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## Chapter 18.20

### LAND USE CLASSIFICATION

#### 18.20.020 Classifying uses.

##### A. *Use Characteristics.*

1. Land uses are assigned to the use category that most closely describes the nature of the principal use. A number of the most common uses are listed under the “examples” subsection for each use category. In some zones developments may have more than one principal use. Developments may also have one or more accessory uses. For uses not listed as examples, the following is a list of factors to be considered when classifying a use into a particular category, and is also used to determine whether the activities constitute principal uses or accessory uses:

- a. The description of the use or activities in comparison to the stated characteristics of each use category;
- b. The intensity of the activity or use in comparison to the stated characteristics of each use category;
- c. The amount of site or floor area and equipment devoted to the use or activity;
- d. The presence of and amount of sales from each use or activity;
- e. The customer type for each use or activity. For example, do individual customers come to the site or does the firm primarily sell goods or services to other firms?
- f. The number of employees involved in the use or activity;
- g. The hours of operation;
- h. The building and site arrangement;
- i. The type of vehicles used for the activity;
- j. The number of vehicle trips generated by the use or activity;

- k. How the use advertises itself;
  - l. Whether the use or activity would be likely to be found independent of the other activities on the site;
  - m. Whether the use is subordinate to and serves another use in the development;
  - n. Whether a use is subordinate in area, extent or purpose to the principal building or use served;
  - o. Whether the use contributes to the comfort, convenience or necessity of occupants, customers, or employees of a principal use; and
  - p. Any other relevant evidence regarding use or activity that would help to classify a particular land use.
2. In cases where a specific use is not listed as an example, the **planning director city planner and/or building official** shall determine the appropriate category for a use based on the factors listed in subsection [\(A\)\(1\)](#) of this section.
  3. In cases of dispute, the planning commission will issue a written use determination. **Additionally, the planning commission shall determine the appropriate category for all uses requiring a Type III review.**
  4. Any use that cannot be clearly classified within an existing use category by the procedures noted above is prohibited, unless incorporated into this title by a development code amendment, the procedures for which are outlined in Chapter [18.190](#) TMC, Procedures for Review of Applications and Appeals. A specific use that cannot be classified into an existing use category shall not be listed as permitted or conditional in any zone without first establishing a new use category within this chapter by development code amendment.

### **18.20.080 Applicability.**

- A. The provisions of this chapter apply only to the public lands and facilities (PLF) district (Chapter [18.75](#) TMC) until the other zoning districts are modified to be used in conjunction with this chapter. **Except, TMC 18.20.020 shall apply to all zoning districts.**

B. When the conditions of subsection [\(A\)](#) of this section are satisfied, this section shall be amended. [Ord. 846 § 2 (Exh. B); Ord. 817 § 8-3B.280, 2006.]

## Chapter 18.45 COMMERCIAL ZONE – NEIGHBORHOOD (CN)

### 18.45.010 Description and purpose.

The neighborhood commercial zone (CN) is intended to create, preserve and enhance areas of retail establishments serving frequently recurring needs for goods and services in convenient locations, with opportunities for residential uses to create mixed-use sites. This commercial zone is typically appropriate to small shopping clusters or integrated shopping or mixed-use centers in developments of one-third to one acre within residential neighborhoods. Facilities should be oriented to serve residents' commercial service needs, to strengthen neighborhood interaction and a rural character, to minimize the need for automobile trips and to make commercial services more readily available within proximity to residential neighborhoods and accessible by walking, bicycling or other alternative modes of transportation to senior citizens, families with only one car, and others who could walk or ride a bicycle to these facilities. These areas should be located adjacent to collector or arterial streets. [Ord. 817 § 8-3D.110, 2006.]

### 18.45.020 Buildings and uses permitted subject to Type I permit review.

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses, none of which shall include drive-in, drive-up or drive-through facilities:

A. Existing residential uses, without any increase in density. Accessory buildings and structures, including private garages, guest houses, accessory dwelling units subject to TMC 18.165, storage sheds for garden equipment, private greenhouses, solar energy collectors or other energy-conserving devices and equipment used for the mounting or operation of such devices, stables, barns and other uses determined to be similar by the planning director.

**Commented [ED1]:** These are assumed to be largely single-family detached homes, that predate the zoning code and zoning map. Density reference is superfluous; any increase in density would be a new use subject to additional review.

**Commented [ED2]:** DLCD has provided guidance that adding ADUs to existing single-family detached homes should be permitted as a modification of the permitted residential use rather than an expansion or intensification.

~~B. Dwelling units, provided the units are above stores or offices and the ground floor is devoted entirely to business permitted in this chapter.~~

**Commented [ED3]:** Captured by specific uses in Type II uses below. Though listed as a Type I here, these upper-story uses would require review with a commercial use under the Type II provisions below so Type II is appropriate for both residential and commercial uses.

C. Use of existing structures for the permitted uses listed in TMC [18.45.030](#) and [18.45.040](#), where all the provisions of this title and any amendment thereto are met.

~~D. Uses customarily incidental to the above uses, including the usual accessory buildings and structures provided in the low density residential zones.~~ [Ord. 817 § 8-3D.120, 2006.]

**Commented [ED4]:** Vague standard, replaced with specific list of residential accessory uses above.

### **18.45.030 Buildings and uses subject to Type II site development plan review.**

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed, except for the following uses, none of which shall include drive-in, drive-up or drive-through facilities. Further, the following uses are permitted subject to the provisions of Chapter [18.150](#) TMC:

- A. Retail stores (excluding sales of medical or recreational marijuana by producers, wholesalers, processors and retail outlets), shops and offices supplying commodities or performing services for residents of the surrounding community, such as food stores, bakeries (retail), drug or variety stores, and hardware stores.
- B. Repair and maintenance service of the types of goods to be found in the above-mentioned retail trade establishments, provided such service is performed wholly within an enclosed building.
- C. Professional, financial and business offices, and personal service establishments such as beauty and barber shops, laundromats, cleaning agencies (provided the equipment used for cleaning shall be a type of unit using nonflammable cleaning solvent), shoe repair shops, and tailor or dress-making shops.
- D. Restaurants, cafes and soda fountains.
- E. Medical or dental clinics or medical laboratories.

~~A. Residential uses, including multiple-family dwellings, attached single-family dwellings, and triplex and quadplex dwellings, subject to the provisions of TMC 18.45.120.~~

- F. Wireless communication antennas subject to the provisions of TMC [18.130.010](#).
- G. Other uses similar to those listed above, where permitted by the planning commission after written application.

**Commented [ED5]:** Modify consistent with use determination language.

- H. Uses customarily incidental to the above uses, including the usual accessory buildings and structures provided in the low density residential zones. [Ord. 817 § 8-3D.130, 2006.]

**Commented [ED6]:** Discretionary and inapplicable, since no low-density residential uses will be permitted under this section.

### **18.45.040 Buildings and uses permitted subject to Type III site development plan review.**

No building or structure shall be hereafter erected, enlarged, or structurally altered; neither shall any land be developed except for the following uses and buildings which are permitted, none of which shall include drive-in, drive-up or drive-through facilities. Further, the following uses are subject to the provisions of Chapter [18.150](#) TMC and TMC [18.190.050](#). The following uses are those that, although permissible, contain certain characteristics that can impact nearby properties. The purpose of the public hearing is to obtain points of view and suggestions from persons owning property within 250 feet of a proposed use, or their representatives, as to the best methods to perform or develop the use.

- A. Community meeting buildings, fraternal and social organizations.
- B. Utility substations.
- C. Churches.
- D. Bins or containers along streets used for temporary storage of garbage or material for recycling.
- E. Public and semi-public buildings essential to the physical welfare of the area, such as fire and police substations, libraries, substations, pump stations and reservoirs; provided, that each side yard on an interior lot shall be a minimum of 20 percent of the property width but no less than 10 feet.
- F. Other buildings or uses similar to those listed above, or under TMC [18.45.020](#) or [18.45.030](#), where permitted by the planning commission after written application. [Ord. 817 § 8-3D.140, 2006.]

### **18.45.050 Buildings and uses permitted subject to conditional use review.**

The planning commission may grant or deny a conditional use permit in accordance with the procedure and provisions set forth in Chapter [18.155](#) TMC. The following uses permitted conditionally in the CN zone meet the description and purpose set forth in Chapter [18.155](#) TMC:

- A. Passenger terminals (bus or rail).
- B. Temporary medical hardship, subject to the supplemental provisions of TMC [18.155.070\(B\)](#).
- C. Buildings over two and one-half stories or 30 feet in height, whichever is the lesser.
- D. Wireless communication towers.
- E. Other buildings or uses that the planning commission determines to be similar to other uses permitted conditionally in the CN zone. [Ord. 817 § 8-3D.150, 2006.]

### **18.45.060 Yard regulations.**

A. *Front Yard.* The front yard shall have a depth of not less than 10 feet, including a parking setback of not less than 10 feet; **except when abutting a lot in a residential zone, and then the front yard and parking setback shall be 15 feet, conform to the front yard requirement of the residential zone.**

**Commented [ED7]:** 15 feet offers a transition between the 20-ft setbacks in residential zones and 10 feet in commercial zones. Almost all CN properties will be abutting residential property and 20-ft setbacks would significantly reduce buildable area.

B. *Side Yard.*

1. No side yard is required between commercially zoned properties.
2. When abutting a lot in a residential zone, there shall be a minimum side yard of 10 feet.
3. A side yard abutting a street and/or alley shall have a depth of not less than 10 feet.

C. *Rear Yard.* No rear yard is required between commercially zoned properties; when abutting a lot in a residential zone, there shall be a rear yard of not less than 10 feet.

D. *Existing Residential Uses.* For existing residential structures or uses, setbacks in conformance with the RHD medium-density single-family residential (RS-7) zone shall apply. [Ord. 817 § 8-3D.160, 2006.]

#### 18.45.070 Lot area and dimensions.

For existing residential uses, the minimum lot sizes of the high-density residential zone shall apply. For dwelling units above the ground floor of a business, there shall be a minimum of 1,200 square feet of total lot area for each dwelling unit. For all other permitted uses, in the CN zone there shall be no minimum lot size or lot width. [Ord. 817 § 8-3D.170, 2006.]

**Commented [ED8]:** Because there is no maximum density limit for residential uses, minimum lot sizes are not needed. Lot sizes for new residential uses are addressed in proposed 18.45.120.E.

#### 18.45.080 Lot coverage restrictions.

In the CN zone there shall be no lot coverage restrictions except as provided in the yard setback, [minimum landscaped area per TMC 18.105.020](#), and off-street parking regulations. [Ord. 817 § 8-3D.180, 2006.]

#### 18.45.090 Parking and loading requirements.

A. Off-street loading spaces shall be provided as prescribed in Chapter [18.110](#) TMC. Off-street parking spaces adequate to serve commercial establishments shall be made available, but may be provided on a district-wide or joint-use basis rather than adjacent to each commercial use. If adequate public or commercial parking areas are not available, the individual business shall be responsible for providing adequate off-street parking in conformance with the requirements of Chapter [18.110](#) TMC.

B. On-site parking is prohibited between the building and the street, with the exception of sites with three or more frontages. Access to parking lots shall be from alleys wherever possible. [Ord. 817 § 8-3D.190, 2006.]



### 18.45.100 Landscaping, fences, walls and signs.

All required landscaped areas shall be installed in accordance with Chapter [18.105](#) TMC. Fences, walls, hedges and screen plantings shall be permitted in accordance with Chapter [18.105](#) TMC. Signs shall be permitted and in conformance with Chapter [18.120](#) TMC. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.195, 2006.]

### 18.45.110 Buffering.

When a development or use is proposed on property within the CN zone which abuts or is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone, the planning commission shall require a buffer. Perimeter buffers shall be provided in accordance with TMC [18.105.050](#). [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.196, 2006.]

### 18.45.120 Additional residential standards.

A. All new residential uses shall be proposed along with any nonresidential use allowed in the CN district in a single development application, unless previously developed nonresidential uses already exist on the site.

B. All ground-floor residential uses, with the exception of entrances for upper-story residential uses, shall be set back a minimum of 100 feet from the property line along the highest classification road.

C. Ground-floor residential building square footage shall not exceed fifty percent of the ground-floor nonresidential building square footage onsite. There shall be no limitation on upper-story residential building square footage.

D. Ground-floor residential uses shall achieve a minimum density of 18 units per net acre, with no maximum density. There shall be no minimum density requirement for upper-story residential uses.

**Net Acre:** For the purposes of this Section, a *net acre* is the total development acreage net of undevelopable lands (as defined in Chapter 18.15 TMC) and a 24-percent reduction allowing for infrastructure. Development projects less than 1.5 acres in size do not need to subtract

**Commented [ED9]:** Practically speaking, upper-story residential can't exceed 66% assuming one floor nonresidential use and two upper stories of residential use.

**Commented [ED10]:** This provides more flexibility to incentivize this upper story use.

infrastructure allowance. Development proposals 1.5 acres or larger may not exempt 1.5 acres from calculating infrastructure allowance.

E. Any new lots proposed for exclusive residential use shall meet the minimum lot size and setbacks for the RHD zone for the proposed residential use type.

F. The maximum allowed height for all residential uses including mixed-use buildings with residential and nonresidential uses shall be three stories or 40 feet, whichever is less. TMC 18.45.050.C shall not apply.

## Chapter 18.50 COMMERCIAL ZONE – CENTRAL BUSINESS DISTRICT (CBD)

### 18.50.010 Description and intent.

The central business district (CBD) zone shall serve as the hub of government, public services and social activities; shall permit retail trade, personal and business services; and shall include residential uses to strengthen and enliven the community core. The CBD shall be pedestrian oriented and shall highlight and incorporate historic places and structures, parks and public transit facilities and opportunities. [Ord. 817 § 8-3D.210, 2006.]

### 18.50.020 Buildings and uses permitted subject to Type I permit review.

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses, none of which shall include drive-in, drive-up, or drive-through facilities:

A. Existing residential uses, without any increase in density, or any expansion of use, floor area or improvements.

1. Except: Accessory dwelling units subject to TMC 18.165 are permitted with existing single-family detached dwellings.

B. Dwelling units, provided the units are above nonresidential uses and the ground floor is devoted entirely to a commercial use or uses permitted in this chapter. One dwelling unit is allowed at ground level behind a nonresidential use, and cannot exceed 50 percent of the total ground floor space of buildings on the parcel.

C. Use of existing structures for the permitted uses listed in TMC [18.50.030](#) and [18.50.040](#), where all the provisions of this title and any amendment thereto are met.

**Commented [ED1]:** DLCD has provided guidance that adding ADUs to existing single-family detached homes should be permitted as a modification of the permitted residential use rather than treated as an expansion or intensification.

**Commented [ED2]:** Since residential uses are required along with nonresidential uses, all of which require a Type II or III review, it is more consistent to allow residential uses through a combined Type II review.

D. Uses and structures customarily incidental to the above uses, including the usual accessory buildings and structures provided in the ~~low- and medium-density residential low- and medium-density~~ zones.

**Commented [ED3]:** Revised consistent with proposed zoning district names.

E. Paving, surfacing, or resurfacing of existing parking lots subject to city staff review for conformance with the provisions of Chapter [18.110](#) TMC. If a question arises as to conformance with said provisions, the city planner shall subject the project to a site plan review without a public hearing. [Ord. 817 § 8-3D.220, 2006.]

### **18.50.030 Buildings and uses subject to Type II site development plan review.**

No structure shall be erected, enlarged or structurally altered, nor shall land be developed, except for the following uses or structures, which shall not include drive-in, drive-through or drive-up facilities. The following uses are permitted subject to the provisions of Chapter [18.150](#) TMC and review by the planning department:

- A. Any use permitted subject to site plan review without a required public hearing in the neighborhood commercial zone (CN).
- B. Retail stores (excluding sales of medical or recreational marijuana by producers, wholesalers, processors and retail outlets) and offices; personal, business and repair services, not including automotive repair. Such uses may not exceed 6,000 square feet. Automotive parts and sales are permitted; provided, that the activity happens fully within enclosed buildings.
- C. Eating and drinking establishments (which may include entertainment) not exceeding 6,000 square feet.
- D. Churches and other religious institutions not exceeding 6,000 square feet.
- E. Guest lodging, not exceeding 10 rooms.
- F. Performing arts theaters and motion picture theaters (not including drive-ins), not exceeding 6,000 square feet.
- G. Public and commercial off-street parking lots or structures, not exceeding 200 parking spaces.

- H. Wireless communication antennas subject to the provisions of TMC [18.130.010](#).
- I. Other uses similar to those listed above, as determined by the planning director consistent with TMC 18.20.020, where permitted by the city planner after written application. Where there is question as to similarity, the planner shall refer the matter to the planning commission for a determination.
- J. Uses and structures customarily incidental to the above uses.
- K. Live-work units.
- L. Dwelling units, subject to the provisions of TMC 18.50.120.

#### **18.50.040 Buildings and uses permitted subject to Type III site development plan review.**

No structure shall be erected, enlarged or structurally altered, nor shall land be developed, except for the following uses or structures, which shall not include drive-in, drive-through or drive-up facilities. The following uses are permitted subject to the provisions of Chapter [18.150](#) TMC and review by the planning commission in a public hearing. Although permitted, the following uses have characteristics that may negatively impact nearby properties:

- A. Any use permitted subject to site plan review with a required public hearing in the neighborhood commercial zone (CN), excluding utility substations.
- B. Any use listed in TMC [18.50.030](#) that exceeds the listed size/capacity threshold.
- C. Craft manufactory and retail, provided the structure housing the manufactory is sound and suitable for the intended use (refer to definition in Chapter [18.15](#) TMC for further information).
- D. Public parks, playgrounds and other similar publicly owned recreational areas.
- E. Passenger terminals for bus or rail.
- F. Public and semi-public buildings essential to the physical welfare of the area, such as fire and police substations, libraries, and government offices. Such uses, which may be developed in campus-like settings, are exempt from the dimensional requirements of the zone, except for parking lot setbacks.

G. Other uses similar to those listed above, or under TMC [18.50.020](#) or [18.50.030](#), as determined by the planning commission consistent with TMC [18.20.020](#), where permitted by the planning commission after written application.

H. Uses and structures customarily incidental to the above uses. [Ord. 817 § 8-3D.240, 2006.]

### **18.50.050 Buildings and uses permitted subject to conditional use review.**

The planning commission may grant or deny a conditional use permit in accordance with the procedure and provisions set forth in Chapter [18.155](#) TMC.

A. Any uses permitted conditionally in the neighborhood commercial zone (CN).

B. Brewery, distillery, or winery not exceeding 6,000 square feet (pub or tasting room required).

C. Commercial or trade schools.

D. Wireless communication towers.

~~E. Buildings over two and one-half stories or 30 feet in height, whichever is the lesser. Buildings more than 30 feet in height are permitted only if they include residential uses.~~

~~1. The maximum height allowed through conditional use review is 40 feet. The proposed building must include site design and architectural elements such that it is compatible with the small town character of Talent. Building elements to be considered include, but are not limited to, size, proportion, massing, articulation, detailing and location. Landscaping, buffering, fencing and similar elements may also be considered, but not as the only method of ensuring compatibility.~~

F. Temporary uses.

G. Pump stations and water reservoirs.

H. Other buildings or uses that the planning commission determines to be similar to other uses permitted conditionally in the CBD zone as determined by the planning commission consistent with TMC [18.20.020](#). [Ord. 817 § 8-3D.250, 2006.]

**Commented [ED4]:** A taller height limit is proposed for all buildings with residential uses without a conditional use review, so this category no longer applies.

### 18.50.060 Yard regulations.

#### A. Front Yard.

1. Minimum: zero feet.
2. Maximum: 10 feet for no more than 50 percent of the ground-floor width.
3. Parking lots: 10 feet, which shall be landscaped to provide screening.

#### B. Side Yard.

1. Minimum: zero feet.
2. Maximum: 10 feet for no more than 50 percent of the ground-floor width on street-facing sides; 10 feet on alley-facing sides.
3. Parking lots: 10 feet, which shall be landscaped to provide screening.

#### C. Rear Yard. No rear yard is required between commercially zoned properties.

D. *General Provision Applying to All Setbacks.* Where public utility or similar easements exist on or across property lines, setbacks shall be measured from the lot-interior edge of the easement.

E. *Adjacency to Residential Zones.* Where lots abut residentially zoned lots, all setbacks shall be 10 feet 20 feet on the side(s) abutting said lots. This includes front setbacks in order to provide a transition. The setback area shall include all buffers required by TMC 18.105.050.

F. Exceptions to setback provisions shall be made and shall be required on corner lots where vision clearance for automobiles would be impaired by strict observance of the provisions.

[Ord. 817 § 8-3D.260, 2006.]

**Commented [ED5]:** Reduce setbacks and link to increased buffering standards within the setback to balance preservation of development area on the lot with screening for adjacent residential uses.

### 18.50.070 Lot area and dimensions.

For dwelling units above the ground floor of a business, there shall be a minimum of 1,200 square feet of total lot area for each dwelling unit. For all other permitted uses, in the CBD zone there shall be no minimum lot size or lot width. [Ord. 817 § 8-3D.270, 2006.]

**Commented [ED6]:** Update consistent with changes to lift maximum density standards for the RHD zone.

**18.50.080 Lot coverage restrictions.**

In the CBD zone there shall be no lot coverage restrictions except as provided in the yard setback, **minimum landscaped area per TMC 18.105.020**, and off-street parking regulations. [Ord. 817 § 8-3D.280, 2006.]

**18.50.090 Parking and loading requirements.**

A. Off-street loading spaces shall be provided as prescribed in Chapter [18.110](#) TMC. Off-street parking spaces adequate to serve commercial establishments shall be made available, but may be provided on a district-wide or joint use basis rather than adjacent to each commercial use. If adequate public or commercial parking areas are not available, the individual business shall be responsible for providing adequate off-street parking in conformance with the requirements of Chapter [18.110](#) TMC.

B. On-site parking is prohibited between the building and the street, with the exception of sites with three or more frontages. Access to parking lots shall be from alleys wherever possible. [Ord. 817 § 8-3D.290, 2006.]

**18.50.100 Landscaping, fences, walls and signs.**

All required landscaped areas shall be installed in accordance with Chapter [18.105](#) TMC. Fences, walls, hedges and screen plantings shall be permitted in accordance with Chapter [18.105](#) TMC. In all cases, and at all times, they shall not exceed four feet in height within front and street-side yards. Signs shall be permitted in accordance with Chapter [18.120](#) TMC. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.295, 2006.]

**18.50.110 Buffering.**

~~When a development or use is proposed on property within the CBD zone which abuts or is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone, the planning commission shall require a buffer~~ **Buffers shall be provided** in accordance with TMC [18.105.050](#). The planning commission may waive buffering that would otherwise be



required by TMC 18.105.050(B) if it finds that the need to fulfill the intent of the CBD zone outweighs the need for buffering. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.296, 2006.]

**18.50.120 Additional residential standards.**

A. All new residential uses shall be proposed along with any nonresidential use allowed in the CBD district in a single development application, unless previously developed nonresidential uses already exist on the site.

B. All ground-floor residential uses, with the exception of entrances for upper-story residential uses, shall be set back a minimum of 100 feet from the property line along the highest classification road.

C. Ground-floor residential building square footage shall not exceed fifty percent of the ground-floor nonresidential building square footage onsite. There shall be no limitation on upper-story residential building square footage.

D. Ground-floor residential uses shall achieve a minimum density of 18 units per net acre, with no maximum density. There shall be no minimum density requirement for upper-story residential uses.

Net Acre: For the purposes of this Section, a *net acre* is the total development acreage net of undevelopable lands (as defined in Chapter 18.15 TMC) and a 24-percent reduction allowing for infrastructure. Development projects less than 1.5 acres in size do not need to subtract infrastructure allowance. Development proposals 1.5 acres or larger may not exempt 1.5 acres from calculating infrastructure allowance.

F. The maximum allowed height for all residential uses including mixed-use buildings with residential and nonresidential uses shall be three stories or 40 feet, whichever is less.

**Commented [ED7]:** Currently, ground floor residential is limited to one unit, not to exceed 50% of the square footage. Is the single-unit limitation important, or does the 50% limitation effectively create the desired balance?

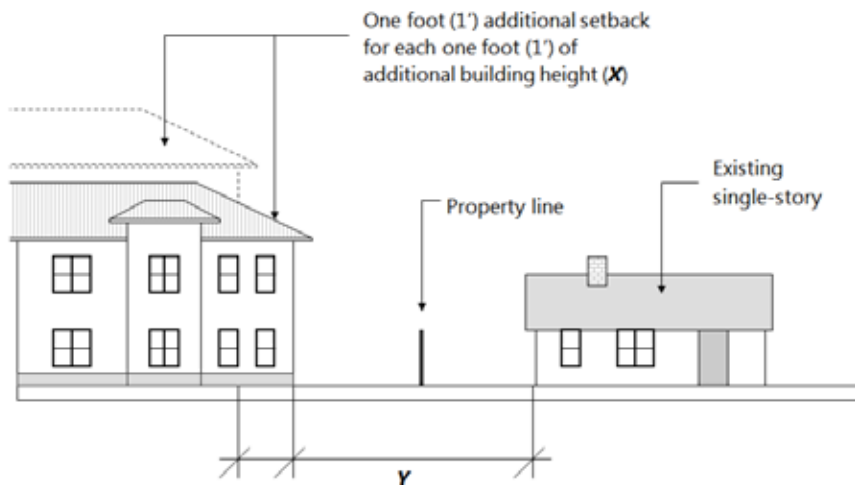
**Commented [ED8]:** Practically speaking, upper-story residential can't exceed 66% assuming one floor nonresidential use and two upper stories of residential use.

**Commented [ED9]:** This provides more flexibility to incentivize this upper story use.

## Chapter 18.90 GENERAL PROVISIONS

### 18.90.050 Building height.

A. *Limitations and General Exceptions.* The maximum height of any structure shall be two and one-half stories or 30 feet, whichever is less. Taller structures exceeding the maximum height allowed in each zone shall be permitted only as a conditional use in each zone. Height limitations shall not apply to chimneys, spires, aerials, flagpoles, solar energy collectors and necessary mounting or operational equipment, utility poles, or other similar objects not used for human occupancy. Barns and silos are permitted subject to written approval by the city or district fire chief. Buildings and other objects cited in this section should not be permitted to significantly impair solar access of buildings or solar collectors.



Commented [ED1]: Delete graphic, no longer needed.

B. *Building Height Transition.* To provide compatible building scale and privacy between developments, buildings in any zone that exceed 30 feet shall provide additional setbacks or "step-downs" adjacent to lower-density residential development, to create a building height transition to adjacent single-story building(s) in residential zones.

Commented [ED2]: Revise to provide a more uniform height transition standard that is based on adjacent zoning, not whether adjacent development is built at one or two stories. Provides a consistent way to measure required setbacks from the property line, rather than measuring setbacks on adjacent lot as well.

1. This standard applies to new and vertically expanded buildings located within that exceed 30 feet or two stories, whichever is less, on lots adjacent to lots zoned RLD, RMD, or RMHP, (as measured horizontally) of an existing building with a height of 30 feet or less, as shown above.

2. The building height transition standard is met when the height of the taller building (X) does not exceed one foot of height for every one foot separating the two buildings (Y), as shown above.

2. The minimum side or rear yard setback shall be equal to the height of the proposed building less 15 feet. For example, a 35 foot-tall building would require a 20-foot setback.

3. Building height may "step-down" within the additional setback area provided that no portion of the building exceeds the allowed ratio in Section (D)(2) and the building meets the minimum side and rear yard setbacks otherwise required in the zone. [Ord. 817 § 8-3J.123, 2006.]

Commented [ED3]: Resulting setbacks range from 15 feet for 30 feet to 25 feet for 40-foot high building, compared to 0-10-foot side and rear setbacks in base zones. Are the proposed setbacks reasonable for transition purposes, or do they require too much land?

**18.90.080 Minimum frontage requirement.**

Every lot shall have at least 20 feet of frontage on a street. Alleys are not considered to be streets for the purposes of this requirement. Cluster housing is exempt from this requirement. [Ord. 817 § 8-3J.126, 2006.]

**18.90.190 Buffering.**

Where buffering is required between adjacent uses or zones, the type of buffering shall be appropriate to its purpose. Where the purpose is primarily the screening of objectionable views, a fence, wall or screen planting of six feet in height — or of such greater or lesser height as will be adequate to obscure the objectionable view — shall be required. Fences or walls shall either be of a material so as to provide an aesthetically pleasing buffer or shall be landscaped so as to provide an aesthetically pleasing buffer for adjacent properties. Other appropriate means of buffering, including but not limited to spatial separations, landscaping, natural topography and other barriers, shall be utilized to minimize other types of incompatibility between land uses. [Ord. 817 § 8-3J.180, 2006.]

Commented [ED4]: Specific matrix of standards proposed in 18.105 instead, to reduce redundancy.



## Chapter 18.105 LANDSCAPING, FENCING AND HEDGES

### 18.105.010 Description and purpose.

The purpose of this chapter is to provide for the regulation of planting, maintenance, and removal of landscaping within the city of Talent. All yards, required buffers or screening areas, and parking areas shall be landscaped in accordance with this chapter. [Ord. 918 § 2 (Exh. A), 2016; Ord. 817 § 8-3J.410, 2006.]

### 18.105.020 Minimum landscaped area.

A. The minimum percentage of required landscaping is as follows:

1. *Residential Zones*. ~~Twenty~~ Thirty percent of each lot for residential developments.
2. *Central Business District (CBD) and Commercial Neighborhood (CN) Central Business Highway (CBH) Zones*. ~~Fifteen~~ Twenty percent of the site.
3. *Commercial Highway (CH) Central Business Highway (CBH) and Commercial Interchange (CI) Zones*. Twenty percent of the site.
4. *Industrial Zones (IL)*. Fifteen percent of the site.
5. When the above requirements conflict with landscaping requirements found elsewhere in this title, the standard which maximizes landscaped area shall apply. [Ord. 918 § 2 (Exh. A), 2016; Ord. 817 § 8-3J.420, 2006.]

Commented [ED1]: Frees up more site area for mixed-use development.

### 18.105.030 Minimum vegetation and ground cover.

A. Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:

1. One tree, minimum two-inch caliper.

2. Four five-gallon shrubs or accent plants.

B. *Minimum Percentage Ground Cover.* All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with nonplant material as defined in subsection (C) of this section, shall have ground cover plants that are sized and spaced to achieve 75 percent coverage of the area not covered by shrubs and tree canopy unless a xeriscape plan is approved.

C. *Landscape Materials.* Permitted landscape materials include trees, shrubs, ground cover plants, nonplant ground covers, and outdoor hardscape features, as described below. "Coverage" is based on the projected size of the plants at maturity, i.e., typically three or more years after planting. The landscape materials below may be modified as part of an approved xeriscape plan.

1. *Existing Vegetation.* Existing noninvasive vegetation may be used in meeting landscape requirements.
2. *Plant Selection.* A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, soil, exposure, water availability, and drainage conditions. Applicants are encouraged to select native plants which are drought tolerant to reduce the demand on the city's water supply.
3. *Plant Establishment.* Unless a certified landscape architect specifically recommends otherwise, all new landscaping shall be irrigated for a minimum of two years to ensure viability.
4. *Soil Amendment.* When new vegetation (including sod) is planted, topsoil shall be added and/or soils amended or aerated as necessary, to allow for healthy plant growth. Compaction of the planting area shall be minimized whenever practical and compacted soils shall be amended and/or aerated as necessary prior to planting.
5. "Invasive" plants shall be removed during site development and the planting of new invasive species is prohibited. Lists of locally invasive species are available through the local USDA extension office.
6. *Hardscape Features.* May cover up to 10 percent of the required landscape area (unless a xeriscape plan is approved); except in the downtown area where publicly accessible hardscape features may cover up to 80 percent of the required landscape

area, subject to approval through site development plan review. Swimming pools, sports courts, and similar active recreation facilities, as well as paving for parking and access, may not be counted toward fulfilling the landscape requirement.

7. *Nonplant Ground Covers.* Bark dust, chips, aggregate, or other nonplant ground covers may be used, but shall cover no more than 25 percent of the area to be landscaped and shall be confined to areas underneath plants. Nonplant ground covers cannot be a substitute for ground cover plants unless approved as part of a xeriscape plan. [Ord. 918 § 2 (Exh. A), 2016; Ord. 817 § 8-3J.430, 2006.]

### 18.105.050 Buffer and screening.

The planning commission shall require a buffer when a development or use proposed in a commercially and industrially zoned area is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone.

A. *Commercial and Industrial Transition Buffers.* The following standards shall be considered during any land use review that includes commercial or industrial uses in commercial or industrial zones adjacent to sites zoned RLC, RMD, RMH or RHD a residential use:

1. The buffer shall be sufficient to protect the intent of the adjacent zone or the integrity of the incompatible use.
2. The type of buffer shall be considered in relation to existing and future land use, the degree of conflict between adjacent uses, and the amount of permanence desired.
3. Buffers may consist of spatial separation, physical barriers, landscaping, and natural topography or other features. In the case that a proposed building is directly adjacent to the required setbacks, a fence or wall is not an appropriate buffer and a hedge per subsection (A)(3)(b) of this section shall be required.
  - a. When a fence or wall is being proposed as a buffer it shall be sight-obscuring. In order to be "sight-obscuring," fences and walls must be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence or wall.
  - b. Hedges shall be of an evergreen species which will meet and maintain year-round 75 percent opacity. Opacity shall be obtained within three years of planting.

**Commented [ED2]:** Consider developing more clear and objective standards here for landscaping and buffers, with specifications for landscaping materials, fences and/or berms, similar to the residential standards proposed.

**Commented [ED3]:** Apply buffering according to adjacent zones, not existing uses.

c. Creative use of deciduous hedge materials may be proposed to provide screening in conjunction with wider planting areas. Deciduous hedges may be approved on a case-by-case basis at the discretion of the community development director or planning commission.

**B. *Mixed-Use and Multifamily Transition Buffers.*** The following buffers are required for development in the CN and CBD zones that includes residential uses and multifamily development in the RHD zone.

1. A minimum 10-foot wide transition buffer shall be provided along all property lines adjacent to sites zoned RLD, RMD, or RMH.

2. The buffer shall include either:

a. A minimum of one tree, minimum 2 inches caliper, and three five-gallon shrubs or accent plants for every 30 linear feet of required buffer, with a minimum six-foot tall, masonry wall (stucco, stone, rock, brick, or similar quality material), or “see-through” fence (wrought iron or similar quality material); or

b. A “living wall” where a combination of trellises and plants provide a 95 percent opaque vegetative screen to a minimum height of six feet. The living wall shall be coupled with trees planted 30 feet on center planted within 10 feet of the living wall. A five-foot-wide planted strip that has continuous landscaping consisting of ground cover(s), shrubs that have potential to reach minimum six feet in height and be 95 percent opaque, and trees planted 30 feet on center.

3. Landscaping within the buffer shall count towards minimum landscaped area and vegetation required by TMC 18.105.020 and 18.105.030.

**B. *Single-Family Transition Buffers.*** The following buffers may be required during any land-use reviews that include single-family development adjacent to a nonresidential zone:

1. The planning commission may require application of the same buffering standards as are required of commercial development (subsection (A) of this section).

2. In addition to the general provisions of subsection (A) of this section, the planning commission may require one or more of the following types of buffering fences, walls and landscaping:

**Commented [ED4]:** Creates a clear and objective standard for buffering of higher density residential and mixed-use sites.

**Commented [ED5]:** Burden of landscaping and buffering should be met by the more intensive use, being the adjacent commercial and industrial use, not the low-density residential use.



a. A masonry wall (stucco, stone, or similar quality material), coupled with trees planted 30 feet on center, planted within six feet of the wall.

b. A "see-through" wall (wrought iron or similar quality material), coupled with trees planted 30 feet on center.

c. A "living wall" where a combination of trellises and plants provide a 95 percent opaque vegetative screen to a minimum height of six feet. The living wall shall be coupled with trees planted 30 feet on center, planted within 10 feet of the living wall. A five-foot wide planted strip that has continuous landscaping consisting of ground cover(s), shrubs that have potential to reach minimum six feet in height and be 95 percent opaque, and trees planted 30 feet on center.

C. *Agricultural Buffers.* To implement the agricultural buffering standards of the Greater Bear Creek Valley regional plan, buffering provisions in TMC [18.215.200](#) shall be addressed when urban development on land along the urban growth boundary abutting land zoned exclusive farm use is proposed. [Ord. 918 § 2 (Exh. A), 2016; Ord. 817 § 8-3J.450, 2006.]

## **Chapter 18.110**

### **OFF-STREET PARKING AND LOADING**

#### **18.110.010 Description and purpose.**

The purpose of this chapter is to set forth the off-street parking and loading requirements for the various buildings and uses permitted in the city. [Ord. 817 § 8-3J.510, 2006.]

#### **18.110.020 General.**

No building or other permit shall be issued until plans and evidence are presented to show how the off-street parking and loading requirements set forth below are to be fulfilled, and that property is and will be available for exclusive use as off-street parking and loading space. Every use hereafter inaugurated and every building hereafter erected or substantially altered or enlarged shall have permanently maintained parking spaces in accordance with the provisions of this chapter. The subsequent use of the property for which a building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this chapter. [Ord. 817 § 8-3J.515, 2006.]

#### **18.110.030 Off-street loading.**

Every hospital, institution, hotel, commercial or industrial building hereafter erected or established, and every existing structure enlarged or changed for these uses within any zone of the city, having a gross floor area of 10,000 square feet or more, shall provide and maintain at least one off-street loading space plus one additional off-street loading space for each additional 20,000 square feet of gross floor area. Any use requiring one-half or more of a loading space shall be deemed to require the full space. Each loading space shall be at least 10 feet in width, 25 feet in length, and have 14 feet vertical clearance. [Ord. 817 § 8-3J.520, 2006.]

### **18.110.040 Permit and review required of all off-street parking lot surfacing and resurfacing projects.**

No parking lot shall be surfaced or resurfaced without a building permit and until the project plans have been submitted to the city planning office for review to ensure conformance with the provisions of this chapter. If the staff advisor determines that the project plans conform to the provisions of this chapter, this person shall so certify on a copy of plans, retain one copy in the planning office files, and return a copy to the applicant. If a question arises as to the project's conformance with the provisions of this chapter, the staff advisor shall subject the project to a site development plan review without a public hearing. [Ord. 817 § 8-3J.525, 2006.]

### **18.110.050 Off-street parking applicability.**

Off-street parking spaces shall be provided and maintained as set forth in this chapter for all uses in all zoning districts, except as provided in subsection C below in the central business district zone (CBD), or as otherwise provided at the time:

- A. A new building is hereafter erected or enlarged; or
- B. The use of a building or property is hereafter changed to another use with greater parking requirements; provided, that if the enlargement of a building existing at the time hereof is less than 50 percent of the gross floor area, parking space shall be required in proportion to the increase only. Any use requiring one-half or more of a parking space shall be deemed to require the full space. The provision and maintenance of off-street parking space is a continuing obligation of the property owner.

#### C. The following uses shall be subject to limited application of this chapter:

1. Single-family residential dwellings and duplex dwellings in any zone shall provide parking consistent with spaces required in TMC 18.110.060 and developed consistent with standards in TMC 18.110.115, and are exempt from other standards of this chapter.
2. All uses in the central business district zone (CBD) are exempt from providing off-street parking consistent with this chapter, except that residential uses shall provide off-street parking consistent with this chapter at a ratio of 50 percent of the spaces otherwise required in TMC 18.110.060. [Ord. 817 § 8-3J.530, 2006.]

**18.110.060 Number of parking spaces required.**

A. The number of off-street parking spaces required shall be not less than as set forth in Table 18.110.060-1, except as otherwise provided in this chapter.

**Table 18.110.060-1. Parking Requirements by Use**

Use	Standard
<b>Residential Uses</b>	
Single-family dwelling (detached, attached, common wall, and individual manufactured homes)	2 spaces per dwelling unit or 1 space per dwelling unit with alley-loaded parking
Duplex	1 space per dwelling unit
Triplex and quadplex dwelling	1.5 space per dwelling unit
Cluster housing	1.5 space per dwelling unit
Multiple-family dwelling:	
Studio dwelling units	1 space per dwelling unit
One- and two-bedroom dwelling units	1.5-2 spaces per dwelling unit
Three-bedroom or larger dwelling units	2 spaces per dwelling unit
Greater than two-bedroom dwelling units	2 spaces plus 1 space per additional bedroom, up to 5 spaces
Rooming or Boarding house Migrant housing Residential care home and residential care facility	2 spaces for each 3 guest rooms, or 1 per 3 beds, whichever is more
Mobile Manufactured home park	1-2 spaces for each mobile manufactured home site, plus one per 8 manufactured homes as required by TMC 18.180
<b>Institutional and Public Uses</b>	
Auditorium or meeting rooms	1 space for each 60 square feet of floor area in the auditorium or, where seating is fixed to the floor, 1 space for each 4 seats or 8 feet of bench length
Child care centers having 13 or more children,	1 space per 2 employees, a minimum of 2 spaces; 1

**Commented [ED1]:** Requirement can be met with one garage and one driveway space; exemption for alley-loaded parking in recognition that such lots will not have driveway parking. Also provides incentive for alley-loaded development, with corresponding benefits for streetscape, walkability, and increased availability of on-street parking due to lack of curb cuts.

**Commented [ED2]:** Allows minimum of two total spaces, to reduce impact of parking and increase consistency with single-family dwellings. Not allowed to reduce parking spaces with on-street credits.

**Commented [ED3]:** Could be further lowered to 1 space per unit to further encourage these missing middle housing options; proposed at 1.5 spaces with the idea that it could be reduced on some sites through the on-street parking credits.

**Commented [ED4]:** Tiered requirements more consistent with standard practice, reduces requirements for dwellings of all sizes particularly the largest ones.

**Commented [ED5]:** Update terms; migrant housing not used anywhere else in code. This use category likely to be used in limited situations

**Commented [ED6]:** Update for consistency with TMC 18.180 terms and parking requirements.

Use	Standard
kindergartens, equivalent parochial or private schools	driveway, designed for continuous flow of passenger vehicles for the purpose of loading and unloading
Churches	1 space for every 5 seats or every 10 feet of bench length in the main auditorium (sanctuary or place of worship)
Clubs and lodges	Spaces to meet the combined requirements of the uses being conducted, such as hotel, restaurant, auditorium, etc.
Hospitals	1.5 spaces for each bed; when fractioned, next higher full unit
Libraries, museums, art galleries	1 space for each 400 square feet of floor area
Schools	
Elementary or junior high schools and equivalent private and parochial schools	1.5 spaces per classroom, or 12 feet of bench length in the auditorium or assembly room, whichever is greatest
High schools and equivalent private school and parochial schools	1.5 spaces per classroom plus 1 space for each 10 students capacity, or 1 space per 4 seats or 8 feet of bench length in the main auditorium, whichever is greater
Colleges, universities; commercial schools for adults; institutions of higher learning; technical, music or art schools; equivalent private or parochial schools	1 space for each 10 students classroom capacity
Welfare or correctional institutions	1 space for each 5 beds
Passenger terminals (bus, rail)	2 spaces for each 2,000 square feet floor space for the first 10,000 square feet, with 1 additional space for each additional 10,000 square feet
Government offices	1 space for every 450 square feet of gross floor area
<b>Commercial Uses</b>	
Banks, office buildings, business and professional offices, including medical and dental	Medical and dental offices – 1 space per 350 square feet of gross floor area; general offices – 1 space per 450 square feet of gross floor area
Barber and beauty shops, pharmacies	1 space for every 200 square feet of gross floor area

Use	Standard
Recreational or entertainment establishments	
Stadiums, theaters, assembly halls	1 space for each 60 square feet of gross floor area, or 1 space per 4 seats or 8 feet of bench length, whichever is greater
Skating rinks, dance halls, pool halls, bowling alleys, arcades	1 space for each 100 square feet of gross floor area
Hotels and motels	1 space per guest room plus 1 space for the manager
Retail establishments, except as otherwise provided herein	1 space for each 400 square feet of gross floor area
Nursing homes, homes for the aged, <del>group care homes</del> , assisted living facilities, and like uses	1 space for each 2 beds for patients and/or residents
Restaurants, taverns or bars	1 space per 4 seats or 1 space for each 100 square feet of gross floor area, whichever is less
Service or repair shops; retail stores exclusively handling bulky merchandise (e.g., automobiles, furniture)	1 space for each 750 square feet of gross floor area
<b>Industrial Uses</b>	
Industrial uses listed as permitted in the light industrial zone	2 spaces minimum, plus 1 space per 2 employees on the maximum shift, or 1 space for each 700 square feet of gross floor area, whichever is less, plus 1 space per company vehicle

**Commented [ED7]:** Created new category in residential uses section.

B. *Maximum Number of Parking Spaces.* The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces provided by this section by more than ~~50~~ 10 percent. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, may not apply towards the maximum number of allowable spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.

**Commented [ED8]:** Provides greater flexibility for development to exceed minimums, so that minimum can be set lower.

C. The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act (Table 18.110.060-2). Disabled parking is in addition to the minimum number of required parking spaces in subsection (A) of this section.

**Table 18.110.060-2. Minimum Number of Accessible Parking Spaces – ADA Standards for Accessible Design**

Total Number of Parking Spaces Provided (per Lot)	Total Minimum Number of Accessible Parking Spaces (60" and 96" Aisles)	Van Accessible Parking Spaces with Min. 96" Wide Access Aisle	Accessible Parking Spaces with Min. 60" Wide Access Aisle
	Column A		
1 – 25	1	1	0
26 – 50	2	1	1
51 – 75	3	1	2
76 – 100	4	1	3
101 – 150	5	1	4
151 – 200	6	1	5
201 – 300	7	1	6
301 – 400	8	1	7
401 – 500	9	2	7
501 – 1,000	2% of total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1,001 and over	20 plus 1 for each 100 over 1,000	1/8 of Column A*	7/8 of Column A**

\* One out of every 8 accessible spaces

\*\* 7 out of every 8 accessible spaces

Handicapped parking spaces shall be located in a safe location in close proximity to a building entrance.

D. The number of employee off-street parking spaces may be reduced by the planning commission if the applicant for a development can demonstrate such a reduction is supported by adequate mass transit service or that organized carpooling or company-provided transportation is available.

E. The number of off-street parking spaces may be reduced by the planning commission when the developer can demonstrate that the driving characteristics of the development clientele do not necessitate full parking space requirements, that mass transit service is available, and/or that company-provided transportation is provided.

F. *Credit for On-Street Parking*. The amount of off-street parking required shall be reduced by one off-street parking space for every on-street parking space adjacent to the development. **On-street parking credits may not be used to reduce parking requirements for single-family or duplex dwellings.** On-street parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by city of Talent standards. The following constitutes an on-street parking space:

**Commented [ED9]:** This standard can reduce residential parking requirements where on-street parking exists.

1. Parallel parking, each 24 feet of uninterrupted curb;
2. Forty-five-degree diagonal parking, each with 12 feet nine inches of curb;
3. Sixty-degree diagonal parking, each with 10 feet five inches of curb;
4. Ninety-degree (perpendicular) parking, each with 10 feet of curb;
5. Curb space must be connected to the lot which contains the use;
6. Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard; and
7. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces are permitted. [Ord. 817 § 8-3J.540, 2006.]

### **18.110.070 Parking requirements for uses not listed.**

Other uses not specifically listed above shall furnish parking as required by the planning commission. The planning commission shall use the above list as a guide for determining the requirements for said other uses. [Ord. 817 § 8-3J.550, 2006.]



### **18.110.080 Facilities for mixed uses.**

A. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses, unless the planning commission finds that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.

B. In the CN zone, sites developed with a mix of residential and nonresidential uses are presumed to have reduce peak parking demands and shall be allowed to reduce required residential parking spaces under TMC 18.110.060 by 50 percent at a minimum. Further reductions may be approved by planning commission consistent with subsection A. [Ord. 817 § 8-3J.552, 2006.]

**Commented [ED10]:** Support mixed-use development in the CN zone by establishing a by-right parking reduction for mixed uses, with further discretionary reduction possible.

### **18.110.090 Joint use of parking facilities.**

The planning commission may, upon application by the owners or operators of the uses, encourage and authorize the joint use of parking facilities required by two or more uses, structures or parcels of land, to the extent that it can be shown by the owners or operators of the uses that time does not overlap, and the parking facility is no further than 500 feet from the buildings or uses required to provide parking. If the uses, structures, or parcels are under separate ownership, a right to joint use of the parking space must be evidenced by a deed, lease, contract or other appropriate document to establish the joint use; such instrument must be approved as to form and content by the city attorney, recorded in the office of the county recorder and copies thereof filed with the city recorder. Joint parking facilities are encouraged in the central business district zone, as well as along arterials and collectors to promote access management standards. [Ord. 817 § 8-3J.555, 2006.]

### **18.110.100 Bicycle parking facilities.**

Commercial, industrial facilities and multiple-family dwellings shall provide adequate, safe and conveniently located parking facilities for bicycles. All uses, which are subject to site design review, shall provide bicycle parking, in conformance with the following standards, which are evaluated during site design review:

A. *Number of Bicycle Parking Spaces.* A minimum of two bicycle parking spaces per use is required for all uses with greater than 10 vehicle parking spaces. The following additional standards apply to specific types of development:

1. *Multiple-Family Dwellings.* Every residential use of ~~four~~ **five** or more dwelling units provides at least one sheltered bicycle parking space for each dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the bicycle parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover.
2. *Parking Lots.* All public and commercial parking lots and parking structures provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces. Sheltered bicycle parking is recommended to encourage bicycle use.
3. *Schools.* Elementary, middle, and high schools, both private and public, provide one bicycle parking space for every five students and employees. All spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.
4. *Colleges and Trade Schools.* Provide one bicycle parking space for every 10 motor vehicle spaces plus one space for every dormitory unit. Fifty percent of the bicycle parking spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.
5. *Downtown District.* Within the CBD, bicycle parking for customers shall be provided along the street at a rate of at least one space per use. Individual uses may provide their own parking, or spaces may be clustered to serve up to six bicycles. Bicycle parking spaces shall be located in front of the stores along the street, either on the sidewalks or in specially constructed or designated areas such as pedestrian curb extensions. Inverted "U" style racks are recommended and creative designs are strongly encouraged. Bicycle parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions. Customer spaces may or may not be sheltered. When provided, sheltered parking (within a building, or under an eave, overhang, or similar structure) shall be provided at a rate of one space per 10 employees, with a minimum of one space per store.

**Commented [ED11]:** Update for consistency with multifamily standards, which are now 5 units or above; exempt smaller developments and missing middle housing from these standards.

6. *Multiple Uses.* For buildings with multiple uses (such as a commercial or mixed-use center), bicycle parking standards shall be calculated by using the total number of motor vehicle parking spaces required for the entire development. A minimum of one bicycle parking space for every 10 motor vehicle parking spaces is required unless a bus shelter with an existing bike rack is located adjacent to the proposed site.

B. *Exemptions.* This section does not apply to single-family ~~dwelling~~, ~~two-family, and three-family housing~~ (attached, detached or manufactured housing), ~~duplex, triplex or quadplex dwellings, cluster housing~~, home occupations, agriculture and livestock uses, or other developments with fewer than 10 vehicle parking spaces. Further exemptions may be approved only by the planning commission.

C. *Location and Design.* Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided, unless demonstrated otherwise by the applicant. Street furniture includes benches, streetlights, planters, and other pedestrian amenities. Creative designs are strongly encouraged.

D. *Visibility and Security.* Bicycle parking shall be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

E. *Options for Storage.* Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.

F. *Lighting.* Bicycle parking shall be as well lit as vehicle parking for security, unless otherwise well lit by an existing streetlight in the public right-of-way.

G. *Reserved Areas.* Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

H. *Hazards.* Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards (Chapter [18.115](#) TMC).

[Ord. 817 § 8-3J.560, 2006.]

**18.110.110 Location and use of off-street parking spaces.**

A. *Location of Parking Facilities.* Off-street parking spaces for existing and proposed dwellings shall be located on the same lot with said structure. Other required parking spaces shall be located on the same parcel or on another parcel not farther than 500 feet from the building or use they are intended to serve, measured in a straight line from the building. The burden of proving such existence of such off-premises parking arrangements rests upon the person who has the responsibility of providing parking.

B. *Use of Parking Facilities.* Required parking space shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for the storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

C. *Parking, Front Yard.* ~~Unless otherwise provided,~~ Required parking and loading space shall not be located in a required front yard setback, ~~except in the case of single-family dwellings and mobile homes on individual lots;~~ but such space may be located within a required side or rear yard. [Ord. 817 § 8-3J.565, 2006.]

**18.110.115 Residential parking design standards.**

A. *Applicability.* The standards of this section apply to all single-family residential dwellings and duplex dwellings in any zone.

B. *Dimensions.* Off-street parking spaces shall be a minimum of 9 feet wide by 19 feet deep.

C. *Location.* Off-street parking spaces shall be located on the same lot as the residential dwelling(s), and may be located in a garage or carport meeting the standards of TMC 18.95.040.H. Parking spaces may not be located within the front yard or street side yard setbacks, with the exception of spaces located in a driveway within those setbacks.

D. *Driveways.* The minimum driveway width shall be 10 feet and the maximum width shall be 24 feet. Driveways shall comply with standards in TMC 17.10.060.J.

E. *Materials.* Parking, driveway and maneuvering areas are required to have a durable and dust-free hard surface, and shall be maintained for all-weather use. The use of pervious concrete, pervious paving, parallel driveway tracks leaving the space between unpaved, or an

~~in-ground grid or lattice surface is encouraged to minimize impervious surface and reduce stormwater runoff.~~

### 18.110.120 Parking area design standards.

A. ~~A driveway for a single- or two-family dwelling or a mobile home shall have a minimum width of 10 feet. To minimize impervious surfaces, the driveway may be constructed with parallel tracks, leaving the space between unpaved.~~

**Commented [ED12]:** Single-family and duplex dwellings standards consolidated above.

B. Groups of ~~three~~ five or more parking spaces shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street other than an alley will be required.

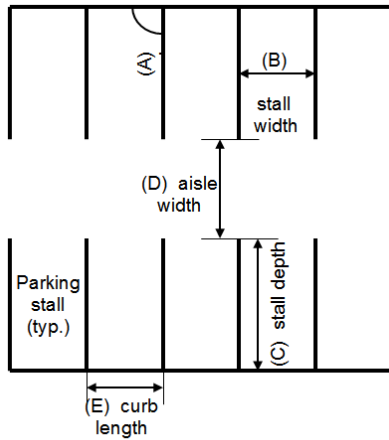
**Commented [ED13]:** Provides some additional flexibility for clusters of 1-4 parking spaces for triplexes, quadplexes and cluster housing, without triggering full parking lot design which can be incompatible with neighborhood character.

C. In cases where a lot fronts on a major or minor arterial street, parking spaces shall be arranged so that no backward movement in the public right-of-way or other maneuvering of a vehicle, including any trailer being towed by a vehicle, within the arterial street shall be required.

D. The planning commission may allow 35 percent of the required off-street parking spaces to be reduced to seven feet six inches by 15 feet to accommodate compact or hybrid electric cars.

E. *Parking Stall Standard Dimensions and Compact Car Parking.* All off-street parking stalls shall be improved to conform to city standards for surfacing, storm water management, and striping. Standard parking spaces shall conform to the dimensions below (Figure 18.110.120 and Table 18.110.120). Disabled parking shall conform to the standards in TMC [18.110.060\(C\)](#).

**Figure 18.110.120.**



**Table 18.110.120. Minimum Parking Space and Aisle Dimensions**

A Angle	Type	B	C	D		E
		Stall Width (in feet)	Stall Depth (in feet)	1-Way Aisle Width (in feet)	2-Way Aisle Width (in feet)	Curb length perpendicular to Aisle (D) (in feet)
0° (parallel)	standard	8.0	8.0	12.0	24.0	22.5
	compact	7.5	7.5	12.0	24.0	19.5
30°	standard	9.0	17.0	12.0	24.0	18.0
	compact	7.5	14.0	12.0	24.0	15.0
45°	standard	9.0	19.0	12.0	24.0	12.5
	compact	7.5	16.0	12.0	24.0	10.5
60°	standard	9.0	20.0	18.0	24.0	10.5
	compact	7.5	16.5	15.0	24.0	8.5
90°	standard	9.0	19.0	24.0	24.0	9.0
	compact	7.5	15.0	22.0	24.0	7.5

[Ord. 817 § 8-3J.570, 2006.]

### 18.110.130 Parking area improvements.

All public and private parking areas, which contain ~~three~~ **five** or more off-street parking spaces, ~~except for single- and two-family dwellings and mobile homes on individual lots,~~ shall be improved according to the following:

**Commented [ED14]:** These uses are already exempted from compliance with this section.

A. All parking areas shall have a durable, dust-free surfacing of asphaltic concrete, Portland cement concrete, or other materials approved by the city engineer. The use of pervious asphalt paving in parking areas is encouraged to meet on-site storm water standards that may significantly reduce the requirement for drainage facilities.

B. All parking areas, aisles, turnarounds, and outdoor vehicle sales areas shall be graded so as not to drain storm water over sidewalks, public rights-of-way, and abutting private property. Storm water runoff generated beyond that which is normal for the site in its natural state shall, as much as possible, be retained on the site. Direct flow in stream channels is to be avoided. Methods to accomplish this provision include exhausting the possibilities of grading and draining parking lots into one or more of the following: percolation wells, trenches or ponds; vegetated or landscaped swales; natural drainage channels other than creek channels; and, for peak rainfall or runoff periods, seldom-used portions of the parking lot itself. It is the responsibility of the property owner to maintain the storm water system on his property in an operational manner so as to maintain the public safety and welfare; failure to maintain such a system in good repair may be constituted as a public nuisance in accordance with the provisions of any city ordinance regarding public nuisances. At least, drainage systems shall be conducted to public storm water sewers and ditches. (Please see Storm Drainage Design Standards (Res. 517).)

C. All spaces shall be permanently and clearly marked.

D. Wheel stops and bumper guards shall be provided where appropriate for all spaces abutting property lines or buildings, and where necessary to protect trees or other landscaping; and no vehicle shall overhang a public right-of-way.

E. Where parking facilities or driveways are located adjacent to residential or agricultural uses, school yards, or similar institutions, a sight-obscuring fence, wall or evergreen hedge not less than five feet and not more than six feet in height (except that such wall, fence or screen planting may exceed six feet in height if located beyond the required yard setbacks), and adhering to any vision clearance requirements and the yard requirements of the zone in which it is located, shall be provided on the property line, or between the property line and

the parking area or driveway. Screen plantings shall be of such size and number as to provide the required screening at maturity, and shall be planted within 12 months of the issuance of the building permit required in subsection (H) of this section.

F. *Trees and Landscaping.*

1. A minimum of 40 percent of the outdoor parking area shall be shaded by trees within 15 years of planting, and buildings at noon on August 21st, Pacific Daylight Time. Noon on August 21st constitutes a 58-degree solar altitude and shadow lengths shall be calculated by multiplying the height of a shadow-casting object by 0.625. Shadow patterns will be cast in a due north direction from the object.
2. Trees shall be retained and/or planted in landscaped areas, which shall cover not less than seven percent of the area devoted to outdoor parking facilities. Such landscaping shall be uniformly distributed throughout the parking area and may consist of trees plus shrubs, ground cover or related material. The intent is to break up large expanses of asphalt and thus provide shade in the warmer months and pervious surfaces for storm water, and aesthetic relief. At a minimum, one tree per five parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 12 contiguous parking spaces. All landscaped areas shall have minimum dimensions of four feet by four feet to ensure adequate soil, water, and space for sustainable plant growth, with appropriate timing devices to encourage water conservation.
3. Irrigation facilities or other provisions for the continuing care of the vegetation and protective curbs or raised wood headers shall be provided for landscaped areas.
4. Trees shall be of a type and distribution to reduce the reflection of heat by paved surfaces and should have an adequate lifespan, be pollution tolerant and have low maintenance requirements in order to save long-term costs. An approved recommended tree list will be provided to the applicant.
5. Trees shall be planted in a manner that will minimize interference with the solar access of adjacent properties.



G. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect light away from any abutting or adjacent residential district and limit excessive light pollution.

H. Building permits are required for all parking lot construction, repair or resurfacing. [Ord. 817 § 8-3J.575, 2006.]

### **18.110.140 Miscellaneous parking provisions – Flag drives and recreation vehicles.**

A. *Parking Prohibited on Flag Drives.* No parking or storage of vehicles will be permitted on flag drives, unless area is provided for parking in addition to the paved width required for access to a flag lot. A flag drive is generally the narrow portion used for access of a flag lot defined in TMC Title [17](#).

B. *Recreation Vehicles.* The following regulations apply to recreation vehicles parked outside of recreation vehicle parks:

1. It shall be unlawful to occupy a recreational vehicle parked on a public street for sleeping or living purposes for any period of time exceeding three hours.
2. No owner or person in charge of premises within the city shall occupy or allow the occupancy of a recreation vehicle upon the premises as permanent living quarters, except where specifically permitted as a use within a mobile home park.
3. A recreation vehicle may be parked on private property and used for sleeping and/or cooking purposes by guests visiting the residents of the premises, for a period not to exceed 15 days; provided, that the vehicle has self-contained sewage facilities or the occupants are utilizing the facilities in the residence on the premises.
4. Nothing in this title shall prevent the parking of an unoccupied recreation vehicle, not in daily use, upon the premises of the owner thereof. [Ord. 817 § 8-3J.580, 2006.]