



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

12/23/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Gold Hill Plan Amendment
DLCD File Number 001-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, January 10, 2014

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

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

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

Cc: Dick Converse, City of Gold Hill
Gordon Howard, DLCD Urban Planning Specialist
Josh LeBombard, DLCD Regional Representative

<paa> YA



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

FOR DLCD USE
File No.: 001-13 (20041)
[17721]
Received: 12/20/2013

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: The City of Gold Hill

Local file no.:

Date of adoption: 12/2/13 Date sent: 12/20/2013

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):
- 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:

Several sections rewritten, numbers altered regarding street width restrictions, clarification of certain LID purposes, other changes.

Local contact (name and title): Nicolas Lennartz

Phone: 541-8551525 E-mail: wqic@ci.goldhill.or.us

Street address: 420 6th ave City: Gold Hill Zip: 97525

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:

See attached changes, listed by section including code.

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:

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

List affected state or federal agencies, local governments and special districts: The City of Gold Hill, OR

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.

NOTICE OF ADOPTED CHANGE – SUBMITTAL INSTRUCTIONS

1. A Notice of Adopted Change must be received by DLCD no later than 20 days after the ordinance(s) implementing the change has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) as provided in [ORS 197.615](#) and [OAR 660-018-0040](#).

2. A Notice of Adopted Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of Adopted Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of Adopted Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 2 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

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

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line “Notice of Adopted Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 2 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of Adopted Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Content:** An administrative rule lists required content of a submittal of an adopted change ([OAR 660-018-0040\(3\)](#)). By completing this form and including the materials listed in the checklist below, the notice will include the required contents.

Where the amendments or new land use regulations, including supplementary materials, exceed 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

7. Remember to notify persons who participated in the local proceedings and requested notice of the final decision. ([ORS 197.615](#))

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 2
- A copy of the final decision (including the signed ordinance(s)). This must include city *and* county decisions for UGB and urban reserve adoptions
- The findings and the text of the change to the comprehensive plan or land use regulation
- If a comprehensive plan map or zoning map is created or altered by the proposed change:
 - A map showing the area changed and applicable designations, and
 - Electronic files containing geospatial data showing the area changed, as specified in [OAR 660-018-0040\(5\)](#), if applicable
- Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change

PROPOSED GOLD HILL LID CODE AMENDMENTS

Subdivision Code Amendments

Code Chapter	LID Category	LID Strategy
16.12 (?-?)	Conservation Design	Minimize Impervious Surface

Section 16.12.020 Streets

T. Cul—de—sac. A cul—de—sac shall be as short as possible and shall in no event be more than four hundred feet long nor serve more than twelve single—family dwellings.

All cul—de—sacs shall terminate with a circular or turnaround.

Code Chapter	LID Category	LID Strategy
16.12 (?-?)	Conservation Design	Minimize Impervious Surface

Section 16.12.020 Streets

Radius for turnaround at end of cul—de—sac ~~50~~ 48 feet.

Code Chapter	LID Category	LID Strategy
16.12 (?-?)	None	None

Section 16.12.030 Blocks

O. Planting Easements. Where physical conditions require approval or streets less than fifty feet in width, additional easements for planting of street trees or shrubs may be required. **Planting easements may be comprised of stormwater facilities including, rain gardens and curb-contained bioretention.**

Code Chapter	LID Category	LID Strategy
16.20 (?-?)	None	None

Section 16.20.070 Supplemental proposals

Any of the following may be required by the planning commission or council to supplement the plan of subdivision:

...

F. A plan for stormwater mitigation measures (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips).

Code Chapter	LID Category	LID Strategy
16.32 (?-?)	None	None

16.32.060 Subdivision improvements

B. Surface Drainage and Storm Sewer System. Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainageways of storm sewers outside the subdivision. Design of drainage within the subdivision, as approved by the city engineer, shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such area.

1. Where practical, natural drainage facilities may be used in lieu of drainage facilities consisting of impermeable surface. Natural drainage facilities should include natural vegetation and stormwater mitigation measures.

Code Chapter	LID Category	LID Strategy
16.32 (?-?)	None	None

16.32.080 Specified

B. Surface Drainage and Storm Sewer System.

1. Drainage facilities shall be provided within the land division and to connect the land division drainage to drainageways or storm sewers outside the land division.

a. Where practical, natural drainage facilities may be used in lieu of drainage facilities consisting of impermeable surface. Natural drainage facilities should include natural vegetation and stormwater mitigation measures.

Code Chapter	LID Category	LID Strategy
16.24 (?-?)	Conservation Design	Minimize Impervious Surface

Section 16.24.020 Information required

M. Stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips).

Definitions Code Amendments

Code Chapter	LID Category	LID Strategy
17.08 (Definitions)	None	None

17.08.010 Generally. ...

17.08.020 Access. ...

17.08.030 Accessory Structure or accessory use. ...

17.08.040 Alley. ...

17.08.050 Bioretention. A system consisting of a soil bed planted with native vegetation. Stormwater runoff entering the bioretention system is filtered through the soil planting bed before being either conveyed downstream by an underdrain system or infiltrated into the existing subsoil below the soil bed.

17.08.060 Boarding and rooming house. ...

17.08.065 Child care. ...

17.08.070 City council or council. ...

17.08.080 Composting. Organic material that can be added to soil to help plants grow.

17.08.090 Curb-contained bioretention. A series of smaller, depressed vegetated collection basins that retain stormwater runoff from parking lots, residential streets or large impervious commercial areas. These depressions are often surrounded by curbing to maximize storage during large events, and often include an over-flow outlet or underdrains to conventional stormwater systems. Inflow is often dispersed via a gravel diaphragm or level spreader to disperse flow evenly into the facility.

17.08.100 Dwelling, group. ...

17.08.110 Dwelling, multifamily. ...

17.08.120 Dwelling, single-family. ...

17.08.130 Dwelling, two-family. ...

17.08.140 Dwelling unit. ...

17.08.150 Filter Strips. Vegetated surfaces that are designed to treat sheet flow from adjacent surfaces. Filter strips function by slowing runoff velocities and filtering out sediment and other pollutants, and by providing some infiltration into underlying soils.

17.08.160 Grade. ...

17.08.170 In-curb planter vault. A sub-grade storage vaults built into curbs to allow road or parking lot drainage to enter the vault's planter, which provides vegetation for the adjacent traffic island or sidewalk.

17.08.180 Kennel. ...

17.08.190 Level spreader. A level, graded area designed to slow and spread concentrated runoff and release it as sheet flow to a stabilized area. The level spreader outfall can be stabilized by vegetation, erosion control blankets or a combination of wood timber and gravel.

17.08.200 Livable neighborhood. Elements within a community that have significant impact on individual residents' quality of life and on the overall community's well-being.

17.08.210 Lot. ...

17.08.220 Lot coverage. all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 36 inches above the finished and natural grade; except for covered front porches, covered (non-enclosed) bicycle parking, pergolas, porticos, balconies, overhangs and similar architectural features placed on the front (e.g., street facing) elevation of a building.

17.08.230 Low impact development. An approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible.

17.08.240 Mobile home. ...

17.08.250 Mobile home park. ...

17.08.260 Native vegetation. "Native Vegetation" means any plant community native to the state of Oregon. The following sources shall be used in making this determination:

- 1) For riparian areas specifically, the *Stream and Wetland Enhancement Guide* by the Rogue Valley Council of Governments shall be used.
- 2) For general purposes, the *Recommended Native Plants for Home Gardens in Western Oregon* publication by Oregon State University Extensive Service shall be used.

17.08.270 Nonconforming structure or use. ...

17.08.280 Outdoor advertising structure. ...

17.08.290 Owner. ...

17.08.300 Permeable pavement. A system consisting of strong structural materials containing regularly interspersed void areas, which are filled with pervious materials such as gravel or sod.

17.08.310 Professional office. ...

17.08.320 Rain barrel. A system that collects and stores rainwater from your roof that would otherwise be lost to runoff and diverted to storm drains and streams.

17.08.330 Rain garden. A "sunken garden bed" that collects and treats stormwater runoff, primarily from rooftops, driveways, sidewalks, parking lots, and streets.

17.08.340 Residential facility. ...

17.08.350 Residential home. ...

17.08.360 Retention pond. Constructed basins that have a permanent pool of water throughout the year (or at least throughout the wet season). Ponds treat incoming stormwater runoff by allowing particles to settle and algae to take up nutrients.

17.08.370 Sign. ...

17.08.380 Street. ...

17.08.390 Structure. ...

17.08.400 Swale. A vegetated, open-channel management practice designed specifically to treat and attenuate stormwater runoff for a specified water quality volume.

Single-Family Residential District Code Amendments

Code Chapter	LID Category	LID Strategy
17.16 (R-1)	None	None

Section 17.16.100 Purpose

The Single-Family Residential District is intended to promote the livability, stability and improvement of the City’s neighborhoods. This chapter provides standards for the orderly expansion and improvement of neighborhoods based on the following principles:

- Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.
- Accommodate a range of housing needs, including owner-occupied and rental housing.
- Provide for compatible building and site design at an appropriate neighborhood scale.
- Reduce reliance on the automobile for neighborhood travel and provide options for walking, and bicycling.
- Provide direct and convenient access to schools, parks and neighborhood services.
- **Encourage and allow development with minimal impact on the natural environment to ensure livable neighborhoods.**

Code Chapter	LID Category	LID Strategy
17.16 (R-1)	None	None

Section 17.16.110 Permitted Land Uses

Table 17.16.110A.

Land Uses and Building Types Permitted in the Residential District

4. Accessory Uses and Structures (includes accessory dwellings)

- Stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips)**

Code Chapter	LID Category	LID Strategy
17.16 (R-1)	(1) Conservation Design, (2) Runoff Storage, (3) Low Impact Landscaping	(1) Minimize Impervious Surface, (2) Clustered Development, (3) Rain Barrels, (4) Compost

Section 17.16.120

Building setbacks

Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sun light and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of markets and other non-residential uses. The standards encourage placement of residences close to the street, **and, when appropriate, clustered** for public safety, **and** neighborhood security, **preservation of native vegetation and natural hydrology and minimizing total impervious surface area.**

Building setbacks are measured from the wall to the respective property line. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards, as listed on the following page and illustrated above, apply to primary structures as well as accessory structures. A Variance is required in accordance with Section 17.76 to modify any setback standard. **Setback modification to reduce total impervious surface area on a lot will be given speedier consideration. Examples of setback modifications to reduce total impervious surface area include but are not limited to: reducing side yard setback for clustered development, reducing any setback to reduce walkway or driveway pavement, or reducing any setback to allow for a shared driveway.**

D. Setback Exceptions

The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 3 feet. Decks and similar roofless structures not more than 36 inches high may encroach into setbacks by no more than 6 feet, subject to the front yard setback provision in "A". Walls and fences may be placed on property lines, subject to the standards in Chapter 17.56 – Site Plan, Landscaping and Construction Plan Approval. Wall and fences within front yards shall additionally comply with the vision clearance standards in Section 17.56.020.

E. Special Yards – Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be **as follows:**

1. **Ten feet between dwelling units;**
2. **Three feet between a dwelling unit and an accessory building. A lesser distance is permitted, however, the buildings will be considered attached and subject to all dwelling unit setbacks, and the regulations of the Building Code as adopted by Jackson County;**
3. **Three feet between accessory buildings. A lesser distance is permitted, however, the buildings will be considered attached and subject to all regulations as they may pertain to accessory buildings based on this combined area, and the**

regulations of the Building Code as adopted by Jackson County.

Code Chapter	LID Category	LID Strategy
17.76 (Variance)	N/A	N/A

17.76.050 Approval.

- A. Within ninety days after the filing of the application, the commission shall render its decision, and shall make a written finding of facts showing whether the qualifications under Section 17.72.020 apply to the land, or building, for which variance is sought and whether such variance will be in harmony with the general purpose of this ordinance.
- B. The commission may continue a public hearing in order to obtain more information or to serve further notice.
- C. A copy of the commission resolution shall be mailed to the applicant at the address shown on the application. (Ord. 384 §7.060, 1972).
- D. **If the council or their designated representative determines that the applicant will include a significant amount of low impact development strategies into the site design, the entity may expedite the approval process. The amount of low impact development that will be significant for the purposes of expediting the process is at the discretion of the administering entity.**

Code Chapter	LID Category	LID Strategy
17.16 (R-1)	(1) Conservation Design, (2) Infiltration	(1) Minimize Impervious Surface, (2) Clustered Development, (3) Permeable Pavement

17.16.140 – Flag Lots

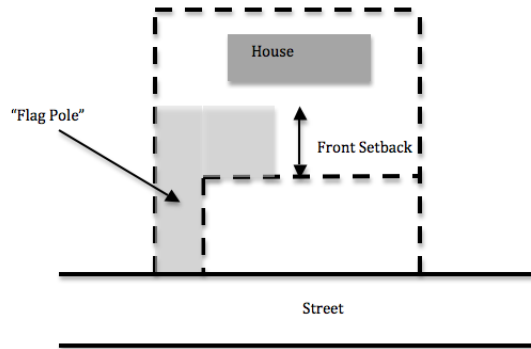
- A. Flag lots. Flag lots may be created only when it is found that streets cannot reasonably be extended to serve future development. A flag lot driveway may serve no more than ~~two (2)~~ **four (4)**¹ dwelling units, including accessory dwellings and dwellings on individual lots, **unless so long as** Uniform Fire Code (UFC) standards are met for more units. A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area.

[Figure 2.1.140B excluded]

- B. Driveway and lane width. The minimum width of all shared drives and lanes shall be **12** feet; the maximum width is **20** feet, as required by the Uniform Fire Code. **All or a portion of this lane width is encouraged to be composed of pervious paving materials as deemed appropriate.**

[Include figure displaying a flag lot and highlighting the “pole” section of the flag lot’s driveway. For an example, see below.]

¹ Example from: http://www.horsleywitten.com/smartgrowth/LID/regional_planning/LID/LID_codes.html



- C. Dedication of drive lane. The owner shall dedicate 20 feet of right-of-way or record a 20-foot easement (i.e., 10 feet from each property sharing a drive) for vehicle access similar to an alley. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat. **When appropriate, use of pervious paving materials in the development of a drive lane is encouraged.**

Code Chapter	LID Category	LID Strategy
17.16 (R-1)	Conservation Design	Minimize Impervious Surface

Section 17.16.160 – Maximum Lot Coverage

- A. Maximum Lot Coverage. The following maximum lot coverage standards shall apply to all:
- Single Family Detached Houses – ~~50~~ 40 percent
 - Single Family Attached Townhomes – ~~60~~ 50 percent
 - Public/Institutional Uses – ~~100~~ 90 percent

----- AND/OR -----

Section 17.16.160 – Maximum Lot Coverage

D. Lot Coverage Bonus. Lot coverage bonuses are percentage increases in the overall lot coverage allowance. A maximum 10 percent lot coverage bonus is permitted for those listed in Section 17.16.160(A)(a-b). In order to achieve a lot coverage greater than those listed in Section 17.16.160(A)(a-b), a development can receive an additional one percent lot coverage bonus for each one percent of land covered by a rain garden, swale, curb-contained bioretention, or other low impact development strategy as approved by ~~the planning commission~~ the council or their designated representative. With regards to lots under Section 17.16.160(A)(c), an additional 5% is allowed (for total maximum lot coverage of 95%) as long as appropriate facilities are developed to mitigate storm-water runoff from ‘critical’ (i.e. high runoff/collection) sources on-site, in the form of: rain gardens, bio-swales, curb-side filtration and bioretention systems. Appropriation and level of said facilities is to be determined by the council or their designated representative.

Code Chapter	LID Category	LID Strategy
17.16 (R-1)	Low Impact Landscaping	Rain Gardens

Section 17.16.200 – Special Standards for Certain Uses

A. Accessory dwelling (attached, separate cottage, or above detached garage).

6. Buffering. A hedge or fence may be required to buffer a detached accessory dwelling from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas by either the occupants or adjacent residents. **If a buffer is necessary, a rain garden can serve as the buffer as long as it serves a similar or sufficient purpose as a hedge or fence, and will preferably include native vegetation.**

Code Chapter	LID Category	LID Strategy
17.16 (R-1)	(1) Low Impact Landscaping, (2) Filtration	(1) Rain Gardens, (2) Swales

17.16.200 – Special Standards for Certain Uses

C. Manufactured Home Park.

4. Perimeter Landscaping. When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 15-foot wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape. **If a landscape buffer is necessary, the 15-foot wide landscape buffer may be a swale or rain garden and will preferably include native vegetation, as long as the swale or rain garden serves a similar or sufficient purpose as a fence or hedge.**

Code Chapter	LID Category	LID Strategy
17.16 (R-1)	None	None

17.16.200 – Special Standards for Certain Uses

I. Accessory Uses and Structures Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the Single-family Residential District include detached garages, sheds, workshops, green houses, and similar structures. (For standards applicable to Accessory Dwellings, please refer to Section 17.16.200 B.) **Accessory uses may include stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips).** All accessory structures shall comply **with all of the** following standards:

Multi-Family Residential District Code Amendments

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	None	None

Section 17.24.100 Purpose

The Multiple-Family Residential District is intended to promote the livability, stability and improvement of the City’s neighborhoods at a higher density than that permitted in the R-2 District. This chapter provides standards for the orderly expansion and improvement of neighborhoods based on the following principles:

- Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.
- Accommodate a range of housing needs, including owner-occupied and rental housing.
- Provide for compatible building and site design at an appropriate neighborhood scale.
- Reduce reliance on the automobile for neighborhood travel and provide options for walking, and bicycling.
- Provide direct and convenient access to schools, parks and neighborhood services.
- **Encourage and allow development with minimal impact on the natural environment to ensure livable neighborhoods.**

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	None	None

Section 17.24.110 Permitted Land Uses

Table 17.24.110A.

Land Uses and Building Types Permitted in the Residential District

4. Accessory Uses and Structures (includes accessory dwellings)

- Stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips)

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	(1) Conservation Design, (2) Runoff Storage, (3) Low Impact Landscaping	(1) Minimize Impervious Surface, (2) Clustered Development, (3) Rain Barrels, (4) Compost

Section 17.24.120

[Figure 2.1.120 – Building Setbacks, figure should be different from the R-1 figure to demonstrate the difference in expected density.]

Building setbacks

Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sun light and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of markets and other non-residential uses. The standards encourage placement of residences close to the street, **and, at times, close to each other** for public safety, **and** neighborhood security, **preservation of native vegetation and natural hydrology and minimizing total impervious surface area.**

Building setbacks are measured from the wall to the respective property line. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards, as listed on the following page and illustrated above, apply to primary structures as well as accessory structures. A Variance is required in accordance with Section 17.76 to modify any setback standard. **Setback modification to reduce total impervious surface area on a lot will be given speedier consideration at the discretion of the council or their designated representative. Examples of setback modifications to reduce total impervious surface area include but are not limited to: reducing side yard setback for clustered development, reducing any setback to reduce walkway or driveway pavement, or reducing any setback to allow for a shared driveway.**

D. Setback Exceptions

The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, **rain barrels, composts,** and similar architectural features **or accessory features such as rain barrels and compost bins** may encroach into setbacks by no more than 3 feet. Decks and similar roofless structures not more than 36 inches high may encroach into setbacks by no more than 6 feet, subject to the front yard setback provision in "A". Walls and fences may be placed on property lines, subject to the standards in Chapter 17.56 – Site Plan, Landscaping and Construction Plan Approval. Wall and fences within front yards shall additionally comply with the vision clearance standards in Section 17.56.020.

E. Special Yards – Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be ~~at least one-half (1/2) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 10 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscape yard, or other open space.~~ as follows:

1. Ten feet between dwelling units;
2. Three feet between a dwelling unit and an accessory building. A lesser distance is permitted, however, the buildings will be considered attached and subject to all dwelling unit setbacks, and the regulations of the Building Code as adopted by Jackson County;
3. Three feet between accessory buildings. A lesser distance is permitted, however, the buildings will be considered attached and subject to all regulations as they may pertain to accessory buildings based on this combined area, and the regulations of the Building Code as adopted by Jackson County.

[Figure 2.1.130 – Lot Dimensions, figure should be different from the R-1 figure to demonstrate the difference in expected density.]

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	(1) Conservation Design, (2) Infiltration	(1) Minimize Impervious Surface, (2) Clustered Development, (3) Permeable Pavement

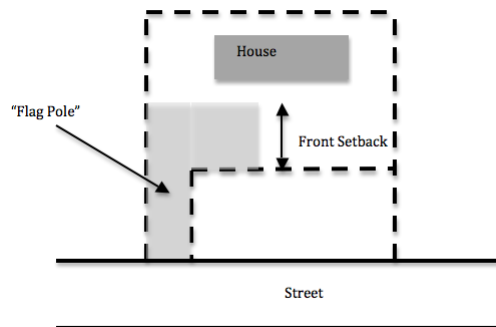
17.24.140 – Flag Lots

- B. Flag lots. Flag lots may be created only when it is found that streets cannot reasonably be extended to serve future development. A flag lot driveway may serve **no more than ~~two (2)~~ four (4)²** dwelling units, including accessory dwellings and dwellings on individual lots, **unless so long as** Uniform Fire Code (UFC) standards are met for more units. When UFC standards are met, the maximum number of dwellings shall be six (6). A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area.

[Figure 2.1.140B excluded]

- C. Driveway and lane width. The minimum width of all shared drives and lanes shall be **12** feet; the maximum width is **20** feet, as required by the Uniform Fire Code. For shared drives and lanes serving 4 or more dwellings, the pavement width shall be 20 feet. **All or a portion of this lane width is encouraged to be comprised of pervious paving materials.**

[Include figure displaying a flag lot and highlighting the “pole” section of the flag lot’s driveway. For an example, see below.]



- D. Dedication of drive lane. The owner shall dedicate **20** feet of right-of-way or record a **20** foot easement (i.e., **10** feet from each property sharing a drive) for vehicle access similar to an alley. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat. **All or a portion of the drive lane is encouraged to be comprised of pervious paving materials.**

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	Conservation Design	Minimize Impervious

² Example from: http://www.horsleywitten.com/smartgrowth/LID/regional_planning/LID/LID_codes.html

		Surface
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Section 17.24.160 – Maximum Lot Coverage

- A. Maximum Lot Coverage. The following maximum lot coverage standards shall apply to all:
 - a. Single Family Detached Houses – ~~50~~ 40 percent
 - b. Duplexes and Triplexes – ~~50~~ 40 percent
 - c. Single Family Attached Townhomes – ~~60~~ 50 percent
 - d. Multiple Family Housing – ~~60~~ 50 percent
 - e. Public/Institutional Uses – ~~100~~ 90 percent

----- AND/OR -----

Section 17.24.160 – Maximum Lot Coverage

D. Lot Coverage Bonus. Lot coverage bonuses are percentage increases in the overall lot coverage allowance. A maximum 10 percent lot coverage bonus is permitted for those listed in Section 17.16.160(A)(a-d). In order to achieve a lot coverage greater than those listed in Section 17.16.160(A)(a-d), a development can receive an additional one percent lot coverage bonus for each one percent of land covered by a rain garden, swale, curb-contained bioretention, or other low impact development strategy as approved by ~~the planning commission~~ the council or their designated representative. With regards to lots under Section 17.16.160(A)(e), an additional 5% is allowed (for total maximum lot coverage of 95%) as long as appropriate facilities are developed to mitigate storm-water runoff from ‘critical’ (i.e. high runoff/collection) sources on-site, in the form of: rain gardens, bio-swales, curb-side filtration and bioretention systems. Appropriation and level of said facilities is to be determined by the council or their designated representative.

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	(1) Conservation Design, (2) Filtration, (3) Low Impact Landscaping	(1) Minimize Impervious Surface, (2) Clustered Development, (3) Swales, (4) Rain Gardens

17.24.200 – Special Standards for Certain Uses

- A. **“Zero-lot line” (single family courtyard home).**

- 3. Buffering. The building placement, landscaping, and/or design of windows shall provide a buffer for the occupants of abutting lots. For example, this standard is met by placing ground-floor windows (along the zero setback) above sight lines with direct views into adjacent yards, or by directing views away from yards (e.g., bay window), or by using frosted/non-see-through windows, as necessary. **When a landscaping buffer is used, acceptable buffers include swales and rain gardens and will preferably include native vegetation.**

Code Chapter	LID Category	LID Strategy
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17.24 (R-3)	Low Impact Landscaping	Rain Gardens
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Section 17.24.200 – Special Standards for Certain Uses

B. Accessory dwelling (attached, separate cottage, or above detached garage).

6. Buffering. A hedge or fence may be required to buffer a detached accessory dwelling from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas by either the occupants or adjacent residents. **If a buffer is necessary, a rain garden can serve as the buffer as long as it serves a similar or sufficient purpose as a hedge or fence, and will preferably include native vegetation.**

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	(1) Filtration, (2) Low Impact Landscaping	(1) Swales, (2) Rain Gardens

17.24.200 – Special Standards for Certain Uses

D. Manufactured Home Park.

4. Perimeter landscaping. When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 15-foot wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape. **If a landscape buffer is necessary, the 15-foot wide landscape buffer may be a swale or rain garden and will preferably include native vegetation, as long as the swale or rain garden serves a similar or sufficient purpose as a fence or hedge.**

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	(1) Filtration, (2) Low Impact Landscaping, (3) Runoff Storage	(1) Swales, (2) Rain Gardens, (3) Curb-Contained Bioretention

17.24.200 – Special Standards for Certain Uses

D. Single-family Attached (townhomes), and Duplexes.

4. Common Areas. “Common areas” (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. **Such landscaping will preferably include native vegetation and may include retention ponds, swales, rain gardens, curb-contained bioretention and other LID features as approved by the council or their designated representative.** A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable

covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	Conservation Design	Minimize Impervious Surface

Section 17.24.200 – Special Standards for Certain Uses

F. Multi-family housing

Multi-family housing is allowed only within the R-3 District. Multi-family housing means housing that provides more than 3 dwellings on an individual lot (e.g., multi-plexes, apartments, condominiums, etc.). New multi-family developments shall comply with all of the following standards:

2. Common open space standard. Inclusive of required setback yards, a minimum of ~~20~~ 30 percent of the site area shall be designated and permanently reserved as usable common open space in all multiple family developments. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.);

- a. The usable common open space requirement may be reduced to 25 percent on the condition that the site feature surface water runoff mitigation facilities at ‘critical’ (i.e. high runoff/collection) areas to address storm-water concerns on site. The features may include, but are not limited to: rain gardens, bio-swales, water retention facilities and filtration strips. Appropriation of said features is to be determined by the council or their designated representative.

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	None	None

Section 17.24.200 – Special Standards for Certain Uses

H. Public and Institutional Land Uses.

3. Vehicle Areas and Trash Receptacles. All vehicle areas (i.e., parking, drives, storage, etc.) and trash receptacles shall be oriented away from adjacent residences to the greatest extent practicable, and shall be screened with an evergreen hedge of native vegetation or solid fence or a wall of not less than 6 feet in height.

Code Chapter	LID Category	LID Strategy
17.24 (R-3)	(1) Low Impact Landscaping, (2) Filtration	(1) Rain Gardens, (2) Swales

17.24.200 – Special Standards for Certain Uses

- I. **Accessory Uses and Structures** Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same

lot. Typical accessory structures in the Residential District include detached garages, sheds, workshops, green houses, ~~stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips)~~ and similar structures. (For standards applicable to Accessory Dwellings, please refer to Section 17.16.200 B.) ~~Accessory uses may include stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips).~~ All accessory structures shall comply with all of the following standards:

Commercial Limited District Code Amendments

Code Chapter	LID Category	LID Strategy
17.28 (C-1)	None	None

17.28.020 Permitted Uses

G. Stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips).

Commercial General District Code Amendments

Code Chapter	LID Category	LID Strategy
17.32 (C-2)	None	None

17.32.020 Permitted Uses

H. Stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips).

Downtown District Code Amendments

Code Chapter	LID Category	LID Strategy
17.36 (D)	None	None

17.36.100 PURPOSE

A city goal is to strengthen the Downtown District as the “heart” of the community and as the logical place for people to gather and create a business center. The District is intended to support this goal through elements of design and appropriate mixed-use development. This chapter provides standards for the orderly improvement of the Downtown District based on the following principles:

(I) Design standards/guidelines that implement low impact development strategies can minimize the impact of development on the natural hydrology and enhance the character of the Downtown.

Code Chapter	LID Category	LID Strategy
17.36 (D)	None	None

17.36.110 PERMITTED LAND USES

Table 17.36.110A.

Land Uses and Building Types Permitted in the Downtown District

...

5. Accessory Uses and Structures

- a. Stormwater facilities (e.g. permeable pavements, rain gardens, vegetated swales, and filter strips)

Code Chapter	LID Category	LID Strategy
17.36 (D)	(1) Low-Impact Landscaping, (2) Runoff Conveyance	(1) In-Curb Planter Vaults, (2) Curb-Contained Bioretention

17.36.170 PEDESTRIAN AND TRANSIT AMENITIES

(B) *Guidelines and standards.* Every development shall provide one or more of the pedestrian amenities listed in (1) through ~~(5)~~ (7), below, and illustrated above. (Note: the example shown above is meant to illustrate examples of pedestrian amenities. Other designs may be used.) Pedestrian amenities may be provided within the public right-of-way when approved by the applicable jurisdiction.

(1) A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of 10 feet);

(2) Sitting space (i.e., dining area, benches or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width);

(3) Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a sidewalk or other pedestrian space).

(4) Public art which incorporates seating (e.g., fountain, sculpture, etc.).

(5) Transit amenity, such as bus shelter or pullout.

(6) In-curb planter vaults.

(7) Curb-contained bioretention between the street and sidewalk.

Code Chapter	LID Category	LID Strategy
17.36 (D)	None	None

17.36.180 SPECIAL STANDARDS FOR CERTAIN USES

(D) *Accessory Uses and Structures.* Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the Downtown District include small workshops, greenhouses, studios, storage sheds, stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, and filter strips) and similar structures. Accessory uses and structures are allowed for all permitted land uses within the Downtown District, as identified in Table 17.36.2.A. Accessory structures shall not exceed 120 square feet in size and shall comply with the following standards:

Light Industrial District Code Amendments

Code Chapter	LID Category	LID Strategy
17.40 (M-1)	None	None

17.40.100 Purpose

The Light Industrial District accommodates a range of light manufacturing, industrial-office uses, automobile oriented uses (e.g., lodging, restaurants, auto-oriented retail), and similar uses which are not appropriate in downtown or main street areas. The district's standards are based on the following principles:

...

Encourage the use of stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, retention ponds, curb-contained bioretention, and filter strips).

Code Chapter	LID Category	LID Strategy
17.40 (M-1)	None	None

17.40.110 Permitted Land Uses

Table 17.40.110A.

Land Uses and Building Types Permitted in the Light Industrial District

4. Accessory Uses

- Stormwater facilities (e.g. permeable pavements, rain gardens, rain barrels, vegetated swales, composting, retention ponds, curb-contained bioretention, and filter strips).

Code Chapter	LID Category	LID Strategy
17.40 (M-1)	(1) Runoff Conveyance, (2) Filtration, (3) Low Impact	(1) Curb-Contained Bioretention, (2) Swales, (3)

	Landscaping	Rain Gardens
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17.40.120 Development Setbacks

D. Other Yard Requirements.

1. **Buffering.** A 20-foot minimum buffer zone shall be required between development and any adjacent Residential District. The buffer zone shall provide landscaping to screen parking, service and delivery areas, and walls without windows or entries, as applicable. **The buffer will preferably include native vegetation and may include swales, rain gardens, and curb-contained bioretention.** The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Chapter 17.48 may require buffering other situations, as well.

Code Chapter	LID Category	LID Strategy
17.40 (M-1)	(1) Filtration, (2) Low Impact Landscaping	(1) Swales, (2) Rain Gardens

17.40.150 Building Orientation

D. Buffers. The City may require a 30-foot landscape buffer between development in the Light Industrial District and adjacent Residential District(s) to reduce light, glare, noise, and aesthetic impacts. **If required, the landscape buffer will preferably contain native vegetation and may include a swale or rain garden, as long as the feature functions in a similar or sufficient manner of a traditional buffer.**

Code Chapter	LID Category	LID Strategy
17.60 (Parking)	(1) Conservation Design, (2) Runoff Conveyance, (3) Filtration, (4) Infiltration	(1) Minimize Impervious Surface, (2) Swales, (3) Curb-Contained Bioretention, (4) Permeable Pavements

In Chapter 17.60, Parking,

- Adjust parking minimums
- Establish parking maximums
- Include curb-contained bioretention and swales on parking lot boarders
- Encourage permeable pavement
- Develop leaving enough room for tree roots
- Encourage use of native vegetation

Code Chapter	LID Category	LID Strategy
16.12 (Pathways)	(1) Runoff Conveyance, (2) Low Impact Landscaping, (3) Conservation Design	(1) Curb-Contained Bioretention, (2) In-Curb Planter Vaults, (3) Minimize Impervious Surface

In Chapter 16.12, Pathways,

- Encourage in-curb planter vaults along pathways
- Encourage curb-contained bioretention along pathways
- Leave room for tree roots
- Preference native vegetation

Code Chapter	LID Category	LID Strategy
XX.XX (Street Design)	Conservation Design	Minimize Impervious Surface

In the Street Design segment,

- Allow sidewalks on only one side of the street
- Preference permeable pavements for all streets, sidewalks, paths

Code Chapter	LID Category	LID Strategy
XX.XX (Native Vegetation)	Infiltration	None

Adopt native vegetation sections in all zones and development code for new development, expansions, or changes in use.

Code Chapter	LID Category	LID Strategy
XX.XX (Tree Protection)	Conservation Design	Minimize Impervious Surface

Adopt a Tree Protection chapter with segments that include:

- Applicability
- Exemptions
- List of significant trees
- Tree density standards
- Consider trees in parks, schools, parking lots

Code Chapter	LID Category	LID Strategy
17.48 (Site Plan)	All	All

In Chapter 17.48, Site Plan, include:

- Procedures for an LID-specific site review (see below)
- An option for an LID consultation process for developers and landowners
- A preference for clustered development
- A preference for maintaining natural hydrology
- A preference for general LID strategies

Sample LID Consultation Code Language

Section X.XX Low Impact Development (LID) Consultation

- A. *Purpose. The purpose of the LID consultation is to discuss the potential for using LID best management practices (BMPs) where site and soil conditions make LID feasible as determined by the Public Works Department. LID is intended to complement the predevelopment conditions on the site through design*

strategies that preserve natural resources, preserve areas most appropriate to evaporate, transpire, and infiltrate stormwater, and achieve the goal of maintaining pre-development natural hydrologic conditions on the site.

- B. Applicability. An LID consultation is required for small residential development activities and for single-family residential lots where LID is required per 11.03.105 ICC.*
- C. An LID consultation shall be scheduled by the Department, upon the request of an Applicant, and shall be held in a timely manner, typically within thirty (30) days from the date of the Applicant's request.*
- D. LID consultation preliminary materials. In addition to discussing application requirements, applicants should have a preliminary site plan or series of maps with the following elements:*
 - 1. Location of streams, wetlands, ditches, or other water bodies on or adjacent to the site.*
 - 2. Site topography in 5' or 10' contours.*
 - 3. Steep slopes and their approximate gradient.*
 - 4. Location of species habitat, if applicable, on or adjacent to the site (include any protected species observed).*
 - 5. Location of existing vegetation on-site including significant or mature trees. Indicate the type of vegetation (e.g. blackberries, alder, evergreen, etc.).*
 - 6. Location and type of soils on-site, and indicate the infiltration capacity of those soils. Use the LID Technical Guidance Manual for Puget Sound (current edition) for guidance on conducting pit-infiltration test. Because soil types vary considerably from site to site, the National Soils Survey should be used for background information and not serve as the primary source for soil type identification.*
 - 7. Location and approximate amount of clearing activities. Please provide this information in square footage or acres of clearing and the percent of the lot that will be cleared.*
 - 8. Location and amount of impervious surface coverage proposed, including structures, patios, driveways, roofs, or any other hard surfaces that prevent the infiltration of stormwater. Provide this estimate in total square feet and as a percentage of the total lot size.*
 - 9. Location for potential bioretention swales, raingardens, or other LID stormwater management facilities.*