

Housekeeping Draft Amendments to the Land Development Code

8.18.2026 Approved

16.1 Introduction

16.12 Definitions

16.12.030 Definitions

Decorative rock. “Decorative rock” means clean, washed, durable stone placed as a surface landscape ground cover that:

- 1. Consists of washed river rock or fractured basalt;**
- 2. Has a minimum size of 1-1/2 inches; and**
- 3. A minimum of 80 percent of the material is within two inches in diameter of each other.**

Decorative rock shall not include crushed surfacing rock, maintenance rock, gravel, pea gravel, or decomposed granite. The City Engineer may approve of an alternative.

Front property line.

Any boundary line separating the lot from a public or private road. See lot line, front.

Lot line, front.

Front lot line is a lot line, or segment of a lot line, that abuts a street. On a corner lot, the applicant or property owner can choose which lot line is to be the front lot line. On a through lot the applicant or property owner can choose which street lot line is to be the front lot line and which lot line is to be the rear lot line, regardless of whether the street lot lines are of equal or unequal length. On a flag lot, the applicant or property owner can choose which lot line is to be the front lot line, so long as it is one of the lot lines that makes up the flag portion of the lot, and the rear lot line is the property line most distant from, and opposite from, the chosen front lot line.

Lot line, side.

A lot line that connects front and rear lot lines. ~~On a corner lot, the longer lot line that abuts a street is a side lot line.~~

16.2 Land Use Districts

16.23 Commercial and Employment Districts

16.23.010. Mixed Use Commercial and Employment Districts.

B. Permitted Uses. Table 16.23.010-1 identifies the land uses that are allowed in the MUC, MUE and RCMU Districts.

Table 16.23.010-1 Mixed Use Districts (MUC, MUE, RCMU) Permitted Uses

P=Permitted; C=Conditional Use; X=Prohibited

Use	MUC	MUE	RCMU ¹
Commercial—Retail Uses			
Art and craft supply stores, studios	P	P	P
Bakeries	P	P	P
Banks, savings and loan associations, loan companies, ATMs	P	P	P
Barber shops, beauty salons	P	P	P
Bed and breakfast inns	P	P	P
Bicycle sales, supplies, repair service	P	P	P

Table 16.23.010-1 Mixed Use Districts (MUC, MUE, RCMU) Permitted Uses

P=Permitted; C=Conditional Use; X=Prohibited

Use	MUC	MUE	RCMU ¹
Book stores	P	P	P
Camera stores	P	P	P
Coffee shops, cafés, sandwich shops and delicatessens	P	P	P
Drug stores	P	P	P
Dry cleaners and tailors	P	P	P
Florists	P	P	P
Hardware and garden supplies	P	P	P
Home furnishing stores	P	P	P
Gift stores	P	P	P
Grocery, food, specialty foods, and produce stores	P	P	P
Hotels	P	P	P
Indoor health and recreation facilities, such as racquetball court, gymnasiums, health and exercise spas, swimming pools, and similar uses and associated facilities	P	P	P
Exercise and tanning studios	P	P	P
Interior decorating shops, sales and service	P	P	P
Laundromats	P	P	P
Marijuana retailing	p ⁶	p ⁶	X
Music shops, sales and service	P	P	P
Mobile food units	p ⁵	p ⁵	p ⁵
Optometry and optical goods, sales and service	P	P	P
Photo finishing, photography studios	P	P	P
Psilocybin service center	p ⁶	p ⁶	X
Rental stores, without outdoor storage	P	P	P
Restaurants full service	P	P	P
Restaurants—Drive-through	P	C	P
Apparel and secondhand stores	P	P	P
Shoe sales and repair stores	P	P	P
Sporting goods, sales and service	P	P	P
Stationery stores	P	P	P
Taverns, bars and cocktail lounges (prohibited 1,500 feet from school uses)	C	C	C
Theaters or assembly halls	C	C	P

Table 16.23.010-1 Mixed Use Districts (MUC, MUE, RCMU) Permitted Uses

P=Permitted; C=Conditional Use; X=Prohibited

Use	MUC	MUE	RCMU¹
Yogurt and ice cream stores	P	P	P
Vehicular service/fueling stations	P	P	P
Veterinarian services and pet supplies	P	P	P
Retail and service commercial uses similar to those above but not listed elsewhere in this section upon administrative determination through the design review process	P	P	P
Commercial—Offices			
Professional and administrative offices	P	P	P
Medical office buildings	P	P	P
Residential			
Low density multifamily	p ^{2,3}	P	P
Medium density multifamily	p ^{2,3}	X	P
High density multifamily	p ^{2,3}	X	P
Senior housing	P	P	P
Skilled nursing facility	P	P	P
Congregate housing	P	P	P
Home occupation (Section 16.69.020)	P	P	P
Industrial			
Manufacturing and production	X	P	C
Industrial services	X	P	X
Flex-space	X	P	X
Marijuana processing, production and wholesaling	X	X	X
Psilocybin processing, production and wholesaling	X	X	X
Wholesale sales	X	P	X
Institutional			
Churches, synagogues, temples or places of worship	C	C	P
Public park, usable open space	C	C	P
Public and private schools (includes day care)	C	C	P
Commercial day care centers (adult and child care facilities)	P	P	P
Community service	P	P	P
Hospitals, including helipads ⁴	P	C	P
Civic Uses			

Table 16.23.010-1 Mixed Use Districts (MUC, MUE, RCMU) Permitted Uses

P=Permitted; C=Conditional Use; X=Prohibited

Use	MUC	MUE	RCMU ¹
Libraries, post offices, community centers, etc.	P	P	P
Other			
Construction of new streets and roads, including the extensions of existing streets and roads, that are included with the adopted transportation system plan	P	P	P
Self-storage facilities	P ⁷	X	X
Wireless communication facilities	Per Section 16.44.020	Per Section 16.44.020	Per Section 16.44.020

NOTES:

¹ Uses in the RCMU district are subject to additional standards in Section 16.23.010.D.

² Residential uses on upper floors of mixed-use buildings are permitted. In such cases, Note 3 below does not apply.

³ Freestanding residential uses at densities greater than the minimum SFA density of 10 du/acre and not to exceed the maximum MUR-M2 density of 34 du/acre (10 to 34 du/acre) may be permitted in the MUC zone when nonresidential uses occupy the street side(s) of the parcel. The footprint of such freestanding residential uses (including associated parking and accessory uses) may not exceed ~~25~~50% of the MUC zoned area of the parcel or subject property.

⁴ Subject to applicable FAA rules and regulations.

⁵ Pursuant to Section 16.69.030.

⁶ Pursuant to Chapter 16.49.

⁷ Self-storage facilities shall be limited to a single vertical mixed-use building with office or commercial uses on the ground floor facing the higher classification roadway and where individual storage units are only accessed from within the building and are constructed within a single structure. Not more than one self-storage facility, limited to 80,000 square feet of gross floor area, shall be permitted within the MUC zone, and only on lots or parcels at the intersection of a major arterial facility and a local facility or higher classification.

16.23.030 Commercial districts.

B. Permitted Uses. Table 16.23.030-1 identifies the land uses that are allowed in the CCC and MCC Districts.

Table 16.23.030-1 Community Commercial Center and Mixed Commercial Center (CCC, MCC) Permitted Uses

P=Permitted; C=Conditional Use; X=Prohibited

Land Use	CCC	MCC
Residential		
Pre-existing dwellings. Pre-existing dwellings may be allowed to remodel or expand and shall not be subject to the provisions of Chapter 16.72	P	P
Medium to high density residential	P ^{1, 2}	P ^{1, 3}
Live-Work Units	P ^{2, 8}	X
Senior housing	X	P

Table 16.23.030-1 Community Commercial Center and Mixed Commercial Center (CCC, MCC) Permitted Uses

P=Permitted; C=Conditional Use; X=Prohibited

Land Use	CCC	MCC
Skilled nursing facility	X	P
Congregate care	X	P
Home occupations (per Section 16.69.020)	P	P
Home occupations, subject to a conditional use review (per Section 16.69.020)	C	C
Commercial—Retail Uses		
Art and craft supply stores, studios	P	P
Bakeries	P	P
Banks, savings and loan associations, loan companies, ATM (without drive-through)	P	P
Banks, savings and loan associations, loan companies, ATM (with drive-through) (per Section 16.44.090)	P/X ⁴	P
Barber shops, beauty salons	P	P
Bicycle sales, supplies, repair service	P	P
Book stores	P	P
Camera stores	P	P
Coffee shops, cafés, sandwich shops and delicatessens	p ⁴	p ⁴
Drug stores	p ⁴	p ⁴
Dry cleaners and tailors	p ⁴	p ⁴
Florists	P	P
Home furnishing stores	P	P
Gift stores	P	P
Grocery, food, specialty foods, and produce stores	p ⁴	p ⁴
Hotels	C	P
Helipads	X	X
Indoor health and recreation facilities, such as racquetball courts, gymnasiums, health and exercise spas, swimming pools, and similar uses and associated facilities	C	P
Interior decorating shops, sales and service	P	P
Laundromats	P	P
Marijuana retailing	p ⁶	p ⁶
Music shops, sales and service	P	P
Mobile food units	p ⁵	p ⁵
Optometry and optical goods, sales and service	P	P
Photo finishing, photography studios	P	P
Psilocybin service center	p ⁶	p ⁶
Rental stores, without outdoor storage	P	P

Table 16.23.030-1 Community Commercial Center and Mixed Commercial Center (CCC, MCC) Permitted Uses

P=Permitted; C=Conditional Use; X=Prohibited

Land Use	CCC	MCC
Restaurants—full-service (without drive-through)	P	P
Restaurants—drive-through (per Section 16.44.090)	P/X ⁴	P
Secondhand stores	C	C
Shoe sales and repair stores	P	P
Sporting goods, sales and service	P	P
Stationery stores	P	P
Taverns, bars and cocktail lounges (a minimum distance of 1,500 feet from school uses)	C	C
Theaters or assembly halls	C	C
Vehicular service/fueling stations	P	P
Yogurt and ice cream stores	P	P
Retail and service commercial uses similar to those above but not listed elsewhere in this section upon administrative determination by the Planning Official	P ⁴	P ⁴
Commercial—Offices		
Professional and administrative offices	P	P
Medical office buildings, clinics and laboratories	P	P
Institutional		
Churches, synagogues, temples or places of worship	C	C
Library, post office, community center, etc.	P	P
Public parks, usable open space	C	C
Public and private schools (includes commercial day care, dancing and music schools)	C	C
Other		
Marijuana processing, production and wholesaling	X	X
Psilocybin processing, production and wholesaling	X	X
Self-storage facilities	X	P ⁷

NOTES:

¹ Residential uses on upper floors of mixed-use buildings are permitted. In such cases, Notes 2 and 3 below do not apply.

² Freestanding residential uses at densities greater than the minimum SFA density of 10 du/acre and not to exceed the maximum MUR-M2 density of 34 du/acre (10—34 du/acre) may be permitted in the CCC zone when nonresidential uses occupy the street side(s) of the parcel. The footprint of such freestanding residential uses (including associated parking and accessory uses) may not exceed ~~25~~**50**% of the CCC zoned area of the parcel or subject property.

In the Rock Creek Employment Center, the same residential densities may be utilized in freestanding residential footprints if a nonresidential use per Table 16.23.030-1 occupies one street side of the parcel, and occupies at least 18% of the total ground floor footprints. Of the nonresidential footprint, 65% maximum may be live/work units.

³ Residential uses at MUR-M2 densities (25—34 du/acre) in conjunction with nonresidential uses are permitted by this code. The footprint of such freestanding residential uses (including associated parking and accessory uses) may not exceed 25% of the MCC zoned area of the parcel or subject property.

⁴ Drive-through facilities not permitted for these uses, and all other uses, within the CCC zoned areas of the Happy Valley Town Center Plan Area.

⁵ Pursuant to Section 16.69.030.

⁶ Pursuant to Chapter 16.49.

⁷ Self-storage facilities shall be limited to a single building where individual storage units are only accessed from within the building and are constructed within a single structure. Not more than one self-storage facility, limited to 60,000 square feet of building footprint, shall be permitted within the MCC zone, and only on lots or parcels within the Happy Valley Town Center area and abutting Rock Creek.

⁸ Live-work units limited to the Rock Creek Employment Center.

16.24.010. Institutional and Public Use (IPU) District.

B. Permitted Uses. Table 16.24.010-1 identifies the land uses that are allowed in the IPU District.

Table 16.24.010-1 Institutional and Public Use (IPU) Permitted Uses	
P=Permitted; C=Conditional Use; X=Prohibited	
Land Use	IPU
Commercial—Retail Uses	
Commercial daycare facilities	C
Institutional	
Cemeteries, mortuaries and funeral homes	C
Church, synagogue, temple or cathedral or other places of worship	P
Schools, public or private	P
Service district functions and operations, including but not limited to fire district facilities, water district facilities, radio and television station production facilities, sanitary sewer and stormwater management facilities and road building and maintenance facilities, not to include fuel or other liquid or non-solid combustible material storage	P
Parks, public or private, but not including commercial recreation facilities. <u>Ancillary uses such as mobile food units permitted.</u>	P
Public buildings, functions or operations, including stand-alone parking lots and all military uses or activities	P

Public utility substations or other functions	P
Other	
Broadcast towers or other antennae, not including wireless communication facilities ¹	C
Construction of new streets and roads, including the extensions of existing streets and roads, that are included with the adopted transportation system plan	P
Temporary use of a trailer, mobile home or other building for a use incidental to construction work, provided that: The maximum time period is six months, with a maximum extension for another six months; The trailer, mobile home or other building is connected to an approved sewage disposal system;	C
A building permit for a permanent structure has been issued; The temporary home or building shall be removed upon completion or abandonment of construction; and No reasonable alternative, such as the availability of nearby rental housing, exists.	
Wireless communication facilities subject to Section 16.44.020	C
Any permitted use which will include the storage of fuel or any form of combustible materials which exists in a liquid or non-solid form	C
Helipad ²	C

NOTES:

¹ The base of towers or other antennae may not be closer to any residential property line or street right-of-way than a distance equal to the height of the tower.

² Subject to applicable FAA rules and regulations.

16.25 Industrial Districts

16.25.010 Industrial districts.

B. Permitted Uses. Table 16.25.010-1 identifies the land uses that are allowed in the EC and IC Districts.

Table 16.25.010-1 Industrial (EC, IC) Permitted Uses

P=Permitted; C=Conditional Use; X=Prohibited		
Land Use	EC	IC
Residential		
Pre-existing dwellings. Preexisting dwellings may be allowed to remodel or expand and shall not be subject to the provisions of Chapter 16.72	P	P
Home occupations in pre-existing dwellings	P	P
New residential uses	P ¹	X
Commercial—Retail		
Commercial day care	C	C
Entertainment, major event	X	X
Hotels	C	X

Indoor health and recreation facilities, such as racquetball court, gymnasiums, health and exercise spas, swimming pools, and similar uses and associated facilities	C	C
Mobile food units	P ^{3, 12}	P ^{3, 12}
Outdoor recreation, commercial	X/C ⁹	X
Parking lot (when not an accessory use)	X	C/X ⁷
Quick vehicle servicing or vehicle repair	C	P
Retail sales—Includes used homes, trailers, motor homes and recreational vehicles	P ^{2, 7}	P ^{3, 7}
Commercial service	P ²	P ³
Self-service storage—Includes mini-storage and recreational vehicle storage facilities	X	P/X ⁷
Marijuana retailing	X	X
Psilocybin service center	X	X
Commercial—Office		
Offices	P	P ⁴
Industrial ⁵		
Industrial services—Fully enclosed	P	P
Industrial services—Not enclosed	C	P
Manufacturing and production and fabrication and assembly—Fully enclosed	P	P
Research and development activities and laboratories—Fully enclosed	P	P
Research and development activities and laboratories—Not fully enclosed	C ⁵	P ⁵
Repair, finishing and testing—Fully enclosed	P	P
Repair, finishing and testing—Not fully enclosed	C ⁵	P ⁵
Distribution center and warehouse	P ⁶	P ⁸
Waste-related	X	C/X ⁷
Helipads or heliports ¹¹	P	P
Transfer station	C	P ⁷
Wholesale activities	P ²	P ³
Institutional		
<u>Basic utilities such as utility substations; water, sanitary sewer and wastewater pump stations; public works facilities; police and fire facilities; including associated structures and yards.</u>	P	P
Colleges	C ²	X
Institutional uses; educational institutes and trade schools; art, music, or dance studios; radio and television studios, excluding transmission towers	C ²	C
Public parks and open space—Pedestrian amenities	P	P
Public parks and open space—Parks and recreation facilities	C	P

Public parks, usable open space	P	P
Churches, synagogues, temples or places of worship, library, post office, community center, etc.	C ²	X
Public and private schools (includes commercial day care, dancing and music schools)	X/C ^{2,7}	X
Other		
Agriculture—Animals, when an existing use as of May 5, 2009	P	P
Agriculture—Animals, when accessory to a permitted industrial use	X	P
Agriculture—Animals, when new use	X	X
Agriculture—Nurseries and similar horticulture (See also wholesale and retail uses)	C	P
Agriculture—Vegetative processing/recycling, log processing—Not enclosed	C	C
Buildings and structures exceeding the height limits in Table 16.25.010-2	C	C
Marijuana processing, production and wholesaling	P ^{10, 13}	P ^{10, 13}
Psilocybin processing, production and wholesaling	P ^{10, 13}	P ^{10, 13}
Radio frequency transmission facilities—Within height limit of district	P	P
Radio frequency transmission facilities—Exceeds height limit (freestanding or building-mounted facilities)	C	C
Rail lines and utility corridors	P	P
Temporary uses (limited to "P" and "C" uses), per Section 16.69.010	C	C
Transportation facilities (operation, maintenance, preservation, and construction in accordance with the City's Transportation System Plan)	P	P
Wireless telecommunication facilities: wireless telecommunication facilities are subject to the requirements of Section 16.44.020 (Wireless Communications Facilities)	P/C	P/C
Any accessory use or structure, not otherwise prohibited, that the Planning Official or designee finds to be customarily accessory and incidental to a permitted use	P	P
Any use that the Planning Official or designee finds to be similar to one or more of those specified above	P/C	P/C

NOTES:

¹ Residential uses on upper floors of mixed-use buildings are permitted. In the Rock Creek Employment District, the ground floor may contain a residential use (including ancillary residential uses within the same tenant space such as lobbies, day care, community rooms, exercise facilities, office, and activity spaces), provided that residential uses, accessory and ancillary uses, whether shared with commercial uses or separate occupy no more than 80% of the overall interior square footage of the site. No ground floor residential use may be within 20 feet of a transit street.

² New commercial retail uses shall not exceed 60,000 square feet gross leasable area on a single lot or parcel or contiguous lots or parcels. For the purposes of this limitation, parcels or lots separated by only a transportation right-of-way are considered to be contiguous. The use of any building, structure or land that was existing on or before July 17, 2012 or which was a legal use at the time of annexation may continue and may expand to add up to 20% more floor area and 10% more land area on a site.

³ Uses are subject to the following limitations:

a. New uses:

1. No single store, branch, agency or other outlet shall exceed 5,000 square feet in area (including buildings and outdoor storage and sales areas); and
2. On sites with multiple outlets, the cumulative area dedicated to these uses shall not exceed 20,000 square feet (including buildings and outdoor storage and sales areas);

b. Existing uses and buildings: Notwithstanding subsection (a) above, the use of any building, structure or land that was existing on or before July 17, 2012 or which was a legal use at the time of annexation may continue and may expand to add up to 20% more floor area and 10% more land area on a site.

⁴ Permitted as an accessory use—Executive and administrative offices must relate to the operation of the industrial use and may not exceed 40% of the total gross floor area.

⁵ If not fully enclosed, must be located more than 200 feet from residential districts and petroleum storage and refining.

⁶ Permitted as an accessory use—May not exceed 20% of the total site area.

⁷ All uses are prohibited within the Rock Creek Employment Center Subdistrict as defined in subsection F. Specific to retail sales, prohibition is on sale of used homes, trailers, motor homes and recreational vehicles.

⁸ Within the Rock Creek Employment Center Subdistrict as defined in subsection F, use is permitted only as an accessory use—May not exceed 20% of the total site area except as noted in subsection F.3.

⁹ Outdoor recreation facilities without permanent buildings are allowed as a conditional use within the EC zone.

¹⁰ Use is prohibited within the Rock Creek Employment Center Subdistrict as defined in Section 16.25.010.F.

¹¹ Subject to applicable FAA rules and regulations.

¹² Pursuant to Section 16.69.030.

¹³ Pursuant to Chapter 16.49.

16.3 Specific Plan Area Districts and Overlay Zones

16.34 Natural Resources Overlay Zone

16.34.070 Development standards.

E. Except when a tract is required in this chapter, Moderate and High value HCA as well as water quality resources shall be placed in an easement or unbuildable tract with a note that all future development is subject to Chapter 16.34 of the Land Development Code.

16.34.080. Compensatory mMitigation ratios.

A. The following standards apply to required mitigation:

1. Mitigation shall occur at a two-to-one ratio of mitigation area to proposed Natural Resource Overlay Zone (NROZ) disturbance area. Mitigation of the removal or encroachment of a wetland or stream shall not be part of this chapter and will be reviewed by the Division of State Lands or the Army Corp of Engineers during a separate review process;
2. Mitigation shall occur on the site where the disturbance occurs, except as follows:
 - a. The mitigation is required for disturbance associated with a right-of-way or utility in the right-of-way;
 - b. The mitigation shall occur first on the same stream tributary, secondly in the Mt. Scott Creek, Sieben Creek, Rock Creek, Richardson Creek or a tributary thereof, or thirdly as close to the impact area as possible within the NROZ, and
 - c. An easement that allows access to the mitigation site for monitoring and maintenance shall be provided as part of the mitigation plan;
3. Mitigation shall occur within the NROZ area of a site unless it is demonstrated that this is not feasible because of a lack of available and appropriate area. In such cases, the proposed mitigation area shall be contiguous to the existing NROZ area so the NROZ boundary can be easily extended in the future to include the new resource site;
4. Invasive and nuisance vegetation shall be removed within the mitigation area;
5. Required Mitigation Planting. An applicant shall meet Mitigation Planting Option 1 or 2 below, whichever option results in more tree plantings, except that where the

disturbance area is one acre or more, Mitigation Option 2 shall be required. All trees, shrubs and ground cover shall be selected from the Happy Valley Native Plant List;

6. Applications on sites where no trees are present or which are predominantly covered with invasive species shall be required to mitigate the site, remove the invasive species and plant trees and native plants pursuant to Option 2.

B. Mitigation Planting Option 1.

1. Planting Quantity. This option requires mitigation planting based on the number and size of trees that are removed from the site pursuant to Table 16.34.080-1. Conifers shall be replaced with conifers. Bare ground shall be planted or seeded with native grasses and ground cover species.

Table 16.34.080-1 (Required Planting Option 1)

Size of Tree to be Removed (DBH)	Number of Trees and Shrubs to be Replanted
6 to 12"	2 trees and 3 shrubs
13 to 18"	3 trees and 6 shrubs
19 to 24"	5 trees and 12 shrubs
25 to 30"	7 trees and 18 shrubs
Over 30"	10 trees and 30 shrubs

2. Plant Size. Replacement trees shall be at least one-half inch in caliper on average, measured at six inches above the ground level for field grown trees or above the soil line for container grown trees. Oak, madrone, ash or alder may be one-gallon size. Conifers shall be a minimum of six feet in height. Shrubs must be in at least one-gallon container size or the equivalent in ball and burlap and shall be at least 12 inches in height at the time of planting. All other species shall be a minimum of four-inch pots.
3. Plant Spacing. Except for the outer edges of mitigation areas, trees and shrubs shall be planted in a non-linear fashion. Plant spacing for new species shall be measured from the driplines of existing trees when present. Trees shall be planted on average between eight and twelve (12) feet on center, and shrubs shall be planted on average between four and five feet on center, or clustered in single species groups of no more than four plants, with each cluster planted on average between eight and ten (10) feet on center.
4. Mulching and Irrigation. Mulch new plantings a minimum of three inches in depth and 18 inches in diameters. Water new plantings one inch per week from June 30th to September 15th, for the three years following planting.
5. Plant Diversity. Shrubs shall consist of at least two different species. If ten trees or more are planted, no more than one-half of the trees may be of the same genus.

C. Mitigation Planting Option 2.

1. Planting Quantity. In this option, the mitigation requirement is calculated based on the size of the disturbance area within the NROZ. Native trees and shrubs are required to be planted at a rate of five trees and 25 shrubs per every 500 square feet of disturbance area (calculated by dividing the number of square feet of disturbance area by 500, and then multiplying that result times five trees and 25 shrubs, and rounding all fractions to the nearest whole number of trees and shrubs; for example,

~~if there will be 330 square feet of disturbance area, then 330 divided by 500 equals 0.66, and 0.66 times five equals 3.3, so three trees must be planted, and 0.66 times 25 equals 16.5, so 17 shrubs must be planted). Bare ground must be planted or seeded with native grasses or herbs. Nonnative sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.~~

- ~~2. Plant Size. Plantings may vary in size dependent on whether they are live cuttings, bare root stock or container stock, however, no initial plantings may be shorter than 12 inches in height.~~
- ~~3. Plant Spacing. Trees shall be planted at average intervals of seven feet on center. Shrubs may be planted in single species groups of no more than four plants, with clusters planted on average between eight and ten (10) feet on center.~~
- ~~4. Mulching and Irrigation shall be applied in the amounts necessary to ensure 80% survival at the end of the required five year monitoring period.~~
- ~~5. Plant Diversity. Shrubs shall consist of at least three different species. If 20 trees or more are planted, no more than one third of the trees may be of the same genus.~~
- ~~D. Alternative Planting Plan. An alternative planting plan using native plants may be approved in order to create a new wetland area, if it is part of a wetlands mitigation plan that has been approved by the DSL or the U.S. Army Corps of Engineers (USACE) in conjunction with a wetland joint removal/fill permit application.~~
- ~~E. A. Monitoring and Maintenance. The mitigation plan shall provide for a five-year monitoring and maintenance plan with annual reports in a form approved by the director of community development. Monitoring of the mitigation site is the on-going responsibility of the property owner, assign, or designee, who shall submit said annual report to the city's planning division, documenting plant survival rates of shrubs and trees on the mitigation site. Photographs shall accompany the report that indicate the progress of the mitigation. A minimum of 80% survival of trees and shrubs of those species planted is required at the end of the five-year maintenance and monitoring period. Any invasive species shall be removed and plants that die shall be replaced in kind. Bare spots and areas of invasive vegetation larger than 10 square feet that remain at the end the five-year monitoring period shall be replanted or reseeded with native grasses and ground cover species.~~
- ~~F. B. Covenant or Conservation Easement. Applicant shall record a restrictive covenant or conservation easement, in a form provided by the city, requiring the owners and assigns of properties subject to this section to comply with the applicable mitigation requirements of this section. Said covenant shall run with the land and permit the city to complete mitigation work in the event of default by the responsible party. Costs borne by the city for such mitigation shall be borne by the owner.~~
- ~~G. C. Financial Guarantee. A financial guarantee for establishment of the mitigation area, in a form approved by the city, shall be submitted before development within the NROD disturbance area commences. The city will release the guarantee at the end of the five-year monitoring period, or before, upon its determination that the mitigation plan has been satisfactorily implemented pursuant to this section.~~

16.35 Flood Management Overlay Zone

16.35.030 Permitted uses.

A. ~~Uses Permitted Outright~~ **Exemptions.**

1. Excavation and fill required to plant any new trees or vegetation;
2. Restoration or enhancement of floodplains, riparian areas, wetland, upland and streams that meet Federal and State standards.

B. ~~Conditional Uses~~ **Uses Allowed with Review.** All uses allowed in the base zone or existing flood hazard overlay zone are allowed in the flood management overlay zone subject to compliance with the development standards of this section.

C. Prohibited Uses.

1. Any use prohibited in the base zone or existing flood hazard overlay zone (Chapter 15.24, Flood Damage Prevention);
2. Uncontained areas of hazardous materials as defined by the department of environmental quality.

16.4 Design Standards Administration

16.41 Access and Circulation

16.41.040. Pedestrian access and circulation.

To ensure safe, direct and convenient pedestrian circulation, all developments, shall provide a continuous pedestrian and/or multi-use pathway system consistent with the City's TSP and Happy Valley Parks Master Plan. ~~(Pathways only provide for pedestrian circulation; multi-use pathways accommodate pedestrians and bicycles.)~~ The system of pathways shall be designed based on the standards in subsections A through E of this section.

- A. Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas ~~whenever possible~~. ~~The developer may also be required to~~ **pathways shall also connect** or stub pathway(s) to adjacent streets and private property.
- B. Safe, Direct and Convenient Pathways. Pathways within all developments, except single-family detached housing (i.e., on individual lots), single-family attached housing, duplexes, triplexes, quadplexes, and cottage cluster housing, shall provide safe, ~~reasonably~~ direct and ~~convenient~~ connections between primary building entrances and all adjacent streets. For purposes of this Code section, the "primary entrance" of commercial, industrial, mixed use, public and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance. For residential buildings, the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard or breezeway that serves as a common entrance for more than one dwelling. A determination of whether or not a bicycle or pedestrian route is safe, ~~and~~ direct, ~~and convenient will be~~ **is** based on the following criteria:
 1. Planned bicycle and pedestrian routes do not deviate ~~unnecessarily~~ from a straight line and will not involve a significant amount of out-of-direction travel for likely users.
 2. Bicycle and pedestrian routes are ~~reasonably~~ free from hazards and provide safe access to destinations.

D. Connections to Transit.

1. New multi-family, retail, office and institutional buildings at or ~~near~~ **within 300 feet of** ~~a~~ major transit stops shall provide for ~~convenient~~ **direct** pedestrian access to transit through the use of the continuous pathway system outlined in subsections A and B above. ~~"At a major transit stop" means a parcel or ownership that is adjacent to or includes a major transit stop, generally including portions of such parcels or ownerships that are within 200 feet of a major transit stop. "Near a major transit stop" means a parcel or ownership that is within 300 feet of a major transit stop.~~

[...]

16.43 Parking and Loading

16.43.030. Automobile parking standards.

A. General Requirements for Off-Street Parking and Loading.

- ~~1. Provision and Maintenance. The provision of required off-street parking for motor vehicles and bicycles, and loading facilities for motor vehicles, is a continuing obligation of the property owners. Building permits or other permits will only be issued after review and approval of site plans showing location of permanent access, parking and loading facilities.~~
- ~~2. An area shall not be considered a parking space unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for the vehicles, as determined by the Engineering Manager or designee based on the City's Engineering and Design Standards Manual. Parking and maneuvering areas, including drive-through aisles, will be reviewed to ensure the design provides for the safe and adequate movement of all vehicles, pedestrians and service providers per the Engineering and Design Standards Manual.~~

31. Unless otherwise noted, parking is required for the following development:

- a.** New Structure or Use. When a structure is constructed or a new use of land is commenced, on-site vehicle and bicycle parking and loading spaces shall be provided in accordance with subsection B of this section or as otherwise modified through a planned development or specific area plan.
- 4b.** Alteration of Existing Structures. When an existing structure is altered to the extent that the existing use is intensified, on-site vehicle and bicycle parking shall be provided in the amount required for such intensification.
- 5c.** Increased Intensity. When increased intensity requires no more than two vehicle spaces, no additional parking facilities shall be required. However, the effects of changes, additions, or enlargements shall be cumulative. When the net effect of one or more changes generates a need for more than two spaces, the additional required spaces shall be provided. Additional spaces shall be required for the intensification but not for the original use.
- 6d.** Change in Use. When an existing structure or use of land is changed in use from one use to another use as listed in subsection B of this section, and the vehicle and bicycle parking requirements for each use type are the same, no additional parking shall be required. However, where a change in use results in an intensification of use in terms of number of vehicle and bicycle parking spaces required, additional parking space shall be provided in an amount equal to the difference between the number of spaces required for the existing use and number of spaces required for more intensive use.
- ~~7. Time of Completion. Required parking spaces and loading areas shall be improved and available for use prior to issuance of a temporary occupancy and/or final building inspection.~~
- 82.** Inoperative Motor Vehicles. In any residential district, all motor vehicles incapable of movement under their own power or lacking legal registration shall be stored in a completely screened space, garage, or carport.
- 93.** Truck Parking. In residential zoning districts, no overnight parking of commercial vehicles shall be permitted except as allowed through the provisions of a home occupation permit. Vehicles and equipment necessary for farming and truck gardening on the premises where such use is conducted are exempt from the restrictions of this subsection.
- 104.** Availability of Parking Spaces. Required vehicle and bicycle parking spaces shall be unobstructed and available for the parking of vehicles and bicycles of residents, customers, patrons, and employees only. Parking spaces shall not be used for the storage of vehicles or materials or for parking of vehicles and bicycles used in conducting the business or use, and shall not be used for sale, repair, or servicing of any vehicle or bicycle.

An area shall not be considered a parking space unless it can be shown that the area is

accessible and usable for that purpose, and has maneuvering area for the vehicles, as determined by the Engineering Manager or designee based on the City's Engineering and Design Standards Manual. Parking and maneuvering areas, including drive-through aisles, will be reviewed to ensure the design provides for the safe and adequate movement of all vehicles, pedestrians and service providers per the Engineering and Design Standards Manual.

~~11. Shared Bicycle Parking. Multifamily dwelling units with more than 10 required bicycle parking spaces may provide shared outdoor bicycle parking. The shared bicycle parking shall consist of at least 15% of the total required parking spaces and be located such that they are available for shared use by all occupants and guests of the development.~~

~~125. All **parking** dwellings shall have direct, unimpeded access from the required off-street parking spaces to the nearest public street, road or accessway.~~

B. Minimum Off-Street Parking Space Requirements and Calculations.

1. Unspecified Requirements. Vehicle and bicycle parking requirements for uses not specified in this chapter may be determined by the Planning Official based upon the requirements for similar specified uses.

2. **Parking Clarifications and Alternatives.** a. Tandem parking (where two spaces are directly behind one another) may be counted as two parking spaces.

~~3b.~~ On-street parking within 300 feet of a use along its property frontage may be counted as part of the minimum spaces required. Required parking spaces may also be provided off site in off-street locations, within 2,000 feet of pedestrian travel of a site.

a. If any non-loading parking is provided on site, all required parking for people with disabilities shall be on site.

b. If all parking is off site, parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no greater than 200 feet from that entrance.

~~4c.~~ Structured parking, fleet parking, spaces that are user paid (at a market rate approved by the City), on-street parking spaces and market rate surface parking lots are exempt from the maximum parking ratios. **Shared Use of Parking Facilities.**

i. Required parking facilities may be located off-site in off-street locations, within 2,000 feet of pedestrian travel of a site.

1. If any non-loading parking is provided on site, all required parking for people with disabilities shall be on site.

2. If all parking is off site, parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no greater than 200 feet from that entrance.

ii. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement or similar written instrument.

~~5d.~~ If the applicant demonstrates that too many or too few parking spaces are required, applicant may seek a variance from the minimum or maximum by providing evidence that the particular use needs more or less than the amount specified in this Code. A variance to the maximum is not allowed if the use is located within the "No Minimum Parking Requirements" overlay zone, if it is a use subject to Footnote 4 in the City's Parking Table (Table 16.43.030-1), or if it is a use subject to maximum surface parking area requirements (Section 16.43.030.F.7). Conversions of existing underused on-street and off-street parking areas to uses not identified in the Transportation System Plan are allowed through submission of a Type-II land use process.

~~6e.~~ Mixed Uses. In the case of mixed uses, shared parking between uses is encouraged. ~~Where shared parking is not an option, the total required vehicle and bicycle parking shall be the sum~~

~~of requirements of individual uses computed separately.~~ **Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facility used jointly, to the extent that it can be shown by the owners or operators that the needs of the facilities do not materially overlap (e.g., uses primarily of day time versus night time uses) or typically provide services to many of the same patrons within the same development, and provided that such right of joint use is evidenced by a deed, lease, contract or similar written instrument establishing such joint use.**

- ~~7f.~~ Transit. Existing development shall be allowed to redevelop a portion of their existing parking area for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride stations, and similar facilities, where appropriate. The redevelopment shall not result in greater than 10% reduction in the number of required on-site vehicle parking spaces.
- ~~8.~~ Where uses are mixed in a single building, parking shall be a blend of the ratio required less 10% for the minimum number of spaces. The maximum number of spaces shall be 10% less than the total permitted maximum for each use.
- ~~9g.~~ Parking minimums shall be reduced by the following:
- a. Reduction of one off-street parking space for each three kilowatts of capacity in solar panels or wind power provided in a development.
 - b. Reduction of ~~two~~**one** off-street parking space for each dedicated car-sharing parking space in a development.
 - c. Reduction of one off-street parking space for every two units in a development above minimum that are fully accessible to people with mobility disabilities.
 - d. Reduction of two off-street parking spaces for every electric vehicle charging station provided in a development.

h. Structured parking, fleet parking, spaces that are user paid (at a market rate approved by the City), on-street parking spaces and market rate surface parking lots are exempt from the maximum parking ratios.

- ~~103.~~ Fractions. When the sum of the required vehicle or bicycle parking spaces is a fraction of a space less than one-half, the fraction shall be rounded down to the nearest whole number. When the fraction of the space is greater than one-half, the fraction shall be rounded up to the nearest whole number.

~~11.~~ Maximum Parking Allowed. A maximum number of vehicular parking spaces allowed exists if provided for in Table 16.43.030-1 (including footnotes 1 and 4) and a maximum surface parking area allowed exists if identified in Section 16.43.030.F.7. Further, parking maximums, including visitor parking, apply in Climate Friendly Areas (CFA) and within one-half mile walking distance of priority transit corridors. Land uses within the Happy Valley Downtown District, Clackamas Regional Center and Happy Valley Town Center shall have a maximum of 23.0 parking spaces per 1,000 square feet of gross floor area. Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures are exempt from maximum parking calculations.

~~124.~~ Parking Table. Development shall comply with Table 16.43.030-1. The following is exempt from minimum automobile parking:

- a. Development on a lot or parcel within three-quarters mile of rail transit stops.
- b. Development on a lot or parcel within one-half mile of frequent transit corridors, including any of the following:
 - i. Priority transit corridors designated under OAR 660-012-0710.
 - ii. Corridors with bus service arriving with a scheduled frequency of at least four times an hour during peak service.
 - iii. Corridors with the most frequent transit route or routes in the community if the

scheduled frequency is at least once per hour during peak service.

- c. Development on a lot or parcel containing land within the Clackamas Regional Center or Happy Valley Town Center, or within one-quarter mile outside of either boundary.
- d. Redevelopment of existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities, so long as access for emergency vehicles is retained and adequate parking for truck loading is considered.

The following parking table shall be interpreted with the following notation: All square footage measurements are gross square feet of total floor area. 18 lineal inches of bench shall be considered one seat.

Table 16.43.030-1 Automobile Parking Standards

Proposed Use	Minimum Parking Spaces <u>Outside Areas Subject to 660-012-0440 and the Happy Valley Town Center</u>	Maximum Parking Spaces (if nothing is noted, there is no maximum) ¹		Bicycle Spaces	Percentage of Bicycle Spaces to be Long-Term Bicycle Parking
		<u>Zone-A Areas Subject to 660-012-0440 and the Happy Valley Town Center</u>	<u>Zone-B Areas Not Subject to 660-012-0440 which are outside the Happy Valley Town Center</u>		
Residential					
Single-family detached	2 ¹ per dwelling			None required	N/A
Single-family attached (townhome), duplex, triplex, quadplex, cottage cluster	1 per dwelling ^{3, 5} ¹			None required	N/A
Manufactured home park	1 per dwelling ⁵ ¹			None required	N/A
Multifamily dwellings containing five or more units ⁴ , <u>quadplex, and cottage cluster</u>	1 per dwelling⁵			1 space per unit	
Studio units	1 per dwelling ⁵ ^{1, 3}	1.2 ⁴	1.2 ⁴	1 space per unit	75 ⁵⁰
Non-studio units	1 per dwelling ⁵ ^{1, 3}	2.0 ⁴	2.0 ⁴	1 space per unit	75 ⁵⁰
Congregate housing, retirement homes, intermediate care facilities, facilities and homes designed to serve people with psychosocial, physical, intellectual or developmental disabilities, emergency or transitional shelters for people experiencing homelessness, and domestic violence shelters	0			1 per 5 beds	50 ^{N/A}
Residential care facilities	0			1 per 5 beds	50 ^{N/A}
Community Services, Institutional and Semipublic Uses					

General office, government office	32.7 per 1,000 sq. ft. gross floor area	3.4 per 1,000 sq. ft.	4.1 per 1,000 sq. ft.	2 or 1 per 20 auto spaces whichever is greater	35 <u>10</u>
Community recreation buildings/covered picnic areas	1 per 250 sq. ft., or 1 space per four patrons to the maximum capacity, plus one space per employee on the largest shift			0.3 spaces per 1,000 sq. ft. of floor area	35 <u>N/A</u>
Place of worship	0.5 per seat or 6 linear feet of bench seating	0.6 per seat or 6 linear feet of bench seating	0.8 per seat or 6 linear feet of bench seating	1 space per 40 seats	35 <u>N/A</u>
Library or museums	2 per 1,000 sq. ft. gross floor area			2 or 1.5 spaces per 1,000 gross sq. ft., which is greater with 10 percent required to be long-term bicycle parking	35 <u>N/A</u>
Lodge, fraternal and civic assembly with/or without eating and drinking facilities	1 per 4 fixed seats or 1 for each 50 sq. ft. of public assembly area where there are no fixed seats			2 or 1 per 20 vehicle spaces	35 <u>N/A</u>
Hospitals and medical centers	1 per 500 <u>sq. ft. of gross floor area</u>			0.2 spaces per 1,000 gross sq. ft.	35 <u>10</u>
Medical and dental offices and clinics	43.9 per 1,000 sq. ft. of gross floor area	4.9 per 1,000 sq. ft.	5.0 <u>5.9</u> per 1,000 sq. ft.	0.4 spaces per 1,000 sq. ft. of floor area	35 <u>10</u>
Schools					
Day care/small school	0			1.5 spaces per classroom	35 <u>N/A</u>
Preschool/kindergarten	2.5 per 1,000 sq. ft. gross floor area			1.5 spaces per classroom	35 <u>N/A</u>
School—Elementary	2 per classroom, plus recreation facilities, if applicable			2 spaces per classroom	35 <u>N/A</u>
School—Middle school/ junior high	2 per classroom, plus recreation facilities, if applicable			4 spaces per classroom	35 <u>N/A</u>
School—Senior high	0.2 per 1,000 sq. ft. gross floor area, plus recreation facilities, if applicable	0.3 per 1,000 sq. ft.	0.3 per 1,000 sq. ft.	4 spaces per classroom	35 <u>N/A</u>
School—Vocational or college	0.2 per 1,000 sq. ft. of gross floor area,	0.3 per 1,000 sq. ft.	0.3 per 1,000 sq. ft.	0.3 spaces per 1,000 sq. ft. of	35 <u>10</u>

	plus recreation facilities, if applicable			floor area (excluding dorms, for which residential facility standards apply)	
Commercial Uses					
Retail sales, general and personal services	4.5 <u>4.1</u> per 1,000 sq. ft. of gross floor area	5.0 per 1,000 sq. ft. ⁴	5.0 <u>6.2</u> per 1,000 sq. ft. ⁴	0.3 per 1,000 sq. ft. of gross floor area	50 <u>10</u>
Shopping centers	4.1 <u>4.1</u> per 1,000 sq. ft. of gross floor area	5.0 per 1,000 sq. ft. ⁴	5.0 <u>6.2</u> per 1,000 sq. ft. ⁴	0.3 per 1,000 sq. ft. of gross floor area	50 <u>10</u>
Retail sales, bulky merchandise (not to include motor vehicles)	1 per 800 sq. ft. of gross floor area	5.0 per 1,000 sq. ft.	5.0 per 1,000 sq. ft.	0.3 per 1,000 sq. ft. of gross floor area	50 <u>N/A</u>
Retail sales of motor vehicles	1 per 800 sq. ft. of gross floor area			0.3 per 1,000 sq. ft. of gross floor area	50 <u>N/A</u>
Grocery stores	2.9 per 1000 sq. ft. of gross floor area	5.0 per 1,000 sq. ft.	5.0 per 1,000 sq. ft.	0.33 spaces per 1,000 sq. ft. of gross floor area	50 <u>10</u>
Convenience market	2.3 per 1,000 sq. ft. of gross floor area	5.0 per 1,000 sq. ft.	5.0 per 1,000 sq. ft.	2 spaces per 1,000 sq. ft. of gross floor area	50 <u>N/A</u>
Restaurant/coffee shop/food-beverage carts (with drive-through)	11.4 <u>9.9</u> spaces per 1,000 sq. ft. of gross floor area	12.4 per 1,000 sq. ft.	14.9 per 1,000 sq. ft.	1 space per 1,000 sq. ft. of gross floor area	25 <u>N/A</u>
Restaurant/coffee shop/food-beverage carts without drive-through	11.5 <u>15.3</u> spaces per 1,000 sq. ft. of gross floor area ²	19.1 per 1,000 sq. ft.	23.0 per 1,000 sq. ft.	1 space per 1,000 sq. ft. of gross floor area	25 <u>N/A</u>
Sports club/health spas/recreation facilities	4.3 spaces per 1,000 sq. ft. of gross floor area or field area (see Section 16.43.030(H))	5.4 per 1,000 sq. ft.	6.5 per 1,000 sq. ft.	0.4 spaces per 1,000 sq. ft. of gross floor area	50 <u>N/A</u>
Basketball, tennis and racquetball clubs and courts	1 spaces per 1,000 sq. ft. of floor area; square footage of outdoor courts shall include the area of sport activity only (i.e., not including any sidelines, etc.)	1.3 per 1,000 sq. ft.	1.5 per 1,000 sq. ft.	0.4 spaces per 1,000 sq. ft. of gross floor area	50 <u>N/A</u>
Theaters/sports arenas/ stadiums	0.3 spaces per seat or 6 linear feet of bench seating	0.4 per seat	0.5 per seat	0.04 spaces per seat or 60 linear feet of bench seating	10 <u>N/A</u>
Service station	3 spaces plus 2 spaces per service bay, if any			2 spaces or 0.2 per 1,000 sq. ft. of gross floor area whichever is greater	50 <u>N/A</u>

Service station with convenience market with gas pumps	2.3 spaces per 1,000 sq. ft. of gross floor area	5.0 per 1,000 sq. ft.	5.0 per 1,000 sq. ft.	2 spaces or 0.2 spaces per 1,000 sq. ft. of gross floor area, whichever is greater	0 <u>N/A</u>
Parks and open spaces	None required, except that parking for sport courts, recreation facilities, community recreation buildings and covered picnic areas shall be computed separately			4 spaces or 1 space per 20 vehicle parking spaces, whichever is greater	50 <u>N/A</u>
Bank (with drive-through)	4.3 per 1,000 sq. ft. of gross floor area	5.0 <u>5.4</u> per 1,000 sq. ft.	5.0 <u>6.5</u> per 1,000 sq. ft.	0.5 space per 1,000 sq. ft. of gross floor area	10 <u>N/A</u>
Bank without drive-through	4.5 per 1,000 sq. ft. of gross floor area	5.0 per 1,000 sq. ft.	5.0 per 1,000 sq. ft.	0.5 space per 1,000 sq. ft. of gross floor area	10 <u>N/A</u>
<u>Hotel/Motel</u>	<u>1 per room</u>				<u>N/A</u>
Industrial Uses					
Manufacturing, processing, packing, assembly, and fabrication	1.6 per 1,000 sq. ft. of gross floor area			0.1 space per 1,000 sq. ft. of gross floor area	10 <u>N/A</u>
Warehousing, freight movement distribution, and storage	0.5 space per 1,000 sq. ft. of gross floor area (if less than 150,000 sq. ft. of floor area) 0.3 space per 1,000 sq. ft. of floor area (if equal to or greater than 150,000 sq. ft. of floor area)	0.4 per 1,000 sq. ft. (no maximum applies if less than 150,000 sq. ft. of floor area)	0.5 per 1,000 sq. ft. (no maximum applies if less than 150,000 sq. ft. of floor area)	0.1 space per 1,000 sq. ft. of gross floor area	10 <u>N/A</u>
Wholesale, retail sales	0.8 space per 1,000 sq. ft. of gross floor area			0.1 space per 1,000 sq. ft. of gross floor area	30 <u>N/A</u>
Industrial, commercial services	0.8 space per 1,000 sq. ft. of gross floor area			0.1 space per 1,000 sq. ft. of gross floor area	30 <u>N/A</u>
Office (relating to industrial uses)	2.7 spaces per 1,000 sq. ft. of gross floor area	3.4 per 1,000 sq. ft.	4.1 per 1,000 sq. ft.	0.5 space per 1,000 sq. ft. of gross floor area	30 <u>10</u>
<u>Major transit stops, park-and-ride lots, and transit centers</u>				<u>4</u>	<u>10</u>

NOTES:

1. ~~Parking maximums are based on A and B Zone designations, pursuant to Metro Regional Transportation Functional Plan Title 2, Regional Parking Management, and as listed in Table 3.08-3 Regional Parking Ratio Table and illustrated in the Regional Parking Maximum Map. The zones are based on access to transit. Areas with 20 minute peak hour transit service available within a one-quarter mile walking distance for bus transit or one-half mile walking distance for light rail transit shall be within Zone A. Cities and counties should designate Zone A parking ratios in areas with good pedestrian access to commercial or employment areas (within one-third mile walk from adjacent residential areas). **Single-room occupancy housing, residential units smaller than 750 square feet, affordable housing as defined in OAR 660-039-0010, and publicly supported housing as defined in ORS 456.250 are exempt from minimum automobile parking requirements.**~~
 2. Enclosed outdoor seating area shall count as floor area in determining parking requirement for restaurants/ coffee shop/food-beverage carts without drive-through.
 3. The provision of additional parking spaces is not required for housing type conversions (e.g., conversion of a single-family detached dwelling to triplex), per LDC 16.62.020-1
 4. ~~Parking maximums apply only to multifamily units in town centers, regional centers, and the transit areas in LDC Section 16.43.030.B.12.a through b. These maximums include visitor parking. **Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations.**~~
 5. ~~Single-room occupancy housing, residential units smaller than 750 square feet, affordable housing as defined in OAR 660-039-0010, and publicly supported housing as defined in ORS 456.250 are exempt from minimum automobile parking requirements.~~
- C. ~~Shared Use of Parking Facilities:~~
1. ~~Required parking facilities may be located off site in off street locations, within 2,000 feet of pedestrian travel of a site.~~
 - a. ~~If any non-loading parking is provided on site, all required parking for people with disabilities shall be on site.~~
 - b. ~~If all parking is off site, parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no greater than 200 feet from that entrance.~~
 2. ~~The right to use the off-site parking must be evidenced by a recorded deed, lease, easement or similar written instrument.~~
 3. ~~Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facility used jointly, to the extent that it can be shown by the owners or operators that the needs of the facilities do not materially overlap (e.g., uses primarily of day time versus night time uses) or typically provide services to many of the same patrons within the same development, and provided that such right of joint use is evidenced by a deed, lease, contract or similar written instrument establishing such joint use.~~
 4. ~~Any change in use which would produce a need for additional parking in a shared situation shall require additional review pursuant to Section 16.62.040.~~
- D. Carpool, Hybrid/Electric Car and Vanpool Parking. New industrial, commercial, and institutional uses with more than 20 employee parking spaces on site shall meet the following minimum requirements for carpool, hybrid/electric car and vanpool parking.
1. For this section, a hybrid car is defined as an automobile that is powered by two fuel sources (i.e., gas and electricity) and achieves a combined EPA gas mileage of 45 miles per gallon or more.
 2. Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool/hybrid/electric car use during normal working hours. More spaces may be reserved, but they are not required.

3. The spaces will be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.
4. Signs must be posted indicating these spaces are reserved for carpool/hybrid/ electric car use during normal working hours and those hours must be included on the sign.

ED. Parking Location.

1. No off-street parking shall be allowed in the landscaped yard areas of any lot.
2. ~~Bicycle parking required for all uses in all districts shall be provided on the development site in accordance with Table 16.43.030-1 of this section.~~
3. ~~Parking areas, which abut a residential zoning district, shall meet the setback of the most restrictive adjoining residential zoning district.~~
4. ~~Parking areas shall be set back from a lot line adjoining a street the same distance as the required building setbacks. Regardless of other provisions, a minimum setback of ten feet shall be provided along the property fronting on a public street. The setback area shall be landscaped as provided in this code.~~ **shall be setback a minimum of ten feet from the public right-of-way and abutting properties.**

FE. Parking Area Design, Size, Layout and Access. All off-street parking facilities, vehicular maneuvering areas, driveways, loading facilities, accessways, and private streets shall conform to the standards set forth in this section.

1. All areas used for parking and maneuvering of vehicles shall be surfaced with asphalt, concrete or other approved impervious, permeable, or semi-permeable surface, and shall provide for suitable drainage.
2. The following table states the minimums for parking space size:

Angle	Standard Size Vehicles					Compact Size Vehicle				
	Stall Width	Stall Depth	Aisle Width	Module Width	Bumper Overhang	Stall Width	Stall Depth	Aisle Width	Module Width	Bumper Overhang
0 (parallel)	8.0	24.0	N/A	N/A	N/A	8.0	20.0	N/A	N/A	N/A
45	9.0	17.5	12.0	47.0	2.0	8.0	15.5	11.0	42.0	2.0
60	9.0	19.0	16.0	54.0	2.5	8.0	17.0	14.0	48.0	2.5
75	9.0	19.5	23.0	62.0	2.5	8.0	17.5	21.0	56.0	2.5
90	9.0	18.5	24.0	61.0	2.5	8.0	16.0	20.0	52.0	1.5

3. **Parking stalls for compact vehicles shall not exceed 35 percent of the minimum parking stalls required by Table 16.43.030-1. Stalls in excess of the minimum number required by Table 16.43.030-1 may be compact stalls.**

4. Parking Lot Layout.

- a. Parking area setbacks shall be landscaped with major trees, shrubs, and groundcover as specified in Section 16.42.
- b. Wheel stops, bumper guards, or other method to protect landscaped areas shall be provided.
- c. No vehicle may project over a property line or a public right-of-way.
- d. Parking may project over an internal sidewalk, but a minimum clearance of five feet for safe pedestrian circulation is required.
- e. Parking areas, driveways, aisles and turnarounds shall be paved with concrete, asphalt or comparable surfacing, constructed to City standards for off-street vehicle areas.
4. ~~f.~~ Groups of more than three parking spaces shall be permanently marked.

5. ~~Backing and Maneuvering. Except for a single-family dwelling or two-family dwelling, groups of more than three parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles enter the right-of-way (except for alleys) in a forward manner. Parking spaces shall not have backing or maneuvering movements for any of the parking spaces occurring across public sidewalks or within any public street, except as approved by the Public Works Director. Evaluations of requests for exceptions shall consider constraints due to lot patterns and impacts to the safety and capacity of the adjacent public street, bicycle and pedestrian facilities.~~
6. ~~Parking stalls for compact vehicles shall not exceed 35% of the total parking stalls required by Table 16.43.030-1. Stalls in excess of the number required by Table 16.43.030-1 can be compact stalls.~~

75. For land uses with more than 65,000 square feet of floor area on a given property in areas subject to 660-012-0440 and the Happy Valley Town Center, surface parking may not consist of more area than the floor area of the building. Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures are exempted.

- ~~G. Accessible/Handicapped Parking Facilities. Disabled person accessible parking shall be provided for all uses consistent with the requirements of the Oregon State Structural Specialty Code and/or Federal requirements, whichever is more restrictive.~~
- ~~H. Recreation facilities are public or private facilities used for active recreation activities. They may be indoor or outdoor and include facilities such as athletic fields, swimming pools, miniature golf, and skateboard parks.~~
- ~~1. Parking requirements for athletic fields shall be computed based on the square footage of the area of sport activity (i.e., the field of play not including any sidelines, etc.).~~
 - ~~2. In no case shall the number of parking spaces required for an athletic field exceed 30 spaces per field except where the field is part of a stadium or sports arena.~~
 - ~~3. Parking requirements recreation facilities other than athletic fields shall be computed based on gross square footage of the building and/or improved or fenced area.~~

F. Backing and Maneuvering. Except for a single-family dwelling or two-family dwelling, groups of more than three parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles enter the right-of-way (except for alleys) in a forward manner. Parking spaces shall not have backing or maneuvering movements for any of the parking spaces occurring across public sidewalks or within any public street, except as approved by the City Engineer. Evaluations of requests for exceptions shall consider constraints due to lot patterns and impacts to the safety and capacity of the adjacent public street, bicycle and pedestrian facilities.

G. Newly constructed multifamily residential buildings with five or more residential dwelling units, and newly constructed mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units, shall provide sufficient electrical service capacity, as defined in ORS 455.417, to accommodate no less than 40 percent of all vehicle parking spaces serving the residential dwelling units. Dwelling units in townhouses are not included for purposes of determining the applicability of this regulation.

H. Single-family detached, attached, duplexes, triplexes, quadplexes, cottage clusters, and accessory dwelling units are exempt from subsections C through F, except Section 16.43.030.F.1 **16.43.030.E.1 and **16.43.030.E.2** for cottage clusters.**

16.43.040. Bicycle parking standards.

A. Required Number and Type.

1. Bicycle parking requirements are provided in the parking Table 16.43.030-1.
2. For specific uses listed in Table 16.43.030-1 under the following categories a portion of the required bicycle parking shall be provided as long-term bicycle parking spaces: ~~Multi-family~~

~~Dwellings; Schools; Community Services; Institutional and Semipublic Uses; Commercial Uses; and Industrial Uses.~~

- a. ~~Long-term bicycle parking is defined as parking that is secure for longer stays (more than four hours). Long-term bicycle parking may be provided through~~ **includes** lockable enclosures, a designated bicycle storage area inside a building on-site, a covered rack, or another form of sheltered parking where the bicycle can be stored.
- b. ~~For major transit stops and park-and-ride lots that are proposed for commuter use only, at least four bicycle parking spaces shall be required; 100% of all required bicycle parking spaces shall be long-term spaces.~~

B. Location and Design.

1. Bicycle parking shall be located on-site **or in the public right-of-way**, convenient to building entrances, and have **with** direct access to both the public right-of-way and to the main entrance of the principal structure **on a sidewalk or onsite pedestrian walkway**.
2. ~~Bicycle parking should be no further from the main building entrance than the distance to the closest vehicle space, or 50 feet, whichever is less. Long-term bicycle parking should be incorporated whenever possible into building design. Short-term bicycle parking, when allowed within a public right-of-way, should be coordinated with the design of street furniture, as applicable.~~
3. ~~For facilities with multiple buildings or parking lots, bicycle parking shall be located in areas of greatest use and convenience to bicyclists.~~
42. Bicycle parking shall not impede or create a hazard to pedestrians. The location of bicycle parking facilities shall not conflict with vision clearance standards.
53. Bicycle parking may be provided within the public right-of-way in areas without building setbacks, subject to the approval of the appropriate governing official **City Engineer** and provided it meets the other bicycle parking requirements.
64. If the bicycle parking area is located within the vehicle parking area, the bicycle facilities shall be separated from vehicular maneuvering areas by curbing or other barrier to prevent damage to parked bicycles.
75. Curb cuts shall be installed to provide safe, convenient access to bicycle parking areas.

C. Bicycle Parking Space Dimensions.

1. Each required bicycle parking space shall be at least two and one-half feet by six feet **if horizontal. Vertical or upright bicycle storage shall be at least two and one-half feet in width by three and one-half feet from the vertical rack**. If covered, vertical clearance of seven feet must be provided.
2. An access aisle of at least five feet wide shall be provided and maintained beside or between each row of bicycle parking. ~~Vertical or upright bicycle storage structures are exempted from the parking space length.~~

D. Security.

1. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object (i.e., a "rack") upon which the bicycle can be located.
2. Racks requiring user-supplied locks shall accommodate both cable and U-shaped locks. Racks shall be designed and installed to permit the frame and both wheels to be secured, with removal of the front wheel, or the frame and one wheel to be secured, if both wheels remain on the bicycle.
3. Bicycle racks shall be securely anchored to the ground or a structure and shall be designed to hold bicycles securely by means of the bicycle frame.

4. ~~Required bicycle parking inside a building shall be provided in a well illuminated, secure location within 50 feet of a building entrance.~~
 5. ~~Outdoor bicycle parking spaces shall be clearly visible from the building entrance or the public right-of-way and shall be located within 50 feet of the public entrance to the building unless clustered pursuant to Section 16.31.030, in which case the parking spaces shall be no more than 100 feet from a public entrance.~~
 6. ~~If the outdoor vehicle parking area for a use has lighting, then the bicycle parking areas associated with that same use are required to be lit to the same extent.~~
- E. ~~Signing. Where bicycle facilities are not directly visible and obvious from the public right-of-way,~~ **or building** ~~entry, or directional signs shall be provided to direct bicyclists from the public right-of-way to the bicycle parking facility.~~
[...]

16.44.040 Lighting standards.

C. Design and Illumination Standards.

1. The maximum site allowance shall be ~~0.25~~**2.5**-foot candles per square-foot of hardscape.

[...]

3. Lighting shall be provided in all of the following areas:

- a. Parking lots and vehicular circulation areas;
- b. Pedestrian walkways, pedestrian plazas, and pedestrian circulation areas; and
- c. Building entrances; **and**

d. Bicycle parking.

16.44.120. Design standards for single-family detached, townhomes, duplexes, triplexes, quadplexes, and cottage clusters.

B. Design Standards.

3. **Variation of Design. No two directly adjacent buildings in a land division of more than 50 lots may have the same front or street-facing façade. This standard is met when street-facing façades differ from one another by a minimum of three of the elements listed in subsections below. Mirrored/flipped floorplans are not allowed.**
 - a. **Different exterior cladding materials, a different combination of materials, or significantly different dimensions, spacing, or arrangement of the same materials.**
 - b. **Different offsets, recesses, or projections; or the building elevations break in different places.**
 - c. **Different roof forms (e.g., gable versus gambrel or hip), different orientation (e.g., front-**
 - d. **facing versus side-facing gable), different roof projections (e.g., with and without dormer or shed, or different type of dormer or shed), or different roof pitch by more than two feet of vertical rise to 12 feet of horizontal run.**
 - e. **Different configuration or detailing of the front porch or covered entrance.**
 - f. **Different placement, shape, or orientation of windows or different placement of doors.**
 - g. **Different number of building stories.**
 - h. **Different garage orientation (e.g., front, side, rear).**

~~34.~~ Alley Access, Street Access, and Common Area Development and Design Standards. This section is not applicable to middle housing child lots.

- a. Alley Access Development. Development with vehicle access only from a rear alley or other grouped accessways are subject to the following requirements.
 - i. Alleys and grouped access shall be created at the time of a land division, in accordance with Chapter 16.63, Land Divisions and Property Line Adjustments, and any other applicable transportation standards.
 - ii. Dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the access and circulation standards of Chapter 16.41 and the TSP.
 - iii. As used here, grouped access is not intended to result in consolidated access to frontloaded garages that would not otherwise be allowed by this code.
- b. Street Access Development. Development with access directly from a public or private street must comply with the following standards to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for better stormwater management.
 - i. One driveway is allowed per frontage. A second driveway may be approved by a City Engineer if it is safe and allows for installation of adequate street trees along the frontage of the site.
 - ii. Two adjacent properties may share one driveway. When a driveway serves more than one lot, an access and maintenance easement/ agreement to benefit each lot shall be recorded prior to building permit issuance.
 - iii. Residential driveway approach widths shall be limited to half the parcel frontage width, with a minimum approach width of 12 feet and a maximum approach width of 35 feet. A wider approach may be approved by the City Engineer.
 - iv. Lots and parcels with more than one frontage shall access the street with the lowest street classification in the Transportation System Plan.
 - v. Driveways shall comply with the City's access spacing standards.

45. Common Areas. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the City prior to building permit approval.

16.44.130 Design standards for cottage cluster housing.

16.44.130.A.1.c. Building Height. The maximum building height for all structures is 17 feet. **Structures may not exceed** and one story. A variance to this standard is prohibited.

16.44.130.A.6.a.iv. Parking areas must also meet the standards in Section 16.43.030.**f.1 and 16.43.030.f.2** of this code, except where they conflict with these standards.

16.45 Signs

16.45.110 Signs in mixed-use zones, ~~and~~ commercial zones, **and industrial zones**.

16.46 Happy Valley Design Standards

16.46.010 Happy Valley Style design standards.

H. Building Design.

5. Materials. Building materials shall reflect the Happy Valley Style (see 5.3, Appendix B). Exterior colors shall have earth-tone shades, such as gray, tan, brown, rust, green, red, etc.

[...]

c. Base Materials. The building base shall be defined as the lower portion of a wall just above where it meets ground, often an extension of the foundation wall above grade. For the purpose of these standards, the base shall not extend beyond 24 inches above grade. The base typically is exposed to water for extended periods and is at higher risk of physical impacts. Consequently, the base materials may differ from the materials used for the remainder of the façade in order to withstand these conditions. Base materials are identified in Table 16.46.010-1. Use of these materials shall be limited to the building base unless the material is also identified as an acceptable primary or secondary material. Where a foundation wall extends beyond 24 inches above grade, for instance on a sloped site, the portion of the foundation wall above 24 inches shall be finished with permitted primary and/or secondary materials. In all cases, foundations and base materials shall be designed to match the scale of the building being supported.

Table 16.46.010-1: Building Materials

Materials	Allowed on Façade*		
	Primary	Secondary	Base
Masonry, which includes natural and natural-looking stone, and rusticated brick or split-faced, colored concrete blocks that are residential in character and appearance	Yes	Yes	Yes
Wood board siding or wood shingles. Fiber cement boards or fiber reinforced extruded composite boards are also acceptable provided they have the appearance of natural wood	Yes	Yes	No
Architectural grade plywood, fiber cement, or wood composite panels (T1-11 plywood or OSB siding are not permitted)	No	Yes	No
Glass (except mirrored glass)	Yes	Yes	No
Typical commercial-grade stucco	No	Yes	Yes
Typical commercial-grade brick	No	Yes	Yes
Vertical, ribbed, non-corrugated, non-anodized aluminum metal or steel siding that is residential in character and appearance through variation in texture, stamping or offsets in elevation or material	No	Yes	No
Cast-in-place or pre-cast concrete	No	No	Yes
Plastic, except when used to replicate old styles (e.g., vinyl clad windows, polyurethane moldings, plastic columns, etc.)	No	No	No
Vinyl siding	No	No	No
Mirrored glass	No	No	No
Corrugated metal or fiberglass	No	No	No
Standard form concrete block (not including split-faced, colored or other block designs that mimic stone, brick or other similar masonry)	No	No	No
Back-lighted fabrics, except that awning signs may be backlit fabrics for individual letter or logos	No	No	No

Notes:

* Materials for architectural accents and details (e.g., window frames, trim) are exempt from this requirement.

16.47 Property Maintenance

16.47.010 Property maintenance.

F. All exterior improvements shall be continually maintained, including painting, planting, and repair so as to remain in compliance with prior approvals.

16.48 Industrial Design Standards

16.48.010 Employment Center (EC), Industrial Campus (IC) and Institutional and Public Use (IPU).

D. Building Siting and Design Standards and Characteristics.

1. Exterior Materials. Exterior buildings materials should give the appearance of high-quality design. Materials must have a durability equivalent to that expected of contemporary office, flex and industrial buildings. Appropriate materials include, but are not limited to: masonry (e.g., brick or architectural block); glass; synthetic plaster; pre-cast concrete; **non-corrugated metal panels**; or, stone. Materials of lesser durability or appearance shall be limited to the rear façade of the buildings. Materials considered of lesser durability or appearance include, but are not limited to: **corrugated** metal panels, sheet metal, fiberglass panels, vinyl or aluminum siding, or wood shingles.

16.5 Public Facilities

16.50 Public and Private Transportation Facilities and Utilities

16.50.020 General public facilities standards.

H. Neighborhood Circulation Plan. Unless waived by the City Engineer, all proposals shall include neighborhood circulation plans that conceptualize future street plans and lot patterns to undeveloped parcels within 500 feet of the subject site. Circulation plans shall address future vehicular/bicycle/pedestrian transportation systems including bike lanes, sidewalks, bicycle/pedestrian paths, any applicable truck-turning radii and destination points. A circulation plan is conceptual in that its adoption does not establish a precise alignment. An applicant for design review is required to submit a circulation plan unless the applicant demonstrates to the City Engineer one of the following:

- 1. An existing street or proposed new street need not continue beyond the land to be divided in order to complete or extend an appropriate street system or to provide access to adjacent parcels within 500 feet of the proposed development; or**
- 2. The proposed street layout is consistent with a street pattern adopted as part of the City's transportation system plan, or a previously adopted circulation plan.**

16.50.030 Transportation standards.

B. Street and Road Standards.

9. Connectivity and Block Length. The following shall govern the design and layout for blocks within all subdivisions or planned unit developments:

[...]

~~D. Appeals.~~

~~1. Any person aggrieved by a decision of the City Engineer or other staff person under this chapter may appeal to the Hearings Officer.~~

~~2. Any person aggrieved by a decision of the Hearings Officer under this chapter may appeal to the City Council.~~

DE. Street Names. No proper street names shall be used which will duplicate or be confused with the name of an existing street or a connecting cul-de-sac or turn-around loop street. Street names shall conform to the established patterns of the City and surrounding area and are subject to the review and approval of emergency services organizations.

EF. Traffic Controls.

1. Purpose. For any development, the City Engineer may require that the owner provide an engineering traffic analysis by a registered engineer to determine the number and types of traffic controls (traffic lights, signs, turn lanes, etc.) as may be necessary to accommodate anticipated traffic flow of the development. The recommendations reached in the engineering traffic analysis will be required by the City as a condition of issuance of a building permit and shall be approved by the City Engineer.
2. Traffic Control Devices and Street Signs. All required street name signs, traffic control signs, and traffic control devices shall be installed at the expense of the developer.
3. ~~Variances. Variances may be granted for the conditions of this section when, in the judgment of the City Engineer, strict compliance would impose an undue hardship on the developer. (See Chapter 16.71.)~~

FG. Location of Utility Lines.

1. To the maximum extent feasible, utilities shall be placed underground.
2. Water mains shall be located on the south and east sides of the road.
3. Power, natural gas and telephone shall be located within an eight-foot public utility easement (PUE) adjacent to the right-of-way line, or within the right-of-way, if approved by the city engineer, and shall be joint occupancy whenever possible.
4. Pedestals for Buried Cable. Pedestals installed as part of a buried cable installation are to be located within an eight-foot public utility easement (PUE) adjacent to the right-of-way line, or within the right-of-way, if approved by the city engineer. In no case shall the pedestals be located within the road maintenance operating area, including mowing operations, or nearer the pavement edge than any official road sign in the same general location.
5. Service crossings shall maintain the same depth as the main pipeline or buried cable to a point two feet behind the curb or center of the road or ditch, but in no case shall there be less than one foot cover from the bottom of the curb or ditch to the top of the service line.
6. Storm sewer lines shall be located five feet south or east of centerline of street.
7. Sanitary sewer lines shall be located five feet north or west of centerline of street.
8. The depth of utilities on improved roads shall be 30 inches minimum, 40 inches minimum on unimproved roads, and 30 inches minimum below subgrade on proposed construction or reconstruction. All depths are to top of pipe lines or buried cable.
9. Locations other than those noted above must be approved by the City Engineer.

GH. Sidewalks and Bikeways.

1. Requirements for sidewalks and bikeways shall be as delineated within the Transportation System Plan.
2. Sidewalks.
 - a. Sidewalks may be either private or public, depending on their location inside or outside of the public right-of-way.
 - b. Sidewalks shall tie to public streets at locations determined by the City Engineer.
 - c. Sidewalks shall be constructed of concrete in accordance with the City's Engineering Design and Standard Details Manual. Other materials must be specifically approved by the City Engineer.
 - d. Sidewalks shall have a maximum grade of 15%.
 - e. Ramps for handicapped use are required on all sidewalks used by the public at all points where a sidewalk or path intersects a curb.
 - f. Sidewalks must be constructed in such a way as to allow the surface drainage to sheet flow across them, and not follow them longitudinally.
 - g. Public sidewalks shall be located either in a public easement or over land dedicated to the public.

- h. Sidewalks may meander within the right-of-way with City Engineer approval.
 - i. Alternate Sidewalk Location. It is the general policy of the City to place sidewalks off the traveled portion of any roadway. In areas where the placement of the sidewalk would result in the removal of significant trees or the construction of significant fill or cut slopes or in other cases deemed appropriate by the City Engineer, the sidewalk may be placed elsewhere with a design reviewed and approved by the City Engineer.
 - j. Sidewalks must be constructed free of impediments within a minimum width of at least five feet.
3. Bikeways.
- a. Bikeways shall be public.
 - b. Bikeways facilities shall meet the requirements of this document and the American Association of State Highway and Transportation Officials publication, "Guide for Development of New Bicycle Facilities," as amended and adopted by the Oregon Department of Transportation.
 - c. Bikeways must be constructed in such a way as to allow the surface drainage to sheet flow across them, and not follow them longitudinally.
 - d. A bikeway may be constructed adjacent to the curb within the pavement area.
 - e. The design of bikeways shall conform to City standards.
 - f. Structural sections of bikeway facilities on streets shall conform to that of the street or be integral with the curb. Bikeway facilities off street shall be constructed over a sterilized, compacted subgrade with a surface that meets the requirements set out in the Engineering Design and Standard Details Manual.
 - g. Design standards regarding horizontal alignment, grade, sight distance, intersections, signing, marking, structures, drainage and lighting shall conform to the AASHTO standards. When bikeways are integrated with a curb, all inlet grates shall be designed to protect the bicyclist from the grate or opening.
 - h. Bikeways shall be located either in a public easement or over land dedicated to the public.

16.50.110 Street trees and planter strips.

B. Standards.

6. Installation Standards.

- i. Planter strips shall be covered with:
 - i. Lawn; or
 - ii. Decorative rock **fully contained by a fixed curb or rigid edging (including concrete, metal or stone edging) installed flush with or below the adjacent sidewalk and curb elevations, and designed to prevent migration of rock;** or
 - iii. Shrubs and groundcover designed to cover a minimum of 75 percent of the planter strip upon maturity, including xeriscaping; or
 - iv. Artificial lawn.

Secondary materials may include wood chip, bark nuggets, barkdust or similar treatments, but are unacceptable as the primary cover. Planter strips may also include street furnishing elements consistent with Happy Valley Style design guidelines such as tree grates, benches, and bicycle racks.

16.6 Administration of Land Use Development

16.61 Types of Review Procedures

16.61.010 Purpose and applicability of review procedures.

B. Review Procedures. All land use and development permit applications and approvals described in Title 16, except building permits and final plat reviews, shall be decided by using the procedures contained in this chapter. The procedure "type" assigned to an application governs the decision-making process for that permit or approval. There are eight types of permit/approval procedures: Types I, II, II-DR, III-PC, III-PC/CC, III-DRB, III-HO and IV. These procedures are described in subsections 1 through 6 below. Table 16.61.010 lists all of the City's land use and development approvals and the required review procedure(s).

1. Type I Procedure (Administrative). A Type I decision is made by the Planning Official or designee, without public notice and without a public hearing. The Type I procedure is used when there are clear and objective approval criteria and applying City standards and criteria does not require the use of discretion.
2. Type II Procedure (Administrative). A Type II decision is made by the Planning Official or person designated by the Planning Official following public notice. ~~Appeal of a Type II decision is heard by the Hearings Officer.~~
3. Type II-DR Procedure (Administrative). A Type II-DR decision is made by the Planning Official or person designated by the Planning Official following public notice. ~~Appeal of a Type II-DR decision is heard by the Hearings Officer (with assistance from contract architect).~~
4. Type III-PC Procedure (Quasi-Judicial). A Type III-PC decision is made by the Planning Commission, Design Review Board, or Hearings Officer at a public hearing, ~~with appeals reviewed by the City Council.~~ Certain types of Planning Commission Type III decisions (see Table 16.61.010-1) are a recommendation to the City Council.
5. Type III-PC/CC Procedure (Quasi-Judicial). A Type III-PC/CC decision (e.g., Land Use/Comprehensive Plan Map Amendments under the City's "one-map" system 20 acres or above) is considered initially by the Planning Commission which makes a recommendation to the City Council.
6. Type III-DRB and Type III-HO Procedures (Quasi-Judicial). A Type III-DRB decision is made by the Design Review Board after a public hearing. A Type III-HO decision is made by the Hearings Officer. ~~Appeal of a Type III-DRB or Type III-HO decision is heard by the City Council.~~
7. Type IV Procedure (Legislative). Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy initiated by the City (e.g., adoption of Comprehensive Plan amendments, adoption of ancillary documents to the Comprehensive Plan, land use regulations, government-initiated changes to the Comprehensive Plan map/land use district map, etc.). Except for an expedited annexation, a Type IV decision is considered initially by the Planning Commission which makes a recommendation to the City Council. The final decision is made by the City Council.

16.61.030 Type II procedure (administrative).

B. Application Requirements.

1. Application Forms. Type II applications shall be made on forms provided by the Planning Official or designee.
2. Submittal Information. The application shall:
 - a. Include the information requested on the application form, **in the Land Development Code, and on a completeness checklist unless waived;**

16.61.040 Type III-HO, Type III-PC and Type III-PC/CC procedure (quasi-judicial).

D. Notice of Hearing.

Posted Notice. In addition to any other notice, the applicant shall post the property subject to the application with at least one sign for every 300 feet of exterior frontage. ~~The sign shall be purchased from the City.~~ Such sign shall remain continuously posted from at least 14 days prior to the **first public**

~~hearing end of the public written comment period.~~ A statement of posting shall be submitted to the Planning Official or designee prior to the public hearing.

16.62 Land Use Review and Design Review

16.62.030 Design review.

O. General Design Review Criteria.

[...]

3. Criteria.

~~a. The proposed development preserves significant natural features such as natural drainageways, wetlands, and trees outside the construction area as defined in Section 16.42.050, to the maximum extent feasible, and conforms to the provisions of Sections 16.35.050 and 16.35.020.~~ **The proposed development meets all other applicable provisions of this Land Development Code including but not limited:**

i. Land use district development standards in Article 16.2;

ii. Specific area plan districts and overlay zones in Article 16.3;

iii. Design Standards Administration in 16.40;

iv. Access and Circulation in 16.41 including but not limited to 16.41.030 and 16.41.040

v. Landscaping, Fences and Walls, Recreation Areas in 16.42 including but not limited to 16.42.030, 16.42.050 and 16.42.060;

vi. Parking and Loading in 16.43 including but not limited to 16.43.030, 16.43.040 and 16.43.050;

vii. Special Standards for Certain Uses in Article 16.44;

viii. Happy Valley Style Design Standards in Article 16.46;

ix. Public Facilities in Article 16.50;

x. Types of Review procedures in Article 16.61; and

xi. Land Use Review and Design Review in Article 16.62.

- ~~b. Phased projects shall be designed to the greatest degree possible so that each phase, in and of itself, is complete in its functional, traffic, parking, visual, drainage and landscaping aspects.~~
- ~~c. Where appropriate, the design includes a parking and circulation system that includes a pedestrian and vehicular orientation including separate service area(s) for delivery of goods.~~
- ~~d. The location, size, shape, height and spatial and visual arrangement of the uses and structures are compatible, with the consideration given to increased setbacks, building heights, shared parking, common driveways and other similar considerations.~~
- ~~e. That there is desirable, efficient and functional interrelationship among buildings, building entrances, existing and proposed transit stops, transit facilities and routes, parking, loading area, circulation, open spaces, landscaping and related activities and uses on the site.~~
- ~~f. Utilize landscaping in parking areas to direct and control vehicular movement patterns, screen headlights from adjacent properties and streets, and lessen the visual dominance of pavement coverage.~~
- ~~g. The proposed development meets all other applicable provisions of this Land Development Code.~~
- ~~h. The proposed development will be adequately served by Level 1 services per Section 16.50. The City Engineer may approve alternatives based on feasibility.~~
- ~~i. Provide safe pathways for pedestrians to move from parking areas to building entrances and adjoining commercial sites.~~
- ~~j. All building exterior improvements approved through the design review process shall be continually maintained including necessary painting and repair so as to remain substantially similar to the original approval through the design review process.~~
- ~~k. A landscape plan shall be approved consistent with design standards in Chapter 16.42 in a manner that will assure the maintenance and visual integrity of the site.~~

l. All plans shall comply with the purpose statement in Section 16.62.010.

m. Provide vehicular connections to adjoining commercial sites.

n. Neighborhood Circulation Plan. Unless waived by the City Engineer, all proposals shall include neighborhood circulation plans that conceptualize future street plans and lot patterns to undeveloped parcels within 500 feet of the subject site. Circulation plans shall address future vehicular/bicycle/pedestrian transportation systems including bike lanes, sidewalks, bicycle/pedestrian paths, and destination points. A circulation plan is conceptual in that its adoption does not establish a precise alignment. An applicant for design review is required to submit a circulation plan unless the applicant demonstrates to the Planning Official (or designee) one of the following:

- i. An existing street or proposed new street need not continue beyond the land to be divided in order to complete or extend an appropriate street system or to provide access to adjacent parcels within 500 feet of the proposed development; or
- ii. The proposed street layout is consistent with a street pattern adopted as part of the City's transportation system plan, or a previously adopted circulation plan.