ARTICLE IV
DEVELOPMENT STANDARDS

Chapter 8-6.100

MANUFACTURED/MOBILE HOME REGULATIONS

Sections

8-6.100.010 Purpose
8-6.100.020 Manufactured/Mobile Homes Subdivision Standards
8-6.100.030 Manufactured/Mobile Home Park Standards
8-6.100.040 Manufactured Homes on Individual Building Lots
8-6.100.050 Non-Conforming Mobile Homes
8-6.100.060 Temporary Manufactured/Mobile Homes and Recreational Vehicles

8-6.100.010 Purpose

The purpose of this chapter is to establish criteria for the placement of manufactured/mobile homes in subdivision, parks, and manufactured homes on individual building lots within the city.

8-6.100.020 Manufactured/Mobile Home Subdivision Standards

In addition to the standards of the applicable zoning district and other standards of this tile, a manufactured/mobile home subdivision shall:

A. Comply with all applicable city and state standards for the subdivision (see Chapter 8-6.180);

B. Satisfy all the standards of the applicable zoning district; and

C. Be limited to manufactured/mobile home housing types. All other types of residential units shall not be permitted without further review and permit process.

8-6.100.030 Manufactured/Mobile Home Park Standards

A. The proposed manufactured/mobile home park shall be submitted to the City Administrator for review in accordance with Chapter 8-6.148, Site Plan Review.

B. The design for the manufactured/mobile home park shall conform to all applicable state standards established by the State of Oregon, Department of Commerce mobile home park standards and other city standards for site plan review (Chapter 8-6.148).

C. A state insignia indicating compliance with Oregon State mobile home construction standards in effect at the time of manufacture and including compliance for reconstruction of equipment installation made after manufacture shall be displayed on each mobile home.

D. Each manufactured/mobile home in a mobile home park or subdivision shall have a continuous perimeter skirting installed pursuant to state regulations, which shall be of the same material and finish as the exterior of the mobile home.

E. The wheels, tongue, and traveling lights of each manufactured/mobile home in a mobile home park or subdivision shall be removed upon installation of the unit.

F. Each manufactured mobile home shall be maintained in good repair.

G. The proposed manufactured/mobile home park shall satisfy the density standards of the applicable zoning district.

H. In addition to the other applicable standards of this title, a manufactured/mobile home park shall comply with all of the following criteria:

1. A minimum lot gross area of 1 acre;
2. A minimum frontage of 100 feet;
3. A minimum depth of 150 feet;
4. A front and rear yard setback of 25 feet on the perimeter of the park;
5. A side yard setback of 10 feet, except on a corner lot abutting a street side yards shall be 25 feet on the perimeter of the park;
6. No mobile home, accessory building or other structure shall be closer than 8 feet from another mobile home, accessory building, or other structure;
7. Each manufactured/mobile home shall be adequately serviced by public facilities including, but not limited to, water supply, storm and sanitary sewers, electricity, sidewalks, street lights, and improved streets;
8. Each vehicular way in a mobile home park shall be named and marked with signs which are similar in appearance to those used to identify public streets, and a map of the named vehicular ways shall be provided to the fire district and the police department;
9. The parking shall comply with all applicable Uniform Fire Code requirements;
10. There shall be no outdoor storage of furniture, tools equipment, building materials, or supplies belonging to the occupants or management of the park;
11. Access ways or driveways shall be lighted in accordance with city standards;
12. Primary access to the manufactured/mobile home park shall be from a public street. The driveway(s) for the park shall meet the standards for multi-family residential development in Chapter 8-6.112, Circulation and Access;
13. Each mobile home shall be installed under the provisions of the administrative rules adopted by the Director of Commerce and administered by the state building code division; and
14. Shared outdoor recreation area shall be provided as required in Section 8-6.148.110 G.

<u>8-6.100.040 Manufactured Homes on Individual Building Lots</u>

A. The establishment, location, and use of manufactured homes on individual lots shall be permitted in the absence of covenants, conditions, and restrictions in any zone permitting installation of a detached single-family dwelling unit. Manufactured homes shall be subject to requirements and limitations which apply generally to such residential uses in the district and shall meet the following requirements:

1. The manufactured home shall be multi-sectional with a minimum floor area of 1,000 square feet (excluding any garage or carport);

2. The manufactured home on sites with a grade of 5% or less shall be placed on an excavated and backfilled concrete or masonry foundation and enclosed at the perimeter such that the finished first floor of the manufactured home is located an average of not more than 12 inches above exterior grade measured five feet outside the foundation on the uphill side of the home. No skirting shall be allowed other than the continuous concrete or masonry foundation;

3. The manufactured home shall be securely anchored to the foundation system in accordance with the requirements of the state building codes agency for manufactured structures;

4. The manufactured home shall have a pitched roof with a slope minimum of 3 feet in height for each 12 feet in width;

5. Review Area. As used herein, "review area" shall include the five nearest residences to the subject lot that are on the same street and are within 250 feet as measured from the lot line to lot line. If there are not five residences within 250 feet, only those homes within 250 feet shall be used.

6. Predominant Material. As used herein, "predominant material" shall be the material used on the majority of the residences in the review area. If there is no majority of residences using the same material, then the material used on the largest plurality of homes in the review area shall be the predominant material.

7 The manufactured home shall utilize one of following roof materials.

   A. Metal.

   B. Composition roofing material.

   C. The predominant roofing material used on residences in the review area. If there is no predominant material used on the residences in the review area, then the applicant can use any one of the materials used on the residences in the review area.

8. Exterior Material. The manufactured home shall utilize one or more of the following exterior materials.

   A. Lap siding composed of wood, vinyl, concrete composite, or other materials giving the appearance of wood.

   B. Grooved siding composed of wood or wood composites.

   C. Board and batten siding composed of wood or wood composites.

   D. Shakes or shingles composed of wood or wood composites.

   E. Brick, brick veneer, stucco, or other masonry materials.

   F. The predominant siding material used on the front of the houses in the review area. If there is no predominant material used on the residences in the review area, then the applicant can use any one of the materials used on the residences in the review area.

9. The manufactured home shall have an exterior thermal envelope conforming to current HUD standards, as determined by the Building Official.

10. The manufactured home shall have been manufactured after June 15, 1976, and exhibit the Oregon Department of Commerce "Insignia of Compliance" that indicates conformance with Housing and Urban Development (HUD) standards or a HUD certificate indicating compliance.

11. If the dwellings within the review area have garages or carports, then the manufactured home shall have a garage or carport, and such garage or carport shall be constructed of like materials commonly used on residential dwellings within the community.

12. The manufactured home shall meet all applicable development standards, such as setbacks and height limitations, in the Cascade Locks Community Development Code.

[SECTION 8-6.100.040 GENERAL PROVISIONS AMENDED BY ORDINANCE NO. 359, ADOPTED BY THE CITY COUNCIL ON APRIL 14, 2003]

8-6.100.050 Non-Conforming Mobile Homes

A. Mobile home parks existing at the adoption of this title not meeting the standards set forth in this title shall be considered nonconforming and are subject to the standards set forth in this title.

B. When nonconforming mobile homes in such parks are moved or destroyed they shall be replaced with mobile or manufactured homes that meet the standards of this title.

8-6.100.060 Temporary Manufactured/Mobile Homes and Recreational Vehicles

A. Manufactured homes, mobile homes, and recreational vehicles may be used as temporary residences as provided in this section under two circumstances:

   1. A temporary primary residence during the construction or remodeling of a permanent residence on the same or an abutting property; or

   2. A temporary second residence located on the same property as the primary residence.

   3. Temporary residences for construction workers on construction projects.

B. Applications for a temporary primary residence, for up to 6 months, shall be administered and reviewed as a City Administrator review in accordance with Article II, Procedures, of this title. Applications for a temporary primary residence, for over 6 months but less than 2 years, and a temporary second residence shall be administered and reviewed as a Planning Commission review in accordance with Article II, Procedures, of this title.

C. Time extensions for a temporary primary or second residence may be requested. Such requests shall be administered and reviewed as a Planning Commission review in accordance with Article II, Procedures, of this title. Only one extension request may be approved, and the maximum total time allowed shall be 2 years for a

temporary primary residence and 3 years for a temporary second residence. An extension shall be approved only if the Planning Commission finds:

1. The conditions of the original approval have and will continue to be satisfied;
2. For a temporary primary residence, the applicant has made a good faith effort to complete the necessary construction for the new or remodeled permanent residence; and
3. For a temporary second residence, the applicant demonstrates that a significant family hardship would result if the temporary residence is not allowed to remain for a total of 3 years.

D. Time extensions for construction worker housing may be requested. Such requests shall be administered and reviewed as a Planning Commission review in accordance with Article II, Procedures, of this title. Only one extension request may be approved, and the maximum total time allowed shall be 2 years for a construction worker residence. An extension shall be approved only if the Planning Commission finds:

1. The conditions of the original approval have and will continue to be satisfied; and
2. A good faith effort is being made to complete the project as evidenced by a valid building permit continuing to be in effect.

E. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit a site plan which shows the following:

1. The existing structures on the site and within 50 feet of the property boundaries of the site;
2. The location of the proposed temporary residence;
3. The location of driveway access and parking to serve the temporary residence; and
4. Existing and proposed landscaping, trees, and fencing in the vicinity of the proposed temporary residence.

F. The City Administrator may request information in addition to that required by this section when it is found that certain information is necessary to properly evaluate the application.

G. The City Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

H. A temporary primary residence shall meet the following criteria:

1. It shall be a manufactured home, mobile home, or recreation vehicle;
2. It shall be placed on the property for a maximum of 6 months (time periods up to 2 years or extensions to the 6-month limit shall be reviewed by the Planning Commission as provided in this section);

3. All necessary building permits and other permits for the new or remodeled permanent residence and the temporary primary residence shall be obtained prior to placing the temporary residence on the property;
4. Pedestals or supports may be installed to ensure adequate support for all mobile homes. However, no mobile home shall be permanently attached to a foundation;
5. Fencing or landscaped screening may be required to maintain privacy for adjoining residences;
6. The temporary residence shall meet the building setback requirements of the applicable zone;
7. The temporary residence shall be connected to city utilities including water and electricity;
8. Driveway access shall be approved by the Public Works Supervisor;
9. Sanitation shall be provided by connecting to the city sanitary sewer system or by a septic system that is approved by the Hood River County Sanitation.
10. Upon the expiration of the time approved by the approval authority, the temporary primary residence and all associated improvements, such as the foundation, temporary parking area, and above ground utilities, shall be removed from the site.

I. A temporary second residence shall meet the following criteria:

1. It shall satisfy criteria H.1. and H.4. through 9 above;
2. All necessary building permits and other permits for the temporary second residence shall be obtained prior to placing it on the property;
3. It shall be placed on the property for a maximum of 2 years;
4. Both residences on the property must be owner occupied, or occupied by a member of the property owner's family; and
5. Upon the expiration of the time approved by the approval authority, the temporary second residence and all associated improvements, such as the foundation, temporary parking area, and above ground utilities, shall be removed from the site.

J. Temporary Construction Housing shall meet the following criteria:

1. Temporary construction worker housing shall be reviewed and approved through a conditional use permit process.
2. It shall satisfy criteria H.1. through H.9 above.
3. It shall only be located on construction sites exceeding one acre in size.
4. It shall be located and used only during the duration of construction as evidenced by active building permits.

5. It shall be used exclusively by owners, developers, contractors, sub-contractors, and their employees directly involved in the construction project on the site.
6. Placement of all temporary housing shall meet all applicable fire, life, and safety codes and regulations.
7. Housing shall not exceed one dwelling unit per gross acre relative to the entire construction site, with a maximum total of 20 units regardless of acreage. For the purpose of this section dwelling unit is defined as "A single unit providing complete, independent living facilities for one or more persons related by blood or marriage, or no more than four persons not related by blood or marriage, including permanent provisions for living, sleeping, cooking, eating, and sanitation."

[SECTION 8-6.100.060 GENERAL PROVISIONS AMENDED BY ORDINANCE NO. 370, ADOPTED BY THE CITY COUNCIL ON NOVEMBER 8, 2004]

Chapter 8-6.101

STANDARDS FOR SINGLE FAMILY DWELLINGS

Sections

8-6.101.010 Purpose

8-6.101.010 Purpose

The following standards will be applied to all single family dwellings, whether modular or manufactured homes, or site-built homes, to be constructed or located in any zone in order to provide visual relief along the front of the home:

Sections

8-6.101.020 Single Family Design Standards

8-6.101.020 Single Family Design Standards

All single family homes, whether modular or manufactured homes, or site-built homes, shall utilize at least two of the following design features on the front side of the home:

A. Dormers;

B. Gables;

C. Recessed entries;

D. Covered porch entries;

E. Cupolas;

F. Pillars or posts;

G. Bay or bow windows;

H. Eaves (minimum 6" projection);

I. Off-sets on building face or roof (minimum 16")

ZERO SIDE YARD DWELLING UNITS

8-6.102.010 Purpose

The purpose of this Chapter is to establish standards for the development of single family homes in manners other than conventional subdivisions in order to:

A. Provide housing choice in the marketplace,

B. Allow single family development at higher than conventional densities in order to make more efficient use of land within the Urban Growth Boundary,

C. Allow for more affordable housing, and

D. Encourage home ownership.

8-6.102.020 Zero Side Yard Dwelling Development Standards

Zero side yard dwelling units may include attached single family homes on individual platted lots or detached single family homes located contiguous to a lot line. Where permitted as a permitted use or conditional use, zero side yard dwelling units shall meet the following use and development standards:

A. Permitted development. Any number of attached dwellings may be built contiguous with one or both sides of a separate platted lot with one dwelling per lot.

B. Setbacks

1. Zero side yard units shall comply with the setback requirements for the front yard, rear yard and yard adjacent to a street in the applicable zone.

2. Side yard requirements of the applicable zone shall be met for any yard adjacent to any property not under the same ownership as the zero side yard development.

3. Interior side yard requirements of the applicable zone shall be met when any part of an exterior wall faces, but is not contiguous to, a side lot line. Otherwise, the interior side yard requirements shall not apply.

C. Lot Size and Dimensions. Any lot that is part of an attached zero lot line development with more than two units may be less than the minimum lot size permitted in the zoning district provided that the average lot size of all lots in the development meets the density and minimum lot size requirements for the zone. The minimum lot width for zero lot line development providing attached dwellings shall be 20 feet.

D. Building separation. Buildings on adjacent properties, but not attached to each other, shall be separated by a distance of at least 10 feet.

E. Accessory buildings. The provisions of this section apply to accessory as well as main buildings.

F. Building Design – All new development shall conform to the following building design guidelines and standards. See Figure 1 for illustration of these concepts:

1. Buildings shall not be More than 125 feet in length, as measured from end-wall to end-wall, and shall not exceed six attached dwellings.

2. Building articulations shall be required by providing offsets, projections, and/or recessed entries at a minimum of every 30 feet; and

3. Buildings shall utilize at least five of the following design features to provide visual relief along all elevations of the building:

   a. Dormers
   b. Gables
   c. Recessed entries
   d. Covered porch entries
   e. Cupolas
   f. Pillars or posts
   g. Bay windows with a minimum 12" projection
   h. Eves with a minimum 6" projection
   i. Off-sets with a minimum of 16 inches in building face or roof
   j. Repetitive windows with a minimum 4 inch trim
   k. Variations in material, patterns, or texture
   l. Trellises, arbors, climbing vines or other landscaping enhancement treatments;
   m. Architectural detailing, such as cornices, pilasters, or trim;
   n. Innovative lot schemes and site plans which reduce the visual impact of the blank wall.

G. Sprinkler Systems. All attached dwelling units shall meet the Uniform Fire Code requirements for residential sprinkler systems applying to multi-family dwelling units.

H. Maintenance. A 5 foot wide maintenance easement shall be provided across the adjoining property for the benefit of any detached dwelling or zero lot line structure abutting a property line. For attached dwellings, maintenance provisions shall be provided by a common/party wall agreement or other recorded document.

FIGURE 1

[SECTION 8-6.100.060 GENERAL PROVISIONS AMENDED BY ORDINANCE NO. 376, ADOPTED BY THE CITY COUNCIL ON JUNE 27, 2005]

Chapter 8-6.104

LANDSCAPING AND BEAUTIFICATION

Sections

8-6.104.010 Purpose
8-6.104.020 Administration
8-6.104.030 Submittal Requirements for Landscape plans
8-6.104.040 General Provisions
8-6.104.050 Street Trees
8-6.104.060 Location of Street Trees
8-6.104.070 Cut and Fill Around Existing Trees
8-6.104.080 Replacement of Street Trees
8-6.104.090 Exemptions
8-6.104.100 Buffering and Screening - General Provisions
8-6.104.110 Buffering/Screening Requirements
8-6.104.120 Fences and Walls
8-6.104.130 Parking and Loading Areas
8-6.104.140 Re-vegetation

8-6.104.010 Purpose

The purpose of this chapter is to establish standards for landscaping, buffering, and screening of land uses within the city in order to enhance the aesthetic and environmental quality of the city by:

A. Protecting existing vegetation and street trees;

B. Promoting compatibility between land uses by reducing the visual, noise, and lighting impacts;

C. Using planting materials to define spaces and articulate the uses of specific areas; and

D. Establishing and enhancing a pleasant visual character which recognizes safety issues.

8-6.104.020 Administration

A. When a land use application is subject to one or more of the chapters in Article V, Development Review, the standards in this chapter shall be applied as required by the applicable development review chapter(s) in Article V.

B. When the provisions of Article V do not apply, the City Administrator shall review revisions to landscaping as an administrative decision in accordance with Article II, Procedures, of this title.

8-6.104.030 Submittal Requirements for Landscape plans

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit a site landscaping plan which includes:

1. Location of underground irrigation system sprinkler heads where applicable;

2. Location and height of fences, buffers, and screenings;

3. Location of terraces, decks, shelters, play areas, and common open spaces;

4. Location, type, size, and species of existing and proposed plant materials with delineation of which trees and plant materials will be retained; and

5. A narrative or notes on the site landscaping plan which addresses:

   a. Soil conditions;

   b. Erosion control measures that will be used;

   c. Methods to be employed by the owner or the owner's agents to provide above and below ground protection for existing trees and plant materials identified to remain; and

   d. The approval standards contained in this chapter.

B. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.104.040 General Provisions

A. The standards set forth in the code are minimum standards for landscaping.

B. Unless otherwise provided by a lease agreement, the owner, tenant, and their agent, if any, shall be jointly responsible for the maintenance of all landscaping. Landscaping materials shall be maintained in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris.

C. All plant growth in landscaped areas of developments shall be maintained by pruning or other means so that it will not:

   1. Interfere with the maintenance or repair of any public utility;

   2. Restrict pedestrian or vehicular access; or

   3. Constitute a traffic hazard because of reduced visibility.

D. The installation of all landscaping shall be as follows:

   1. All landscaping shall be installed according to accepted planting procedures in accordance with the provisions of this title and generally following the provisions of Sunset New Western Garden Book, latest edition, Lane Publishing Company, Menlo Park, California.

   2. The plant materials shall be of high grade and be healthy, disease free, well branched stock characteristic of the species; and

   3. Any required landscaped area shall be designed, constructed, installed and maintained so that the ground shall be covered by living grass or other plant materials within 3 years.

E. Single family and duplex residential lots shall be landscaped with lawn, shrubs, living ground cover, mulch, or similar material.

F. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city such as the posting of a bond.

G. Existing plant materials on a site shall be protected as much as possible:

1. The tree and plant materials to be saved shall be noted on the landscape plans;

2. The developer shall provide methods for the protection of existing trees and plant materials identified for preservation, including use of chain link or other sturdy fence placed around the tree at the drip line; and

3. Neither topsoil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.

H. After completion of site grading, topsoil shall be restored to exposed cut and fill areas to provide a suitable base for seeding and planting. All planted areas shall be graded to provide positive drainage.

I. Appropriate methods for the care and maintenance of street trees and landscaping materials shall be provided by the owner of the property abutting the rights-of-way unless otherwise required for emergency conditions and the safety of the general public.

J. The review procedures and standards for required landscaping and screening shall be specified in the conditions of approval during development review and in no instance shall be less than what is required by this chapter.

K. With the exception of street trees, no trees, shrubs, or plantings more than 18 inches in height shall be planted in the public right-of-way abutting roadways having no established curb and gutter.

L. Trees and plant materials required as a condition of development approval shall conform with the following specifications:

1. Deciduous shade and ornamental trees shall be a minimum of 1-1/2 inches caliper measured 6 inches above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall conform to a characteristically shaped specimen.

2. Coniferous trees shall be a minimum 5 feet in height above ground, balled and burlapped. Trees shall be well branched and represent a characteristically shaped specimen.

3. Evergreen and deciduous shrubs shall be at least 1 to 5 gallon size. Shrubs shall be characteristically branched. The side of the shrub with the best foliage shall be oriented to public view.

4. Groundcover shall be fully rooted and shall be well branched or leafed. English Ivy (Hedera Helix) is considered a high maintenance material which is detrimental to other landscape materials and buildings and is therefore prohibited.

5. Lawns shall consist of grasses, including sod, or seeds of acceptable mix within the local landscaped industry.

M. Landscaped areas shall be provided with automatic irrigation systems or a readily available water supply with at least one outlet located within 150 feet of all plant materials to be maintained.

8-6.104.050 Street Trees

A. All development projects fronting on a public or private street approved through a site plan review, conditional use, or subdivision review process, after the adoption of this title, shall be required to plant street trees in accordance with the standards in this chapter.

B. Certain trees can severely damage utilities, streets, and sidewalks or can cause personal injury. Approval of any planting list shall be subject to review by the City Administrator.

8-6.104.060 Location of Street Trees

A. Landscaping in the front and exterior side yard shall include trees with a minimum caliper of 2 inches at 6 inches above ground as specified in the requirements stated in Subsection 8-6.104.060 B.

B. The specific spacing of street trees by size of tree shall be as follows:

1. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) shall be spaced no greater than 20 feet apart;

2. Medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) shall be spaced no greater than 30 feet apart;

3. Large trees (over 40 feet tall and more than 35 feet wide branching) shall be spaced no greater than 40 feet apart;

4. Trees shall not be planted closer than 20 feet from a street intersection, nor closer than 2 feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles in order to maintain visual clearance;

5. No new utility pole location shall be established closer than 5 feet to any existing street tree;

6. Tree wells shall be located so as not to interfere with utility services (water and gas meters, etc.);

7. On-premises services (water and gas meters, etc.) shall not be installed within existing tree well areas;

8. Street trees shall not be planted closer than 20 feet to a public light standard;

9. New light public standards shall not be positioned closer than 20 feet to existing street trees except when public safety dictates;

10. Where there are overhead power lines, the street tree species selected shall be of a type which, at full maturity, will not interfere with the lines;

11. Trees shall not be planted within 2 feet of any permanent hard surface, paving, curb, or walkway; and

12. The space between the tree and the hard surface may be covered by a nonpermanent hard surface such as grates, bricks on sand, paver blocks, and cobblestones.

C. Trees, as they grow, shall be pruned to provide at least 8 feet of clearance above sidewalks and 13 feet above local street, 15 feet above collector street, and 18 feet above arterial street roadway surfaces.

8-6.104.070 Cut and Fill Around Existing Trees

A. Existing trees may be used as street trees if no cutting or filling takes place within the drip line of the tree unless an exception is approved by the City Administrator.

B. An exception will be approved if:

1. The ground within the drip line is altered merely for drainage purposes; and

2. A plan is submitted by a qualified arborist showing that the cut or fill will not damage the tree or cause it to die.

8-6.104.080 Replacement of Street Trees

A. Existing street trees removed by development projects or other construction shall be replaced by the developer with those types of trees approved by the City Administrator.

B. The replacement trees shall be of a size and species similar to the trees that are being removed unless alternative sizes or species are approved by the City Administrator.

8-6.104.090 Exemptions

A. Exemptions from the street tree requirements may be granted by the City Administrator on a case-by-case basis.

B. Exemptions shall be granted if:

1. The location of a proposed tree would cause potential problems with existing utility lines;

2. The tree would cause visual clearance problems; or

3. There is not adequate space in which to plant street trees.

8-6.104.100 Buffering and Screening - General Provisions

A. It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.

B. A buffer/screening area shall be provided between different types of land uses, as indicated in the following table:

Zoning of Property to be Developed

Zoning of Abutting* Property	Residential					Commercial			Industrial		Public
	RR	LDR	MDR	HDR	MHR	C	CR**	RC	LI	HI	P/OS
Residential											
RR	0	0	B-5'	S-5'	S-5'	S-10'	S-10'	S-5'	S-10'	S-10'	B-5'
LDR	0	0	B-5'	S-5'	S-5'	S-10'	S-10'	S-5'	S-10'	S-10'	B-5'
MDR	0	0	0	B-5'	B-5'	S-10'	S-10'	S-5'	S-10'	S-10'	B-5'
HDR	0	0	0	0	0	S-10'	S-10'	S-5'	S-10'	S-10'	B-5'
MHR	0	0	0	0	0	S-10'	S-10'	S-5'	S-10'	S-10'	B-5'
Commercial											
C	0	0	B-5'	B-5'	B-5'	0	0	0	B-10'	S-10'	B-5'
CR	0	0	B-5'	B-5'	B-5'	0	0	0	B-10'	S-10'	B-5'
RC	0	0	B-5'	B-5'	B-5'	0	0	0	B-10'	S-10'	B-5'
Industrial											
LI	0	0	B-5'	B-5'	B-5'	0	0	B-5'	0	B-5'	B-5'
HI	0	0	B-5'	B-5'	B-5'	0	0	B-5'	B-5'	0	B-5'
Public											
P/OS	0	0	B-5'	B-5'	B-5'	S-10'	S-10'	S-10'	B-10'	S-10'	0

0 = No requirement. B = Buffer required. S = Screening required 5' or 10' width of buffer.

* For uses which are subject to site plan review or conditional use approval, buffering and screening between uses which are not abutting, such as properties separated by street or railroad rights-of-way, shall be determined according to the provisions of Section 8-6.148.110 D.

** Residential uses allowed in the CR zone are exempt.

8-6.104.110 Buffering/Screening Requirements

A. A buffer consists of an area within a required interior setback adjacent to a property line containing a length equal to the length of the property line of the abutting use or uses.

B. A buffer area may only be occupied by utilities, screening, sidewalks and bikeways, and landscaping. No building, access ways, or parking areas shall be allowed in a buffer area except where an access way has been approved by the city.

C. The minimum improvements within a buffer area shall consist of the following:

1. At least one row of trees shall be planted. They shall be not less than 10 feet high for deciduous trees and 5 feet high for evergreen trees at the time of planting. Spacing for trees shall be as follows:

   a. Small or narrow stature trees, under 25 feet tall or less than 16 feet wide at maturity shall be spaced no further than 15 feet apart;

b. Medium size trees between 25 feet to 40 feet tall and with 16 feet to 35 feet wide branching at maturity shall be spaced no greater than 30 feet apart; and

c. Large trees, over 40 feet tall and with more than 35 feet wide branching at maturity, shall be spaced no greater than 30 feet apart.

2. In addition, at least ten 5 gallon shrubs or twenty 1 gallon shrubs shall be planted for each 1,000 square feet of required buffer area.

3. The remaining area shall be planted in living grass or other plant materials. A maximum of 25% of the landscaped area may be covered with mulch such as bark chips, rock, stone walkways, or other similar permeable materials acceptable to the City Administrator, but non-permeable materials such as "visqueen" may not be used. Areas covered by bark chips, rock, or other similar materials shall not be underlain with non-permeable materials such as plastic sheeting.

D. Where screening is required, the following standards shall apply in addition to those required for buffering:

1. A hedge of narrow or broadleaf evergreen shrubs shall be planted which will form a 4 foot tall continuous screen within 2 years of planning; or

2. An earthen berm planted with evergreen plant materials shall be provided which will form a continuous screen 6 feet in height within 2 years. The unplanted portion of the berm shall be planted with grass or other plant materials; or

3. A five foot or taller fence or wall shall be constructed to provide a continuous sight obscuring screen.

E. Buffering and screening provisions shall be superseded by the vision clearance requirements as set forth in Chapter 8-6.116.

F. When the use to be screened is downhill from the adjoining zone or use, the prescribed heights of required fences, walls, or landscape screening may be measured from the actual grade of the abutting property, if the approval finds that appropriate screening will be provided.

G. Fences and Walls

1. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood or brick, or otherwise acceptable by the City Administrator;

2. Such fence or wall construction shall be in compliance with Section 8-6.104.120 of this code; and

3. Chain link fences with slats shall qualify for screening. However, chain link fences without slats shall require the planting of a continuous evergreen hedge to be considered screening.

H. Hedges

1. An evergreen hedge or other dense evergreen landscaping may satisfy a requirement for a sight obscuring fence where required subject, to the height requirement in Subsections 8-6.104.120 B.1 and 2;

2. Such hedge or other dense landscaping shall be properly maintained and shall be replaced with another hedge, other dense evergreen landscaping, or a fence or wall when it ceases to serve the purpose of obscuring view; and

3. No hedge shall be grown or maintained at a height greater than that permitted by these regulations for a fence or wall in a vision clearance area as set forth in Chapter 8-6.116.

I. Adjustment of Buffering/Screening Requirements

1. In lieu of the standards in Sections 8-6.104.100 and 8-6.104.110, a detailed buffering and screening plan may be submitted to the approval authority as an alternative. The approval authority may approve the alternative plan if it is found to provide equivalent or improved buffering and screening as required by the section.

8-6.104.120 Fences and Walls

Except when the approval authority, as a condition of approval, allows that a fence or wall be constructed to a greater height. The following maximum height standards are:

A. 4 feet in height in a required front yard or side yard forward of the front yard setback line;

B. 6 feet in side yards behind the front yard setback or rear yards; and

C. Visual clearance requirements in Chapter 8-6.116.

8-6.104.130 Parking and Loading Areas

A. Screening of parking and loading areas shall be accomplished as follows:

1. Landscaped parking areas shall include special design features which effectively screen the parking lot areas from view. These design features may include the use of landscaped berms, decorative walls, and raised planters;

2. Landscape planters may be used to define or screen the appearance of off-street parking areas from the public right-of-way;

3. Materials to be installed should achieve a balance between low lying and vertical shrubbery and trees;

4. Trees shall be planted in landscaped islands in all parking areas, and shall be equally distributed and on the basis of one tree for each seven parking spaces in order to provide a canopy effect; and

5. The minimum dimension of the landscape islands shall be 48 inches measured from back to curb, and shall be designed so as to prevent vehicular damage to trees. Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.

B. Criteria for trees and parking areas. Deciduous shade trees shall meet the following criteria:

1. Reach a mature height of 30 feet or more;

2. Cast moderate to dense shade in the summer;

3. Be long lived, i.e., over 60 years;

4. Do well in an urban environment by being:

   a. Pollution tolerant; and

   b. Tolerant of direct and reflected heat.

5. Require little maintenance:

   a. Mechanical strong and resistant to wind and icing conditions;

   b. Insect and disease resistant; and

   c. Require little pruning.

6. Be resistant to drought conditions.

7. Be barren of fruit production.

8-6.104.140 Re-vegetation

A. Where natural vegetation has been removed through grading in areas not affected by the landscaping requirements and that are not be occupied by structures, such areas are to be replanted as set forth in this section to prevent erosion after construction activities are completed.

B. Topsoil removed from the surface in preparation for grading and construction is to be stored on or near the site and protected from erosion while grading operations are underway.

   1. Such storage may not be located where it would cause suffocation of root systems of trees intended to be preserved; and

   2. After completion of such grading, the topsoil is to be restored to exposed cut and fill embankments or building pads to provide a suitable base for seeding and planting.

C. Methods of Re-vegetation

   1. Acceptable methods of re-vegetation include hydro mulching or the planting of rye grass, barley, or other seed with equivalent germination rates, and:

      a. Where lawn or turf grass is to be established, lawn grass seed or other appropriate landscape cover is to be sown at not less than 4 pounds to each 1,000 square feet of land area;

      b. Other re-vegetation methods offering equivalent protection may be approved by the approval authority;

      c. Plant materials are to be watered at intervals sufficient to ensure survival and growth; and

      d. The use of native plant materials is encouraged to reduce irrigation and maintenance demands.

Chapter 8-6.108

PARKING AND LOADING

Sections

8-6.108.010 Purpose
8-6.108.020 General Provisions
8-6.108.030 Minimum Off-Street Parking Requirements
8-6.108.040 Parking Dimension Standards
8-6.108.050 Parking Design Standards
8-6.108.060 Minimum Bicycle Parking Requirements
8-6.108.070 Bicycle Parking Design Standards
8-6.108.080 Loading Area Standards

8-6.108.010 Purpose

The purpose of these regulations is to establish parking areas having adequate capacity and which are appropriately located and designed to accommodate the majority of traffic generated by the range of uses which may locate on a site over time. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis.

8-6.108.020 General Provisions

A. Applicability

The provisions of this chapter shall apply to all development regulated by this title and to any change of use or expansion which increases the on-site parking or loading requirements.

B. Landscaping

All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in Chapter 8-6.104, Landscaping and Beautification.

C. Availability

Required parking spaces must be available for the use of residents, customers, or employees of the use. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking situations. Required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

D. Location

Required parking spaces for residential uses must be located on the site of the use. Required parking spaces for nonresidential uses must be located on the site of the use or in parking areas whose closest point is within 300 feet of the site.

E. Shared Parking

Shared parking between two or more nonresidential uses is permitted when all the following criteria are satisfied:

1. The hours of operation of the uses do not overlap;

2. Satisfactory legal evidence is presented to the City Administrator in the form of deeds, leases, or contracts to establish the shared use;

3. The other standards of this title can be met; and

4. If a joint use arrangement is subsequently terminated, the requirements of this title shall then apply separately to each use.

F. Change in Use

1. When an existing structure is changed in use from one use to another use as listed in Section 8-6.108.030, and the parking requirements for each use are the same, no additional parking shall be required.

2. Where a change in use results in an intensification of use in terms of the number of parking spaces required, additional parking spaces shall be provided in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the new, more intensive use.

G. Calculation of Required Parking

1. Where building square footage is specified, the area measured shall be the gross floor area within the exterior walls of the structure, excluding only space devoted to covered off-street parking or loading.

2. Where several uses occupy a single structure or lot or a combination of uses are included in one business, the total off-street parking spaces and loading area shall be the sum of the separately computed requirements for each use.

3. When a building is planned or constructed in such a manner that a variety of uses is possible and a choice of parking requirements could be made, the use(s) which requires the greater number of parking spaces shall govern.

H. Parking Space Markings

1. Except for single-family and two-family residences, any parking spaces that are intended to be used to meet the off-street parking requirements contained in this chapter shall have all parking spaces clearly marked using a permanent paint; and

2. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety.

I. Short Term Parking Spaces

When deemed appropriate by the approval authority, short-term parking spaces shall be provided that they enhance convenience and accessibility of the business for patrons. Said spaces shall be identified with signs and time limits.

8-6.108.030 Minimum Off-Street Parking Requirements

A. Residential Categories

Use Categories	Specific Uses	Minimum Required Parking
1. Single Family	Single family attached/detached, manufactured home, mobile home, duplex, houseboat, residential care	2 spaces per unit
2. Multi-Family/Group Living	Multi-family, triplex and fourplex, studio/1 bedroom	1 space per unit
	Multi-family, triplex and fourplex, 2 or more bedrooms	1.5 spaces per unit
3. Residential facility and residential home		2 spaces plus 1 space per 4 residents

B. Commercial Categories

Use Categories	Specific Uses	Minimum Required Parking
1. Bed and breakfast		2 spaces plus 1 space per guest room
2. Marina		1 space per two boat slips
3. Motel		1 space per room, plus 1 per 2 employees
4. Office	Professional, government	1 space per 400 sq. ft. of floor area
	Medical, dental	1 space per 250 sq. ft., of floor area
5. Retail Sales and Service	Sales, personal service, repair	1 space per 500 sq. ft. of floor area
	Sales and/or repair of large merchandise, such as home appliances and furniture, and vehicle sales/rental and repair	1 space per 1,000 sq. ft. of floor area
	Entertainment (restaurants, health clubs, lodges, meeting rooms, etc.)	1 space per 250 sq. ft. of floor area
	Entertainment, theater	1 space per 4 seats
	Recreational vehicle campgrounds	1 space per camp site
6. Quick vehicle service		1 space per 750 sq. ft. of floor area

C. Industrial Categories

Use Categories	Specific Uses	Minimum Required Parking
1. Manufacturing and production		1 space per 2,000 sq. ft. of floor area or 4 minimum
2. Industrial services		1 space per 2,000 sq. ft. of floor area or 4 minimum
3. Wholesale sales		1 space per 2,000 sq. ft. of floor area or 4 minimum
4. Surface mining		1 space per employee of largest shift

D. Public and Institutional Categories

Use Categories	Specific Uses	Minimum Required Parking
1. Community Services		Number determined as part of site plan or conditional use review
2. Hospitals		1 space per 500 sq. ft. of floor area
3. Parks & Open Space		Number determined as part of site plan or conditional use review
4. Public Safety Facilities		1 space per 500 sq. ft. of floor area
5. Religious Assembly		1 space per 100 sq. ft. of main assembly area
6. Schools	Grades K-12	2 spaces per classroom
7. Utilities		Number determined as part of Conditional Use Review

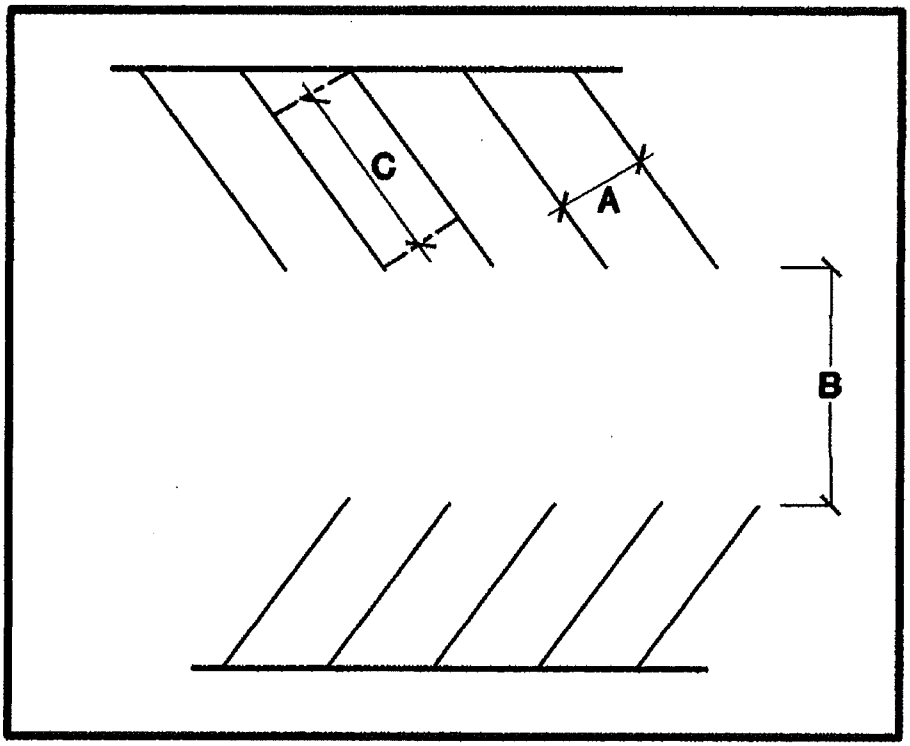
8-6.108.040 Parking Dimension Standards

A. Table of Standards

1. Minimum standards for a standard parking stall's length and width, aisle width, and maneuvering space shall be determined from the following table. Dimensions for designated compact spaces are noted in parenthesis:

Angle from Curb	A Stall Width	B Aisle Width	OR	C Stall Length
Parallel	9'0" (8'6")	12'0" (12'0")		23'0" (20'0")
30°	9'0" (8'6")	12'0" (12'0")		18'0" (15'0")
45°	9'0" (8'6")	14'0" (14'0")		18'0" (15'0")
60°	9'0" (8'6")	18'0" (18'0")		18'0" (15'0")
90°	9'0" (8'6")	24'0" (24'0")		18'0" (15'0")

2. Sample Illustration:



3. The width of each parking space includes a 4-inch wide stripe which separates each space.

B. Aisle Width

Aisles accommodating two direction traffic, or allowing access from both ends shall be 24 feet in width.

C. Angle Parking

Angle parking is permitted; provided, that each space contains a rectangle of not less than 9 feet in width and 18 feet in length or 8-1/2 feet in width and 15 feet in length for compact spaces, and an appropriate aisle width as determined in Subsection 8-6.108.040 A.

D. Compact Parking

The compact parking spaces described in this title shall not be used to satisfy no more than 30 percent of the total required number of parking spaces.

8-6.108.050 Parking Design Standards

A. Parking for Handicapped

All parking lots in conjunction with government and public buildings, as defined by Chapter 31 of the Uniform Building Code, are to include parking for the handicapped as set forth below. These spaces may be included to satisfy the total number of parking spaces required.

1. One space for the first 50 spaces or fraction thereof; and one additional space for each additional 50 spaces or fraction thereof.

2. Parking lot and parking spaces shall conform to the requirements of Chapter 31 of the Uniform Building Code.

3. Spaces shall be located nearest to the main pedestrian access point from the parking area to building or use serviced by the parking, and are to be designed so parsons using wheelchairs or assisted walking are not compelled to pass behind parked vehicles.

4. Parking for the handicapped shall be identified in accordance with the International Symbol of Accessibility for the Handicapped.

B. Lighting

Any lights provided to illuminate public or private parking areas or vehicle sales areas shall be arranged to reflect the light away from any neighboring residential district.

C. Pavement

All parking spaces and access drives shall be paved to specifications approved by the City Administrator.

D. Drainage

1. Off-street parking and loading areas shall be drained in accordance with specifications approved by the City Administrator to ensure that ponding of storm water does not occur.

2. Except for single-family and two-family residences, off-street parking and loading facilities shall be drained to avoid flow of water across public sidewalks and streets.

E. Wheel Stops

1. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop that is at least 4 inches high located three feet back from the front of the parking space.

2. The front 3 feet of the parking stall may be concrete, asphalt or low lying landscape material that does not exceed the height of the wheel stop. This area cannot be calculated to meet landscaping or sidewalk requirements.

F. Maintenance of Parking Areas

All parking lots shall be kept clean and in good repair at all times. Breaks in paved surfaces shall be repaired promptly and broken or splintered wheel stops shall be replaced so that their function will not be impaired.

8-6.108.060 Minimum Bicycle Parking Requirements

A. Residential Categories

Use Categories	Specific Uses	Minimum Required Bicycle Parking
1. Single Family	Single family attached/detached, manufactured home, mobile home, duplex, houseboat, residential care	None
2. Multi-Family/Group Living	Multi-family, triplex and fourplex, studio/1 bedroom	1 space per unit
	Multi-family, triplex and fourplex, 2 or more bedrooms	1 space per unit
3. Residential facility and residential home		1 space per unit

B. Commercial Categories

Use Categories	Specific Uses	Minimum Required Bicycle Parking
1. Bed and breakfast		None
2. Marina		1 per 20 boat slips or 2 minimum
3. Motel		1 space per 20 rooms or 2 minimum
4. Office	Professional, government	1 space per 4,000 sq. ft., or 2 minimum
	Medical, dental	1 space per 5,000 sq. ft., or 2 minimum
5. Retail Sales and Service	Sales, personal service, repair	1 space per 4,000 sq. ft., or 2 minimum
	Salesand/or repair of large merchandise, such as home appliances and furniture, and vehicle sales/rental and repair	1 space per 6,000 sq. ft., or 2 minimum
	Entertainment (restaurants, health clubs, lodges, meeting rooms, etc.)	1 space per 5,000 sq. ft., or 6 minimum
	Entertainment, theater	1 space per 20 seats, or 2 minimum
	Recreational vehicle campgrounds	None
6. Quick vehicle service		1 space per 6,000 sq. ft., or 2 minimum

C. Industrial Categories

Use Categories	Specific Uses	Minimum Required Bicycle Parking
1. Manufacturing and production		1 per 10 required vehicle spaces or 2 minimum
2. Industrial services		1 per 10 required vehicle spaces or 2 minimum
3. Wholesale sales		1 per 10 required vehicle spaces or 2 minimum
4. Surface mining		Number determined as part of conditional use review

D. Public and Institutional Categories

Use Categories	Specific Uses	Minimum Required Bicycle Parking
1. Community Services		1 per 10 required vehicle spaces or 2 minimum
2. Hospitals		1 space per 2,000 sq. ft. of floor area or 2 minimum
3. Parks & Open Space		Number determined as part of conditional use review
4. Public Safety Facilities		Number determined as part of conditional use review
5. Religious Assembly		1 space per 1,000 sq. ft. of main assembly area
6. Schools	Grades K-12	4 spaces per classroom or 12 minimum
7. Utilities		Number determined as part of conditional use review

8-6.108.070 Bicycle Parking Design Standards

A. Parking Facility Design

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

2. Bicycle parking spaces shall be at least 6 feet long and 2.5 feet wide, and overhead clearance in covered spaces shall be a minimum of 7 feet.

3. A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.

4. Bicycle racks or lockers shall be securely anchored.

5. Required bicycle parking shall be located in a well lighted, secure, and visible location.

6. Bicycle parking shall not obstruct walkways. A minimum 5-foot wide aisle shall remain clear.

B. Locational Standards for Bicycle Parking

1. All required bicycle parking shall be located on the site within 50 feet of main building entrances and not farther from the entrance than the closest standard or compact motor vehicle parking space. Bicycle parking shall have direct access to both the public right-of-way and to the main entrance of the principal use.

2. For buildings or development with multiple entrances, required bicycle parking shall be distributed proportionally at the various public entrances. Public parking shall be distributed at the various public entrances, while employee parking shall be located at the employee entrance, if appropriate.

3. Bicycle parking may be located in the public right-of-way with the approval of the City Administrator.

4. Bicycle parking may be provided within a building, but the location must be easily accessible for bicyclists.

8-6.108.080 Loading Area Standards

A. Off-Street Loading Dimensions

1. The design, entrances, exists, and location of each loading berth or area shall be approved by the City Administrator.

2. Each loading space shall have sufficient area for turning and maneuvering of vehicles on the site, and at a minimum, the maneuvering length shall not be less than twice the overall length of the longest vehicle using the loading space.

3. Landscaping for off-street loading facilities is required and shall comply with Chapter 8-6.104 Landscaping and Beautification.

B. Loading/Unloading Driveways Required On-Site

A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, community center, or other meeting place which is designed to accommodate more that 100 people at one time.

C. Off-Street Loading Spaces

Buildings or structures to be built or altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space as follows:

1. Every commercial and industrial use having floor area of 10,000 square feet or more, shall have at least one off-street loading space on the site;

2. One additional off-street loading space shall be provided for each additional 20,000 square feet or fraction thereof; and

3. Loading spaces and areas shall be located in a manner that does not conflict with vehicular and pedestrian traffic on the site.

Chapter 8-6.112

CIRCULATION AND ACCESS

Sections

8-6.112.010 Purpose
8-6.112.020 General Provisions
8-6.112.030 Access Standards - Residential
8-6.112.040 Access Standards - Non-Residential
8-6.112.050 Design Standards
8-6.112.060 Reservoir Areas Required for Drive-In Use
8-6.112.070 Access Restrictions

8-6.112.010 Purpose

The purpose of this chapter is to establish standards for safe and efficient vehicle, bicycle, and pedestrian access and circulation on a site and between developments.

8-6.112.020 General Provisions

A. Applicability

The provisions of this chapter shall apply to all development regulated by this title and to any change of use or expansion which modifies the circulation and access requirements of this chapter. Access to U.S. Highway 30 and I-84 is under the permitting authority of the Oregon Department of Transportation.

B. Availability of Improvements

All required circulation and access improvements must be available for use prior to occupancy of any structure.

C. Joint Access

Owners of two or more uses, structures, or lots may agree to utilize a common driveway access when the combined uses comply with the following requirements:

1. Satisfactory legal evidence is presented to the City Administrator in the form of deeds, easements, leases, or contracts to establish the joint use;

2. Copies of the deeds, easements leases, or contracts are placed on permanent record with the city; and

3. The common driveway and related combination of uses comply with the standards in this chapter.

D. Each parking or loading space shall be accessible from a street and the access shall be of a width and location as described in this title.

8-6.112.030 Access Standards - Residential

A. Vehicular access and egress for single-family, duplex, or attached single-family dwelling units on individual lots shall not be less than the following:

Number Dwelling Units/Lots	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement Width
1	1	15 ft.	10 ft.
2-3	2 or 1	15 ft. 25 ft.	10 ft. 20 ft.
4-6	1	30 ft.	24 ft. Walkway or on one side.

B. Vehicular access and egress for multiple-family residential uses shall not be less than the following:

Number of Dwelling Units	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement Width and Walkways
1-3	1 two-way	15 ft.	10 ft.
4-49	1 two-way or 2 one-way	30 ft. 20 ft.	24 ft. for two-way, 15 ft. for one-way: Curbs on both sides and 5 ft. walkway on one side.
50-100	2 two-way 4 one-way	30 ft. 20 ft.	24 ft. for two-way, 15 ft. for one-way: Curbs on both sides and 5 ft. walkway on one side.
100+	1 additional two-way for each 100 spaces or fraction thereof over 100 spaces	1 additional access	24 ft. drive: Curbs on both sides and 5 ft. walkway on one side

8-6.112.040 Access Standards - Non-Residential

A. Vehicle access, egress, and circulation for non-residential use shall not be less than the following :

Number of Required Parking Spaces	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement Widths and Walkways
0-99	1	30 ft.	24 ft.: Curbs on both sides and 5 ft. walkway on one side.
100+	2	30 ft.	24 ft.: Curbs on both sides and 5 ft. walkway on one side.
or	1	50 ft.	40 ft.: Curbs on both sides and 5 ft. walkway on one side

B. The approval authority may grant an exemption to the requirements of Section 8-6.112.040 A. above when access is limited by City, Hood River County, or Oregon Department of Transportation requirements. However, access must be approved by the Fire Chief.

8-6.112.050 Design Standards - Residential and Non-Residential

A. Access Drives

1. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site.

2. Parking spaces on major access driveways shall be designed to reduce or eliminate backing movements and other conflicts with the driveway traffic entering the site.

3. In order to slow traffic speeds on access drives, speed bumps, speed limit signs, and similar techniques may be required by the approval authority to enhance safety for pedestrians, bicyclists, and motorists on the site.

4. In order to improve traffic flow, the approval authority may require directional signs on the site to guide pedestrians, bicyclists, or motorists.

5. A public street right-of-way and improvement shall be required when more than 6 separate lots are served by a street or access drive.

6. Private residential access drives shall be provided and maintained according to the applicable provisions of the Uniform Fire Code.

7. Access drives shall not exceed a grade of 12% except the Director of Public Works may approve grades up to 15% for a distance not to exceed 150 feet when it is demonstrated that maintaining a maximum 12% grade is not practical due to physical constraints.

8. Access drives in excess of 150 feet in length shall allow turning of fire apparatus around by one of the following:

a. A level, circular, paved surface having a minimum turn radius measured from center point to outside edge of 40 feet; or

b. A level, hammerhead-configured, paved surface with each leg of the hammerhead having a minimum depth of 40 feet and a minimum width of 20 feet

B. One-Way Vehicular Access

1. Where a proposed parking facility is served by one-way traffic flow on the site, it shall be accommodated by a driveway system approved by the city, and the entrance drive shall be situated closest to oncoming traffic and the exit drive shall be situated farthest from oncoming traffic.

2. The direction of traffic flow shall be clearly marked for motorists on the property and the adjoining public street.

C. On-Site Bicycle and Pedestrian Circulation

1. Walkways and driveways shall provide a direct connection to existing and planned walkways and driveways on adjacent developments.

2. Sidewalks and walkways must connect the pedestrian circulation system to other areas of the site such as buildings, vehicle and bicycle parking, children's play areas, required outdoor areas, and any pedestrian amenities, such as open space, plazas resting areas, and viewpoints.

3. Walkways shall be located so that pedestrians have a short distance to walk between a public sidewalk and building entrances.

4. Pedestrian and bicycle connections shall be direct and circuitous routes shall be avoided.

5. Where pedestrian or bicycle routes cross driveways, parking area, or loading areas, the connection must be clearly identifiable through the use of striping, elevation changes, speed bumps, a different paving material, or other similar method.

6. Where pedestrian or bicycle routes are parallel and adjacent to an auto travel lane, the connection must be safely separated from the auto travel lane through the use of raised path, a raised curb, bollards, landscaping, or other similar technique.

[SECTION 8-6.112.050 GENERAL PROVISIONS AMENDED BY ORDINANCE NO. 368, ADOPTED BY CITY COUNCIL ON AUGUST 9, 2004]

8-6.112.060 Reservoir Areas Required for Drive-In Use

A. All uses providing drive-in services as defined by this title shall provide on the same site a reservoir for inbound vehicles as follows:

Use	Reservoir Requirement
Drive-in banks	5 spaces/service window
Drive-in restaurants	5 spaces/service window
Gasoline service stations	3 spaces/pump
Mechanical car washes	3 spaces/washing unit
Parking facilities	1 space/entry driveway

B. A parking reservoir space shall be 18 feet in length and 8 feet in width.

8-6.112.070 Access Restrictions

A. Excluding single-family and duplex residences, groups of more than two parking spaces and all loading areas shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way is required.

B. In order to provide for increased traffic movement on congested streets and eliminate turning movement problems, the city may restrict the location of driveways on the street and require the location of existing or proposed driveways to be placed on adjacent streets when all of the following criteria apply:

1. The driveway will cause or increase existing hazardous traffic conditions;

2. The alternative driveway location will provide a safer method of access and egress to the site; and

3. The alternative driveway location will not create an adverse traffic impact for properties in the immediate vicinity of the site.

8-6.112.080 Surfacing Requirements

All driveways shall be paved and/or designed as required by the City Administrator.

Chapter 8-6.116

VISION CLEARANCE

Sections

8-6.116.010 Purpose
8-6.116.020 Applicability of Provisions
8-6.116.020 Standards
8-6.116.030 Standards for Maintenance
8-6.116.040 Restrictions

8-6.116.010 Purpose

The purpose of this chapter is to provide adequate site clearance at intersections of streets and driveways to allow for safe operation of vehicles and to ensure the safety of pedestrians.

8-6.116.020 Applicability of Provisions

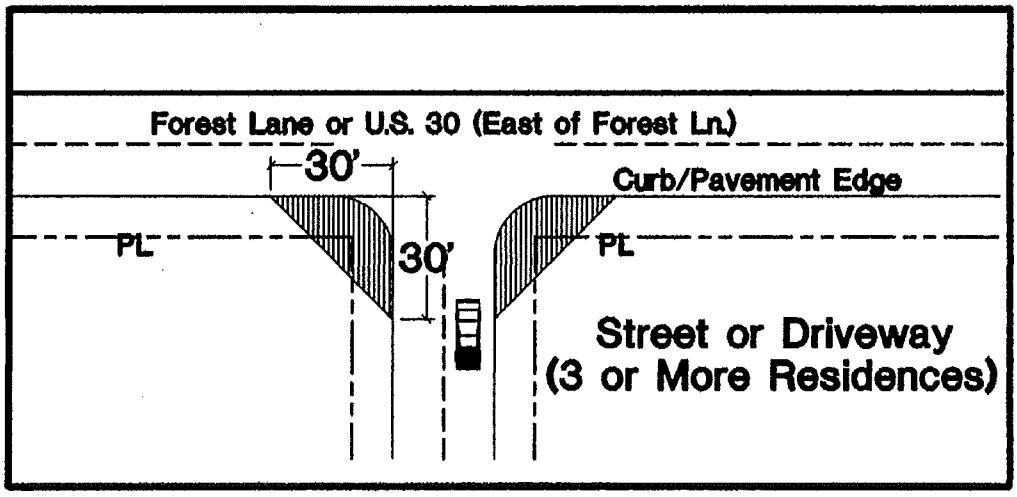
The provisions of this chapter shall apply to vegetation and all development including the construction of new structures, remodeling of existing structures, and the construction or alteration of fences and signs.

8-6.116.030 Standards

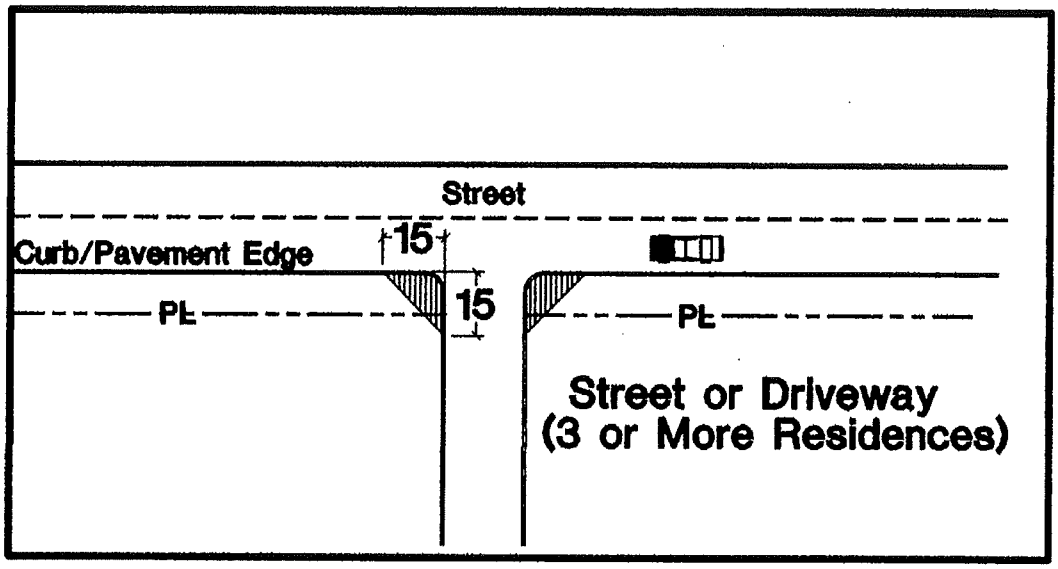
All structures and landscaping shall satisfy the applicable standards of this section.

A. A visual clearance area shall be maintained on the corners of all property adjacent to the intersection of two streets or a driveway providing access to a public or private street. The visual clearance area shall be that triangular area formed using the curb line or pavement edge at an intersection and the prescribed dimensions in subsections 1. and 2. below.

1. With the exception of driveways serving no more than two residences, all intersections on Forest Lane and U.S. 30 (East of Forest Lane) shall have a visual clearance area of not less than 30 feet on each side of the intersection.



2. The visual clearance for all other intersections which do not involve the streets described in subsection A.1., shall not be less than 15 feet on each side of the intersection. All driveways serving no more than two residences shall also be subject to this standard.



B. A clear area shall contain no vehicle, hedge, planting, fence, wall, sign or any similar permanent obstruction which is between 3 feet and 8 feet in height, measured from the top of the curb, or where no curb exists, from the street center line grade. Trees may be located in this area, provided all branches below 8 feet are removed.

C. Where horizontal or vertical curve conditions contribute to the obstruction of clear vision areas at an intersection or high traffic speeds or volumes are anticipated, hedges, plantings, fences, walls, buildings and other temporary or permanent obstructions shall be further reduced in height or eliminated to comply with the intent of the required clear vision area.

Chapter 8-6.120

FLOOD PLAIN OVERLAY ZONE (FP)

Sections

8-6.120.010 Purpose
8-6.120.020 Applicability of Provisions
8-6.120.030 Administration
8-6.120.040 Submittal Requirements
8-6.120.050 Maintenance of Records
8-6.120.060 General Standards for Flood Plain Areas
8-6.120.070 Construction Standards for Flood Plain Areas
8-6.120.080 Floodways
8-6.120.090 Approval Criteria
8-6.120.100 Flood Plain Variance

8-6.120.010 Purpose

The purpose of the Flood Plain (FP) Overlay Zone is to:

A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards.

B. Maintain the integrity of the rivers and streams in Cascade Locks by minimizing erosion, promoting bank stability, maintaining and enhancing water quality, and protecting fish and wildlife habitats.

C. Control the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters.

D. Control filling, grading, dredging, and other development which may be subject to or increase flood damage at the time of initial construction.

E. Prevent the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

8-6.120.020 Applicability of Provisions

A. Affected Areas

1. Areas shown in "Zone A" on the Flood Insurance Rate Map (FIRM) maps for the Columbia River and Dry Creek north of I-84; and

2. Areas shown as flood plain on the city maps for Herman Creek and the portion of Dry Creek south of I-84 (maps are available at City Hall).

B. Permitted and Conditional Uses

Any permitted or conditional uses in the base zone are allowed, but permanent structures or accessory buildings shall be constructed, altered, or repaired only as provided in this chapter.

C. Development Standards

The development standards of this title shall continue to apply, unless modified by this chapter.

8-6.120.030 Administration

A. Outright Permitted Uses - No Permit Required

Except as provided by Subsection 8-6.120.030 D., or Chapter 8-6.128, Wetland and Riparian Areas, the following uses are outright permitted uses within the 100-year flood plain, when the use does not involve paving. For the purposes of this chapter, the word "structure" shall exclude: children's play equipment, picnic tables, sand boxes, grills, and similar recreational equipment.

1. Accessory uses such as lawns, gardens, or play areas;

2. Farm uses conducted without locating a structure within the flood plain area;

3. Community recreation uses excluding structures;

4. Public and private conservation areas for water, soil, open space, forest, and wildlife resources;

5. Removal of poison oak, tansy ragwort, blackberry, or other noxious vegetation;

6. Maintenance of the floodway excluding rechanneling;

7. Fences, except in the floodway area;

8. Accessory structures which are less than 120 square feet in size, except in the floodway area; and

9. Landform alterations involving up to 10 cubic yards of material, except in the floodway area.

B. Administrative Review - Flood Plain Permit

Flood plain permits shall be administered and reviewed as an Administrative review in accordance with Article II, Procedures of this title when any of the following circumstances apply:

1. The installation of underground utilities and construction of public support facilities such as underground utilities and roadway improvements including sidewalks, curbs, streetlights, and driveway aprons;

2. Landform alterations involving 10 to 50 cubic yards of material, except for land that is within the floodway or a riparian area or wetland as provided in Chapter 8-6.128;

3. The repair, reconstruction, or improvement of an existing structure or utility, the cost of which is less than 50 percent of the market value (according to Hood River County Assessor's records) of the structure prior to the improvement or the damage requiring reconstruction, provided no development occurs in the floodway;

4. Building permits for accessory structures which are 120 to 600 square feet in size, except in the floodway or a riparian area or wetland as provided in Chapter 8-6.128; and

5. Paving on private property, except in the floodway or a riparian area or wetland as provided in Chapter 8-6.128.

C. City Administrator Review - Flood Plain Permit

Flood plain permits shall be administered and reviewed as a City Administrator review in accordance with Article II, Procedures of this title when any of the following circumstances apply:

1. Landform alterations in all floodway areas;

2. Landform alterations in all floodway fringe locations involving more than 50 cubic yards of material;

3. Repair, reconstruction, or improvement of an existing structure or utility, the cost of which equals or exceeds 50 percent of the market value (according to Hood River County Assessor's records) of the structure prior to the improvement or the damage requiring reconstruction provided no development occurs in the floodway;

4. Structures intended for human habitation; and

5. Accessory structures which are greater than 600 square feet in size, outside of floodway areas.

D. Alteration of Watercourses

1. The City shall notify adjacent communities and the Oregon Department of Land Conservation and Development prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration; and

2. The city shall require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

E. In the case where development in the FP Overlay Zone requires other land use approvals as provided in this title, flood plain permits shall be reviewed according to the procedure which applies to the related land use application.

8-6.120.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit each of the following:

1. A site plan, with the number of copies to be determined at the preapplication conference, and necessary data or narrative which explains how the development conforms to the standards in the following format:

a. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 inches by 24 inches;

b. The site plan shall be drawn using an engineering scale; and

c. All drawings of structure elevations or floor plans shall be drawn using a standard architectural scale of 1/4 inch or 1/8 inch equals 1 foot.

2. Topography map (available at City Hall) which shows the location of:

a. The 100-year flood plain boundary;

b. The 100-year floodway (when necessary to evaluate the proposal);

c. The location of the proposed grading, filling, structures, or other improvements which are the subject of the permit.

B. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.120.050 Maintenance of Records

A. Where 100-year flood plain (base flood) elevation data is provided through the Flood Insurance Rate Maps (FIRMs) from the Federal Emergency Management Agency (FEMA), the Building Official shall obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

B. For all new or substantially improved flood-proofed structures, the Building Official shall:

1. Verify and record the actual elevation (in relation to mean sea level); and

2. Maintain the flood proofing certifications required in this chapter.

C. The City Administrator shall maintain for public inspection all other records pertaining to the provisions in this chapter.

8-6.120.060 General Standards for Flood Plain Areas

The following standards shall apply to all development or landform alterations that require a flood plain permit:

A. The appropriate approval authority shall review all permit applications to determine whether proposed building sites will be safe from flooding.

B. The areas within the 100-year flood plain identified on the FIRMs by FEMA and city maps described in Section 8-6.120.020 A. are hereby adopted by reference and declared to be a part of this chapter. The FIRMs and city maps and related information are on file at the Cascade Locks City Hall.

C. When base flood elevation data are not available in the FIRMs or from another authoritative source, the City Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, city, or other source in order to administer the provisions of this chapter. Applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment which includes use of available historical data, high water marks, photographs of past flooding, and other similar information. Failure to locate the lowest floor at least 2 feet above grade in these areas may result in higher insurance rates.

D. All new improvements shall be constructed using methods and practices that minimize flood damage.

E. All new construction and substantial improvements, including manufactured homes, shall be constructed with materials and utility equipment resistant to flood damage.

F. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

G. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

H. All new construction, manufactured homes, and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

I. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.

J. On-site water disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

K. Subdivisions and partitions in the 100-year flood plain shall meet the following criteria:

1. The design shall minimize the potential for flood damage;

2. Public utilities and facilities such as sewer, gas, electrical, and water systems shall be located and constructed so as to minimize flood damage;

3. Adequate drainage shall be provided to reduce exposure to flood damage; and

4. For subdivisions or partitions which contain more than 50 lots or 5 acres and where base flood elevation data is not available from FEMA or another authoritative source, the applicant shall generate base flood elevation data to be reviewed as part of the application.

8-6.120.070 Construction Standards for Flood Plain Areas

A. Residential Construction

1. New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including the basement, elevated at least one foot above base flood elevation.

2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or must meet or exceed the following minimum criteria:

a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;

b. The bottom of all openings shall be no higher than one foot above grade; and

c. Openings may be equipped with screens, louvers, or other coverings or devices, provided that they permit the automatic entry and exit of flood waters.

3. Manufactured homes shall be securely anchored to an adequately anchored permanent foundation system. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

B. Nonresidential Construction

New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation, or together with attendant utility and sanitary facilities, shall:

1. Be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Building Official as set forth in Section 8-6.120.050; and

4. Nonresidential structures that are elevated, not flood proofed, must meet the same standards for space below the lowest floor as described in 8-6.120.070. Applicants flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building constructed to the base flood level will be rated as one foot below that level).

8-6.120.080 Floodways

Because the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and have significant erosion potential, the following provisions shall apply:

A. Encroachments, including fill, new construction, substantial improvements, and other development shall not be permitted unless a registered professional engineer provides certified evidence demonstrating that the proposed encroachments shall not result in any increase in 100-year flood levels.

B. If subsection A. above is satisfied, all new construction and substantial improvements shall comply with all applicable requirements of this chapter.

8-6.120.090 Approval Criteria

A. The appropriate approval authority shall approve or approve with conditions a flood plain permit application based upon findings that all of the following criteria are satisfied:

1. The applicable standards in Sections 8-6.120.060, .070, and .080 have been satisfied;

2. Landform alterations shall preserve or enhance the flood plain storage function and maintenance of the floodway;

3. The application shall not result in any encroachments, including fill, new construction, substantial improvements, and other development unless a registered professional engineer certifies that the proposal will not raise flood levels or cause any additional flood-related damage;

4. Where a landform alteration or development is permitted to occur within the flood plain it will not result in any increase in the water surface elevation of the 100-year flood;

5. Landform alterations or developments which comply with the limits described in Sections 8-6.120.030 A. and B. shall automatically be found to meet subsections 2., 3., and 4. above;

6. Any plans for a pedestrian/bicycle pathway indicate that it will not be below the elevation of an average annual flood; and

7. The necessary permits shall be obtained from those federal, state, or local governmental agencies from which prior approval is required.

8-6.120.100 Flood Plain Variance

Variances to the provisions of this chapter may only be issued subject to the following process and standards:

A. Flood plain variance permits shall be administered and reviewed as a Planning Commission review in accordance with Article II, Procedures of this title.

B. The variance request shall be evaluated using the guidelines specified in Section 60.6 of the National Flood Insurance Program (Regulations for Floodplain Management and Flood Hazard Identification), October 1, 1990, published by the Federal Emergency Management Agency (available at City Hall).

Chapter 8-6.124

GEOLOGIC HAZARD OVERLAY ZONE (GH)

Sections

8-6.124.010 Purpose
8-6.124.020 Applicability of Provisions
8-6.124.030 Administration
8-6.124.040 Submittal Requirements
8-6.124.050 Limited Improvements
8-6.124.060 Geologic Hazard Permit
8-6.124.070 Approval Criteria - Geologic Hazard Permit

8-6.124.010 Purpose

The purpose of the Geologic Hazard (GH) Overlay Zone is to identify existing or potential local geological hazards to take precautions or restrict development in the interests of preventing hazards from causing harm to people or property.

8-6.124.020 Applicability of Provisions

A. Affected Area

The provisions of this section apply to areas designated GH on the city zoning map. The GH Overlay Zone is based upon the geologic hazards identified by the State of Oregon, Department of Geology & Mineral Industries in Bulletin #91, Geologic Hazards of Parts of Northern Hood River, Wasco & Sherman Counties, 1977, and on State Geologic Hazard Maps accompanying that report prepared by J.D. Beaulieu, 1977. The GH Zone does not apply to geologic features shown on Geology Maps that accompany Bulletin #91.

B. Permitted and Conditional Uses

Any permitted or conditional uses in the base zone are allowed but permanent structures or accessory buildings shall be constructed, altered, or repaired only as provided in this section.

C. New Construction and Maintenance

Public and private construction and maintenance projects described in Sections 8-6.16.020. D. and F. shall be subject to the provisions of this chapter.

D. Development Standards

The development standards of this title shall continue to apply, unless modified by this chapter.

8-6.124.030 Administration

A. Administrative Review - Limited Improvements

Permits for limited improvements, described in Section 8-6.124.050, shall be administered and reviewed as an Administrative review in accordance with Article II, Procedures of this title.

B. City Administrator Review - Geologic Hazard Permit

Geologic hazard permits, for improvements described in Section 8-6.124.060, shall be administered and reviewed as a City Administrator review in accordance with Article II, Procedures of this title.

C. In the case where development in the GH Overlay Zone requires other land use approvals as provided in this title, permits for limited improvements or geologic hazard permits shall be reviewed according to the procedure which applies to the related land use approval.

8-6.124.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit the following for a limited improvement or geologic hazard permit application:

1. A site plan, with the number of copies to be determined at the preapplication conference, and necessary data or narrative which explains how the development conforms to the standards in the following format:

a. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 inches by 24 inches;

b. The site plan shall be drawn using an engineering scale; and

c. All drawings of structure elevations or floor plans shall be drawn using a standard architectural scale of 1/4 inch or 1/8 inch.

2. Topography map (available at City Hall) which shows the location of:

a. The GH Overlay Zone boundary; and

b. The location of the proposed grading, filling, structures, or other improvements which are the subject of the permit.

B. Geologic hazard permits applications shall also include a report from a certified professional engineer (licensed in Oregon), geologist, hydrogeologist, or other professional competent in geology which evaluates the potential geologic hazards on the subject site and certifies the appropriateness of the development and mitigation measures proposed.

C. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

D. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.124.050 Limited Improvements

The following types of limited uses and activities shall be permitted subject to signing the City of Cascade Locks Geologic Hazard Waiver Form (Appendix "A" to this chapter); review and approval by the Building Official or the City Engineer; and obtaining necessary land use and/or building permits. If the provisions in this section cannot be met, the limited improvement will be denied.

A. Detached accessory structures including but not limited to private garages, carports, storage sheds, and patio covers, that are a minimum of 20 feet from a pre-existing

dwelling or a new dwelling approved under provisions in Section 8-6.124.060 below, shall be permitted when they are placed in locations where the Building Official determines the structure will not cause harm to people or property.

B. Accessory structures for farming and accepted timber practices, if allowed by the base zone, excluding dwellings and quarry operations.

C. Repair, maintenance, and additions considered appurtenant to a pre-existing dwelling and its accessory use(s) or a dwelling approved under Section 8-6.124.060. Such repair, maintenance and additions shall be limited to: concrete slabs; driveways and sidewalks; masonry repair; painting; non-bearing partitions; shelving; cabinet work; gutters and down spouts; replacement or repair of siding; replacement and repair of roofing; plastic glazed windows; and similar construction.

D. Construction and maintenance of public and private facilities described in Sections 8-6.16.020 D. and F. that will not exceed 10 cubic yards of excavation or fill, and the Building Official or City Engineer determines the facilities will not cause harm to people or property.

8-6.124.060 Geologic Hazard Permit

As an alternative to Section 8-6.124.050, the establishment, alteration, or enlargement of a permitted or conditional use in the base zone or construction and maintenance of public and private facilities shall receive a Geologic Hazard Permit when all of the provisions of this section are satisfied.

A. Geology Report

1. A certified professional engineer (licensed in Oregon), geologist, hydrogeologist, or other professional competent in geology prepares a report which:

   a. Concludes that a geologic hazard does not actually exist in the area of proposed development;

   b. Determines that no harm to the development or land will be caused by the proposed development or geologic hazard; or

   c. Describes and analyzes the nature and extent of the hazard and recommends the type, method, and materials for physical improvements which could significantly reduce the likelihood of personal harm or property in the area due to geological hazards.

2. At a minimum, the report required under Subsection A.1. shall contain the following information:

   a. A scaled map at 1 inch = 100 feet scale, or larger, with contour intervals of 10 feet, north arrow, property lines, existing improvements, nay historically or archaeologically significant features, geologic formations, slope, diagrammatic section of geology, and other factors as necessary; and

   b. An analysis report (based on field check) explaining the geologic hazard, geomorphology, ground water, soil suitability, specific hazard characteristics both short and long term, and related matters as necessary.

B. A City of Cascade Locks Geologic Hazard Waiver Form (Appendix "A" to this chapter) shall be signed by the property owner and contractor.

C. The applicable land use and building permits shall be obtained.

8-6.124.070 Approval Criteria - Geologic Hazard Permit

A. A Geologic Hazard Permit shall be approved or approved with conditions when the proposed uses and the improvements associated with such uses satisfy the following criteria:

1. The development of permitted uses and improvements will not substantially increase the specific hazard potential; and

2. Any subsurface sewage disposal system or individual well for the proposed site will not become a health hazard as a result of geologic conditions.

B. The approval authority may establish conditions of approval which are found necessary to minimize public and private loss of life and property.

Chapter 8-6.128

WETLAND AND RIPARIAN AREAS

Sections

8-6.128.010 Purpose
8-6.128.020 Applicability of Provisions
8-6.128.030 Administration
8-6.128.040 Submittal Requirements
8-6.128.050 Limited Improvements
8-6.128.060 Geologic Hazard Permit
8-6.128.070 Approval Criteria - Geologic Hazard Permit
8-6.128.080 Variances

8-6.128.010 Purpose

The purpose of this chapter is to protect identified wetland and riparian areas with the city in order to:

A. Protect important wildlife and fish habitat; and

B. Maintain or enhance water quality through reduced erosion and the ability of natural systems to reduce sedimentation and water pollution.

8-6.128.020 Applicability of Provisions

A. Affected Areas

The provisions of this chapter apply to:

1. Land identified as a wetland in the 2004 City of Cascade Locks Local Wetlands Inventory or wetlands verified on-site by a wetland scientist; and [i]

2. Riparian areas as defined in this title that include land within 50 feet of the top of bank along Dry, Herman, and Moody [ii]creeks and land within 75 feet of the top of bank along the Columbia River. These areas are shown on the 2005 City of Cascade Locks Local Riparian and Wetlands Inventory Map.[iii]

3. Measurement of the distances in Subsection [iv]A. 2. above shall be a horizontal[v] distance.

4. For riparian areas where the top of bank is not clearly defined, the riparian area boundary shall be measured from the 2-year recurrence interval flood elevation, or the line of non-aquatic vegetation, whichever is most landward. [vi]

B. Permitted and Conditional Uses

Any permitted or conditional uses in the base zone are allowed but landform alterations, clearing, paving, permanent structures, or similar development shall be constructed, altered, or repaired only as provided in this section.

C. Development Standards

The development standards of this title shall continue to apply, unless modified by this chapter.

8-6.128.030 Administration

A. Administrative Review - Limited Improvements

Permits for limited improvements, described in Section 8-6.128.050, shall be administered and reviewed as an Administrative review in accordance with Article II, Procedures of this title.

B. City Administrator Review - Wetland/Riparian Area Permit

Wetland/riparian area permits, for improvements described in Section 8-6.128.060, shall be administered and reviewed as a City Administrator review in accordance with Article II, Procedures of this title.

C. Combined Applications

In the case where development in an identified wetland or riparian area requires other land use approvals as provided in this title, permits for limited improvements or wetland/riparian area permits shall be reviewed according to the procedure which applies to the related land use approval.

8-6.128.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit the following for a limited improvement or wetland/riparian area permit application:

1. A site plan, with the number of copies to be determined at the preapplication conference, and necessary data or narrative which explains how the development conforms to the standards in the following format:

   a. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 inches by 24 inches;

   b. The site plan shall be drawn using an engineering scale; and

   c. All drawings of structure elevations or floor plans shall be drawn using a standard architectural scale of 1/4 inch or 1/8 inch equals 1 foot.

   d. Include 2 foot contour lines if necessary to adequately explain the proposal

B. As part of the staff report for a Wetland/Riparian Area Permit or Variance the city shall retain a report from a wetland scientist, or other professional competent in biology, to evaluate the potential impacts the proposal may have within a wetland or riparian area in the following cases:

   a. If requested by the applicant or by the appealing party in cases of appeal.

   b. If the affected wetland/riparian area is classified as a Locally Significant Wetland in the 2004 City of Cascade Locks Local Wetlands Inventory.

   c. If the proposal includes activity in a Tier 1 Riparian Area as defined in the 2005 City of Cascade Locks Local Riparian and Wetlands Inventory Map.

   d. If the City Administrator determines a report is necessary for proper evaluation of the application.

All expenses incurred by the city in the creation of this report shall be paid by the applicant or on appeal by the appealing party. The applicant must allow the City and its agent access to the subject property necessary to create the report.

C. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

D. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.128.050 Limited Improvements

The following types of limited uses and activities shall be permitted subject to City Administrator review and approval:

A. Replacement of existing structures or utility facilities in the same location that do not disturb additional wetland or riparian surface area.

B. Removal of non-native vegetation and replacement with native plant species.

C. Trimming, mowing, or removal of hazardous vegetation which poses a fire danger or other threat to buildings, improvements, or people.

D. Any activity described in 8-6.128.060 Subsection A. that occurs only in a Tier 3 Riparian Area as defined in the 2005 City of Cascade Locks Local Riparian and Wetlands Inventory Map.[VII]

8-6.128.060 Wetland/Riparian Area Permit

A. Types of Activities and Development Permitted

As an alternative to Section 8-6.128.050, the establishment, alteration, or enlargement of a permitted or conditional use in the base zone shall receive a wetland/riparian area permit when all of the provisions of this section are satisfied. Development may include the following activities subject to the applicable approval criteria of this chapter:

1. Streets, roads, driveways, and paths;

2. Drainage facilities, utilities, and irrigation pumps;

3. Water-related and water-dependent uses and associated vegetation removal along the Columbia River and Herman Creek only; and

4. Site grading or filling, new or enlarged structures, or impervious surfaces which are not part of a development as described in Subsections A.1., A.2., and A.3. above.

B. General Approval Standards

To approve any activities or development in wetland/riparian areas, the following standards shall be satisfied;

1. The design and location minimize the amount of land and vegetation disturbed within the wetland/riparian area;

2. Each tree removed shall be replaced with a native tree species;

3. The provisions of Chapter 8-6.120, Flood Plain Overlay Zone (FP) are satisfied;

and

4. The Division of State Lands has been notified of the application, as provided by ORS 227.350, and all applicable state and federal permits shall be obtained.

C. Supplemental Criteria

For activities or development listed in Subsections 8-6.128.060 A.3. and A.4., the following criteria shall apply in addition to Section 8-6.128.060 B.

1. Equal or better protection for the identified resource values will be ensured through restoration of wetlands, riparian areas, enhanced buffer treatment, or similar measures.

2. In no case shall such alterations in riparian areas occupy more than 50% of the width of the riparian area measured between the top of the bank and edge of the corridor.

8-6.128.070 Conditions of Approval

The approval authority may establish conditions of approval which are found necessary to minimize the negative impacts upon wetland or riparian areas.

8-6.128.080 Variances

A. A variance to the wetland/riparian area requirements of this chapter shall be reviewed as a Planning Commission review as provided in Article II, Procedures of this title. A variance may be requested to reduce or eliminate the requirements of this chapter for the following reasons:

1. A mapping error occurred, and the proposed development is not located within a wetland or riparian area; or

2. The requirements of this chapter have created a hardship by rendering the subject property unbuildable.

B. In the case of a mapping error, the applicant shall provide expert testimony, site plan information, photographs, and/or other relevant information to demonstrate that the proposed development is not within a wetland or riparian area. The Planning Commission shall make a determination based on the evidence and testimony received from the applicant and other interested parties.

C. In the case of a hardship, the applicant shall address the variance approval criteria in Section 8-6.160.050. In lieu of demonstrating no adverse impact to natural systems and sensitive areas in Section 8-6.160.050 D., the applicant shall provide a report from a professional biologist or other professional competent in biology which demonstrates how adverse impacts caused by the proposed development will be minimized. The Planning Commission shall make a determination based on the evidence and testimony received from the applicant and other interested parties.

Change Descriptions:
[1] The Local Wetlands Inventory replaced the National Wetlands Inventory and the fifty foot buffer around wetland is not needed.

[1] Riparian areas around Moody Creek were also identified by the Local Wetlands Inventory.

[1] This reference is to assist individuals trying o determine where riparian areas are.

[1] There is no longer a reference to distance in Subsection A. 1.

[1] This measurement is as it would be on an aerial photo not as it would be on the ground. Measurements on the ground vary due to slopes which are common in Cascade Locks. A horizontal measurement is the easiest to be determined from a map and should be the simplest method for the City and Landowners.

[1] Because the distance is being horizontally the cliffs should have no effect on the measurement.

[1] The maps available at City Hall are USGS Quad maps that were produced a quarter of a century ago so their value is limited. As an alternative the code revision requires topographical information only if it is applicable to the details of the application.

[1] In the code revision the task of actually hiring a wetlands scientist falls to the city instead of the applicant. The applicant is still responsible to pay for the wetlands consultant. In most cases this should save the applicants time, effort, and money and should give the city more reliable information on which to base their decision. The code revision also eliminated the requirement that all wetland area permits require the opinion of a wetlands scientist and identified certain cases where a scientist would be required. There is also a provision that allows the City Administrator to hire a wetlands scientist if they deem it necessary and none of the regular criteria which trigger consultation with a wetlands scientist apply.

[1] This change makes only a Limited Improvement Permit required in cases where activities described in the Wetlands Area Permit section of the code are preformed in previously developed riparian areas. These riparian areas are usually fully paved or built over and are specifically identified in the Local Wetlands Inventory.

[1] Since the City will be hiring the wetlands scientist some of the information describing exactly what they need to produce is not needed. The key items remains that when the specified A.3. and A.4. activities occur equal or better protection of valuable resources must occur.

[1] This revision means that intrusion into a riparian area can only occur up to a distance half way between the beginning of a riparian area and edge of the water body. In the original code intrusion could occur up to half way between one edge of a riparian area to the other edge. This meant the intrusion could come all the way to the water on one side as long as the other side was not disturbed.

[SECTION 8-6.128 WETLAND AND RIPARIAN AREAS AMENDED BY ORDINANCE NO. 386, ADOPTED BY CITY COUNCIL ON May 8, 2006]

Chapter 8-6.132

AIRPORT PROTECTION OVERLAY ZONE (AP)

Sections

8-6.132.010 Purpose
8-6.132.020 Applicability of Provisions
8-6.132.030 Administration
8-6.132.040 Submittal Requirements
8-6.132.050 Use Limitations
8-6.132.060 Height Limitations
8-6.132.070 Approval Criteria

8-6.132.010 Purpose

The purpose of the Airport Protection (AP) Overlay Zone is to protect the public's safety and welfare and to protect property adjacent to and surrounding the Cascade Locks State Airport through the use of height restrictions and other provisions in this title.

8-6.132.020 Applicability of Provisions

A. Affected Area

The provisions of this ordinance shall apply to all lands in the City of Cascade Locks under the airport approach, conical, horizontal, and transitional surfaces, which are shown in Appendix "A", Cascade Locks State Airport Plan, Cascade Locks, Oregon (4/18/83).

B. Permitted and Conditional Uses

Any permitted or conditional use in the base zone is subject to the provisions of this chapter.

C. Development Standards

The development standards of this title shall continue to apply, unless modified by this chapter.

8-6.132.030 Administration

A. Permitted uses and development permits which are subject to the AP Overlay Zone shall be administered and reviewed as an Administrative review in accordance with Article II, Procedures of this title.

B. In the case where development in the AP Overlay Zone requires other land use approvals as provided in this title, development permits shall be reviewed according to the procedure which applies to the related land use approval.

8-6.132.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit each of the following:

1. A site plan, with the number of copies to be determined at the preapplication conference, and necessary data or narrative which explains how the development

conforms to the standards using the following format:

a. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 inches by 24 inches;

b. The site plan shall be drawn using an engineering scale; and

c. All drawings of structure elevations or floor plans shall be drawn using a standard architectural scale of 1/4 inch or 1/8 inch.

2. Information on the site plan which illustrates:

a. The location of the airport protection surfaces (runway protection, approach, transitional, horizontal, or conical) which apply to the subject property; and

b. The location and height of the proposed structures or other improvements.

B. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.132.050 Use Limitations

Uses allowed in the base zone will be subject the following use limitations in the AP Overlay Zone unless they are approved by Oregon Department of Transportation, Aeronautics Section:

A. No searchlight, beacon light, or other glaring light shall be used, maintained, or operated within one-half mile of said airports, so that the same shall reflect, glare, or shine upon or in the direction of the airport;

B. No glare producing materials shall be used on the exterior of any structure located within the AP Overlay Zone;

C. No electromagnetic radiation that would interfere with normal aircraft communication;

D. No land use or activity that produces smoke or haze to a degree that would interfere with normal aircraft operations;

E. No land use or activity that produces excessive bird strike hazard in the designated zones; and

F. No residences and other structures or uses intended for human occupancy in the runway protection zone, which includes the land below the first 1,000 feet of the approach surface.

G. No place of public assembly for schools, hospitals, churches or similar activities which attract more than 25 persons per acre under the approach surface.

8-6.132.060 Height Limitations

No structure or tree shall be erected, altered, allowed to grow, or maintained in the AP Overlay Zone to a height in excess of height limitations established by each of the following areas as shown in Appendix "A":

A. Primary Surface which allows no obstruction of any kind. This area is completely within the airport property.

B. Approach Surface which slopes twenty (20) feet outward for each foot upward(20:1) beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway center line.

C. Transitional Surface which slopes seven (7) feet outward for each foot upward (7:1) beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the average airport elevation for an elevation of 301 feet above mean sea level.

D. Horizontal Surface which a level surface located 150 feet above the average airport runway elevation of 151 feet for an elevation of 301 feet above mean sea level.

E. Conical Surface which slopes twenty (20) feet outward for each foot upward (20:1) for 4,000 feet beginning at the periphery of the horizontal zone and at the 301-foot elevation and extending to a elevation of 501 feet above mean sea level.

8-6.132.070 Approval Criteria

Development permits located within the AP Overlay Zone shall satisfy the following criteria:

A. The proposed use or structure shall comply with the use and height limitations in Sections 8-6.132.050 and .060; and

B. The proposed use or structure shall comply with the requirements of the applicable base zone.

APPENDIX A - Airport Surfaces Map

Chapter 8-6.140

PLANNED DEVELOPMENT OVERLAY ZONE (PD)

Sections

8-6.140.010 Purpose
8-6.140.020 Applicability of Provisions
8-6.140.030 Administration
8-6.140.040 Submittal Requirements
8-6.140.050 General Requirement
8-6.140.060 Residential Density Standards
8-6.140.070 Residential Density Bonus
8-6.140.080 Phased Development

8-6.140.010 Purpose

The purposes of the Planned Development (PD) Overlay Zone are to:

A. Provide a means for creating planned environments by applying flexible standards which allow the use of innovative design techniques which will result in a superior living arrangement;

B. Facilitate the efficient use of land while preserving the existing landscape features and amenities to a greater extent than possible using the normal standards of this title;

C. Encourage transferring density and development to the most suitable portions of the site;

D. Encourage design features which provide assisted housing opportunities, public recreation, and other community amenities; and

E. Promote protection or avoidance of significant habitat and hazardous areas by using flexible standards and incentives.

8-6.140.020 Applicability of Provisions

A. A Planned Development may be located in any zoning district

B. Development Standards

The development standards of this title shall continue to apply, unless modified by this chapter.

8-6.140.030 Administration

A. Planned Development applications shall be administered and reviewed as a Planning Commission decision in accordance with Article II, Procedures of this title.

B. Where the Planned Development involves partitioning or subdivision the provisions of the Subdivision and Partitioning chapter shall be processed and reviewed concurrently. However, the development standards of the Planned Development chapter supersede the development standards of the Subdivision and Partitioning chapter wherever there may be conflicting provisions.

8-6.140.040 Submittal Requirements

A. In addition to submittal requirements for a subdivision or partitioning, the applicant shall also provide supporting narrative, illustrations, plans, etc., to demonstrate compliance

with the provisions of this chapter.

8-6.140.050_General Requirements

A. Minimum Size

Planned Developments shall be at least 5 acres in size.

B. Owners' Association

A home owner property owner association shall be required for the perpetual maintenance of all common elements including but not limited to private roadways, walkways, utilities and private open space. The property owners within the planned development shall automatically be members of the association. The articles of the association shall be approved by the City Attorney prior to recording the final plat and they will be recorded along with the plat. No change shall be made in the articles unless approved by the City Attorney.

C. Open Space

1. Common private or public open space shall be provided as follows:

   a. Residential zones (RR, LDR, MDR, MHR, and HDR) - a minimum of 20% of the gross land area; and

   b. Commercial (C, CR, and RC) and industrial (LI and HI) - a minimum landscaped area as required by the base zone.

2. Land within individual building lots shall not be included as common or public open space. Land within public right-of-way shall not be included as common or public space.

8-6.140.060 _Development Flexibility

A. Dimensional Exceptions

1. Side and rear yard building setback requirements of the applicable zone may be reduced or eliminated by the Planning Commission, except within 20 feet of the perimeter of the Planned Development where they shall remain in effect.

2. Front yard setbacks may be reduced by the Planning Commission provided the vision clearance requirements in Chapter 8-6.116 are satisfied.

3. The Planning Commission may reduce or eliminate minimum lot size requirements but the overall density of the development may not exceed the maximum density that would be allowed normally in the zoning district.

4. The Planning Commission may increase the maximum building height up to an additional 10 feet over the maximum height of the applicable zone, except within 20 feet of the perimeter of the planned Development where they shall remain in effect.

5. The Planning Commission may approve a system of streets, walkways and bike facilities owned and maintained by the Owners Association in lieu of public streets. A private street system must meet all applicable fire code requirements. Adequate parking spaces above the minimum parking requirement for the land uses will be provided if a private street system has no or limited on-street parking.

B. Use Exceptions

1. The uses in a Planned Development shall comply with the permitted and conditional use requirements of the applicable zone, except when the applicable zone allows residential uses. In this case the Planning Commission may allow all residential use types allowed in the title (e.g., single family detached, single family attached, duplex, multi-family) provided the overall density of the development does not exceed the maximum density that would be allowed in the zoning district if this requirement was not modified.

8-6.140.070 Approval Criteria

The Planning Commission shall approve, approve with conditions or deny an application for a Planned Development based up on conformance with the following criteria:

A. The Planned Development is compatible with the surrounding area and its proposed future use in a manner that is consistent with the compatibility of a conventional development not using the Planned Development standards.

B. Development density is transferred to the most suitable portion of the site.

C. The location, design, size and uses of the Planned Development will result in an attractive, healthful, efficient and stable environment for living, shopping or working.

D. The Planned Development offers the same or better protection of significant habitat and hazardous areas then a traditional development.

E. At least one of the following community benefits will be provided by the Planned Development.

1. Increased opportunity for public recreation.

2. Enhanced protection of significant habitat and hazardous areas.

3. Enhanced design features which increase livability.

4. Provision of needed housing at the density standards identified in the Comprehensive Plan that cannot be reasonably achieved without using the Planned Development standards.

F. Exceptions to the standards of the underlying district contribute to the community benefit provided by the Planned Development.

8-6.140.080 Phased Development

The planned development may be developed in phases according to the phasing requirements of the related subdivision application.

[CHAPTER 8-6.140 AMENDED BY ORDINANCE NO. 424, ADOPTED BY CITY COUNCIL ON MAY 13, 2013]

Chapter 8-6.144

SIGNS

Sections

8-6.144.010 Purpose
8-6.144.020 Applicability of Provisions
8-6.144.030 Administration
8-6.144.040 Submittal Requirements
8-6.144.050 Sign Requirements
8-6.144.060 Nonconforming Signs
8-6.144.070 Sign Permit Approval Criteria
8-6.144.080 Sign Code Exceptions
8-6.144.090 Sign Design, Construction, and Maintenance
8-6.144.100 Inspection

8-6.144.010 Purpose

The purpose of this chapter is to:

A. Promote traffic and pedestrian safety;

B. Protect property and public welfare;

C. Increase the aesthetic value and economic viability of the city;

D. Provide for safe construction, location, erection, and maintenance of signs;

E. Provide equitable signage rights and reduce signage conflicts; and

F. Prevent proliferation of signs and sign clutter.

8-6.144.020 Applicability of Provisions

A. Exempt Signs

The following signs do not require sign permits:

1. Legally established conforming or nonconforming signs existing as of June 30, 1998;

2. Painted murals, wall decorations, or wall highlights;

3. Up to two lawn signs not exceeding 6 square feet per sign face or 3 feet in height;

4. Signs posted by or under governmental authority including, but not limited to, legal notices, traffic, danger, no trespassing, emergency, and signs related to public services or safety;

5. National, state, or other government agency flags on permanent flag poles which are designed to allow raising and lowering of the flags;

6. Flags (other than national, state, or other government agency flags), banners, balloons, or similar types of tethered objects approved as a temporary sign;

7. Signs inside a building, including interior window signs, except for strobe lights visible from a right-of-way, other property, or from the air; and

8. Residential name and/or address plates that do not exceed 2 square feet. Only one such sign shall be permitted upon the premises and may only be indirectly illuminated.

B. Prohibited Signs

The following signs are prohibited:

1. Unsafe signs or improperly maintained signs, unless the sign and sign structure is so constructed, erected, and maintained as to be able to withstand the wind, seismic, and other requirements as specified in the Uniform Building Code or this title;

2. Traffic obstructing signs that:

   a. Obstruct a required vision clearance area or obstruct a vehicle driver's view of official traffic control signs and approaching or merging traffic, or which present a traffic hazard;

   b. Interfere with, imitate, obstruct the view of, or resemble any official traffic control sign, signal, device, or emergency light;

   c. Make use of the word "stop", "look", "danger" or any other similar word, phrase, symbol, or character in such a manner as is reasonably likely to interfere with, mislead, or confuse motorists;

3. Signs that emit odor, visible matter, or sound, however an intercom system for customers remaining in their vehicles, such as used in banks and "drive through" restaurants, may be allowed;

4. Signs that use or employ side guy wires in pedestrian or vehicular areas;

5. Signs that obstruct any fire escape, required exit, window, or door opening used as a means of egress;

6. Signs closer than 24 inches horizontally or vertically from any overhead power line or public utility guy wire;

7. Rotating/revolving signs;

8. Flashing signs;

9. Message signs over 8 square feet in area;

10. Signs in a public right-of-way in whole or in part, except signs legally erected for informational purposes by or on behalf of a government agency. No vehicle or trailer shall be parked on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity. This provision applies where the primary purpose of a vehicle is for advertising purposes and is not intended to prohibit any form of vehicular sign, such as a sign attached to a motor vehicle which is primarily used for business purposes; and

11. Nothing in this title shall prevent the erection, location or construction of signs on private property where such erection, construction or location is required by any law or ordinance, nor shall any public agency or utility be prohibited from erecting signs on private property when otherwise permitted.

8-6.144.030 Administration

Signs, which are not exempted in Subsection 8-6.144.020, shall be reviewed according to the following provisions:

A. Administrative Review - Sign Permits

Permit applications for signs which comply with the requirements of this chapter shall be administered and reviewed as an Administrative review in accordance with Article II, Procedures of this title.

B. Planning Commission Review - Sign Code Exceptions

Permit applications for signs which do not fully comply with the requirements of this chapter shall be administered and reviewed as a Planning Commission review in accordance with Article II, Procedures of this title.

8-6.144.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit the following for a sign permit or sign code exception application:

1. A site plan (two copies unless additional copies are requested) and necessary data or narrative which explains how the application to the standards in the following format:

   a. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 inches by 24 inches;

   b. The site plan shall be drawn using an engineering scale;

   c. All sign drawings shall use a standard architectural scale of 1/4 inch or 1/8 inch equals 1 foot; and

   d. The location of all existing and proposed signs on the property.

2. A sign drawing which illustrates:

   a. The sign area dimensions;

   b. The materials and colors to be used and graphic design;

   c. The height of the sign above the ground;

   d. The source and intensity of any illumination;

   e. The structural and mechanical design and any engineering data, i.e., size of footings, anchorages, and welds; and

   f. For those cases where an existing sign is to be modified, the applicant for a sign permit shall provide documentation or verifiable proof of when a sign was erected and, whenever possible, shall submit a copy of the original sign permit.

B. A sign code exception application shall include a narrative which addresses the relevant approval criteria in Section 8-6.144.080 B.

C. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

D. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.144.050 Sign Requirements

Signs which are subject to the provisions of this chapter shall satisfy the standards in this section. Signs which do not meet all of the requirements of this chapter may only be approved as provided in Section 8-6.144.080 Sign Code Exceptions or Chapter 8-6.160, Variance.

A. General Sign Requirements

Sign Type	Residential, Public, and Open Space Zones	Commercial and Industrial Zones
Freestanding		
Maximum:		
• Number	• 1	• 1
• Height	• 4 feet	• 20 feet
• Sign area per face	• 16 square feet	• 50 square feet
• Total sign area - all faces	• 32 square feet	• 100 square feet
Location:	• At entry point(s) to housing complex or subdivision	• Outside of the public right-of-way

A. General Sign Requirements, continued.

Sign Type	Residential, Public, and Open Space Zones	Commercial and Industrial Zones
Wall, Projecting and Roof		
Maximum:		
• Number	• 1	• No limit
• Height	• Up to 4 feet above highest point of the roof; or maximum building height of the base zone - whichever is lower; Lowest part at least 8 feet above underlying grade for projecting signs	• Up to 4 feet above highest point of the roof; or maximum building height of the base zone - whichever is lower; Lowest part at least 8 feet above underlying grade for projecting signs
• Sign area per face	• 4 square feet	• 1-1/2 square feet per lineal foot of building frontage with a maximum of 50 square feet
• Total sign area - all faces	• 8 square feet	• 50 square feet
Location:	• Signs shall not project more than 4 feet from a building wall unless attached to a canopy	• Signs shall not project more than 4 feet from a building wall unless attached to a canopy
Temporary		
Maximum:		
• Number	• A maximum of 2 lawn signs are permitted. All other temporary signs are not permitted.	• 4
• Height		• 4 feet for freestanding signs and up to parapet or roof eaves for wall signs
• Sign area per face		• 32 square feet
• Total sign area - all faces		• 64 square feet
Location:		• Outside of the street right-of-way
Time limit:		• 120 days

Sign Type	Residential, Public, and Open Space Zones	Commercial and Industrial Zones
Directional		
Maximum:		
• Number	• 1 sign per driveway	• 2 signs per driveway
• Height	• 3 feet	• 3 feet
• Sign area per face	• 6 square feet	• 6 square feet
• Total sign area - all faces	• 24 square feet	• 32 square feet
Location:	• Adjacent to private driveway or sidewalk	• Adjacent to private driveway or sidewalk
Total Sign Area Per Lot All sign faces	• **32 square feet**	• **100 square feet**

B. Illumination

Illumination for the purpose of providing readability of sign during hours of darkness is allowed. Any flashing, moving, animated, blinking, or rotating sign in which illumination changes with time or which is designed in a manner to simulate motion, or produces glare for adjacent properties or a public street is prohibited. Message signs less than 8 square feet in area in commercial and industrial zones are not included in this prohibition.

C. Sign Location

1. Except for signs posted by government authority as described in Section 8-6.144.020, no sign shall be located within or project into a public right-of-way.

2. All signs shall comply with the vision clearance requirements in Chapter 8-6.116.

D. Temporary Signs - Additional Requirements

1. No permit shall be issued for a period longer than 120 days, but a permit may be renewed by the City Administrator upon a showing of good cause for the continuation of the temporary permit;

2. Banners may be allowed as temporary wall signs provided they meet the dimensional requirements in Section 8-6.144.050 A.;

3. A maximum of 10 balloons with a maximum volume of 5 cubic feet each shall be permitted as part of a temporary sign permit; and

4. Temporary signs may not be permanently attached to the ground, buildings, or other structures.

<u>8-6.144.060 Nonconforming Signs</u>

A. Damaged or Destroyed Nonconforming Signs

When a nonconforming sign face is damaged or destroyed by fire, flood, wind, or similar circumstance, such sign face may be restored to its original condition provided the repair is completed within sixty (60) days of being damaged or destroyed. However, a sign structure or support mechanisms so damaged shall not be replaced except in conformity with the provisions of Chapter 8-6.156, Nonconforming Situations.

B. Permits for Properties with Nonconforming Signs

1. No permits shall be issued to alter a nonconforming sign face or structure unless the alteration, in the judgment of the approval authority, will bring the sign closer to conformity with the provisions of this title. Alteration shall be defined as any work which is equal to or less than 80% of the total value of the sign.

2. Replacement of nonconforming signs, defined as work which exceeds 80% of the total value of the sign, shall be in conformity with the requirements of this title.

3. All nonconforming signs shall be included in the calculation of the total number of signs and sign area allowed for any sign permit applications.

8-6.144.070 Sign Permit Approval Criteria

The City Administrator shall issue a sign permit for those signs which comply with the provisions of this chapter. Sign permits mistakenly issued in violation of this title are void. The City Administrator may revoke a sign permit if he or she finds that there was a material and misleading false statement of fact in the application for the permit.

8-6.144.080 Sign Code Exceptions

A. Applicability

1. The Planning Commission may grant an exception to the requirements of this chapter when the applicant demonstrates that, owing to special or unusual circumstances relating to the design, structure, or placement of the sign or signs in relation to other structures or land uses or the natural features of the land, the literal interpretation of this chapter would interfere with the communicative function of the sign without corresponding public benefit.

2. Sign code exception applications which do not satisfy the approval standards in Section 8-6.144.080 C. shall be subject to the provisions of Chapter 8-6.160 Variance.

B. Approval Criteria

The Planning Commission may approve a sign code exception if all of the following criteria are satisfied or found by the commission to be inapplicable to the application:

1. The proposed exception to the applicable height limit is necessary to make the sign visible from the street because of local topography and/or a conforming building or sign on an adjacent property which would limit the view of a sign erected on the site in conformity with the standards of this chapter. The additional sign height granted shall be limited to a maximum increase of 20%.

2. Individual signs may be granted up to an additional 20% of sign area when it is determined that the increase will not deter from the purpose of this chapter. This increase shall be judged according to specific needs and circumstances which necessitate additional area to make the sign or signs sufficiently legible. Such an increase shall only be granted when the total sign area allowed in Section 8-6.144.050 is limited to a maximum increase of 20%.

3. For a second freestanding sign in a commercial or industrial zone, the combined height for both signs shall not exceed 150% of the sign height allowed for one freestanding sign in Section 8-6.144.050. The additional freestanding sign shall only be granted when the total sign area allowed in Section 8-6.144.050 can be satisfied.

C. Conditions of Approval - Sign Code Exceptions

In addition to the sign code exception approval criteria above, the Planning Commission shall review all of the existing or proposed signage for the development and its relationship to the intent and purpose of this chapter. As a condition of approval, the Planning Commission may require:

1. Removal or alteration of conforming or nonconforming signs to achieve compliance with the standards contained in this chapter;

2. Removal or alteration of conforming or nonconforming signs in order to establish a consistent sign design throughout the development; and

3. Sign permit applications for signs erected without permits or removal of such illegal signs.

8-6.144.090 Sign Design, Construction, and Maintenance

All signs shall be designed, constructed, and maintained according to the following standards:

A. All signs shall comply with the applicable provisions of Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical, and other regulations.

B. Except for banners, flags, temporary signs, and window signs conforming in all aspects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.

C. All signs shall be maintained in a good structural condition and readable at all times.

D. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws regulating signs.

8-6.144.100 Inspection

All construction work for which a permit is required shall be subject to an inspection by the Building Official in accordance with the Uniform Building Code and this title.

kl.HD/ACT CDC Rev. 45a
CDC AIV/9 (4/23/01)

Chapter 8-6.145

TRAFFIC IMPACT ANALYSIS

Sections

8-6.145.010 Purpose
8-6.145.020 Provisions
8-6.145.030 Submission of a Traffic Impact Analysis

8-6.145.010 Purpose

A TIA is intended to provide needed information for the consideration of a land use application and may result in the imposition of conditions of approval designed to mitigate identified adverse impacts. The TIA itself is not a land use action and is not independently appealable.

8-6.145.020 Provisions

A. Applicability

1. A Transportation Impact Analysis (TIA) shall be required for any proposed development or redevelopment that can be estimated to generate more than 50 vehicle trip ends during a morning or afternoon peak hour. Morning is the weekday a.m. peak hour between 7:00 am and 9:00 am. Afternoon is the weekday p.m. peak hour between 4:00 pm and 6:00 pm. For uses that can reasonably be expected to meet this threshold during other time periods (e.g., weekday midday or weekend peak period), a TIA may be required at the discretion of the City Administrator. The applicant will have the responsibility to define the peak hour relative to each project. That determination will be based on empirical data obtained from new traffic counts, or from existing ODOT counts that were taken during the development of the EIS for the Bridge of the Gods Resort and Casino.

2. Zone changes will require a traffic study complying with OAR 660-12- 0060.

3. The scope of work for preparing a Traffic Impact Analysis will be determined by the City Administrator as described in the provisions of this Chapter. The Planning Commission or Council will determine if the information submitted is sufficient to allow a decision to be made on the particular case. In any event, the Commission or Council can require an applicant to supplement a Traffic Impact Analysis with new or more detailed information if the Commission or Council finds it necessary to allow sufficient consideration of the issues.

B. Calculation of Trip Generation and Distribution

1. Trip generation data provided in the most recent edition of the ITE publication *Trip Generation* shall be used unless more appropriate data is available or an

independent trip generation analysis is determined to be necessary by the City Administrator. The analysis used will take into account any internal capture or pass-by trips. The City may require data collection at similar facilities if it is determined insufficient trip generation data is currently available.

2. Average trip generation formulas (where applicable) or rates are normally used; however, more development type specific calculations may be required by the City Administrator in some cases where it is found that particular circumstances warrant the modification.

3. Directional trip distribution assumptions shall be based on historical data, existing and future travel characteristics, and capacity constraints. The basis of what was used, how it was derived, and how it was used will be documented.

C. Determination of the Area for Which Analysis Is Required

The TIA shall address at least the following areas:

1. All proposed site access points.

2. All road segments or intersections where the proposed development can be expected to generate more than 50 additional vehicle trips, combined or on any one leg, during the analysis period(s) identified under the requirements in Part A.1. The City may require these trip thresholds to be adjusted for unusual situations, such as heavy truck traffic, safety issues, or capacity limitations. If a two-way-stop controlled intersection currently functions acceptably and the proposed development would be expected to generate a total of less than 60 additional vehicle trips per peak hour on the minor leg(s) of the intersection, the intersection need not be included in the study area as a result of this requirement. The City may, at its discretion, choose to waive study of certain intersections if it is deemed such study to be unnecessary.

3. All road segments or intersections where the additional traffic volume created by the proposed development is greater than 10 percent of the current traffic volume (for road segments) or the current entering volume (for intersections). The City Administrator may choose to waive study of certain intersections in some cases.

4. For developments where the City Administrator can reasonably expect more than 10 truck trips per day to be generated, the TIA study area shall include the route(s) that these trucks would take from the site to and from the arterial system.

5. Any other intersections adjacent to the subject property.

6. Other intersections significantly impacted by traffic generated by the proposed use and identified by the City as having capacity, safety, neighborhood, and/or geometric concerns.

7. Within the study area defined by the *Industrial Park Interchange Area Management Plan* (IAMP), the study intersections shall include the following streets as they are named at the time of the adoption of the ordinance:

   a. Cramblett Way / Forest Lane
   b. I-84 Westbound ramps / Forest Lane
   c. I-84 Eastbound ramps / Forest Lane
   d. Forest Lane/Frontage Road

8. For development proposing direct access to WaNaPa, the Frontage Road, or the Industrial Park Interchange Area, concurrence on the scope of work for the TIA shall be obtained from ODOT. Concurrence shall also be obtained from ODOT for developments expected to impact these facilities.

D. Horizon Year

1. The horizon year of a TIA is the most distant future year that shall be considered in the TIA. The horizon year will be a specified number of years after the development opens, and this number will vary depending on the size of the development, any land-use plan changes necessary to allow it, its uses, and the anticipated time until full buildout. The following table shows the TIA horizon year (expressed in years after the development is planned to open or be fully built out) for developments expected to generate less than 5% truck traffic:

Development Type / Trip Generation Per Day	**Horizon Year**
Any Zone Change	20 years
Other Development, Less Than 1,000	0 years
Other Development, 1,000 to 1,999	5 years
Other Development, 2,000 to 4,999	10 years
Other Development, 5,000 or more	20 years

The horizon year for a zone change analysis is defined within OAR 660-12-0060. For development proposals not involving zone changes, the study horizon will be based on projected conditions and impacts associated with the opening year of each phase of the project.

2. For developments expected to generate more than 5% truck traffic, consult The City for the TIA horizon year. The City may, at its discretion, reduce the horizon year in cases where less future study is necessary.

E. Transportation Impact Analysis (TIA) Report Requirements

1. In order to be reviewed, the Transportation Impact Analysis (TIA) report shall include at least the following minimum components (incomplete reports will be returned unreviewed to the applicant or the applicant's representative for completion):

   a. The TIA report shall be signed and stamped by a Professional Civil or Traffic Engineer registered in the state of Oregon.

   b. An executive summary, discussing the development, the major findings of the analysis, and the mitigation measures proposed.

   c. A vicinity map showing the location of the proposed project in relation to the transportation system of the area.

   d. A complete description of the proposed development, including a site plan, with the best available information as to the nature and size of each proposed use, and the proposed location and traffic control of all proposed access points (including the distance from all proposed access points to adjacent accesses and/or streets).

   e. A brief description of the current (and proposed, if applicable) land uses adjacent to the site, including the location, size, zoning, current use, and future use of any land parcels that are not part of the subject application, but may use the subject parcel for all or part of their access. If there is potential for development of these parcels, include the best available information as to the potential future use of each parcel.

   f. A description of the TIA study area, including roadway names, locations and functional classifications, intersection lane configuration and traffic control (including signal timing), existing Right-of-Way, transit routes and stops (if any), pedestrian and bicycle facilities, and planned transportation system improvements.

   g. Existing traffic volumes (measured during design conditions and/or the peak season within the previous 12 months, unless the City deems newer counts necessary due to recent development or seasonal variations). Consult The City to determine what type of count data (turning movement, ADT, or classification) is necessary.

   h. Crash data within the study area for the most recent available three year period (crash data can be obtained from the Oregon Department of Transportation). Analysis of such data will include, when available, an understanding of the causes and patterns of crashes and identification of potential mitigation measures, as appropriate.

i. Existing performance of the transportation system, including Levels of Service (LOS) and Volume/Capacity ratios (V/C) for all intersections, as appropriate, within the study area.

j. Complete trip generation figures for all aspects of the proposed development, taking into account internal capture and pass-by trips, including number of trips by vehicle type and size (i.e. number of passenger cars and heavy vehicles), and time-of-day and entering/exiting percentages. These figures shall include trip generation figures for any other proposed developments on the subject property, and/or any proposed developments that would share access with the subject property. For developments expected to generate a significant amount of truck traffic (more than 10trucks per day), include separate figures for trucks. Document the sources of this trip generation data. If the source is other than ITE's *Trip Generation*, the preparer must obtain approval of the use of such data from the City before using it in the TIA.

k. Trip generation figures for any pending and approved developments that would affect the study area. The City will facilitate procurement of applicable data in these cases.

l. Identification of the critical analysis period(s) and justification of this identification.

m. Trip distribution for the proposed development. For developments expected to generate more than 10 truck trips per day, include separate trip distribution figures for trucks.

n. Forecast traffic volumes without the development, in the year that the proposed development is planned to open, and in the horizon year (consult the City for information to determine these future traffic volumes). If phased development is proposed, include projections for the year that each phase of the development is planned to be complete.

o. Forecast performance (including LOS and V/C) of the transportation system without the development in the year that each phase is planned to be complete and in the horizon year.

p. Forecast traffic volumes, including the proposed development traffic, in the year that each phase of the development is planned to open, and in the horizon year.

q. Forecast performance (including LOS and V/C) of the transportation system, with the proposed development, in the years that each phase of the proposed development is planned to open, and in the horizon year. Include analysis of signal warrants, signal progression, queue lengths, and other

traffic flow characteristics as appropriate. For developments expected to generate a significant percentage of truck traffic, demonstrate how the analysis adequately accounts for the presence of these trucks in the traffic flow.

r. Safety analysis of the site accesses, including sight distance and operational characteristics.

s. Analysis of right and left turn lane warrants, queue lengths, acceleration lanes, throat lengths, channelization, and other characteristics of the site accesses as appropriate.

t. Comparison of the location and spacing of the proposed accesses with City, Hood River County, and ODOT standards for developments near state highways.

u. Evaluation as appropriate of the turning and traveling characteristics of the vehicles that will be using the proposed development and the adequacy of the geometrics of the existing and proposed roadway (public and/or private) configurations to accommodate these characteristics.

v. Analysis as appropriate of any potential adverse or controversial effects of the proposed development on the transportation system or quality of life in the area. Examples of possible effects include, but are not limited to, infiltration of non-residential traffic into residential neighborhoods, traffic noise, creation of potential for traffic violations, conflicting turning movements with other driveways, etc. The City Administrator may, at his or her discretion, require specific, potential concerns be addressed on a project-by–project basis when such concerns are not likely to be adequately addressed with the methodologies identified above.

x. Analysis as appropriate of the effect of the proposed development on pedestrian and bicycle transportation in the area, and any new pedestrian or bicycle transportation needs arising from the development. Particular attention will be given to pedestrian and bicycle routes providing access to schools.

y. Listing of all intersections and locations that are projected to not meet acceptable standards in the TIA study area during the required analysis period.

z. Description and analysis of mitigation measures necessary to bring these intersections and locations into compliance with the applicable standards. Possible mitigation measures include but are not limited to:

1. On- and off-site improvements beyond required frontage improvements.

2. Development of a transportation demand management program.

3. Payment of a fee in lieu of construction.

4. Construction of on-site facilities or facilities located within the right-of-way adjoining the development site that exceed minimum required standards and that have a transportation benefit to the public.

5. Strategies and programs for traffic calming designed to lessen the impact of traffic speed and volume.

6. Strategies for managing school related traffic through sidewalk, pathway, or bicycle lane construction in lieu of requirements to increase vehicular-capacity.

aa. The TIA shall include analysis showing that these measures will bring these locations into compliance and include signal, turn lane, or other warrant analyses as appropriate. The TIA shall also specify the timing and phasing of any new traffic signals and the length of any new turn lanes. Any mitigation measures recommended in the TIA shall be physically and economically feasible, and this feasibility may need to be demonstrated in questionable cases.

bb. Copies of raw traffic count data used in the analysis (this may be presented in an appendix). Copies of all count data will be provided in .xls or .csv format and will be part of the public record and available for the City's use.

cc. Calculation sheets and/or computer software output for all LOS and V/C calculations in the analysis. For signalized intersections, this must include the signal timing used in the analysis (this may be presented in an appendix).

dd. Warrant worksheets for signals, turn lanes, signal phasing, all-way-stops, and other proposed measures as appropriate (this information may be presented in an appendix).

F. Additional Study Requirements

1. Additional information and analysis will be necessary to properly analyze many development scenarios, and the TIA shall include a complete analysis of the existing conditions and the proposed development. The applicant and/or the

traffic engineer can and should submit any additional information that may be helpful to The City in understanding the proposed development and/or the traffic that it would generate.

2. The City may require additional study beyond the scope of the original TIA, especially in cases where additional transportation system concerns arise either as part of the traffic analysis process, as part of the approval process, or from the general public. The City may also, at its discretion, choose to waive certain report requirements where it is deemed such analysis to be unnecessary.

G. Methodologies and Analysis Parameters

1. All signalized and all-way-stop controlled intersections shall operate at a Level of Service D or better (all individual movements shall operate at LOS E or better) with a Volume/Capacity ratio of 0.90 or less for locations within Downtown Cascade Locks as mapped on the Comprehensive Plan Land Use Map, other intersections shall meet a Volume/Capacity ratio of 0.80. Roundabouts shall operate at a v/c ratio of 0.85 or less for each approach, or the critical lane on each approach for multilane roundabouts. Other unsignalized intersections (including unsignalized private accesses) shall operate at Level of Service E or better, although LOS F may be allowed if the movement has a relatively low volume (as determined by The City), all-way stop control warrants and signal warrants are not met, and there is no indication that a safety problem will be created.

2. Intersections on or near Interstate 84 or Oregon Highway 30 shall also meet the standards of the Oregon Department of Transportation.

3. Acceptable analysis methods include the most recent Highway Capacity Software, Synchro/SimTraffic, VISSIM and aaSidra for most cases-include those described in the most recent Highway Capacity Manual (HCM). Until formal adoption of the 2010HCM, the methodologies described in National Cooperative Highway Research Program (NCHRP) Report 572 shall be used for all roundabout analyses. For high percentages of truck traffic, unusual types of intersections, or other cases which do not specifically fit the circumstances for which the above analysis tools are intended, or if the engineer believes that another analysis method more accurately models the situation, the City will determine the appropriate analysis procedure. Microsimulation may be utilized at the recommendation of the applicant or the discretion of the City Administrator.

4. Signal timing assumptions used in capacity or progression analyses shall include the appropriate use of signal timing parameters allowing adequate and appropriate minimum green times, pedestrian intervals, and cycle lengths. For horizon years of five years or less, existing signal timing parameters should be used for existing signals unless otherwise specified the City. For longer-term horizon years, the applicant may suggest optimized signal timing parameters with concurrence by the City Administrator.

5. Saturation flow rates greater than 1,900 passenger cars per hour per lane shall not be used unless specifically measured at that location.

6. Peak Hour Factors greater than 0.85 shall not be used unless justified by specific counts at that location.

7. Arrival Type 3 (random arrivals) shall be used in signalized intersection analysis unless specific measurements at that intersection indicate otherwise.

8. Signal Progression shall be analyzed in accordance with ODOT requirements.

9. Any proposed signal timing shall provide adequate green time for pedestrians to cross all legs in all directions with a minimum. Walk time of four seconds and a Flash Don't Walk time calculated at 3.5 feet per second.

10. All calculations and analysis results should be reasonable, understandable, consistent, and fully explained. Calculations, graphs, tables, data, and/or analysis results that are contrary to good common sense will not be accepted, and may lead to the TIA being returned to the applicant's representative for correction.

11. The conclusions presented in the TIA shall be consistent with and supported by the data, calculations, and analysis in the report.

8-6.145.030 Submission of a Traffic Impact Analysis

1. Provide two hard copies and one PDF file of the TIA report for the City to review including the report, figures, tables, technical appendices, and site-specific reference materials. If any portion of the study area falls within the jurisdiction or ownership or maintenance responsibility of Hood River County, Port of Cascade Locks, or the Oregon Department of Transportation, such additional copies will be submitted as requested by that agency.

2. TIA documents should be completed and submitted with or before the filing of a land use application for the use or development that is the subject of the TIA. Any TIA that is submitted after the filing of an application will automatically cause the tolling of the 120-day clock for a sufficient amount of time to allow appropriate review and analysis of the TIA by the City and sufficient time to afford the public an opportunity to receive and review the document.

[SECTION 8-6, ARTICLE IV DEVELOPMENT STANDARDS AMENDED BY ADDITION OF SECTION 8-6.145 TRAFFIC IMPACT ANALYSIS AMENDED BY ORDINANCE NO. 408, ADOPTED BY CITY COUNCIL ON NOVEMBER 8, 2010.]

Chapter 8-6.146

ADULT ENTERTAINMENT BUSINESSES

Sections

8.6.146.010	Purpose
8.6.146.020	Definitions
8.6.146.030	Location Requirements

8.6.146.010 Purpose

The provisions of this section are applicable to the establishment of an adult entertainment business. This use is only allowed in those zones where it is identified as a permitted activity, and, shall only be established subject to compliance with the requirements in this Section.

8.6.146.020 Definitions

The following definitions shall apply to provisions in this Section:

A. Adult entertainment business: A term intended to cover a broad range of activities characterized by live, closed circuit, digital, or reproduced material which has an emphasis on nudity and/or sexual activity. Adult businesses limit their patrons to persons at least 18 years of age. The term "adult entertainment business" also includes the full range of adult motion picture or video theaters and related businesses, such as adult bookstores, adult theaters, adult massage parlors, adult lotion studios, adult arcades, adult cabarets, adult paraphernalia shops, and other establishments which make up a substantial or significant portion of the establishment's activities or merchandise and constitute a continuing course of conduct of exhibiting specified sexual activities and/or nudity in a manner which appeals to a prurient interest. The term "adult entertainment business" also includes other uses similar to the uses mentioned above, presenting material for patrons to view (live, closed circuit, or reproductions), providing massage or lotion studios for the purpose of fondling or other erotic touching of specified anatomical areas and/or purchase or rent of merchandise which emphasizes nudity and/or specified sexual activity in a manner which appeals to a prurient interest, and limiting entrance to patrons who are over 18 years of age.

B. Nudity or nude: Being devoid of an opaque material covering the human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola and where such opaque material does not simulate the organ covered.

C. Specified sexual activities: Real or simulated acts of sexual intercourse, human/animal sexual intercourse, masturbation, sadomasochistic abuse, sodomy or the exhibition of human organs in a simulated state, or the characterization thereof in a printed or visual form, or fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

D. Substantial or significant portion: More than 10 percent of the total cost of the inventory of merchandise for sale in the establishment, whether at wholesale or retail, or more than 10 percent of the establishment's gross sales per month, whether wholesale or retail, or more than 10 percent of a film or video or live performance.

8.6.146.030 Location Requirements

Where identified as a permitted activity, the location of an adult entertainment business establishment shall be subject to the following requirements:

A. No adult entertainment business shall be located within a distance closer than 2,000 feet from another adult entertainment business at the time the adult entertainment business is established.

B. No adult entertainment business shall be established as a home occupation.

C. Distance Measurement
The distance referred to in item A., above, shall be measured in a straight line, without regard to intervening structures or obstructions, from the closest point of the structure or portion of the structure containing the adult entertainment business to the closest point of the protected zone or use.

[SECTION 8-6.70.040, 8-6.72.040, 8-6.80, 8-6.72.020, 8-6.146 GENERAL PROVISIONS AMENDED BY ORDINANCE NO. 377, ADOPTED BY CITY COUNCIL ON JULY 11, 2005]