8 DEVELOPMENT REGULATIONS

8-1 COMPREHENSIVE PLAN

Comp Plan Text: 376 as amended by 382, 409, 421, 423, 433, 456, 482, 486, 499, 516, 523, 543, 545, 547, 669, 671, 673, 678, 702, 754, 756, 770, 774, 780, 781, 797, 861, and 868.

Comp Plan/Zone Map: 409, 449, 467, 482, 483, 486, 500, 510, 516, 524, 530, 535, 539, 543, 545, 549, 552, 553, 554, 664, 669, 670, 671, 672, 673, 678, 683, 687, 688, 692, 704, 720, 721, 725, 733, 739, 755, 758, 759, 760, 770, 773, 775, 776, 777, 778, 779, 785, ~~790 (Repealed)~~, 793, 795, 802 (effective March 26, 2011), 803, 823, and 872.

[The text of this ordinance is not reproduced here. It is available for inspection at City Hall]

8-2 ZONING

(Ordinance No. 377 as amended by 380, 394, 410, 422, 430, 434, 457, 483, 486, 499, 500, 501, 511, 514, 515, 516, 518 and 524)
Repealed by Ordinance No. 528, (Refer to See Section 8-8)

8-3 SUBDIVISIONS

(Ordinance No. 378)
Repealed by Ordinance No. 522, (Refer to Section 8-6)

8-4 FLOOD DAMAGE PREVENTION

(Ordinance No. 469 as amended by 494, and 735)

8-4.1.0 Findings of Fact
8-4.2.0 Definitions
8-4.3.0 General Provisions
8-4.4.0 Administration
8-4.5.0 Provisions for Flood Hazard Reduction
8-4.6.0 Penalty

Emergency Clause

8-5 SIGN REGULATIONS
(Ordinance No. 468 as amended by 537, and 693)
Repealed by Ordinance No. 697, (Refer to Section 8-9)

8-6 SUBDIVISIONS
(Ordinance No. 522 as amended by Ordinance No. 678)
Repealed by Ordinance No. 713, (Refer to Section 8-11)

8-7 TREE PLANTING AND MAINTENANCE REGULATIONS
(Ordinance No. 527 as amended by 531, 813)

ARTICLE I INTRODUCTORY PROVISIONS

8-7.1.1 Title
8-7.1.2 Purpose
8-7.1.3 Intent
8-7.1.4 Definitions

ARTICLE II TREE COMMISSION FORMATION AND REQUIREMENTS

8-7.2.1 Creation of Commission
8-7.2.2 Eligibility of Membership
8-7.2.3 Appointments
8-7.2.4 Vacancies
8-7.2.5 Removal From Office
8-7.2.6 Meetings
8-7.2.7 Election of Commission Officers
8-7.2.8 Committees
8-7.2.9 Attorney Duties
8-7.2.10 Powers and Duties
8-7.2.11 Urban Forestry Master Plan

ARTICLE III URBAN FORESTRY PROGRAM SUPERVISION

8-7.3.1 Powers and Duties of Public Works Director
8-7.3.2 Rules and Regulations

ARTICLE IV STREET TREE RESPONSIBILITIES

8-7.4.1 Street Trees--Private Property Owner Responsibility

ARTICLE V PERMIT REQUIREMENTS

8-7.5.1 Landscape Permit for Public Right-of-Way

ARTICLE VI PUBLIC NUISANCE NOTIFICATION AND ABATEMENT REQUIREMENTS

8-7.6.1 Public Nuisance Defined and Designated
8-7.6.2 Responsibility For Remedy of Public Nuisance
8-7.6.3 Nuisance Creation and Maintenance
8-7.6.4 Nuisance Abatement
8-7.6.5 Notice to Abate
8-7.6.6 Expense of Abatement Responsibility of Offender

ARTICLE VII PUBLIC TREE DESTRUCTION

8-7.7.1 Abuse or Mutilation of Public Trees

ARTICLE VIII CONSTRUCTION/EXCAVATION REQUIREMENTS

8-7.8.1 Protection of Public Trees Near Construction Activities
8-7.8.2 Protection of Private Trees From Excavations on Public Property

ARTICLE IX GENERAL PROVISIONS

8-7.9.1 Penalties
8-7.9.2 Severability Clause
8-7.9.3 Corrections
8-7.9.4 Emergency Clause

8-8 ZONING

(Ordinance No. 528 as amended by 536, 540, 546, 548, 678, 701, 703, and 710) **Repealed by Ordinance No. 712,** (Refer to Section 8-10)

8-9 SIGN REGULATIONS

(Ordinance No. 697, as amended by 772, 783, 815, 818, and 854)

ARTICLE 1 INTRODUCTORY PROVISIONS

8-9.1 Title
8-9.1.1 Purpose
8-9.1.2 Terminology
8-9.1.3 General Definitions
8-9.1.4 Specific Definitions
8-9.1.5 Definitions

ARTICLE 2 BASIC PROVISIONS

8-9.2.1 Sign Erection, Repair, Etc.
8-9.2.2 Sign Conformance; Billboards
8-9.2.3 Prohibited Signs
8-9.2.4 Advertisement of Service
8-9.2.5 Portable Signs
8-9.2.6 Residential Signs
8-9.2.7 On-Premise Signs
8-9.2.8 Real Estate Signs
8-9.2.9 Projecting Signs
8-9.2.10 Projecting Signs; Clear Vision Area
8-9.2.11 Directional Signs
8-9.2.12 Roof Signs
8-9.2.13 Billboards
8-9.2.14 Directional Kiosks

ARTICLE 3 TEMPORARY AND SPECIAL SIGNS

8-9.3.1 Political Signs
8-9.3.2 ~~Garage and Yard Sale Signs~~
8-9.3.3 Construction Signs

[Section 3.2 Removed by Ordinance No. 854, Passed April 23, 2013]

ARTICLE 4 EXEMPT SIGNS

8-9.4.1 Signs That are Exempt

ARTICLE 5 PROCEDURE

8-9.5.1 Permit Applications
8-9.5.2 Issuance of Permit
8-9.5.3 Permit Revocation
8-9.5.4 Permit Time Restrictions
8-9.5.5 Temporary Special Permits

ARTICLE 6 MAINTENANCE AND ENFORCEMENT

8-9.6.1 Existing Sign Alteration or Replacement
8-9.6.2 Damaged Signs
8-9.6.3 Abandoned Signs
8-9.6.4 Sign Maintenance Requirements
8-9.6.5 Permit Fee Schedule
8-9.6.6 Enforcement
8-9.6.7 Penalties

ARTICLE 7 VARIANCE

8-9.7.0 Authorization to Grant or Deny Variances
8-9.7.1 Circumstances for Granting a Variance
8-9.7.2 Procedure for Taking Action on a Variance Application
8-9.7.3 Time Limit on a Permit for a Variance
8-9.7.4 Limitation on Re-Applications

ARTICLE 8 APPEALS

8-9.8.1 Filing of Appeals
8-9.8.2 Appeal Requirements
8-9.8.3 Emergency Clause

8-10 ZONING

(Ordinance No. 712, as amended by 724)
Repealed by Ordinance No. 723, (Refer to Section 8-12)

8-11 SUBDIVISIONS

(Ordinance No. 713, as amended by 722, 782 and 829)

ARTICLE I TITLE, PURPOSE, INTERPRETATION

8-11.1.1 Title
8-11.1.2 Purpose
8-11.1.3 Interpretation

ARTICLE II GENERAL REQUIREMENTS FOR SUBDIVISIONS

8-11.2.1 Scope of Regulation
8-11.2.2 Minimum Standards
8-11.2.3 Sale Prohibited
8-11.2.4 Delegation
8-11.2.5 Subdivisions
8-11.2.6 Subdivision Committee

ARTICLE III SUBDIVISION APPLICATION PROCEDURE

8-11.3.1 Pre-Application Meeting
8-11.3.2 Application Submission
8-11.3.3 Scale of Tentative Plan
8-11.3.4 Informational Requirements
8-11.3.5 Master Planned Community Development Plan Approval Process
8-11.3.6 Deleted by Ordinance No. 782
8-11.3.7 Deleted by Ordinance No. 782
8-11.3.8 Zero Lot Line Subdivision
8-11.3.9 Approval of Tentative Plan
8-11.3.10 Required Findings for Approval
8-11.3.11 Resubmission of Denied Tentative Plans
8-11.3.12 Planned Unit Development
8-11.3.13 Application Requirements
8-11.3.14 Architectural Variety - Reserved

ARTICLE IV FINAL PLAT

8-11.4.1 Submission of Final Plat
8-11.4.2 Submission of Final Plats for Phased Development
8-11.4.3 Form of Final Plat
8-11.4.4 Requirements of Survey and Plat of Subdivision
8-11.4.5 Information on Plat
8-11.4.6 Supplemental Information With Plat
8-11.4.7 Technical Review of Plat
8-11.4.8 Conditions of Plat Approval
8-11.4.9 Improvement Agreement
8-11.4.10 Bond, Cash Deposit or Guarantee
8-11.4.11 Final Plat Approval
8-11.4.12 Recording of Plat
8-11.4.13 Errors in the Final Plat

ARTICLE V DESIGN STANDARDS AND IMPROVEMENTS

8-11.5.1 Compliance Required
8-11.5.2 Streets
8-11.5.3 Blocks
8-11.5.4 Lots, Size and Shape
8-11.5.5 Lots, General Requirements
8-11.5.6 General Provisions
8-11.5.7 Grading of Building Sites
8-11.5.8 Special Setbacks
8-11.5.9 Improvement Procedures
8-11.5.10 Acceptance of Improvements
8-11.5.11 Public Park Dedication/Park Fund

ARTICLE VI LAND PARTITION

8-11.6.1 Applicability of Regulations
8-11.6.2 Filing Procedures and Requirements
8-11.6.3 Requirements for Approval
8-11.6.4 Improvement Requirements
8-11.6.5 Application Review
8-11.6.6 Appeal
8-11.6.7 Final Map Filing
8-11.6.8 Extensions
8-11.6.9 Requirements
8-11.6.10 Special Partitioning Regulations

8-11.6.11 Improvements in Partitions
8-11.6.12 Lot Line Adjustments

ARTICLE VII CONDOMINIUM CONVERSION

8-11.7.1 Applicability of Regulations
8-11.7.2 Procedure
8-11.7.3 Division of Land

ARTICLE VIII STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION

8-11.8.1 Introduction
8-11.8.2 Implementation of Requirements
8-11.8.3 Additional Design Requirements
8-11.8.4 Engineering
8-11.8.5 Street Design
8-11.8.6 Financial
8-11.8.7 Indemnification
8-11.8.8 Insurance
8-11.8.9 Design Tolerances

~~**ARTICLE IX VARIANCES**~~

~~8-11.9.1 Variance Application~~
~~8-11.9.2 Authority of Hearings Officer~~
~~8-11.9.3 Hearings Officer Action on Variance~~
~~8-11.9.4 Variance Procedure~~

(Article IX Removed by Ordinance No. 713, Passed January 27, 2004)

ARTICLE X STREET DEDICATIONS

8-11.10.1 Application
8-11.10.2 Minimum Design Standards
8-11.10.3 Procedure

ARTICLE XI **ADMINISTRATIVE PROVISIONS**

8-11.11.1 Form of Petitions, Applications, and Appeals
8-11.11.2 Hearings

ARTICLE XII **GENERAL PROVISIONS**

8-11.12.1 Penalties
8-11.12.2 Violation Declared a Nuisance
8-11.12.3 Compliance With Oregon Real Estate Regulations
8-11.12.4 Civil Relief
8-11.12.5 Administration of Ordinance
8-11.12.6 Severability
8-11.12.7 Amendment
8-11.12.8 Corrections
8-11.12.9 Repeal
8-11.12.10 Emergency Clause

8-12 ZONING ORDINANCE
(Ordinance No. 723 as amended by 734, 753, 761, 768, 771, 782, 791, 794, 830, 832, 835, 845, 850, and 856)
Repealed by Ordinance No. 864, (Refer to Section 8-16)

8-13 EMERGENCY SHELTERS
(Ordinance No. 831)

8-13.1 Definitions
8-13.2 Purpose
8-13.3 License Required
8-13.4 Duration of License
8-13.5 License Application
8-13.6 Unlawful Acts
8-13.7 Delinquent License Fees
8-13.8 Fee Amounts
8-13.9 Violations
8-13.10 Revocation of License
8-13.11 Suspension of License
8-13.12 Appeal
8-13.13 Penalties
8-13.14 Severability
8-13.15 Effective Date

8-14 COLD WEATHER EMERGENCY ORDINANCE

(Ordinance No. 837)

8-14.1	Title
8-14.2	Definitions
8-14.3	Purpose
8-14.4	Licensing and Precertification Process
8-14.5	Duration of Valid License
8-14.6	Limitations
8-14.7	Authority to Declare an Emergency
8-14.8	Notification
8-14.9	Property Inspections
8-14.10	Revocation of License
8-14.11	Reauthorization
8-14.12	Appeal
8-14.13	Constitutionality Clause
8-14.14	Corrections
8-14.15	Emergency Clause

8-15 GARAGE SALE ORDINANCE

(Ordinance No. 855)

8-15.1	Definitions
8-15.2	Number of Garage sales and Hours of Operation
8-15.3	Display and Operation
8-15.4	Advertising Signs
8-15.5	Owner Presumptions
8-15.6	Violation Notice and Penalties
8-15.7	Severability and Emergency Clause

8-16 ZONING ORDINANCE

(Ordinance No. 864 as Amended by 871)

ARTICLE 1: INTRODUCTORY PROVISIONS

8-16.1.1	Title
8-16.1.2	Purpose
8-16.1.3	Definitions

ARTICLE 2: BASIC PROVISIONS

8-16.2.1	Compliance With Ordinance Provisions
8-16.2.2	Zoning Application
8-16.2.3	Time Limit on a "Zoning Application"
8-16.2.4	Establishment of Zoning Districts and Overlay Designations
8-16.2.5	Location of Zones
8-16.2.6	Zoning Map
8-16.2.7	Zoning District Boundaries
8-16.2.8	Interpretation

ARTICLE 3: LAND USE ZONES

8-16.3.1	Single Family Residential (R-1)
8-16.3.1.1	Bed and Breakfast
8-16.3.1.2	Home Occupation
8-16.3.2	Multiple Family Residential (R-2)
8-16.3.3	Manufactured Homes
8-16.3.4	Planned Residential Development (R-3)
8-16.3.5.1	Corridor Commercial (C-1), Downtown Commercial (C-2), And Community Commercial (C-3)
8-16.3.5.2	Neighborhood Commercial (NC)
8-16.3.5.3	Commercial Planned Unit Development (CPUD)
8-16.3.6	Industrial (I)
8-16.3.6.1	Communication Facilities
8-16.3.7	Manufactured Dwelling Park
8-16.3.8	Open Space / Public Facilities (OS / PF)
8-16.3.9	Airport Development Zone
8-16.3.10	Airport Overlay Designation
8-16.3.11	Medical Overlay (MO)
8-16.3.12	Master Planned Community (MPC) Overlay
8-16.3.13	Emergency Shelters
8-16.3.14	Medical Marijuana Dispensaries

ARTICLE 4: SUPPLEMENTARY PROVISIONS

8-16.4.1	Maintenance of Minimum Ordinance Requirements
8-16.4.2	Access
8-16.4.3	Fences
8-16.4.4	Off-Street Parking and Loading
8-16.4.5	Off-Street Parking
8-16.4.6	Design and Improvement Standards for Parking Lots

8-16.4.7	Bicycle Parking
8-16.4.8	Site Plan Approval
8-16.4.9	Moving Buildings
8-16.4.10	Illegal Occupancy
8-16.4.11	Vision Clearance
8-16.4.12	Signs
8-16.4.13	Historic Structure Preservation
8-16.4.14	Minimum Standards for the Construction or Alteration of Service Stations
8-16.4.15	Service Station Abandonment
8-16.4.16	Riparian Habitat Protection
8-16.4.17	Wetland Notification
8-16.4.18	Flag Pole Standards

ARTICLE 5: EXCEPTIONS AND VARIANCES

8-16.5.1	Non-Conforming Uses
8-16.5.2	Non-Conforming Structures
8-16.5.3	Non-Conforming Lots of Records
8-16-5.4	Variances
8-16.5.5	Circumstances for Granting a Variance
8-16.5.6	Exceptions to Maximum Building Height Standard
8-16.5.7	Time Limit on a Permit for a Variance
8-16.5.8	Limitation on Reapplication

ARTICLE 6: CONDITIONAL USES

8-16.6.1	Authorization to Grant or Deny Conditional Uses
8-16.6.2	Procedure for Taking Action on a Conditional Use
8-16.6.3	Time Limit
8-16.6.4	Limitation on Reapplications

ARTICLE 7: ANNEXATION

8-16.7.1	Purpose
8-16.7.2	Annexation Procedure
8-16.7.3	Petition for Annexation
8-16.7.4	Annexation Criteria
8-16.7.5	Annexation by Consent
8-16.7.6	Annexation by Triple Majority

8-16.7.7 Health Hazard Annexation
8-16.7.8 Island Annexations
8-16.7.9 Filing of Annexation Records

ARTICLE 8: AMENDMENTS

8-16.8.1 Authorization to Initiate Amendments
8-16.8.2 Zone / Plan Map Amendments
8-16.8.3 Record of Amendments
8-16.8.4 Limitation on Reapplication
8-16.8.5 Notification of Decision

ARTICLE 9: ADMINISTRATIVE PROVISIONS

8-16.9.1 Building Permits
8-16.9.2 Land Use Permit
8-16.9.3 Administrative Actions
8-16.9.4 Modification of Application
8-16.9.5 Modification of Conditions
8-16.9.6 Filing of Staff Report for Hearing
8-16.9.7 Hearing Body Order
8-16.9.8 Notice of Hearing or Administrative Action
8-16.9.9 Contents of Public Notice
8-16.9.10 Burden of Proof
8-16.9.11 Nature of Evidence
8-16.9.12 Limitation on Oral Presentations
8-16.9.13 Standing
8-16.9.14 Record
8-16.9.15 Prohibition on Pre-Hearing (Ex-Parte) Contacts
8-16.9.16 Challenge for Bias, Prejudgment or Personal Interest
8-16.9.17 Public Hearing Procedure
8-16.9.18 Objections to Jurisdiction, Procedure, Notice or Qualifications
8-16.9.19 Notice of Decision
8-16.9.20 Re-Application Limited
8-16.9.21 Review by City Council or Planning Commission
8-16.9.22 Appeal
8-16.9.23 Notice of Appeal
8-16.9.24 Hearing on Appeal
8-16.9.25 Re-Hearing
8-16.9.26 Duration of Permit
8-16.9.27 Extension
8-16.9.28 Authorization of Similar Uses

8-16.9.29 Proposed Amendments
8-16.9.30 Final Action

ARTICLE 10: GENERAL PROVISIONS

8-16.10.1 Severability
8-16.10.2 Enforcement
8-16.10.3 Corrections
8-16.10.4 Supremecy Clause
8-16.10.5 Repealing Clause
8-16.10.6 Emergency Clause