The City may require a landscape hedge or fence be installed on the property line separating a detached ADU from an abutting lot containing a single-family dwelling for the purposes of visual screening and privacy between uses.
- H. Any new, detached, ADU construction shall be required to meet the development standards of the underlying zone.
- I. Any increase in the building footprint of an existing structure to accommodate an ADU shall be required meet the development standards of the underlying zone

J. Existing legal non-conforming structures may be converted to an ADU as long as there is no expansion of the building footprint.



Figure 4: Accessory Dwelling Unit Adjacent to Main House

2.313 DRIVE-THROUGH USES AND FACILITIES

2.313.01 Purpose

Where drive-through uses and facilities are allowed, they shall conform to all of the following standards, which are intended to calm traffic, provide for adequate vehicle queuing space, prevent automobile turning movement conflicts, and provide for pedestrian and bicycle comfort and safety.

2.312.02 Design Standards

Drive-through facilities (i.e., driveway queuing area, customer service windows, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards:

1. The drive-through facility shall orient to and receive access from one driveway that is internal to the development and not a street;
2. The drive-up/drive-through facility shall not be oriented to street corner;
3. The drive-up/drive-through facility shall not be located within 20 feet of a street right-of-way;
4. Vehicle queuing areas for drive-up and drive-through facilities shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk;
5. Bicycle access to the drive-up or drive-through shall be marked with signage and pavement markings; and
6. If ATMs are provided, at least one ATM shall be located adjacent to a sidewalk.

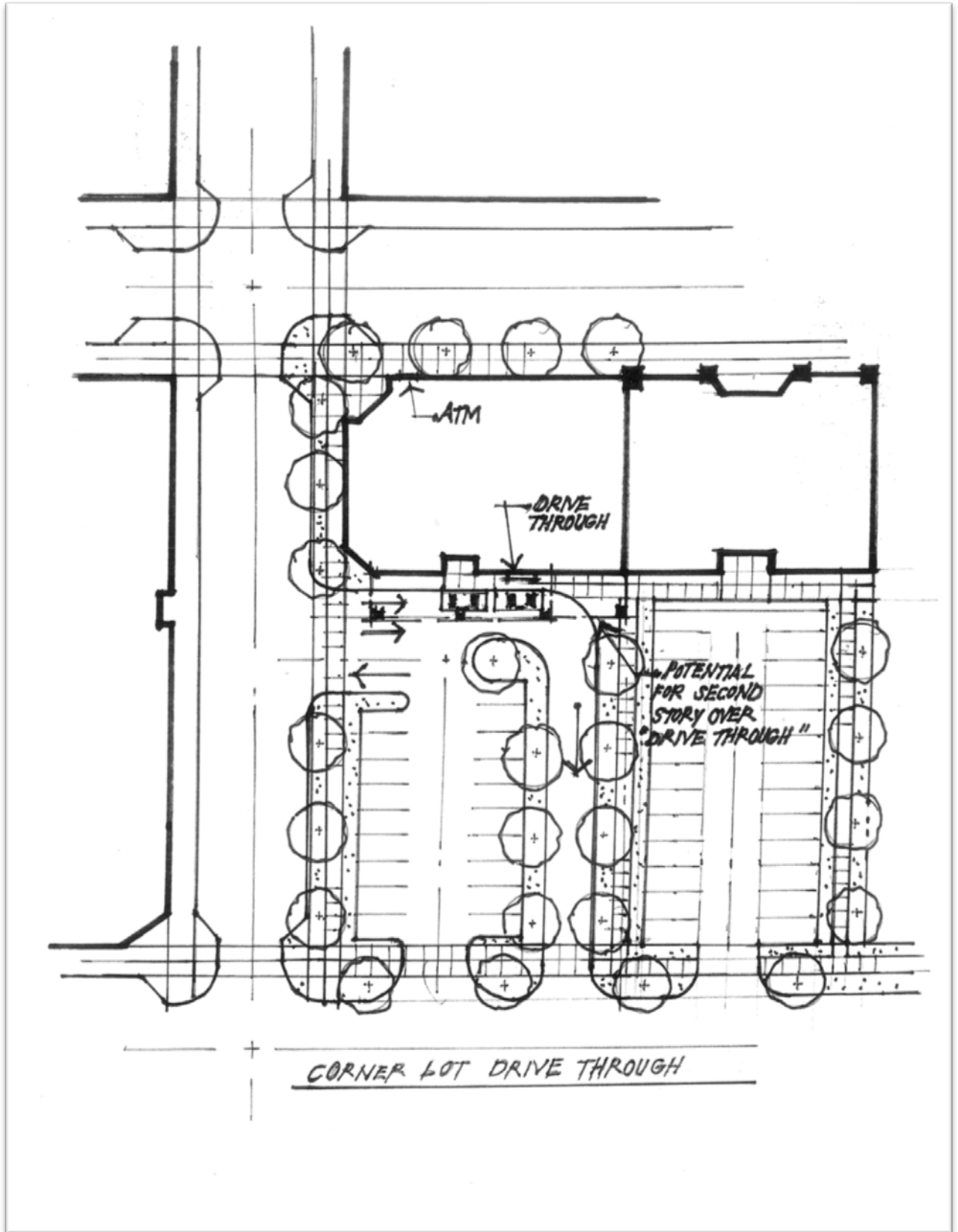


Figure 6: Corner Lot Drive Through

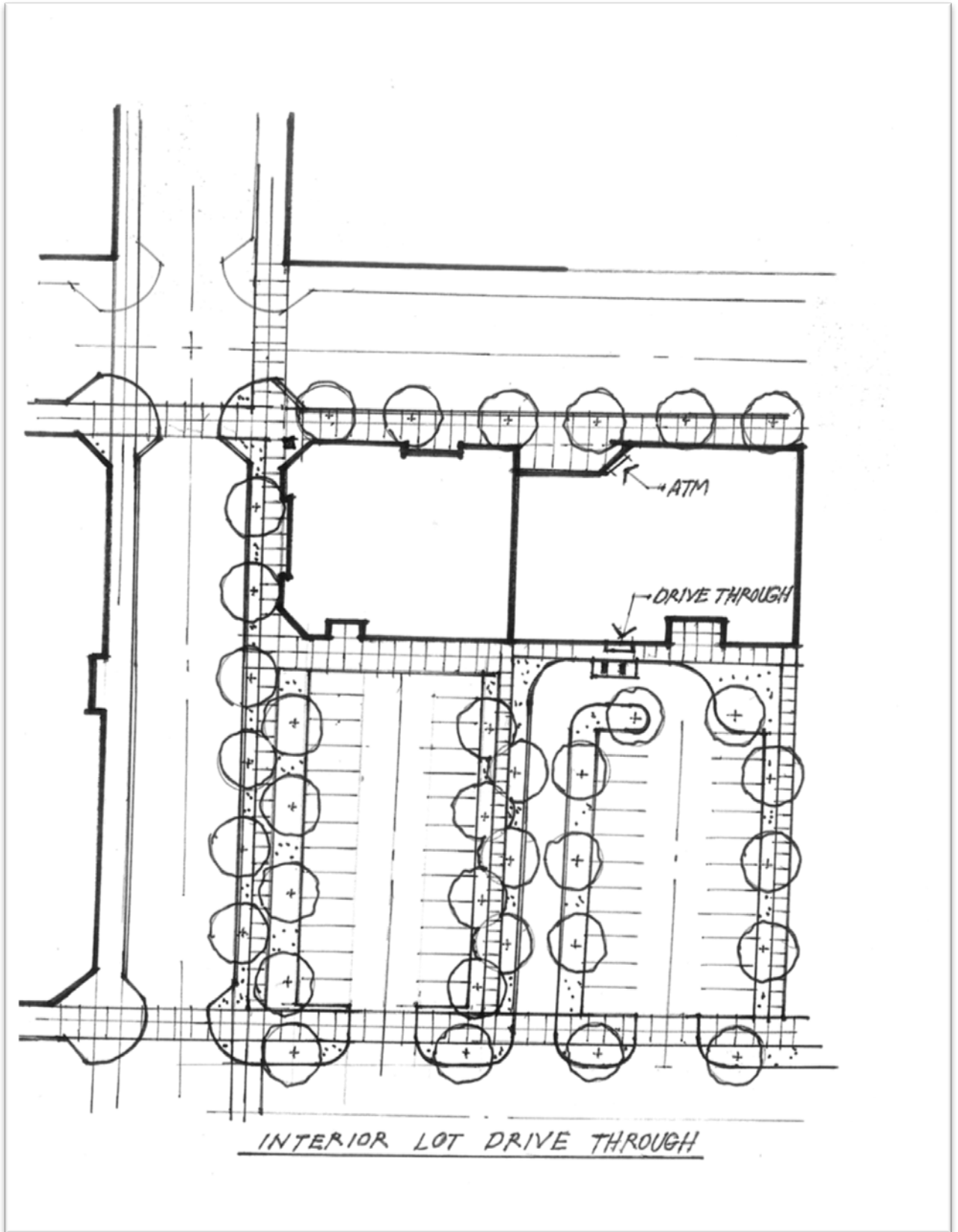


Figure 7: Interior Lot Drive Through

2.314 AUTOMOBILE REPAIR, SALES, STORAGE AND SERVICE

Where allowed, businesses that repair, sell, rent, store, or service automobiles, trucks, motorcycles, buses, recreational vehicles, boat, and similar vehicles and equipment shall be contained within an enclosed building and the use shall not exceed either 5,000 square feet of floor area or 100 feet of street frontage.

2.315 SMALL-SCALE WINERIES, BREWERIES, OR DISTILLERIES

Where allowed, small-scale wineries, breweries, or distilleries are permitted provided all of the following are met:

- A. The primary use on-site is a winery, brewery, or distillery.
- B. The floor area devoted to retail sales, eating and drinking, and similar customer uses is at least 20 percent of the total floor area.
- C. The floor area devoted to production, storage, and related uses does not exceed 5,000 square feet.

EXHIBIT "A"
ORD. 627

CHAPTER 3
APPLICATION REQUIREMENTS AND REVIEW PROCEDURES

3.105 SITE DEVELOPMENT REVIEW

3.105.03 Applicability of Provisions

A - C. No change.

D. Notwithstanding A – C, above, the Architectural Design Standards in the C-1 Zone, Section 2.105.05, B, shall apply to all development and exterior maintenance in the C-1 District, and to all development and exterior maintenance in the C-2 Zone for properties with frontage on 3rd Street.



MEMORANDUM

To: Preston Polasek, Lafayette City Administrator and Laura Buhl, TGM Grant Manager

CC: Jim Jacks, MWVCOG, Ralph Tahrán, Tahrán Architecture and Planning

From: Stacey Goldstein, Siegel Planning Services

Date: October 4, 2015

Re: *City of Lafayette TGM Code Assistance – Findings of Consistency Task 5.2*

This memo provides findings demonstrating consistency between the City of Lafayette Downtown Infill and Design Code Update and the Lafayette Comprehensive Plan 2010. Consistency is also demonstrated with the Oregon Statewide Planning Goals.

A. FINDINGS DEMONSTRATING COMPLIANCE WITH THE CITY OF LAFAYETTE COMPREHENSIVE PLAN AND STATEWIDE PLANNING GOALS

Lafayette Downtown Infill and Design Code Updates – Consistency with the Lafayette Comprehensive Plan and Statewide Planning Goals		
<i>State Planning Goal</i>	<i>Relevant City Comprehensive Plan Chapters</i>	<i>Findings of Consistency</i>
Goal 1 – Citizen Involvement	Comprehensive Plan Chapter: Citizen Involvement	<p>The City of Lafayette has provided citizens several opportunities to participate in the code updates as follows:</p> <p>Planning Commission work sessions in 2015 included two meetings with the Planning Commission on April 16, 2015 and May 21, 2015. A joint work session was held with the Planning Commission and City Council on July 16, 2015. Two community meetings were held on December 8, 2014 and July 29, 2015. All meetings were duly noticed per the Municipal Code and State law.</p>

Lafayette Downtown Infill and Design Code Updates – Consistency with the Lafayette Comprehensive Plan and Statewide Planning Goals		
<i>State Planning Goal</i>	<i>Relevant City Comprehensive Plan Chapters</i>	<i>Findings of Consistency</i>
		<p>The public can also participate at the October 15, 2015 public hearing.</p> <p>Based on the foregoing findings, the code update is consistent with the Lafayette Comprehensive Plan Chapter Citizen Involvement and State Goal 1.</p>
Goal 2 – Land Use Planning	Comprehensive Plan Chapter: Land Use	The proposed code updates retain the land use designations and zoning categories contained in the Lafayette Comprehensive Plan (no map change), and the proposed changes are consistent with those existing land use designations and zoning categories. Therefore, the proposed code updates are consistent with Lafayette Comprehensive Plan Chapter Land Use and State Goal 2.
Goal 3 – Agricultural Lands	Comprehensive Plan Chapter: Agricultural Lands	The proposed code updates do not contain regulations that pertain to agricultural lands.
Goal 4 – Forest Lands	Comprehensive Plan Chapter: Forest Lands	The proposed code updates do not contain regulations that pertain to forest lands.
Goal 5 – Scenic, Historic, and Natural Resources	Comprehensive Plan Chapter: Scenic, Historic, and Natural Resources	The proposed code updates do not contain any new regulations pertaining to historic or natural resources, nor does it change any designations that currently apply to properties.
Goal 6 – Air, Water and Land Resources	Comprehensive Plan Chapter: Air, Water and Land Resources	The City of Lafayette’s Goal on air resources requires that the “City encourage alternative forms of transportation to reduce automobile emission pollution” (Policy 1-4). The proposed code changes implement the goal and policy by strengthening standards for pedestrians with architectural and building development standards that encourage a pedestrian-friendly environment. New bicycle parking standards are also provided, encouraging bicycle use in Lafayette (Chapters 2.105.05 and 2.203.10). Based on the foregoing findings, the proposed

Lafayette Downtown Infill and Design Code Updates – Consistency with the Lafayette Comprehensive Plan and Statewide Planning Goals		
<i>State Planning Goal</i>	<i>Relevant City Comprehensive Plan Chapters</i>	<i>Findings of Consistency</i>
		code changes are consistent with Lafayette Comprehensive Plan Chapter Air, Water and Land Resources. The proposed code changes do not contain regulations addressing water resources or land resources.
Goal 7 – Natural Hazards	Comprehensive Plan Chapter: Natural Hazards	The proposed code updates do not contain regulations that pertain to natural hazards.
Goal 8 – Parks and Recreation	Comprehensive Plan Chapter: Recreation	The proposed code updates do not contain regulations that pertain to recreation.
Goal 9 – Economy	Comprehensive Plan Chapter: Economics	The proposed code changes do not include changes to the zoning map and therefore do not impact existing industrial land. Finding 12 in the Lafayette Comprehensive Plan states: “The commercial area is unevenly developed and is in need of general upgrading.” The current code contains limited design standards in the commercial districts. New development and architectural standards in Ordinance Section 2.105 will support downtown development and revitalization in the C-1 and C-2 districts by requiring building orientation, landscaping and pedestrian amenities, storefront design, and standards to make sure large buildings are compatible with the downtown. The proposed code changes satisfy Policy 17-8 which states: “The City shall require all new construction, or substantial renovation of existing commercial and industrial buildings to be subject to a site review process which will consider off-street parking, pedestrian safety, shopping convenience, traffic movement and design critiera.”

Lafayette Downtown Infill and Design Code Updates – Consistency with the Lafayette Comprehensive Plan and Statewide Planning Goals		
<i>State Planning Goal</i>	<i>Relevant City Comprehensive Plan Chapters</i>	<i>Findings of Consistency</i>
		<p>The proposed code changes also satisfy Policy 17-11 which states: “The area designated on the Comprehensive Plan Map for commercial uses and the area of commercial zoning on the Zone Map is the area in the center of the City for future commercial use and it includes the area between Second Street and Fourth Street bounded by Jackson Street and Washington Street.” The code updates provide design standards that directly support reinvestment in the downtown core by adding standards to improve the vibrancy of downtown through high-quality design and active transportation.</p> <p>The proposed code changes satisfy Policy 17-12, which states: “Downtown development and redevelopment, renovation of existing structures and preservation of historic structures in commercial and industrial areas will be encouraged along with the possibility for ensuring high quality development in the downtown area are through a design review process.” The code updates provide design standards that directly support reinvestment in the downtown core by adding standards to improve the vibrancy of downtown through high-quality design and active transportation.</p> <p>Based on the foregoing findings, the proposed code updates are consistent with Lafayette Comprehensive Plan Chapter: Economics and State Goal 9.</p>
Goal 10 – Housing	Comprehensive Plan Chapter: Housing	The chapter on Housing and State Goal 10 require the City to develop policies and regulations that ensure the community’s housing needs can be met through appropriate zoning, permitted housing types, lot sizes, densities, and

Lafayette Downtown Infill and Design Code Updates – Consistency with the Lafayette Comprehensive Plan and Statewide Planning Goals		
<i>State Planning Goal</i>	<i>Relevant City Comprehensive Plan Chapters</i>	<i>Findings of Consistency</i>
		<p>clear and objective approval criteria. The proposed code updates do not change any zoning designations, while maintaining the minimum lot sizes and densities of the current ordinance. The new code does provide for accessory dwelling units in the RC district as an outright permitted use, subject to design standards to ensure compatibility with surrounding properties.</p> <p>Comprehensive Plan Goal 18-A: “To provide housing that will meet the needs of the community in a manner that will best afford an adequate choice in all income ranges and housing types.” Allowing accessory dwelling units in the RC district will provide for a new housing type not currently allowed in Lafayette.</p> <p>Based on the foregoing findings, the proposed code updates are consistent with Comprehensive Plan Chapter: Housing and State Goal 10.</p>
Goal 11 – Public Facilities	Comprehensive Plan Chapter: Public Facilities and Services	Goal 11 requires cities plan to for adequate public facilities at urban levels of services. The proposed code updates do not affect public facility service.
Goal 12 – Transportation	Comprehensive Plan Chapter: Transportation	Comprehensive Plan Goal 9A-B states: “The City shall encourage and promote the creation of an inviting pedestrian and bicycle friendly streetscape for 3 rd Street within the designated Central Business District ...” The proposed code updates directly support this goal. The objective of the project is to improve the vibrancy of the downtown area by implementing code changes to enhance its appearance and to improve comfort for pedestrian and cyclists.

Lafayette Downtown Infill and Design Code Updates – Consistency with the Lafayette Comprehensive Plan and Statewide Planning Goals		
<i>State Planning Goal</i>	<i>Relevant City Comprehensive Plan Chapters</i>	<i>Findings of Consistency</i>
		<p>Policy 9A-6 states: “Where appropriate, off-street parking shall be provided by all land uses to improve traffic flow, promote safety and lessen sight obstruction along the streets.” Similar to Policy 9A-6 is Policy 9B-5, which states: “Bikeways and pedestrian access ways shall be designed and constructed to minimize potential conflicts between transportation modes.” The proposed code contains language prohibiting parking lots adjacent to Third Street to avoid pedestrian and cyclist conflicts with autos, supporting this policy. In addition, drive-through uses are prohibited along Third Street, also consistent with this policy.</p> <p>No changes are proposed to the city street standards, bikeways, construction or paving standards.</p> <p>Based on the foregoing findings, the proposed code updates are consistent with Comprehensive Plan Chapter: Transportation and State Goal 12.</p>
Goal 13 – Energy Conservation	Comprehensive Plan Goal 13 – Energy	<p>Goal 13 provides general guidance toward energy conservation.</p> <p>The proposed code updates promote energy efficient development, consistent with Goal 11-A which states: “To promote the conservation of energy and the use of alternative forms of energy.” The code updates focus on infill and redevelopment in the downtown core which utilizes existing public infrastructure and encourages an energy efficient development pattern. This saves energy as opposed to “greenfield” development. The code work also promotes walking and cycling, which are</p>

Lafayette Downtown Infill and Design Code Updates – Consistency with the Lafayette Comprehensive Plan and Statewide Planning Goals		
<i>State Planning Goal</i>	<i>Relevant City Comprehensive Plan Chapters</i>	<i>Findings of Consistency</i>
		modes of transportation that conserve energy. Based on the foregoing findings, the proposed code updates are consistent with Comprehensive Plan Chapter: Energy and State Goal 13.
Goal 14 – Urbanization	Comprehensive Plan Chapter: Urbanization	Goal 14 does not apply directly to the proposed code updates.

City of Lafayette

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Lafayette, Oregon 97127

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TO: LAFAYETTE CITY COUNCIL

FROM: JIM JACKS, CITY PLANNER, MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

SUBJ: DOWNTOWN DESIGN AND INFILL STANDARDS
LA 2015-01, Amendments to the Lafayette Zoning and Development Code

DATE: DECEMBER 10, 2015

BACKGROUND

On November 12, 2015 the City Council conducted a public hearing regarding the proposed amendments to the Lafayette Zoning and Development Code (LZDO) for the proposed downtown design standards and infill.

The Council continued the hearing to December 10, 2015 and asked staff to provide additional information regarding bicycle parking and citizen testimony regarding accessory dwelling units (ADU) in the Residential Commercial District and vehicle parking requirements.

The citizen testimony suggested the parking requirement for "Retail store, except as provided in 'K'," be changed from 1 space per 300 square feet of gross floor area to 1 space per 500 or 600 square feet of gross floor area (LZDO, 2.203.05, Off-Street Automobile Parking Requirements). The suggested change would reduce the number of parking spaces required for retail stores, except for retailers of bulky merchandise and service and repair shops (bulky merchandise and service and repair shops are already at a reduced rate of 1 space per 900 square feet of gross floor area).

The testimony also suggested the proposed addition of Accessory Dwelling Unit to the list of permitted uses in the Residential Commercial District (RC) not be approved.

STAFF RESPONSE TO COUNCIL QUESTION AND CITIZEN TESTIMONY

Item 1. Council asked staff to explain the proposed language that would allow "The location of bicycle parking facilities from Washington Street to Monroe Street in the C-1 District to be determined by the City." (LZDO, 2.203.10, Bicycle Parking, Minimum Development Requirements).

Staff response: In downtown areas there are locations where bike parking is more appropriate than other areas. Depending on the location of a building set back several feet or at the front property line, there may not be a suitable area for bike parking.

Currently, bike parking is required to be provided by every development depending on how many vehicle parking spaces are required (LZDO, 2.203.10, A, 1), i.e., where 20 vehicle spaces are required, then 1 bike parking space must be provided. Note the proposed language increases the number to 1 bike space for every 10 vehicle spaces.

The downtown design standards are intended to provide flexibility. The proposed language allows the city to determine the location of bike parking in the downtown area from Washington Street to Monroe Street in the C-1 District (2.203.10, B). Such flexibility will allow bike parking to be located where it is feasible and suitable. For example, if a public pocket park is located on 3rd Street, or if a plaza area exists, it may be more appropriate to locate the bike parking at such locations instead of at each business.

Item 2. Citizen testimony suggested changing the parking requirement for "Retail store, except as provided in 'K'," from 1 space per 300 square feet of gross floor area to 1 space per 500 or 600 square feet of gross floor area (LZDO, 2.203.05, Off-Street Automobile Parking Requirements).

Staff response: The downtown design and infill standards project is through the Oregon "Transportation and Growth Management" (TGM) program. TGM is a joint program of the Oregon Department of Land Conservation and Development and the Oregon Department of Transportation. The Community Assistance Division of the TGM Program funded the downtown design and infill standards. The scope and work program did not include an analysis of the city's parking requirements which would have entailed a holistic review of the number of required parking spaces for all uses. The Community Assistance Division can fund and provide a 1-day parking management workshop. An overall review of parking space requirements would come from a competitive application process through other grant programs of DLCD.

Minor changes in parking are proposed as part of the downtown design standards to clarify that existing buildings on properties zoned C-1 that are adjacent to 3rd Street from Washington Street to Monroe Street are not required to provide parking (LZDO, 2.203.05, A). New development in that area must provide parking, but proposed language provides flexibility for the city to allow less parking than is normally required when a development application provides information justifying a lesser number of parking spaces (LZDO, 2.203.05, A).

The citizen suggestion to reduce the required parking for retail uses would fall within the proposed language noted above wherein the city can allow less parking than required for specific developments.

Item 3. Citizen testimony suggested not adding accessory dwelling units (ADU's) as a permitted use in the Residential Commercial District (RC) because the intent of the RC District is to allow commercial uses which, over time, will result in the residential uses being replaced with commercial uses (LZDO, 2.104.02, A, 14).

Staff response: One element in the scope of work and work program of the downtown design standard project is to address allowing slightly increased residential density in residential areas. In prior work sessions with the Planning Commission and a joint work session with the City Council and Planning Commission, it was determined that adding ADU's as a permitted use in the R-1 and R-2 Districts was not appropriate at this time. The proposed language adds ADU's as a permitted use in the RC District.

The Planning Commission discussed this issue and their recommendation to the City Council includes adding ADU's as a permitted use in the RC District. The concept is to allow the possibility of slightly more residences near the commercial core (several blocks of RC zoning are just 1 block south of 3rd), along the eastern portion of 3rd Street, and along Monroe Street south of 2nd.

The purpose statement of the RC District is "To provide areas for the development of a mixture of single family, multi-family, and manufactured homes, and limited retail and service commercial uses." Based on the list of permitted and conditional uses and the limitations on those commercial uses that are allowed, the district appears to be, primarily, a residential district.

Staff believes that adding the possibility of an ADU will not outcompete the possibility of adding commercial uses. Since the RC District's creation about 20 years ago, there have been only minimal commercial uses moving into the RC District. It appears the private sector market place has determined that the properties in the RC District have not been suitable locations for commercial uses.

Duplexes and multi-family uses are permitted outright in the RC District, and with their higher value they could have been developed on RC properties, but haven't. It appears allowing an ADU will not act to keep residential uses at the expense of commercial uses moving in.

ADDITIONAL ITEM

After the November 12 hearing staff was contacted by a party who testified on November 12 with an added suggestion that "meter" be deleted from the proposed language in 2.105.05, B, 6, Mechanical Equipment. The proposed language requires mechanical equipment, including "meters," to be screened from view. Staff agrees that meters for electricity and water are, typically, in an accessible location to be read for billing purposes and should not be screened. Thus, "meters" should be deleted.

STAFF RECOMMENDATION

Staff recommends the Council consider the attached draft "mark-up" amendments to the LZDO and the testimony at the hearing, accept this staff report and pass a motion for final reading of the attached Ordinance.

CITY COUNCIL ACTION

The City Council has the following options:

1. Pass a motion accepting the November 12, 2015 and December 10, 2015 staff reports and do the final reading of the attached Ordinance; or
2. Pass a motion accepting the November 12, 2015 and December 10, 2015 staff reports, accept the changes discussed during the Council's deliberation and do the final reading of the attached Ordinance as changed; or
3. Pass a motion denying the proposed amendments to the LZDO for the reasons discussed by the City Council during its deliberation.

A sample motion for 1, above, is, "I move the City Council accept the November 12, 2015 and December 10, 2015 staff reports and do the final reading of the attached Ordinance."

A sample motion for 2, above, is, "I move the City Council accept the November 12, 2015 and December 10, 2015 staff reports, accept the changes discussed during the Council's deliberation and do the final reading of the attached Ordinance as changed."

A sample motion for 3, above, is, "I move the City Council deny the proposed amendments to the LZDO for the following reasons..." and then state the reasons.

Attachment 1: A "mark-up" copy of the proposed amendments to the LZDO, including the paint palette.

Attachment 2: Ordinance with a "clean copy" of the amended LZDO at Exhibit "A," including the palette and Exhibit "B," Findings.

City of Lafayette

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TO: LAFAYETTE CITY COUNCIL

FROM: JIM JACKS, CITY PLANNER, MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

SUBJ: DOWNTOWN DESIGN AND INFILL STANDARDS

DATE: NOVEMBER 12, 2015

BACKGROUND

During 2013 the city's Big Picture work program regarding land use issues was to continue working on the urban growth boundary (UGB) project and initiate a project to develop downtown design standards. In 2014 the city received a grant through the Transportation and Growth Management Program (a joint effort by the Oregon Department of Land Conservation and Development and the Oregon Department of Transportation) to fund the downtown design and infill standards (DDIS) project.

The Planning Commission "touched" the project several times beginning in 2013 and especially on November 21, 2013 when Patti Webb from the McMinnville Downtown Association presented information to the Planning Commission about McMinnville's very successful 3rd Street rejuvenation. More recently the Planning Commission received presentations and discussed the proposed downtown design standards and infill provisions on April 16 and May 21, and on July 17, 2015 conducted a joint work session with the City Council.

In November 2014 the community outreach started with business stakeholder interviews and a community meeting. City Councilor Mark Joy and Planning Commissioner (at that time -- now a City Councilor) Laura Erickson were included in the stakeholder interviews. A second community meeting was on July 29, 2015.

This project is similar to projects in other Oregon cities, e.g., Dundee, Carlton, Sandy. Companies who would commit hundreds of thousands or millions of dollars in Lafayette do not want to construct an excellent facility only to have the property next door developed at an obviously much lower and less pleasing standard. Lafayette's adoption of design standards will provide a standard for development in the downtown area that all future projects would meet, thereby ensuring that all developments would be positive additions to the city and no individual development would detract from the good work of the others.

The project objectives and major deliverables from the Intergovernmental Agreement between the city and the Oregon Department of Land Conservation and Development are (p. 13):

Project Objectives and Major Deliverables

The primary objectives of the project are to create code standards that will improve the vibrancy of the downtown through high-quality design and active transportation, promote redevelopment and infill, and facilitate active transportation. A secondary objective of the project is to assist the City in conceptual planning for land that may be brought into the urban growth boundary in the future.

In order to achieve these objectives, Consultant shall use information and methods from the TGM *Smart Development Code Handbook*, *Model Development Code and User's Guide for Small Cities – 3rd Edition*, *Commercial and Mixed-Use Development Code Handbook*, *Infill and Redevelopment Code Handbook*, and current smart development best practices to:

1. create downtown design standards that will promote a vibrant mixed-use environment that accommodates all modes of transportation, with a special emphasis on pedestrians and bicycles;
2. review the current development code and make amendments to promote and remove barriers to redevelopment and infill;
3. review the current development code and make amendments that ensure its consistency with the State of Oregon's Transportation Planning Rule (OAR 660-012) and Oregon Highway Plan Policy Element 1B for Special Transportation Areas, as well as promote and remove barriers to the increased utilization of non-motorized modes of transportation throughout Lafayette; and
4. provide recommendations on land use strategies that can be implemented to promote efficient development patterns and active transportation options for lands brought into the urban growth boundary in the future.

The handbooks and guides mentioned above are on the DLCD website (enter Oregon Department of Land Conservation and Development on your search browser). At the DLCD home page, on the left side, click on Publications, then scroll down to Transportation and Growth Management Program and click on "Link to all TGM Publications."

PLANNING COMMISSION RECOMMENDATION

The Planning Commission conducted a public hearing on September 17, 2015, accepted the staff report and received a summary of the staff report from staff, a presentation by Stacey Goldstein, Siegel Planning Services, and heard testimony. The Commission deliberated and passed a motion recommending the City Council adopt the proposed amendments to the Lafayette Zoning and Development Ordinance.

COLOR PALETTE

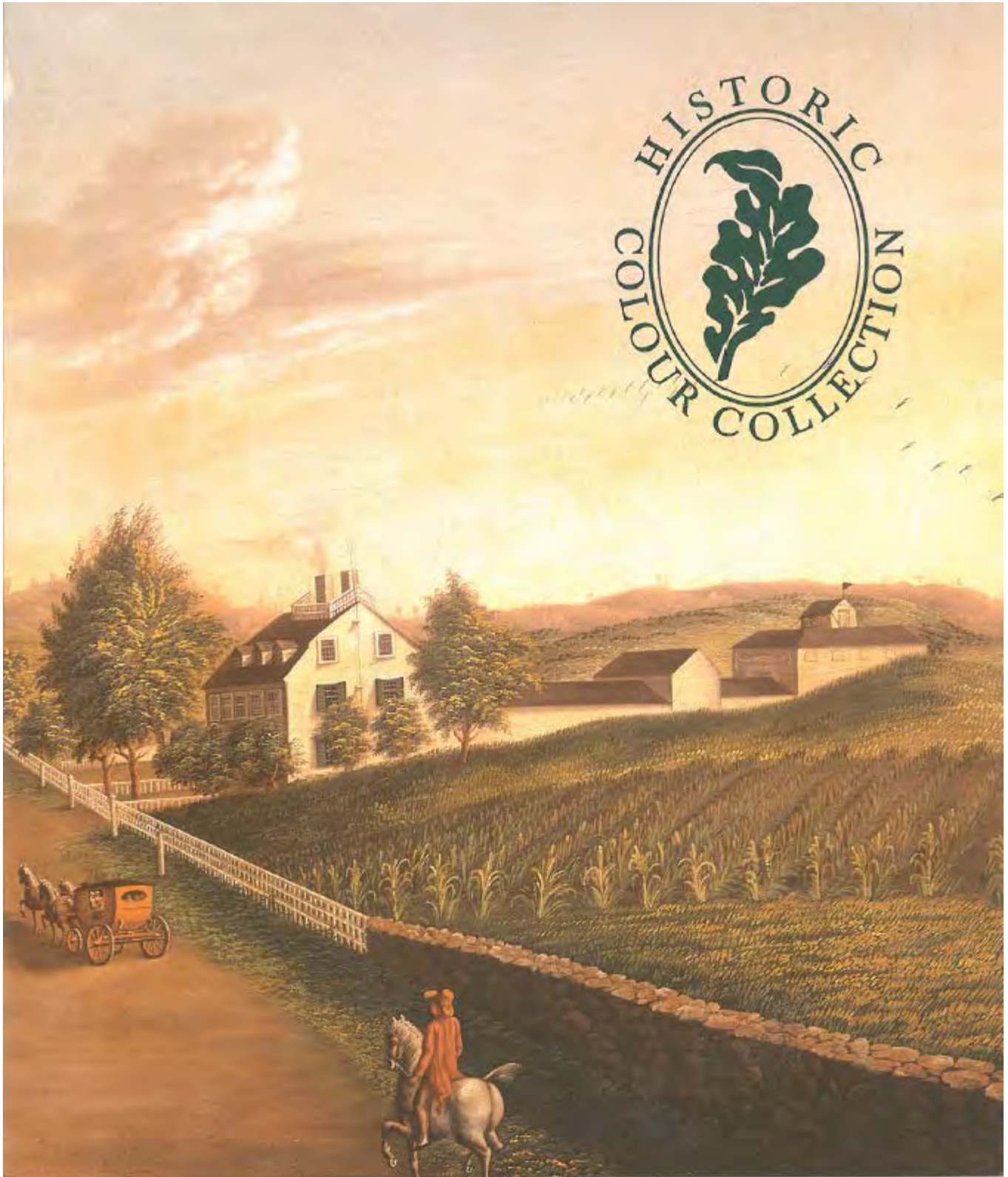
The existing C-1 Zone Development Standards in Section 2.105.05 are proposed to be augmented by the new Architectural Design Standards in Section 2.105.05, B. The architectural design standards include a color palette at 2.105.05, B, 4, h. The staff team that has been working on the downtown design standards project recommends the Miller Paint Historic Colour Collection be used as a guide for the allowed colors.

The intent is that any brand of paint can be used, but the colors and shades would need to approximate those shown in the Miller Paint Historic Colour Collection.

All paint companies have many colors and shades, but the Miller Paint Company has researched historic American paint colors and produced a multi-fold brochure. The following three pages are the front and back of the brochure and a page with information about Exterior Colors.

Attachment 1 to this staff report is the "mark-up" copy of all the proposed amendments and the actual color palette is included in Attachment 1.

The City Council may want to add or delete colors, or designate some to be used only for trim.



HISTORIC
COLOUR COLLECTION



MILLER PAINT

**KELLY-MOORE
PAINTS™**

Oregon & Washington



Historic Colour Collection was selected from hundreds of samples taken from historic buildings and painted objects ranging from folk carvings to elegant corner cupboards. The palette includes both early earth pigments, like Farmhouse Ochre and Codman Claret associated with farmhouses, and the more brilliant colours that became available in the eighteenth and nineteenth centuries. The colours presented are historically accurate for old house owners or those with new homes. Whether you are repainting your Colonial or Federal period home or choosing colours for a Greek Revival, Victorian, Stick-Style or Queen Anne, you'll find the colours in the palette enriching and full of historical character.



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All colours approved and authorized by Historic New England made by Miller Paint Co., member of CSI under license from Historic New England.



MILLER PAINT



F-13



Exterior Colours

What did the colours of the past look like? For many years historians mistakenly assumed that the colours of the past were somber and muted, based on colours that appeared when modern paints were scraped away from old surfaces. However, modern scientific paint research has gradually discovered a vivid palette and surprisingly flamboyant combinations.



Historic New England has won national attention for unlocking the secrets of how paint colours actually looked when new, before time, sunlight and weather altered them.



Photographs provided by Historic New England

SUMMARY OF PROPOSED CHANGES

As shown in the attached "mark-up" copy of the Lafayette Zoning and Development Ordinance (LZDO) amendments, the primary changes in order of the LZDO's section numbers are:

1. R-1 District, Permitted Uses. Clarify that Section 2.102.02, D, does not refer to accessory dwelling units and instead refers to accessory structures that are not used as a residence. The intent is for Subsection D to refer to detached garages and carports, detached shop buildings, detached sheds and similar buildings and uses, but not accessory dwelling units.
2. R-2 District, Permitted Uses. Clarify that Section 2.103.02, K, does not refer to accessory dwelling units and instead refers to accessory structures that are not used as a residence. The intent is for Subsection D to refer to detached garages and carports, detached shop buildings, detached sheds and similar buildings and uses, but not accessory dwelling units.
3. R-3 District, Permitted Uses, 2.104.02, A, 14. Add accessory dwelling unit (ADU) as a permitted use in the Residential Commercial (RC) District, subject to new ADU standards in the proposed new Section 2.312, Supplemental Standards.
4. R-3 District, Permitted Uses, 2.104.02, B, 3. Change the permitted use list to allow banks and other financial institutions without drive-through windows, and not allow banks and other financial institutions with drive-through windows.
5. R-3 District, Development Standards, 2.104.05, I. In recognition of accessory dwelling units (ADU) proposed to be added as a permitted use (above), change the requirement to provide a garage/carport for dwellings to clarify that a garage/carport is not required for ADU's. See Item 21, below, for the ADU standards.
6. C-1 District, Purpose Statement, 2.105.01. Add language regarding the C-1 District as a walkable, mixed use area.
7. C-1 District, Permitted Uses, 2.105.02, C. Change the permitted use list to allow banks and other financial institutions without drive-through windows, and allow banks and other financial institutions with drive-through windows as a conditional use (see Item 12 below).
8. C-1 District, Permitted Uses, 2.105.02, E. Change the permitted use list to not allow "drive-ins."
9. C-1 District, Permitted Uses, 2.105.02, T. Change the permitted use list to add small scale breweries, wineries and distilleries subject to the provisions in the new Supplemental Standards Section, 2.315 (see Item 24 below). This would allow brew-pubs and tasting rooms.
10. C-1 District, Permitted Uses, 2.105.02, U. Change the permitted use list to add hotels.
11. C-1 District, Permitted Uses, 2.105.02, V. Change the permitted use list to add public parks. Public park land is often an integral part of downtown areas. The potential for a public open space or public pocket park exists in the 3rd Street corridor and allowing public parks as a permitted use could assist in the creation of such a park. The City is considering the donation of a lot fronting on 3rd Street (99W) west of the U.S. Post Office for a park.
12. C-1 District, Conditional Uses, 2.105.03, D. Change the conditional use list to allow drive-through windows for banks and pharmacies subject to the provisions in the new Supplemental Standards Section, 2.313 (see Item 22 below).

13. C-1 District, Dimensional Standards, 2.105.04, D. Change the maximum structure height from 50 feet to 55 feet to ensure 4-story buildings can be constructed with tall ceilings for the first floor retail uses and to accommodate telecommunications and mechanical equipment.
14. C-1 District, Development Standards, 2.105.05, B. Add architectural design standards regarding building orientation, large buildings, storefront design, walkways, mechanical equipment, and trash and recycling enclosures. Amend the development standards regarding landscaping/pedestrian amenities (2.105.05, B, 3) and siding materials. The proposed 2.105.05, B, Architectural Design Standards, include the proposed color palette at 2.105.05, B, 4, h.
15. C-2 District, Permitted Uses, 2.106.02, HH. Change the permitted use list to add hotels and motels.
16. C-2 District, Development Standards, 2.106.05, D. Change the Design Review section to require development on properties in the C-2 District that have frontage on 3rd Street (99W) in the downtown area to comply with the architectural design standards in the C-1 District. Currently, two properties in the C-2 District have frontage on 3rd Street, i.e., the Shell gas station and the northern "finger" of the Sleepy Hollow RV Park on the south side of 3rd Street just west of the Forest Grove Auto Broker used car lot.
17. General Development Standards, Off-Street Parking Requirements, 2.203.05, A. Add language making it clear that existing buildings in the C-1 District are not required to provide off-street parking. This recognizes that, generally, they don't have any off-street parking. New development is required to provide off-street parking, but language is added that allows reduced parking in the downtown area when justified.
18. General Development Standards, Bicycle Parking, 2.203.10. Increase the bicycle parking requirement and allow the city to determine where bike parking should occur in the downtown area to allow flexibility in locating bike parking where it is appropriate and to not require it where it is not appropriate.
19. Site and Landscaping Design, Minimum Area Requirements, 2.207.03, D. Add a new Subsection D, for parking lot landscaping, including shade trees.
20. Site and Landscaping Design, Screening and Buffering, 2.207.05, A, 5. Reduce the applicability of the screening and buffering requirements from parking areas of 20 vehicles to parking areas of 10 vehicles for multi-family developments. Reduce the applicability of the screening and buffering requirements from parking areas of 30 vehicles to parking areas of 20 vehicles for commercial and industrial developments.
21. Supplemental Standards for Special Uses, 2.300. Add supplemental standards for accessory dwelling units at 2.312.
22. Supplemental Standards for Special Uses, 2.300. Add supplemental standards for drive-through uses at 2.313.
23. Supplemental Standards for Special Uses, 2.300. Add supplemental standards for auto repair, sales, storage and service uses at 2.314.
24. Supplemental Standards for Special Uses, 2.300. Add supplemental standards for retail small scale winery, brewery and distillery uses at 2.315.

CLARIFICATION OF THE SITE DEVELOPMENT REVIEW APPLICATION PROCESS

Since the Planning Commission hearing and their recommendation, City staff has discussed the need to clarify the level of development and exterior maintenance that would trigger the proposed downtown

design standards (DDS).The intent of the DDS was that they would apply to all development and exterior maintenance in the C-1 District and to development and exterior maintenance in the C-2 District on properties that have frontage on 3rd Street.

The lead-in sentence for Section 2.105.05, Development Standards in the C-1 Zone, says all development shall comply with Section 2.400 and all development is also proposed to comply with the DDS, but the Site Development Review (SDR) section does not repeat that language.

Currently, the LZDO, Section 3.105.03,for SDR applications, calls for new buildings and additions to existing buildings that are more than 25% of the gross floor area of the existing building to go through the SDR application process. Such new buildings and additions would be subject to the DDS.

Currently, additions that are less than 25% of the gross floor area of the existing building and exterior maintenance such as painting are not required to go through the SDR process. Thus, one might conclude that an addition that is less than 25% of the gross floor area, or several additions a few months apart that are less than 25% of the gross floor area, and exterior maintenance such as painting need not comply with the DDS.

Small additions and building colors are important to the appearance of the City's downtown, and the intent of the proposed DDS is to improve the downtown. The SDR portion of the code, Section 3.105.03, should be amended to include language consistent with the lead-in language which requires all development to comply with the DDS.

Compliance with the DDS will be required, but no SDR application will be required for development that is less than 25% of the gross floor area of the existing building and exterior maintenance such as painting. Where a Building Permit application is required by the building code, the Building Permit review will address the design standards. Where a Building Permit application is not required by the building code such as exterior painting, city staff will make every effort to ensure business owners are aware of the paint palette.

The following shows a "mark-up" of Site Development Review language, Section 3.105.03, with the proposed language that reiterates the C-1 and C-2 language to ensure it is clear additions less than 25% of the gross floor area of the existing building and exterior maintenance such as painting comply with the DDS. The proposed clarification language is underlined and italicized at Subsection D.

3.105.03 Applicability of Provisions

- A. Site Development Review shall be required for the following:
 - 1. Any new development whereby a site development review is required to establish a permitted or conditionally permitted use.
 - 2. Any development which exceeds 25% of the total square footage of the structure or structures which existed as of January 1, 1998.
 - 3. Except for the uses in 3.105.03, B,any commercial, industrial or public and semi-public use interior modifications or change in use which meets one of the following
 - a. The modification or change in use requires a 25% increase in the number of required parking spaces (not existing) for the current use; or
 - b. The modification or change in use generates an average of 100+ trips per day per 1000 gross square feet of building as documented in the Trip Generation Manual of the Institute of Transportation Engineers or other qualified source; or,
 - c. The modification or change in use includes daily shipping and delivery trips by vehicles over 20,000 pounds gross vehicle weight.

- B. Site Development Review shall not be required for the following:
1. Single family detached or attached dwelling on a lot or parcel.
 2. Duplex on a lot or parcel.
 3. Any commercial, industrial or public and semi-public use expansion that does not exceed 25% of the total square footage of the structure or structures which existed as of January 1, 1998.
- C. All of the provisions and regulations of the underlying zone shall apply unless modified by other Sections of this Code.
- D. Notwithstanding A – C, above, the Architectural Design Standards in the C-1 Zone, Section 2.105.05, B, shall apply to all development and exterior maintenance in the C-1 District, and to all development and exterior maintenance in the C-2 Zone for properties with frontage on 3rd Street.

STAFF RECOMMENDATION

Staff recommends the Council consider the attached draft amendments to the LZDO, including the above proposed addition of Subsection D, and the testimony at the hearing, accept this staff report and pass a motion for first reading of the attached Ordinance.

CITY COUNCIL ACTION

The City Council has the following options:

1. Pass a motion accepting the November 12, 2015 staff report and do the first reading of the attached Ordinance; or
2. Pass a motion accepting the November 12, 2015 staff report, accept the changes discussed during the Council's deliberation and do the first reading of the attached Ordinance as changed; or
3. Pass a motion denying the proposed amendments to the LZDO for the reasons discussed by the City Council during its deliberation.

A sample motion for 1, above, is, "I move the City Council accept the November 12, 2015 staff report and do the first reading of the attached Ordinance."

A sample motion for 2, above, is, "I move the City Council accept the November 12, 2015 staff report, accept the changes discussed during the Council's deliberation and do the first reading of the attached Ordinance as changed."

A sample motion for 3, above, is, "I move the City Council deny the proposed amendments to the LZDO for the following reasons..." and then state the reasons.

Attachment 1: A "mark-up" copy of the proposed amendments to the LZDO, including the paint palette.
Attachment 2: Ordinance with a "clean copy" of the amended LZDO at Exhibit "A," including the palette and Exhibit "B," Findings.

CHAPTER 2 ZONING

2.100 ZONING DISTRICTS

2.102 LOW DENSITY RESIDENTIAL DISTRICT (R-1)

2.102.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the R-1 zone:

- A. Single-family dwelling unit, detached
- B. Manufactured homes on individual lots, subject to the provisions of Section 2.305
- C. Mobilehome park, subject to the provisions of Section 2.304
- D. ~~Residential a~~ Accessory structures or uses
- E. through K. No change.

2.103 MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)

2.103.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the R-2 zone:

- A. through J. No change.
- K. ~~Residential a~~ Accessory structures or uses
- L. through O. No change.

2.104 RESIDENTIAL COMMERCIAL DISTRICT (RC)

2.104.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the RC zone:

A. The following residential and non-commercial uses are permitted in the RC District:

1. through 13. No change.

14. Accessory dwelling units, subject to the provisions of Section 2.312

B. 1. through 2. No change.

3. Banks and other financial institutions **without a drive-through window.**

4. through 10. No change.

C. No change.

2.104.05 Development Standards

All development in the RC zone shall comply with the applicable provisions of Section 2.400. In addition, the following specific standards shall apply:

A. through H. No change.

I. Garage/Carport. A garage or carport of like material and color of the home is required, **except for ADUs.** If a carport is used, then a minimum 50 square foot storage area shall be provided. The carport or garage shall be at least 240 square feet in size and shall meet building code requirements.

2.105 COMMERCIAL-CORE DISTRICT (C-1)

2.105.01 Purpose

To provide for commercial operations and services required to meet the economic needs of the City of Lafayette, while retaining the historic integrity of the core area. **The district is an attractive, walkable, mixed-use environment for residents and visitors alike.** The Commercial district is consistent with the Commercial Comprehensive Plan designation.

2.105.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the C-1 zone, subject to the provisions in Section 3.105, Site Development Plan Review:

A. and B. No change.

C. Banks and other financial institutions **without a drive-through window.**

D. No change.

E. Restaurants, bakeries, drive-ins, taverns, snack shops and other types of eating and drinking establishments, including entertainment facilities accessory to the establishment.

F. through S. No change.

T. Small scale wineries, distilleries, or breweries subject to the provisions in Section 2.315

U. Hotels

2.105.03 Conditional Uses

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Section 3.103:

A. through C. No change.

D. Drive-through windows for banks and pharmacies, subject to the provisions in Section 2.313

2.105.04 Dimensional Standards

The following minimum dimensional standards, with the exception of modifications permitted under Section 2.402, shall be required for all development in the Commercial District.

A. through C. No change.

D. Maximum structure height: 55
50 feet

2.105.05 Development Standards

All developments in the C-1 District shall comply with the applicable provisions of Section 2.400 of this Ordinance. In addition, the following specific standards shall apply:

A. Off-Street Parking Spaces. Off-street parking shall comply with the following provisions:

1. No change.

2. As an alternative to providing the on-site parking required in A, 1, above, the owner may contribute to an City Council adopted municipal parking fund, an amount equivalent to the parking spaces required by the proposed use.

B. Building Design—Architectural Design Standards. The following standards are intended to support downtown development and revitalization consistent with Lafayette’s vision for the future. The standards build on the historic integrity of downtown Lafayette while allowing contemporary interpretations of building forms and styles.

1. Orientation. Primary structures shall be oriented toward Third Street. A public entrance shall be provided onto Third Street.

a. Public entrances and primary structures shall be oriented to the street. All buildings shall have at least one entrance abutting a street within 45 degrees.

b. Eighty percent of the abutting street frontage shall have a building placed no farther than 10 feet from the street property line.

c. Trash storage and ground level utilities (e.g., utility vaults and similar obstructions) shall not be placed between buildings and the street.

2. Large Buildings. Where a building with more than 15,000 square feet of gross floor area is proposed, it shall provide articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least one of the following features every 40 feet of building (horizontal length):

- windows;
- weather protection (awnings, canopies);
- building offsets;
- projections, changes in elevation of horizontal direction;
- terraces;
- a distinct pattern of divisions in surface materials; or
- screening trees.

The use of ornamentation, changes in cladding material or color, lighting (wall-mounted), and/or similar features is encouraged but by itself is not sufficient to meet the articulation standard.

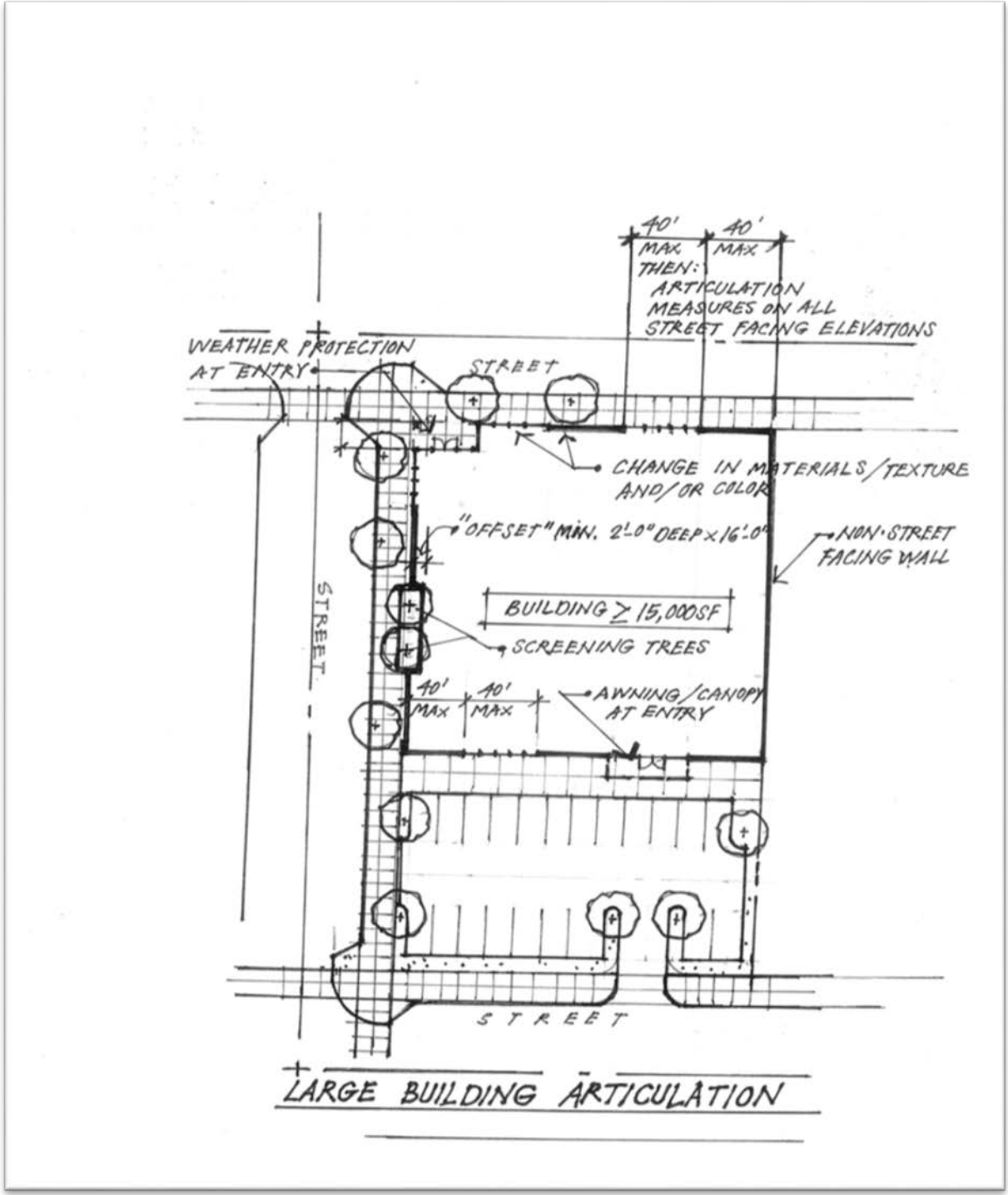


Figure 1: Large Building Articulation

23. Landscaping/pedestrian amenities. If a building is setback from Third Street, at least **75 percent** of the setback area shall be improved with pedestrian and landscaping amenities. Permitted landscaping and pedestrian amenities include **plazas or extensions of a sidewalk** with plants, planters, shrubbery, benches, tables, **public art, water fountains, or similar features.**

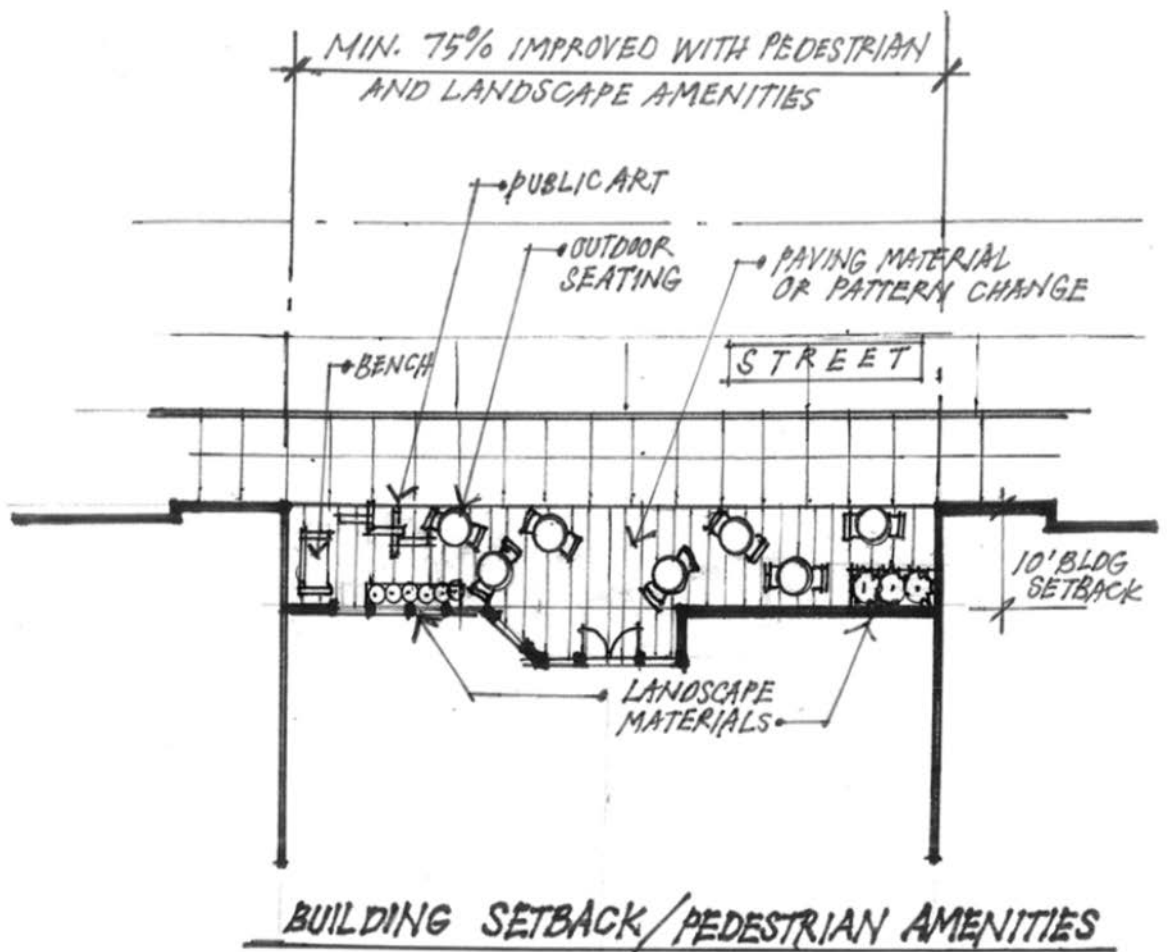


Figure 3: Pedestrian Amenities

4. Storefront Design. All elevations of a building shall contribute to the storefront character of Third Street buildings. This criterion is met by providing all of the architectural features listed in a-f, below, along the front building elevation (i.e., facing the street), as applicable:

a. Corner building entrances on corner lots.

b. Regularly spaced and similarly-shaped windows with window hoods or trim on all upper building stories.

c. Large display windows on the ground-floor (non-residential uses only). Display windows shall be framed by bulkheads, piers, and a storefront cornice that separates the ground-floor from the second story.

d. Decorative cornice or parapet at the top of building (flat roof); or eaves provided with pitched roof.

e. Completely transparent ground level entrances oriented to a street for natural surveillance and to encourage an inviting business environment.

f. Pedestrian shelters that are visually compatible with the architecture of the building, including awnings, canopies, or recesses provided along at least 75 percent of the ground floor elevation(s) of a building where the building abuts a sidewalk, civic space, or pedestrian access ways.

3-g. Siding materials. Exterior siding materials visible from the street right-of-way shall be wood or masonry, or ~~such other another~~ material indistinguishable in appearance from wood or masonry. Such wood type siding as horizontal lap, shingle, and board and batten are acceptable. Acceptable wood substitutes such as ~~vinyl, aluminum and~~ pressed wood products shall only be permitted as a horizontal lap siding. Such masonry type siding as brick and stone are acceptable; stucco material is prohibited. Acceptable masonry substitutes include masonry veneer and concrete or other similar material formed to simulate rock or brick.

h. Color Palette. Building exterior paint colors shall conform to the Color Palette in Appendix A.

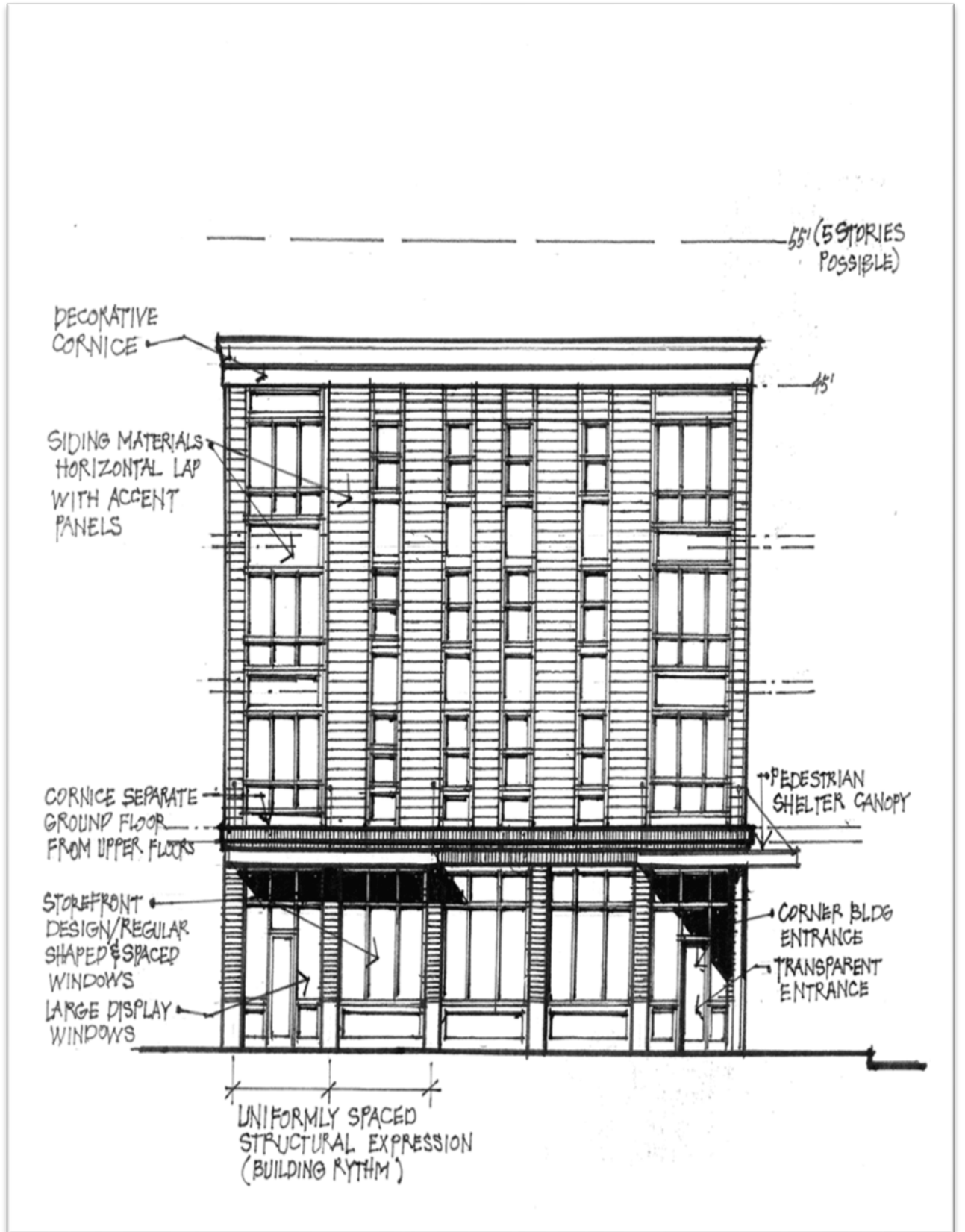


Figure 2: Storefront Design

56. Walkways. Walkways shall connect the street right-of-way to primary building entrances, and connect all primary building entrances to one another, including pedestrian crossings through interior parking areas.

67. Mechanical Equipment.

Mechanical, electrical, and communications equipment including meters, transformers, service and delivery entrances, and garbage storage areas shall be screened from view from public rights-of-way and civic spaces.

Note: meters and service and delivery entrances and garbage storage areas were removed by the City Council on 12/10/15.

78. Trash and Recycling Enclosures. Trash collection and recycling storage areas must be located within a structure or otherwise screened from view in an enclosed facility. Such facilities must be screened from view from public rights-of-way and civic spaces behind a screening wall or fence, constructed to match the materials used on the primary building(s) on the subject site.

C. through G. No change.

2.106 COMMERCIAL-GENERAL DISTRICT (C-2)

2.106.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the C-2 zone, subject to the provisions in Section 3.105, Site Development Plan Review:

A. through GG. No change.

HH. Hotels and motels

2.106.04 Dimensional Standards

The following minimum dimensional standards, with the exception of modifications permitted under Section 2.402, shall be required for all development in the Commercial District.

A. through B. No change.

C. Maximum structure height: **55 50feet**

2.106.05 Development Standards

All developments in the Commercial General District shall comply with the applicable provisions of Section 2.400 of this Ordinance. In addition, the following specific standards shall apply:

A. through C. No change.

D. Design Review. All new development and expansion of an existing structure or use in the Commercial General District shall be subject to the Site Development Review procedures of Section 3.105. **All developments in the C-2 district that abut Third Street between Jackson Street and the west city limits shall comply with the Architectural Design Standards in Section 2.105.05.B.** As a part of the design review process the City may impose the following conditions on a new or expanding development:

1. through 5. No change.

E. through G. No change.

CHAPTER 2
ZONING

2.200 GENERAL DEVELOPMENT STANDARDS

2.203 OFF-STREET PARKING AND LOADING

2.203.05 Off-Street Automobile Parking Requirements

Off-street parking shall be provided as required by Section 2.203.08 in the amount not less than listed below. Off-street parking shall not exceed by 1.5 times the amount listed below.

A. Off-street parking is not required for existing buildings on properties zoned C-1 that are adjacent to Third Street, from Washington Street to Monroe Street. New construction may request an adjustment to parking standards if permitting an adjustment would not adversely impact the surrounding area. The purpose of the adjustment is to provide flexibility for uses that may be unique, or provide greater flexibility for areas that can accommodate a new development with existing parking. An adjustment to the minimum parking standard may be approved based on a determination by the Planning Commission that the adjustment is consistent with approval criteria:

1. Documentation. The applicant shall document that the individual project will require an amount of parking that is different from that required. A parking study prepared by a traffic consultant is required.

2. The study must show that demand management programs, and/or special characteristics of the customer, client, employee, or resident population, will reduce expected vehicle use and parking space demand for the development, as compared to the minimum parking requirements of this Ordinance.

3. The study must show that a reduction in parking will not have an adverse impact on adjacent uses.

A. through Q. No change.

2.203.10 Bicycle Parking

A. Minimum Space Requirements

1. In the absence of adequate public bicycle parking facilities,
the following bicycle parking standards shall apply.

Bicycle Parking Spaces

	Type of Use	Minimum Number of Spaces
A	Single Family Residential	Zero
B	All new development or expansions of more than 20 percent of the original floor area	Minimum of 2
C		Each use shall have the greater of the number of spaces cited in line B or the following:
D	Duplexes, Triplexes, and other, Multi-Family Residential	One(1) per every two dwelling units
E	Retail, Office, Institutional, and Parks	One(1) per every <u>2010</u> vehicle parking spaces
F	Industrial	One(1) per every <u>4020</u> vehicle parking spaces
G	Schools	Six(6) for every classroom

- B. Minimum Development Requirements: At a minimum bicycle parking facilities shall be consistent with the following design guidelines. The location of bicycle parking facilities from Washington Street to Monroe Street in the C-1 district shall be determined by the City.

1. through 6. No change.

2.207 SITE AND LANDSCAPING DESIGN

2.207.03 Minimum Area Requirements

No change to the two lead-in paragraphs.

A. through C. No change.

D. Parking Areas: The following standards shall be met for each parking lot or each parking bay where a development contains multiple parking areas:

1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and ground cover plants, as approved by the City. At a minimum, one shade tree per 5 parking spaces total shall be planted to create a partial tree canopy over and around the parking area.

2. All parking areas with more than 10 spaces shall include landscape islands with trees to break up the parking area into rows of not more

than 10 contiguous parking spaces. All landscaped islands shall have minimum dimensions of 48 square feet to ensure adequate soil, water, and space for healthy plant growth.

3. All required parking lot landscaped areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that within 2 years of planting, not less than 50 percent of that area is covered with living plants.

4. Wheel stops, curbs, bollards and other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall not be planted fewer than 2 feet from any such barriers.

5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with best management practices.

2.207.05 Screening and Buffering

- A. Screening shall be used to eliminate or reduce the visual impacts of the following uses:
 - 1. through 4. No change.
 - 5. Parking areas for 10,200 or more vehicles for multi-family developments or multi-family developments that abut other zoning districts that allow residential uses, or 2030 or more vehicles for commercial or industrial uses.
 - 6. and 7. No change.
- B. and C. No change.

CHAPTER 2 ZONING

2.300 SUPPLEMENTAL STANDARDS FOR SPECIAL USES

Note to reader: The following sections in highlight contain new draft code language. For ease of review, the existing code with no proposed changes was removed.

Section 2.312 ACCESSORY DWELLING UNITS

2.312.01 Purpose

2.312.02 Design Standards

Section 2.313 DRIVE-THROUGH USES

Section 2.314 AUTOMOTIVE REPAIR, SALES, STORAGE, AND SERVICE

Section 2.315 RETAIL SMALL-SCALE WINERY, BREWERY, OR DISTILLERY

2.312 ACCESSORY DWELLING UNITS (ADUs)

2.312.01 Purpose

The purpose of this chapter is to establish appropriate locations, site development standards, and permit requirements to allow for the provision of accessory dwelling units (ADUs) within the city. ADUs, commonly referred to as “granny flats,” are a well-established housing strategy that can aid in the housing and dependent care of family members, provide rental income to offset the costs of homeownership, and add to the supply of affordable housing options available to the citizens of Lafayette.

2.312.02 Design Standards:

ADUs, where allowed, shall conform to all of the following standards:

A. One Unit. A maximum of one (1) ADU is allowed per legal lot:

B. Floor Area. An ADU shall not exceed 800 square feet of floor area, or 40 percent of the primary dwelling unit's floor area, whichever is smaller. The unit may be a detached cottage, a unit attached to a dwelling, an apartment above a garage or the conversion of a portion of an existing dwelling. The floor area of any garage associated with the primary dwelling is not included in the calculation of maximum floor area.

C. Lot Size. The minimum lot size for a lot with an ADU is ~~5,000~~ 5,000 square feet:

D. Building Construction. The ADU shall comply with applicable Building Code requirements:

E. Building Height. The height of an ADU shall not exceed the height of the primary dwelling:

The Lafayette community expressed concern at the City Council-Planning Commission joint work session, and community meeting, stating that one space should be required per ADU. In order to satisfy the concerns and retain flexibility, language is provided below addressing the parking requirements for ADUs. It states that 1 space is required, however, it provides flexibility to meet the requirement. If a parking space is available directly in front of the property, this space can count towards the requirement. If the primary dwelling has a large parking area with extra spaces, the required ADU space can be provided in the extra space. If neither of these situations are available to provide the required parking space, then one additional off-street space is required for the ADU.

F. Parking. One parking space per ADU is required. The required parking space may be provided on-street, directly in front of and adjacent to the property if a space is available. The required parking space may also be provided in an existing driveway for the primary dwelling if a space is available. Otherwise, one off-street parking space is required in addition to the minimum parking requirement of the primary dwelling; and

G. Screening and Buffering. The City may require a landscape hedge or fence be installed on the property line separating a detached ADU from an abutting lot containing a single-family dwelling for the purposes of visual screening and privacy between uses.

Note to reader: It is suggested here that existing legal non-conforming structures be allowed to convert to an ADU. This is because even though the use of a legal non-conforming structure is changing, there is no greater impact. The non-conforming building is already there and the code for non-conforming uses and structures will continue to govern.

H. Any new, detached, ADU construction shall be required to meet the development standards of the underlying zone.

I. Any increase in the building footprint of an existing structure to accommodate an ADU shall be required meet the development standards of the underlying zone

J.Existing legal non-conforming structures may be converted to an ADU as long as there is no expansion of the building footprint.



Figure 4: Accessory Dwelling Unit Adjacent to Main House

2.313 DRIVE-THROUGH USES AND FACILITIES

2.313.01 Purpose

Where drive-through uses and facilities are allowed, they shall conform to all of the following standards, which are intended to calm traffic, provide for adequate vehicle queuing space, prevent automobile turning movement conflicts, and provide for pedestrian and bicycle comfort and safety.

2.312.02 Design Standards

Drive-through facilities (i.e., driveway queuing area, customer service windows, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards:

1. The drive-through facility shall orient to and receive access from one driveway that is internal to the development and not a street;
2. The drive-up/drive-through facility shall not be oriented to street corner;
3. The drive-up/drive-through facility shall not be located within 20 feet of a street right-of-way;
4. Vehicle queuing areas for drive-up and drive-through facilities shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk;
5. Bicycle access to the drive-up or drive-through shall be marked with signage and pavement markings; and
6. If ATMs are provided, at least one ATM shall be located adjacent to a sidewalk.

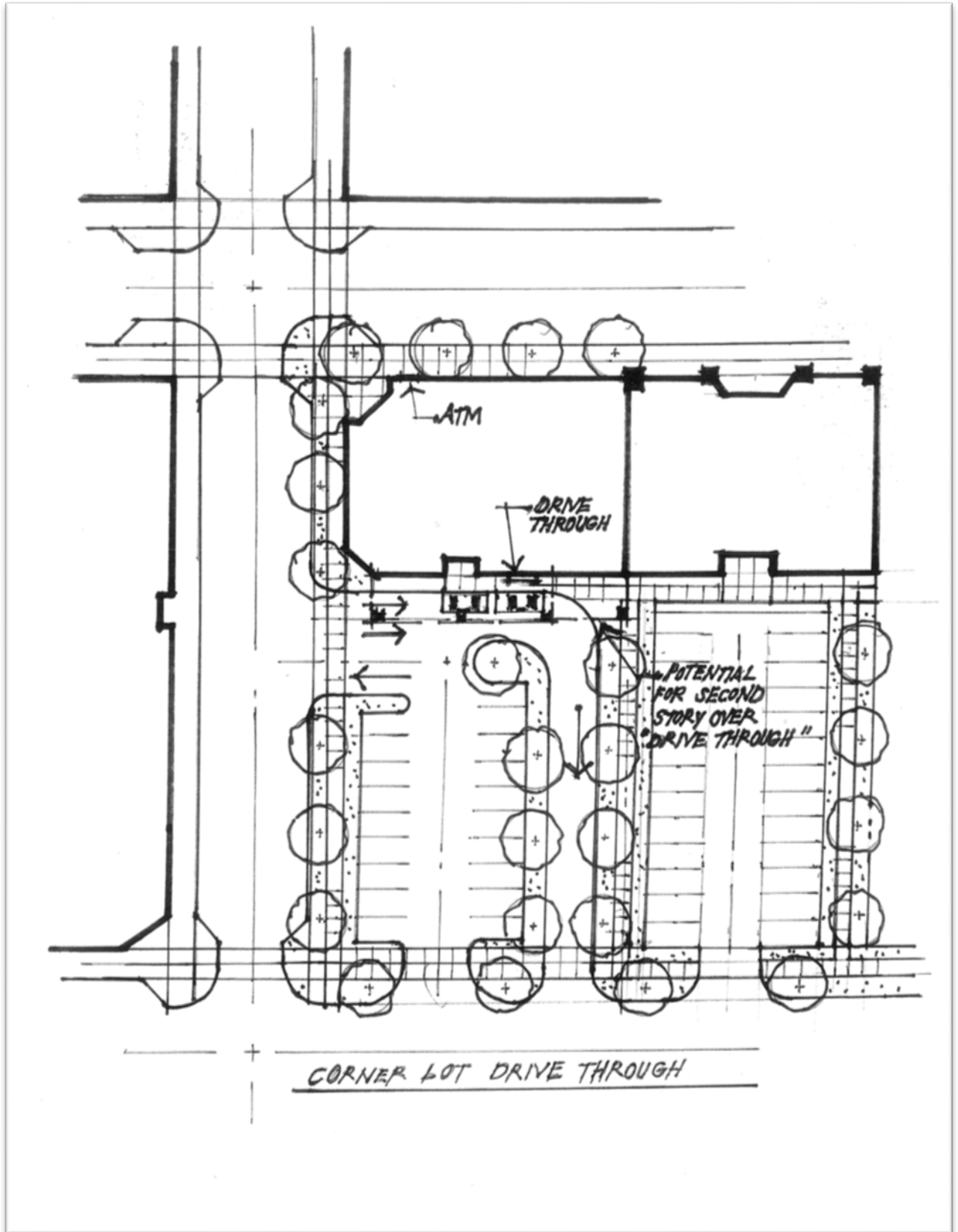


Figure 6: Corner Lot Drive Through

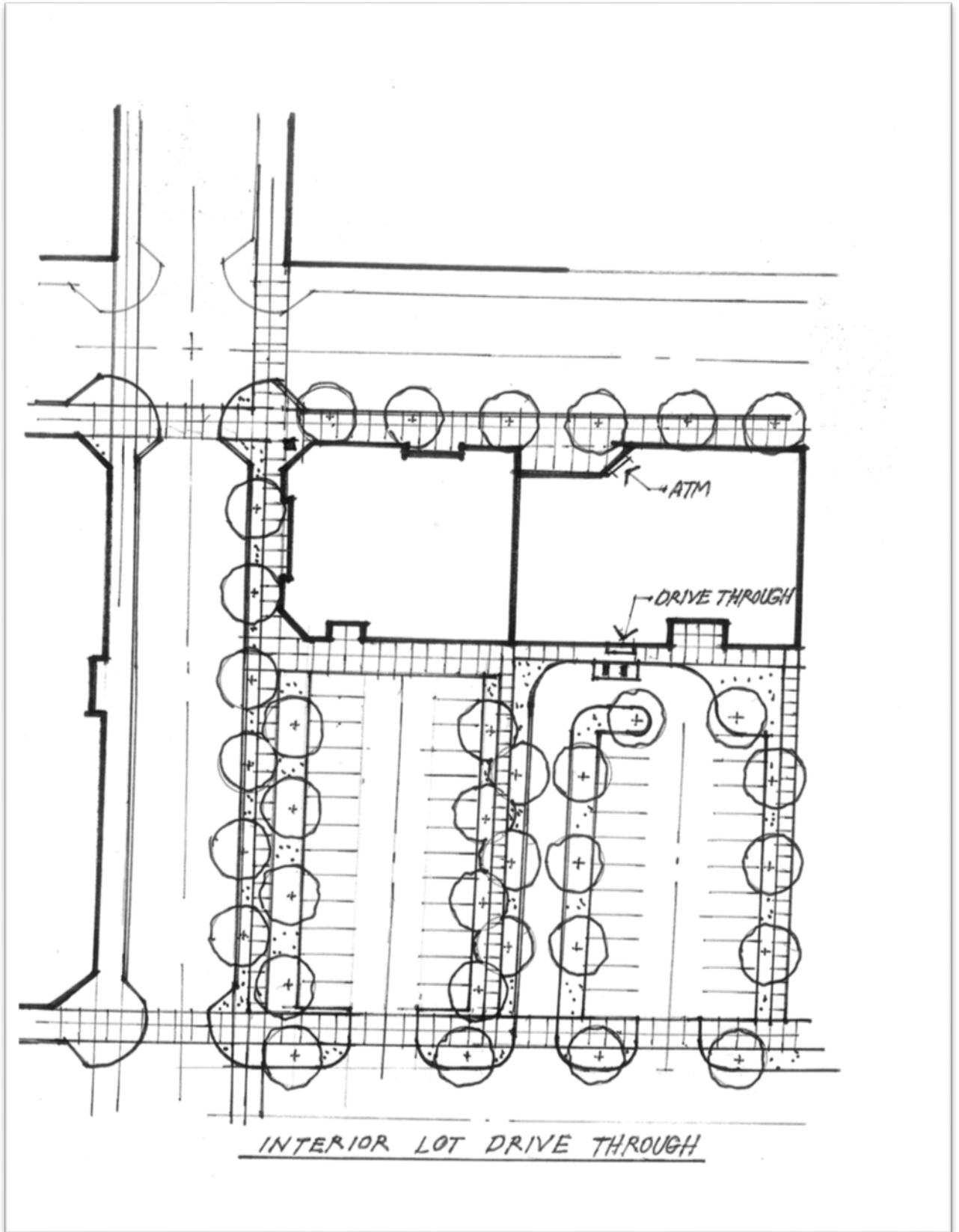


Figure 7: Interior Lot Drive Through

2.314 AUTOMOBILE REPAIR, SALES, STORAGE AND SERVICE

Where allowed, businesses that repair, sell, rent, store, or service automobiles, trucks, motorcycles, buses, recreational vehicles, boat, and similar vehicles and equipment shall be contained within an enclosed building and the use shall not exceed either 5,000 square feet of floor area or 100 feet of street frontage.

2.315 SMALL-SCALE WINERIES, BREWERIES, OR DISTILLERIES

Where allowed, small-scale wineries, breweries, or distilleries are permitted provided all of the following are met:

A. The primary use on-site is winery, brewery, or distillery.

B. The floor area devoted to retail sales, eating and drinking, and similar customer uses is at least 20 percent of the total floor area.

C. The floor area devoted to production, storage, and related uses does not exceed 5,000 square feet.

3.105 SITE DEVELOPMENT REVIEW

3.105.03 Applicability of Provisions

- A. Site Development Review shall be required for the following:
1. Any new development whereby a site development review is required to establish a permitted or conditionally permitted use.
 2. Any development which exceeds 25% of the total square footage of the structure or structures which existed as of January 1, 1998.
 3. Except for the uses in 3.105.03, B, any commercial, industrial or public and semi-public use interior modifications or change in use which meets one of the following
 - a. The modification or change in use requires a 25% increase in the number of required parking spaces (not existing) for the current use; or
 - b. The modification or change in use generates an average of 100+ trips per day per 1000 gross square feet of building as documented in the Trip Generation Manual of the Institute of Transportation Engineers or other qualified source; or,
 - c. The modification or change in use includes daily shipping and delivery trips by vehicles over 20,000 pounds gross vehicle weight.
- B. Site Development Review shall not be required for the following:
1. Single family detached or attached dwelling on a lot or parcel.
 2. Duplex on a lot or parcel.
 3. Any commercial, industrial or public and semi-public use expansion that does not exceed 25% of the total square footage of the structure or structures which existed as of January 1, 1998.
- C. All of the provisions and regulations of the underlying zone shall apply unless modified by other Sections of this Code.
- D. Notwithstanding A – C, above, the Architectural Design Standards in the C-1 Zone, Section 2.105.05, B, shall apply to all development and exterior maintenance in the C-1 District, and to all development and exterior maintenance in the C-2 Zone for properties with frontage on 3rd Street.**