

Draft Amendments for Planning Commission Review:

These proposed amendments are shown in track change format.

Proposed Amendment 1. Replacing outdated wording:

16.48.040 Permit or approval required  SHARE

No person, corporation, or other legal entity shall engage in land clearing in the city without having complied with one of the following:

- A. Obtaining approval of a ~~tree protection and replacement~~soil and vegetation plan and obtaining a tree removal permit as provided for in this chapter;
- B. Received a grading permit from the building official;
- C. Having obtained approval of the proposed work under the processes described in subsection A of Section [16.48.050](#), subsequent to the adoption date of the ordinance codified in this chapter.

Proposed Amendment 2. Replacing outdated wording:

16.48.045 Tree removal  SHARE

No trees, as defined by Section [16.48.030](#), shall be removed without first obtaining approval of a ~~tree protection and replacement~~soil and vegetation plan and a tree removal permit pursuant to this chapter. Development plans may be required to be modified or changed when necessary to preserve individual trees or groups of trees.

Proposed Amendment 3. Replacing outdated wording:

W. "Remove or removal" is the act of removing a tree ~~and associated soil, or vegetation within the critical root zone of the tree~~ by digging up, cutting down or any act which causes a tree to die, significantly impacts its natural growing condition and/or results in diminished environmental benefits or a hazard tree; including but not limited to, damage inflicted on the root system by machinery, storage of materials or soil compaction; changing the ground level in the area of the tree's root system; damage inflicted on the tree permitting infections or infestation; excessive pruning; paving with concrete, asphalt or other impervious material within the critical root zone, or any other action which is deemed harmful to the tree.

Proposed Amendment 4. Clarifying tree density requirements in Green Cove:

OMC 16.60.080(A).

A. Minimum Tree Density Requirement Established. A minimum tree density of 30 tree units per acre is required on the buildable area of each site, except within the Green Cove Basin (see OMC [16.60.080\(5\)](#) and in critical areas, see OMC [18.32](#). The tree density may consist of existing trees, replacement trees or a combination of existing and replacement trees, pursuant to the

priority established in Section [16.60.070](#). For the purpose of calculating required minimum tree density in areas outside of Green Cove, critical areas, critical area buffers, city rights-of-way and areas to be dedicated as city rights-of-way shall be excluded from the buildable area of the site. For areas within Green Cove, only City rights-of-way and areas to be dedicated as rights-of-way shall be excluded from the buildable area of the site.

Proposed Amendment 5. Adding clarity to Hard Surface Definition:

OMC 18.02.180(h)

Hard Surface. An impervious surface, a permeable pavement (pervious concrete, porous asphalt, permeable pavers), water penetrable decking, ~~or a~~ vegetated roof etc., in contrast with vegetated permeable soils.

Proposed Amendment 6. Modify Hard Surface limits, convert RLI to a percentage, update open space requirements and correct typos:

Table 4.04.

DISTRICT	R1/5	R4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
MAXIMUM HOUSING DENSITY (in units per acre)	1/5	4	4	4	8	12	24	30	24	30	---	---	12	---	18.04.080(A)
MAXIMUM AVERAGE HOUSING DENSITY (in units per acre)	---	4	4	4	8	12	13	18	18	24	---	---	12	---	18.04.080(A)(2)
MINIMUM AVERAGE HOUSING DENSITY (in units per acre)	---	---	---	2	4	6	7	10	8 Manufactured Housing Parks = 5	18 Manufactured Housing Parks = 5	---	---	5	---	18.04.080(B)
MINIMUM LOT SIZE	4 acres for residential use; 5 acres for non-residential use	2,000 SF minimum 3,000 SF average = townhouse 5,000 SF = other	One acre; reduced to 12,000 SF if associated with a drainage dispersal tract of at least 65% in the same	2,000 SF minimum 3,000 SF average = townhouse 4,000 SF = other 6,000 SF = duplex 7,200 SF = multi-family	2,500 SF = cottage 2,000 SF minimum, 3,000 SF average = townhouse 4,000 SF = other	2,000 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 7,200 SF = duplex, triplex 9,600 SF = fourplex 3,500 SF = other	1,600 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 9,000 SF = multifamily	1,600 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 7,200 SF = multifamily	1,600 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 7,200 SF = multifamily	1,600 SF minimum, 2,400 SF average = townhouse 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse 2,400 SF average = townhouse 7,200 SF = duplex 2,500 SF = mobile home park	2,000 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 7,200 SF = duplex 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse 2,500 SF = mobile home park	18.04.080(C) 18.04.080(D) 18.04.080(E) 18.04.080(F) Chapter 18.64 (townhouses) 18.04.060(P) (mobile home parks)

DISTRICT	R1/5	R4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
			subdivision plat.				3,000 SF = other	3,000 SF = other	3,000 SF = other				3,500 SF = other		
MINIMUM LOT WIDTH	30' except: 16' = townhouse	50' except: 18' = townhouse	100'	30' except: 16' = townhouse; 60' = duplex 80' = multi-family	45' except: 35' = cottage 18' = townhouse	40' except: 30' = cottage 16' = townhouse 80' = duplex, triplex, fourplex	40' except: 30' = cottage 16' = townhouse 70' = duplex 80' = multifamily	40' except: 30' = cottage 40' = zero lot 16' = townhouse 70' = duplex 80' = multifamily	30' = mobile home park	30' = mobile home park	---	---	40' except: 30' = cottage 16' = townhouse 80' = duplex 30' = mobile home park	---	18.04.080(D)(1) 18.04.080(F) 18.04.080(G) 18.04.060(P) (mobile home parks)
MINIMUM FRONT YARD SETBACKS	20' except: 5' for agricultural buildings with farm animals	20'	20'	20' except: 10' with side or rear parking; 10' for flag lots 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	15' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	10'	5'	5' except: 10' for structures 35' or taller	10' except: 20' along Legion Way	20' except: 10' with side or rear parking; 5' for agricultural buildings with farm animals	0-10' except: 10' on Capitol House Block	18.04.080(H) 18.04.080(I)
MINIMUM REAR YARD SETBACKS	10' except: 5' for agricultural buildings with farm animals	25'	50'	10' except: 5' for agricultural buildings with farm animals. 10' for cottages, and wedge shaped lots	20' except: 5' for agricultural buildings with farm animals; 10' for cottages, and wedge shaped lots	20' except: 5' for agricultural buildings with farm animals; 10' for cottages, and wedge shaped lots	20' except: 15' for multifamily; 10' for cottages, and wedge shaped lots	15' except: 10' for cottages, and wedge shaped lots, 20' with alley access	10' except: 15' for multifamily	10' except: 20' next to an R 4-8 or R-12 district	5' except: 20' for structures 35' or higher	5'	20' except: 5' for agricultural buildings with farm animals; 10' for cottages	5' except: 10' for structures over 42'	18.04.080(D) 18.04.080(F) 18.04.080(H) 18.04.080(I)
MINIMUM SIDE YARD SETBACKS	5' except: 10' along flanking streets;	5' except: 10' along flanking street;	10' minimum each side, and	5' except: 10' along flanking streets;	5' except: 10' along flanking streets; except garages shall	5' except: 10' for triplex, fourplex 10' along flanking	5' except: 10' along flanking streets; except	5' except: 10' along flanking streets; except	5' except: 10' along flanking streets; except garages shall	5' except: 10' along flanking streets; except	5' except: 10' along flanking streets; 6'	---	5' except: 10' along flanking streets; 6' on one side of	No minimum 10' on Capitol	18.04.080(H)

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	provided garages are set back 20' 5' for agricultural buildings with farm animals	except garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 5' for agricultural building with farm animals	minimum total of 60' for both side yards.	except garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 5' for agricultural buildings with farm animals	meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 5' for agricultural buildings with farm animals	streets; except garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 5' for agricultural buildings with farm animals	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages;	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages	meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 10' for multifamily; 20' next to R 4-8, or R 6-12 district 10' - mobile home park	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 20' next to R 4-8, R 6-12 district. 10' - mobile home park	on one side of zero lot;		zero lot; 3' for cottages; 5' for agricultural buildings with farm animals; 10' - mobile home park	House Block	
MAXIMUM BUILDING HEIGHT	35'	35'; except: 16' for accessory buildings	40' except: 16' for accessory buildings	40' except: 16' for accessory buildings	35'; except: 16' for accessory buildings; 25' for cottage 35' on sites 1 acre or more, if setbacks equal or exceed building height	35'; except: 16' for accessory buildings; 25' for cottages	45'; except: 25' for cottage; 16' for accessory buildings	45'; except: 25' for cottage; 16' for accessory buildings	35'; except: 16' for accessory buildings; 25' for cottage	42'	60'	See 18.04.080 (l)	2 stories or 35' whichever is less, except: 16' for accessory buildings; 25' for cottages	42' or as shown on Figure 4-5A & 18.04.080 (3)	18.04.080(l)
MAXIMUM BUILDING COVERAGE	45% = lots of 10,000 SF; 25% = lots of 10,001 SF to 1 acre; 6% = 1.01	35% 60% = townhouses	6%; increased to 18% if associated with drainage dispersal tract of at	Refer to Maximum Coverage below	45% = .25 acre or less 40% = .26 acres or more 60% = townhouses	55% = .25 acre or less 40% = .26 acres or more 60% = townhouses	45%	50%	50%	55%	85%	85%	45% = .25 acres or less 30% = .26 to 1 acre 25% = 1.01 to 3 acres 20% = 3.01 acres or more	85% except for stoops, porches or balconies	

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	acre or more		least 65% in the same subdivision plat.												
MAXIMUM ABOVE-GRADE STORIES		2 stories	3 stories	3 stories	2 stories	2 stories, 3 stories = triplex, fourplex	4 stories	4 stories	3 stories	3 stories	5 stories			5 stories	
MAXIMUM IMPERVIOUS SURFACE COVERAGE	45% or 10,000sf (whichever is greater) = lots greater less than 4 acres; 6% = 4.1 acre or more	35% = 60% = Townhouses	6%; increased to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision plat.	2,500 SF or 6% coverage whichever is greater.	45% = .25 acre or less 40% = .26 acre or more 60% = Townhouses	55% = .25 acre or less 40% = .26 acres or more 60% = Townhouses	65%	65%	65%	75%	85%	85%	65% = .25 acre or less 40% = .26 to 1 acre 35% = 1.01 to 3 acres 25% = 3.01 + acres 70% = townhouses	85% except for stoops, porches or balconies	<u>18.04.080(k)</u>
MAXIMUM HARD SURFACE	45.65% or 10,000sf (whichever is greater) = lots less than 4 acres; 6.25% = 4.1 acre or more	45.65% 70.80% = Townhouses	25% 6% ; increased to 18% if associated with drainage dispersal tract of at least 65% in the same	55% or 3,500sf (whichever is greater) = 25 acre or less; 25% or 6,000sf (whichever is greater) = .26 acre or more; 2,500 SF or 6%	55.75% = .25 acre or less 50.70% = .26 acre or more 70.80% = Townhouses	65.85% = .25 acre or less 50.70% = .26 acre or more 70.80% = Townhouses	70.75%	70.75%	70.75%	75.80%	85.90%	85.90%	65.85% = .25 acre or less 40.60% = .26 to 1 acre 35.55% = 1.01 to 3 acres 45.25% = 3.01+ acres 70.90% = townhouses	85.95% except for stoops, porches or balconies	<u>18.04.080(k)</u>

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			subdivision plat:	coverage, whichever is greater											
MINIMUM OPEN SPACE	220 tree units per acre required		65% drainage dispersal area <u>may</u> <u>be</u> required; <u>it</u> may double as tree tract or critical areas buffer.		450 SF/unit for cottage developments	450 SF/unit for cottage developments	30 25%; for multifamily; 450 SF/unit for cottage developments	30 25% for multifamily; 450 SF/unit for cottage developments	30 25% for multifamily; 500 SF/space for mobile home park	25 20% for multifamily; 500 SF/space for mobile home park	45 10% for multifamily; 500 SF/space for mobile home park	45 10% for multifamily; 500 SF/space for mobile home park	450 SF/unit for cottage developments; 500 SF/space for mobile home park	15% may include stoops, porches or balcony areas	18.04.080(J)

Proposed Amendment 7. Add exceptions for schools, parks, and places of worship located in residential zones:

OMC 18.04.080.

K. Surface Coverage Limits:

1. Increased Surface Coverage Limits: Non-residential uses such, as schools, parks, and places of worship, located in residential zones may increase the total amount of impervious and/or hard surfaces above the established maximum by up to ten percent (10%) for impervious surfaces, and twenty percent (20%) for hard surfaces, provided all of the following criteria are met:

- a) The project site is greater than one (1) acre in size.
- b) The increase is not caused by a desire for additional surface parking areas in excess of the range established in table 38.01 of OMC 18.38.100.
- c) Low impact development requirements in the Drainage Design and Erosion Control Manual are determined feasible and are implemented.

2. Existing Surfaces: Lots that exceed impervious or hard surface coverage limits with existing legally established hard or impervious surfaces may replace such surfaces within the existing footprint, but cannot be expanded in a way that would increase the nonconformity. Replacement of such surfaces will be required to comply with the Drainage Design and Erosion Control Manual, such as but not limited to, providing stormwater control measures.

3. Calculation Exclusions: The following shall be excluded from the impervious and hard surface coverage limit calculations. Note: these exclusions do not apply to calculations or requirements related to the Drainage Design and Erosion Control Manual.

- a) Ingress/egress easements serving a neighboring property;
- b) Areas excluded from the minimum lot area calculations (OMC 18.04.080(c)(4)), such as the panhandle of a flag lot;
- c) Portions of the driveway that extend beyond the required setback area when the additional length is caused by compliance with municipal code requirements, such as critical area and buffer protections.

Proposed Amendment 8. Remove prohibition on irrigation:

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18.36.060(c) Irrigation.

1. Irrigation, if used, shall be ~~the minimum necessary temporary~~ for the purposes of plant establishment ~~and maintenance~~.
2. All irrigation systems shall be adequate to ensure survival of all retained and new plants and may be equipped with a controller capable of dual or multiple programming. Controllers must have multiple start capability and flexible calendar programming. They must also allow for at least seven day timing cycles. Timers should be set to water during evening hours after sundown.
3. Irrigation systems shall be designed and operated to minimize runoff and overspray to non-irrigated areas.

4. The water schedule for each circuit identified on the approved landscape plan must be posted inside the corresponding controller.

Proposed Amendment 9. Increase width of landscape islands, clarify exceptions and numerical standards for trees:

OMC 18.36.180(c).

2. Landscape Islands - Design.

- a. Landscape Islands shall be a minimum of one forty-four (144) square feet. ~~and no more than five hundred (500) square feet in size.~~ Islands shall be designed so that trees will be planted a minimum of ~~four-six (4.6)~~ feet from any hard scape surface. The minimum island size may be reduced, ~~on a case-by-case basis;~~ if appropriate accommodations for the trees and roots to mature to full size are provided. Accommodations can include 'structural soil' or other methods that provide adequate soil volume as approved by the City. is provided to ensure that trees can achieve maturity. The maximum allowable size of five hundred (500) square feet may be increased to allow for the preservation of existing trees and associated vegetation pursuant to OMC 16.60 or to accommodate stormwater infiltration/treatment/conveyance practices.
- b. Islands shall be provided in the following location:
 - i. Landscaping islands shall be placed at the end of every parking row and with a spacing of approximately one (1) island for every nine (9) parking spaces consistent with a goal of maximizing canopy tree coverage at maturity; and
 - ii. Between loading doors/maneuvering areas and parking area; and
 - iii. Any remaining required landscaping shall be dispersed throughout the parking lot interior to reduce visual impact.
- c. Permanent curbing shall be provided in all landscape areas within or abutting parking areas. Based on appropriate surface water considerations, other structural barriers such as concrete wheel stops may be substituted for curbing.

3. Landscape Islands - Materials.

- a. One tree shall be planted for every two hundred (200) square feet of landscape island area; provided that every landscape island must contain at least one (1) tree. Two (2) trees are required in islands separating or ending a double row of parking, regardless of the island size. Planting areas shall be provided with the maximum number of trees possible given recommended spacing for species type, and the estimated mature size of the tree.

- b. All landscape islands within parking areas shall be comprised of a minimum of 60% native vegetation, or well-adapted drought-tolerant vegetation, where site conditions are appropriate for establishment and long-term survival. Grass lawn is prohibited except as needed and approved for stormwater conveyance.
- c. No plant material greater than twelve inches in height shall be located within two (2) feet of a curb or other protective barrier in landscape areas adjacent to parking spaces and vehicle use areas.
- d. Deciduous and/or evergreen trees shall be used which form a canopy. Deciduous trees shall have a minimum size of two (2) inches in caliper measured six (6) inches above the base. Evergreen trees shall be a minimum six (6) feet in height at planting.
- e. Shrubs and ground cover. Ground cover shall be planted and spaced in a triangular pattern which will result in eighty (80) percent coverage in three (3) years. The mature size of shrubs and trees whose canopy is no more than two (2) feet above the ground may also be included in total ground cover calculations.
- f. Motor vehicle overhang. Parked motor vehicles may overhang landscaped areas up to two (2) feet when wheel stops or curbing are provided. Plants more than twelve (12) inches tall are not allowed within the overhang area.