Article 3 — Community Design Standards

Chapters:

Chapter 3.0 - Design Standards Administration

Sections:

3.0.100 Purpose

The following provisions describe how to apply the Community Design Standards (Article 3) and the relationship between the standards and the provisions in Article 2 (Land Use Districts).

3.0.200 Applicability

The standards in Article 3 are applied based on whether a project is classified as a *Major Project* or a *Minor Project*. In addition, each Chapter of Article 3 contains "applicability" directions. In general, the Chapters are applied as follows:

A. Major Project. Major projects, including developments that require Site Design Review (Chapter 4.2), Land Division approval (Chapter 4.3), Master Planned Development (Chapter 4.5), and amendments to the Comprehensive Plan or Zoning Map (Chapter 4.7), must conform to the applicable sections of:

- Access and Circulation (Chapter 3.1)
- Landscaping, Street Trees, Fences and Walls (Chapter 3.2)
- Parking and Loading (Chapter 3.3)
- Public Facilities (Chapter 3.4)
- Telecommunication Facilities (Chapter 3.5.100)

B. Minor Project. Minor projects are small developments and land use actions that do not fall under the Major Project criteria (i.e., those requiring only Land Use Review or Conditional Use approval). In general, the following chapters apply; however, individual sections will not apply to some minor projects.

- Access and Circulation (Chapter 3.1)
- Landscaping, Street Trees, Fences and Walls (Chapter 3.2)
- Parking and Loading (Chapter 3.3)

C. Non-Conforming Situations. See Chapter 5.2 for provisions related to non-conforming uses and developments.

Chapter 3.1 — Access and Circulation

Sections:

3.1.100 Purpose

The purpose of this Chapter is to ensure that developments provide safe and efficient access and circulation for pedestrians and vehicles. Section 3.1.200 provides standards for vehicular access and circulation. Section 3.1.300 provides standards for pedestrian access and circulation. Standards for street improvements are provided in Section 3.4.100.

3.1.200 Vehicular Access and Circulation

A. Intent and Purpose. This Section implements the access management policies of the City of Creswell Transportation System Plan as amended and updated. The intent of this Section is to manage vehicular access and on-site circulation to ensure the continued operational safety, capacity and function of the transportation system.

B. Applicability. Section 3.1.200 applies to vehicle access(es) and on-site circulation facilities in the City of Creswell. This Section applies when lots are created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation; and when properties are subject to Land Use Review or Site Design Review. Access to a designated state or county highway is subject to the provisions of this Section in addition to the requirements of the applicable roadway authority. Where regulations of the City conflict with those of the roadway authority the more restrictive requirements apply.

C. Access Permit Required. Access to a public street (e.g., a new curb cut or driveway approach) requires an access permit. An access permit may be in the form of a letter from the roadway authority to the applicant, or it may be attached to a land use decision notice as a condition of approval. In either case, approval of an access permit shall follow the procedures and requirements of the applicable road authority, as determined through the review procedures in Article 4.

D. Traffic Study Requirements. The City may require a traffic study prepared by a registered traffic engineer to determine access, circulation, and other transportation requirements in conformance with Section 4.1.900, Traffic Impact Study.

E. Conditions of Approval. The roadway authority may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.

F. Corner and Intersection Separation; Backing onto Public Streets. New and modified accesses shall conform to the following standards:

1. Except as provided under subsection 4, below, the distance from a street intersection to a driveway or other street access shall meet the minimum spacing requirements for the street's classification in the Transportation System Plan;

2. New property access shall not be permitted within twenty-five (25) feet of an intersection unless no other reasonable access to the property is available. Where no other alternatives (e.g., alley, shared access, etc.) exist, the City may allow construction of an access connection at a point less than twenty-five (25) feet from an intersection, provided the access is as far away from the intersection as possible. In such cases, the City may impose turning restrictions (i.e., right in/out, right in only, or right out only). A greater separation may be required for accesses onto a collector or arterial street;

3. Access to and from off-street parking areas shall not permit backing onto a public street, except that single-family and duplex dwellings are exempt;

4. The roadway authority may reduce the required separation distance of access points where the standard would otherwise result in a taking of private property, or conformance to the standard is not feasible due to existing lot dimensions, development, other physical features, or conflicting Code requirements (e.g., driveway grade requirements, or building or fire code requirements). Where the roadway authority finds that reducing the separation distance is warranted, the total number of access points to the site shall be limited to the minimum necessary to provide reasonable access and shared/joint access may be required as described below.

G. Site Circulation. New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, must conform to the provisions in Section 3.1.300.

H. Joint and Cross Access – Requirement. The number of driveway and private street intersections with public streets should be minimized by the use of shared driveways for adjoining lots where feasible. When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways in the following situations as follows:

1. For shared parking areas;

2. For adjacent developments, where access onto an arterial street is limited and access spacing standards can not otherwise be met;

3. For multi-tenant developments, and developments on multiple lots or parcels. Such joint accesses and shared driveways shall incorporate all of the following:

a. A continuous service drive or cross-access corridor that provides for driveway separation consistent with the applicable transportation authority's access management classification system and standards;

b. A design speed of ten (10) miles per hour and a maximum width of twenty (20) feet, in addition to any parking alongside the driveway; additional driveway width or fire lanes may be approved when necessary to accommodate specific types of service vehicles, loading vehicles, or emergency service provider vehicles;

c. Driveway stubs to property lines (for future extension) and other design features to make it easy to see that the abutting properties may be required with future development to connect to the cross-access driveway;

I. Joint and Cross Access – Reduction in Required Parking Allowed. When a shared driveway is provided or required as a condition of approval, the land uses adjacent to the shared driveway may have their minimum parking standards reduced in accordance with the shared parking provisions of Section 3.3.300C.

J. Joint and Cross Access – Easement and Use and Maintenance Agreement. Pursuant to this Section, and concurrent with final plat recordation, property owners sharing an access drive shall complete items 1-3, below. For projects not involving a land division, the City requires owners to complete items 1-3 prior to issuing Certificate(s) of Occupancy.

1. Record an easement with the deed allowing cross-access to and from other properties served by the joint-use driveways and cross-access or service drive;

2. Record an agreement with the deed that remaining access rights along the roadway for the subject property shall be dedicated to the City and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;

3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

K. Access Connections and Driveway Design. All openings onto a public right-of-way (access connections) and driveways shall conform to all of the following design standards:

1. Driveway Approaches. Driveway approaches, including private alleys, shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation. Construction of driveway accesses along acceleration or deceleration lanes or tapers should be avoided due to the potential for vehicular conflicts. Driveways should be located to allow for safe maneuvering in and around loading areas. See also, Chapter 3.3, Parking and Loading.

2. Access Connections. Access connections shall meet the following standards, subject to review and approval by the Public Works Director:

   a. Access connections for single-family residences shall have a width of not less than ten (10) feet and not more than twenty-four (24) feet.

   b. Access connections for all other uses shall be the minimum width practicable based on projected traffic volumes and functional requirements.

3. Driveways. Driveways shall meet the following standards, subject to review and approval by the Public Works Director:

   a. Driveways shall have a minimum width of ten (10) feet, except where a driveway serves as a fire apparatus lane, in which case a city-approved driveway surface shall be provided within an unrestricted, twenty (20) foot aisle.

   b. Where a driveway is to provide two-way traffic, or more than one lane of traffic, the minimum lane width shall be nine (9) feet and the maximum lane width shall be twelve (12) feet.

   c. One-way driveways shall have appropriate signage designating the driveway as a one-way connection. Fire apparatus lanes shall be so marked (parking prohibited).

   d. The maximum allowable driveway grade is fifteen (15) percent, except that driveway grades exceeding fifteen (15) percent may be allowed, subject to review and approval by the Public Works Director and Fire Marshal, provided that the applicant has provided an engineered plan for the driveway. The plan shall be stamped by a geotechnical engineer or civil engineer, as required by the Public Works Director. The engineer must be registered in the State of Oregon.

   e. Driveway widths within the public right-of-way shall not exceed the following maximum widths unless otherwise directed:

Frontage	**One Driveway Maximum Driveway Width**	**Two Driveways Maximum Driveway Widths**
Up to 50 Feet	25 Feet	Not Permitted
50 to 75 Feet	25 Feet	20 Feet Each
75 to 100 Feet	30 Feet	25 Feet Each
Over 100 Feet	*See corresponding distance above	*See corresponding distance above

*Frontage over 100 feet is subject to the standards as discussed through the example of a site with 160 feet of frontage: The first 100 feet would be subject to the standard established for the 75 to 100 feet category. The next 60 feet after the initial 100 feet would be subject to the standard established for the 50-75 feet category.

4. Driveway Construction. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive.

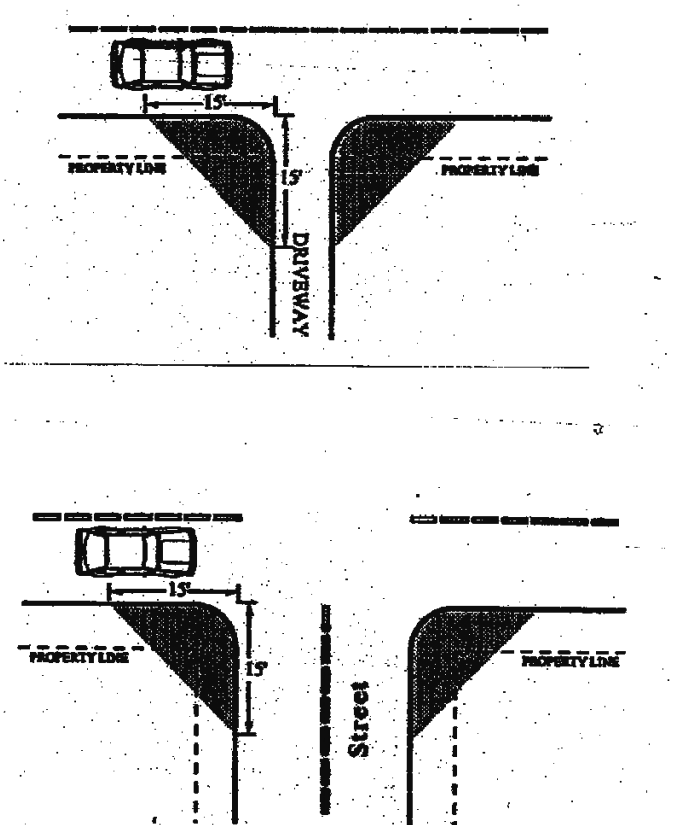
Driveway aprons shall conform to ADA requirements for sidewalks and walkways, which generally require a continuous unobstructed route of travel that is not less than three (3) feet in width, with a cross slope not exceeding two (2) percent, and providing for landing areas and ramps at intersections. Refer to applicable standard drawings in current ADA/ODOT construction specifications for specific requirements.

L. Fire Access and Turnarounds. When required under the Uniform Fire Code, fire access lanes with turnarounds shall be provided. Except as waived in writing by the Fire Marshal, a fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. The drive shall contain unobstructed aisle width of 20 feet and turn-around area for emergency vehicles. The fire lanes shall be marked as "No Stopping/No Parking." For requirements related to cul-de-sacs or dead-end streets, refer to Section 3.4.100.0.

M. Vertical Clearances. Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13' 6" for their entire length and width.

N. Vision Clearance. No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between three (3) feet and eight (8) feet in height shall be placed in "vision clearance areas" on streets, driveways, alleys, or mid-block lanes where no traffic control stop sign or signal is provided, as shown in Figure 3.1.200N. The sides of the minimum vision clearance triangle are the curb line or, where no curb exists, the edge of pavement. Vision clearance requirements may be modified by the City Engineer upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, trees trunks and similar objects.

Figure 3.1.200N Vision Clearance Areas
(solid lines indicate curbs or edge of pavement)



O. Construction. The following development and maintenance standards shall apply to all driveways and private streets, except that the standards do not apply to driveways serving one single-family detached dwelling:

1. Surface Options. Driveways, parking areas, aisles, and turnarounds may be paved with asphalt or concrete. Other paving materials may be used, subject to approval by the City Administrator. For example, porous paving materials such as porous concrete, pavers set in sand, or concrete blocks that allow grass to grow through may be permitted to reduce surface water runoff and protect water quality.

2. Surface Water Management. When non-porous paving is used, all driveways, parking areas, aisles, and turnarounds shall have on-site collection of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with applicable engineering standards.

3. Driveway Aprons. When driveway approaches or "aprons" are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and conform to the City's engineering design criteria and standard specifications. (See general illustrations in Section 3.1.200K.)

3.1.300 Pedestrian Access and Circulation

A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections 1-4, below:

1. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose in accordance with the provisions of Section 3.1.200, Vehicular Access and Circulation, and Section 3.4.100, Transportation Standards.

2. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following criteria:

   a. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

   b. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

   c. "Primary entrance" for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

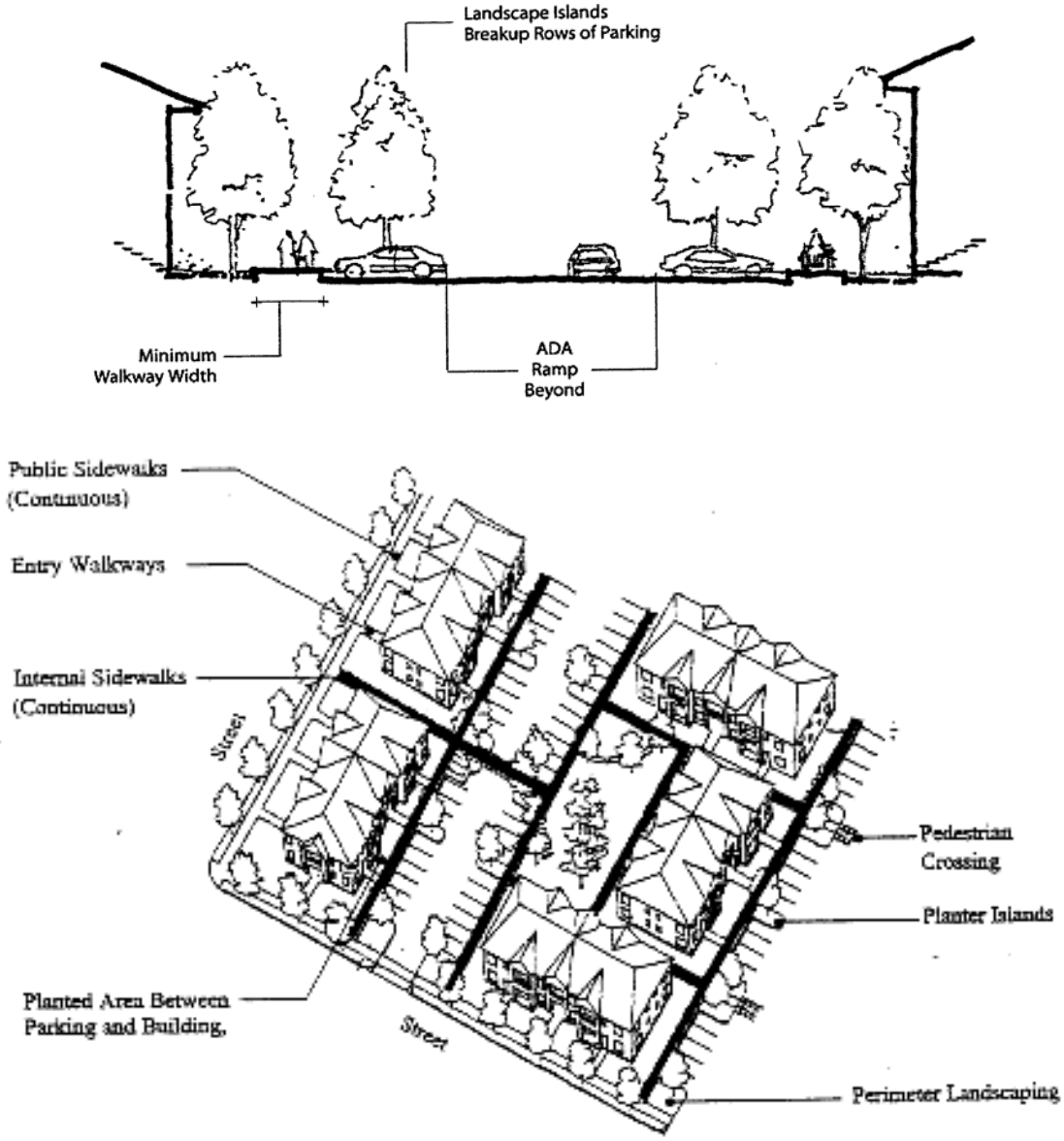
   d. "Primary entrance" for residential buildings is the front door (i.e., facing the street). For multi-family buildings in which units do not have their own exterior entrance, the “primary entrance” may be a lobby, courtyard, or breezeway that serves as a common entrance for more than one dwelling.

3. Connections Within Development. Connections within developments shall be provided as required in subsections a-c, below:

   a. Walkways shall connect all building entrances to one another to the extent practicable, as generally shown in Figure 3.1.300A(1);

   b. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 3.1.300A(1); and

Figure 3.1.300A(1) Pedestrian Pathway System (Typical)



c. Large parking areas shall be broken up so that no contiguous parking area exceeds three (3) acres. Parking areas may be broken up with plazas, landscape areas with pedestrian accessways (20-feet minimum total width), streets or driveways with street-like features. For the purpose of this Section, street-like features means a raised sidewalk of at least four (4) feet in width, six (6) inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.

B. Walkway Design and Construction. Walkways, including those provided with pedestrian accessways, shall conform to all of the standards in subsections 1-4, as generally illustrated in Figure 3.1.300B:

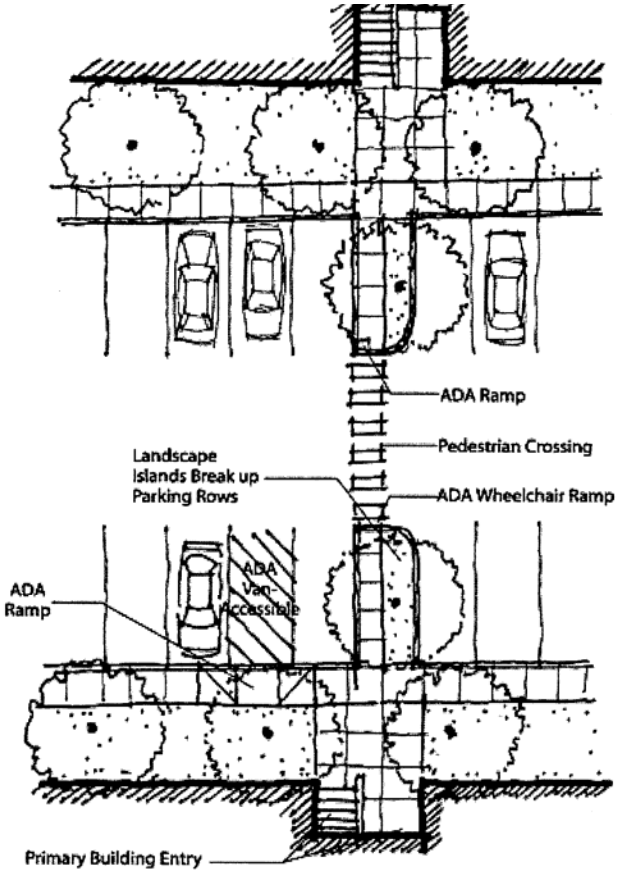
1. Vehicle/Walkway Separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street it shall be raised six (6) inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

2. Crosswalks. Where a walkway crosses a parking area, driveway, or street ("crosswalk"), it shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crossings of not more than twenty-four (24) feet in length.

3. Walkway Width and Surface. Walkway and accessway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, at least six (6) feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least ten (10) feet wide. (See also, Section 3.4.100, Transportation Standards.)

4. Accessible routes. Walkways shall conform to applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

Figure 3.1.300B Pedestrian Walkway Detail (Typical)



Chapter 3.2 — Landscaping, Street Trees, Fences and Walls

Sections:

3.2.100 Purpose

The purpose of Chapter 3.2 is to promote community health, safety, and welfare by protecting natural vegetation and setting development standards for landscaping, street trees, fences, and walls. Together, these elements of the natural and built environment contribute to the visual quality, environmental health, and character of the community. Trees provide climate control through shading during summer months and wind screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees, and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control surface water drainage and can improve water quality, as compared to paved or built surfaces. The Chapter is organized into the following sections:

Section 3.2.200, Landscape Conservation, prevents the indiscriminate removal of significant trees and other vegetation, including vegetation associated with streams, wetlands, and other protected natural resource areas.

Section 3.2.300, Landscaping, sets standards for and requires landscaping of all development sites that require Site Design Review. This section also requires buffering for parking and maneuvering areas, and between different land use districts. Note that other relevant standards are provided in Article 2, Land Use Districts, for specific types of development.

Section 3.2.400, Street Trees, sets standards for and requires planting of street trees for shading, comfort, water quality, and aesthetic purposes.

Section 3.2.500, Tree Removal, regulates the removal of trees, shrubs, plants, or vegetation in any parking strip or other public place, as well as public nuisance trees or shrubs.

Section 3.2.600, Fences and Walls, regulates the design of fences and walls, including allowable height and materials, to promote security, personal safety, privacy, and aesthetics.

3.2.200 Landscape Conservation

A. Applicability. All development sites containing Significant Vegetation, as defined below, shall comply with the standards of this Section. The purpose of this Section is to incorporate significant native vegetation into the landscapes of development and to protect vegetation in sensitive natural areas. The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting. Mature landscaping provides summer shade and wind breaks, controls erosion, and allows for water conservation due to larger plants having established root systems.

B. Significant Vegetation. "Significant vegetation" means plants within designated sensitive land areas such as flood plains and wetlands, and trees not within such area that have a caliper of six (6) inches or larger; except that protection shall not be required for non-native, invasive plants and any plants designated by the City as prohibited.

C. Mapping and Protection Required. Significant vegetation shall be mapped as required by Chapter 4.2, Site Design Review. Significant trees shall be mapped individually and identified by species and diameter or caliper at four (4) feet above grade. A "protection" area shall be defined around the edge of all branches (drip-line) of each tree. Drip lines may overlap between trees. The City also may require an inventory, survey, or assessment prepared by an arborist of other qualified professional to determine tree health, construction boundaries, building setbacks, and/or recommended protection or mitigation requirements.

D. Protection Standards. Significant vegetation identified as meeting the criteria in subsection B, above, shall be retained to the extent practicable to protect environmental values and to minimize the risk of erosion, landslide, and stormwater runoff. Where protection is impracticable because it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district, the City may allow removal of significant vegetation from the building envelope as defined by required yard setbacks. Where yard areas must be disturbed to install streets or utilities, the applicant may be required to restore such areas after construction with landscaping or other means to prevent erosion and to protect the public health, safety, and welfare. With the owner's consent, the City may accept a land dedication or become a party to a conservation easement on private property for conservation purposes.

E. Construction. All significant vegetation on a site that is not otherwise designated and approved by the City for removal shall be protected prior to, during, and after construction in accordance with a limit-of-clearing and grading plan approved by the City Administrator. The City may limit grading activities and operation of vehicles and heavy equipment in and around significant vegetation areas to prevent erosion, pollution, or landslide hazards. A City permit shall be required for proposed removal of all significant vegetation on a development site.

F. Exemptions. The protection standards in "D" and "E" shall not apply to:

1. Dead or Diseased Vegetation. Dead or diseased vegetation meeting the criteria for "significant vegetation" may be removed after approval of a Type I Land Use Review.

2. Hazardous Vegetation and Other Emergencies. Significant vegetation may be removed without land use approval when the vegetation poses an immediate threat to life or safety or protection of property (e.g., windstorm damage, fallen over house, road or power line, blocked drainage way, or similar circumstance).

3.2.300 Landscaping

A. Applicability. This Section shall apply to all new developments requiring Site Design Review.

B. Landscaping Plan Required. A landscape plan is required. All landscape plans shall conform to the requirements in Chapter 4.2.500, Section B.5.

C. Landscape Area Standards. The minimum percentages of required landscaping are:

1. Residential Low Density (RL) District. Ten (10) percent of the site.

2. Residential Medium-Density (RM) District. Seven (7) percent of the site.

3. Residential-Commercial (RC). Seven (7) percent of the site.

4. Downtown Commercial (DC) District. Five (5) percent of the site.

5. General Commercial (GC) District. Ten (10) percent of the site.

6. General Industrial (GI) District. Five (5) percent of the site.

7. Industrial-Commercial (IC) District. Ten (10) percent of the site.

8. Public Facilities (PF) District. Ten (10) percent of the site.

D. Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant 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 (3) or more years after planting.

1. Existing Vegetation. Existing non-invasive vegetation may be used in meeting landscape requirements. When existing mature trees are protected on the site (e.g., within or adjacent to parking areas) the decision making body may reduce the number of new trees required by a ratio of one (1) inch caliper of new tree(s) for every one (1) inch caliper of existing tree(s) protected.

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, exposure, water availability, and drainage conditions. When new vegetation is planted, soils shall be amended, as necessary, to allow for healthy plant growth.

3. "Non-native, invasive" plants, as per Section 3.2.200.B, shall be removed during site development and the planting of new invasive species is prohibited.

4. Hardscape features, such as plazas, pathways, patios and other pedestrian amenities may

count toward ten (10) percent of the required landscape area, except in the Downtown Commercial District where hardscape features may count toward 100 percent of the landscape area, provided that street trees are required. Swimming pools, sports courts, decks and similar facilities may not be counted toward fulfilling the landscape requirement in any zone.

5. Ground Cover Standard. All landscaped areas, whether or not required, that are not planted with trees and shrubs, or covered with non-plant material (subsection 8, below), shall have ground cover plants that are sized and spaced with a minimum of one (1) plant per twelve (12) inches on center in triangular spacing, or other planting pattern that is designed to achieve fifty (50) percent or greater coverage of all areas not covered by shrubs or trees.

6. Tree Size. Trees shall have a minimum diameter or caliper four (4) feet above grade of two (2) inches or greater at time of planting.

7. Shrub Size. Shrubs shall be planted from five (5) gallon containers or larger.

8. Non-plant Ground Covers. Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover no more than fifty (50) percent of the area to be landscaped and shall be confined to areas underneath plants. Non-plant ground covers cannot be a substitute for ground cover plants.

9. Significant Vegetation. Significant vegetation protected in accordance with Section 3.2.200 may be credited toward meeting the minimum landscape area standards. Credit may be granted for trees at a ratio of one (1) caliper inch per inch of tree(s) protected, except that parking lot landscaping shall be provided as required by subsection E.2, below. The Street Tree standards of Section 3.2.400 may be waived by the City when existing significant trees protected within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.

10. Stormwater Facilities. Stormwater facilities (e.g., detention/retention ponds and swales designed for water quality treatment), when required under Section 3.4.400, shall be landscaped with water-tolerant, native plants. A list of native plants is available at City Hall.

E. Landscape Design Standards. All yards, parking lots, and required street tree planter strips shall be landscaped to provide, as applicable, erosion control, visual interest, buffering, privacy, open space and pathway identification, shading, and wind buffering, based on the following criteria:

1. Yard Setback Landscaping. Landscaping in yards shall:

   a. Encourage visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes;

b. Use shrubs and trees as wind breaks;

c. Retain natural vegetation;

d. Define pedestrian pathways and open space areas with landscape materials;

e. Provide focal points within a development, for example, by preserving large or unique trees or groves, hedges, and flowering plants;

f. Use trees to provide summer shading within common open space areas and within front yards when street trees cannot be provided;

g. Use a combination of plants for year-long color and interest;

h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales, and detention/retention ponds.

2. Parking areas. A minimum ten (10) percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of "evenly distributed" shade trees with shrubs and/or ground cover plants that conform to the criteria in Section 3.2.300.E.1.a-h, above. "Evenly distributed" means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per six (6) parking spaces on average shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than twenty (20) spaces shall include landscape islands with trees to break up the parking area into rows of not more than twelve (12) contiguous (side-by-side) parking spaces. All parking area landscapes shall have dimensions of not less than twenty-four (24) square feet of area, or not less than four (4) feet in width by six (6) feet in length, to ensure adequate soil, water, and space for healthy plant growth. Such areas shall have irrigation, to ensure plant survival and success. See Section 3.2.300.F for maintenance and irrigation requirements.

3. Buffering and Screening Required. Buffering and screening are required under the following conditions:

   a. Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, an evergreen hedge; decorative wall (masonry or similar quality material) with openings, arcade, trellis, or similar partially opaque structure 3-4 feet in height shall be established between street and driveway. The required screening shall have breaks or portals to allow visibility (natural surveillance) into the site and to allow pedestrian access to any adjoining walkways. Hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing to provide year-round screening within one (1) year after planting. Vegetative ground cover is required on all surfaces between the wall/hedge and the street/driveway line.

b. Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area or driveway is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than five (5) feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles. Where parking areas are located adjacent to residential ground-floor living space, a four (4) foot wide landscape buffer with a curbed edge may fulfill this requirement.

c. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Other Screening When Required. All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and adjacent Residential districts. When these or other areas are required to be screened, such screening shall be provided by:

1. A decorative wall (i.e., masonry or similar quality material),

2. Evergreen hedge,

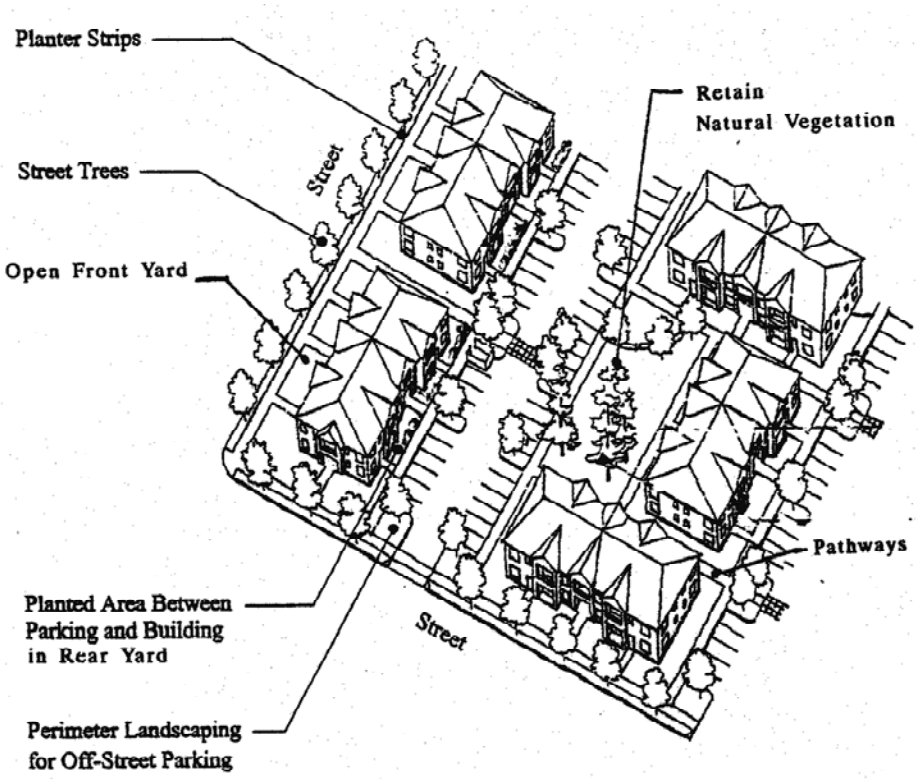
3. Opaque fence complying with Section 3.2.600, or

4. A similar feature that provides an opaque barrier.

Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 3.1, Access and Circulation. (See Section 3.2.600 for standards specific to fences and walls.)

d. Flag Lot Screen. In approving a flag lot, the City may require a landscape screen and/or fence be installed along property line(s) of the flag lot, for privacy of adjoining residents, in accordance with the provisions of Section 4.3.115. A flag lot screen shall not be required if the abutting property owner(s) indicate in writing that they do not want a screen or fence, however, the owner may install one at his or her discretion.

Figure 3.2.300E General Landscape Areas (Typical)



F. Maintenance and Irrigation. The use of drought-tolerant plants is encouraged, and may be required where exposure, slope or soil conditions warrant. Permanent irrigation shall be provided for plants that are not drought-tolerant. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.) within six (6) months of their dying or removal, whichever comes first. All man-made features required by this Code shall be maintained in good condition, or otherwise replaced by the owner within six (6) months of any such feature being removed or irreversibly damaged (whichever comes first).

3.2.400 Street Trees

Street trees shall be planted for all developments that are subject to Subdivision or Site Design Review. Requirements for street tree planting strips are provided in Section 3.4.100, Transportation Standards. Planting of street trees shall generally follow construction of curbs and sidewalks, however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines and any applicable road authority requirements.

A. Street Tree Plan Required. A street tree plan is required. All street tree plans shall conform to the requirements in Chapter 4.2.500, Section B.5 and Chapter 4.3.100, Approval Criteria - Preliminary Plat.

B. Growth Characteristics. Trees shall be selected based on climate zone, growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection by developers and approval by the City and shall be used in combination with the City's approved list of street trees (available at City Hall).

1. Provide a broad canopy where shade is desired, except where limited by available space per subsection 4.

2. Use low-growing trees for spaces under low utility wires.

3. Select trees that can be "limbed-up" to comply with vision clearance requirements.

4. Use narrow or "columnar" trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.

5. Use species with similar growth characteristics on the same block for design continuity.

6. Avoid using trees that are susceptible to insect damage and trees that produce excessive seeds or fruit.

7. Select trees that are well-adapted to the environment, including soil, wind, sun exposure, temperature tolerance, and exhaust. Drought-resistant trees should be chosen where they suit the specific soil type.

8. Select trees for their seasonal color if desired.

9. Use deciduous trees for summer shade and winter sun, unless unsuited to the location due to soil, wind, sun exposure, annual precipitation, or exhaust.

10. The diameter of the tree trunk at maturity shall not exceed the width and size of the planter strip or tree well.

C. Caliper Size. The minimum diameter or caliper size at planting, as measured four (4) feet above grade, is two (2) inches.

D. Spacing and Location. Street trees shall be planted within the street right-of-way within existing and proposed planting strips or in sidewalk tree wells on streets without planting strips, except when utility easements occupy these areas. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity and, at a minimum, the planting area shall contain sixteen (16) square feet, or typically, a (4) foot square. Trees shall be spaced no more than an average of thirty (30) feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers. All street trees shall be placed outside utility easements.

E. Soil Preparation, Planting and Care. The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first two years after planting, after which the adjacent property owners shall maintain the trees.

F. Irrigation. The developer shall be responsible for installing an underground irrigation system and associated backflow device in the planter strip, after which the property owner shall maintain the irrigation system.

G. Assurances. The City shall require the developer to provide a performance and maintenance bond in an amount determined by the City Administrator, to ensure the planting of the tree(s) and care during the first two years after planting.

H. Street Tree List. A list of suitable street trees is available at City Hall.

3.2.500 Tree Removal

A. Purpose. The purpose of Section 3.2.500 is to promote community health, safety, and welfare by ensuring trees, shrubs, plants and/or significant vegetation impacting public right-of-way and public spaces are protected and maintained in a timely and appropriate manner.

B. Applicability.

1. Trimming or Removal of Trees on Request of the City. The City may cause to be trimmed, pruned or removed, any trees, shrubs, plants or vegetation in any parking strip of other public place, or may require any property to trim, prune or remove any trees, shrubs, plants or vegetation in a parking strip abutting upon said owner's property that are considered dangerous. Removal of any trees, shrubs, plants or vegetation shall be deemed to include removal of the stump and major roots thereof. A permit is required for any tree removal or significant limbing that poses a threat to personal or public property (i.e. power lines, gas lines, waster water treatment systems, fences, etc.) and/or endangers public safety. Failure to comply therewith, after thirty (30) days notice by the City Administrator, shall be deemed a violation of this Chapter.

2. Trimming or Tree Removal in a Public Right-of-Way. Tree removal or significant limbing that poses a threat to personal or public property (i.e. power lines, gas lines, waster water treatment systems, fences, etc.) and/or endangers public safety in a public right-of-way or on public lands initiated by a property owner or developer requires a tree removal permit. "Right-of-way" means the area between the boundary line of a street or public easement. This area includes the park strip or tree lawn area between the curb and the sidewalk.

3. Trimming of Removal of Trees in the Riparian and Wetland Protection (RPW) Overlay Zone. Trimming, pruning, or removal of any trees, shrubs, plants or vegetation in the RPW is outlined in Chapter 2.10.

4. Exceptions. Hazardous tree and vegetation removal may occur without land use approval or tree removal permit when the tree and/or vegetation poses an immediate threat to life, safety, or protection of property (e.g. windstorm damage, road crossing, power lines, blocked drainage way, or similar circumstance).

C. Procedure. The City Administrator will process the application for tree removal permit using a Type I or Type II procedure set forth in Chapters 4.1.200 and 4.1.300 respectively. The City Administrator, upon his/her discretion, may hire a professional forester, hydrologist, landscape architect, or arborist at the applicant's expense to provide findings for decision.

D. Violations.

1. Topping, Abuse, or Mutilation of Trees. It shall be a violation of this Chapter to:

    a. abuse, destroy, or mutilate any tree, shrub, or plant in a public parking strip or any other public place;

    b. to attach or place any rope or wire (other than one used to support a young or broken tree), sign, poster, handbill or other thing to or on any tree growing in a public place;

    c. cause or permit any wire charged with electricity to come in contact with any such tree;

    d. allow any gaseous, liquid or solid substance which is harmful to such trees to come in contact with their roots or leaves;

    e. top any tree located in a public parking strip, park or any other public place, except for city electrical franchisee shall have the right to trim or top trees that are creating unsafe conditions or interfering with power lines.

E. Enforcement. This Chapter shall be enforced in accordance with Chapter 1.5, Enforcement of this Code. In addition to all remedies set forth in Chapter 1.5, the City may also:

1. Require that any property owner, developer, or other person found in violation of Chapter 3.2.500 replace any trees, shrubs, plants or vegetation unlawfully removed;

2. Replace the tree, shrub, plant or vegetation itself and assess the cost against the Property;

3. Require the property owner, developer, or other person found in violation of Chapter 3.2.500 pay tree, shrub, plant or other vegetation replacement costs into an appropriate City fund to be used by the City for planting as needed within the City, as identified at the City's sole discretion.

3.2.600 Fences and Walls

Construction of fences and walls shall conform to all of the following requirements:

A. General Requirements. All fences and walls shall comply with the height limitations of the respective zoning district (Article 2) and the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with land division approval (e.g., flag lots), approval of a conditional use permit, or site design review approval. When required through one of these types of approvals, no further land use review is required. If not part of a prior land use approval, new fences and walls require Land Use Review (Type I) approval; if greater than 6 feet in height, a building permit is also required. (See also, Section 3.2.300 for landscape screening wall requirements.)

B. Dimensions.

1. Except as provided under subsections 2 and 3, below, the height of fences and walls within a front yard setback shall not exceed 4 feet as measured from the grade closest to the street right-of-way.

2. A retaining wall exceeding 4 feet in height within a front yard setback, which is necessary for site grading and development, may be approved through a land division or site development review.

3. One arbor, gate, or similar garden structures not exceeding eight (8) feet in height and six (6) feet in width is allowed within the front yard, provided that it is not within a required clear vision area.

3. Walls and fences to be built for required buffers shall comply with Section 3.2.300.

4. Fences and walls shall comply with the vision clearance standards of Section 3.1.200.

C. Maintenance. For safety and for compliance with the purpose of this Chapter, walls and fences required as a condition of development approval shall be maintained in good condition, or otherwise replaced by the property owner.

D. Materials.

1. Permitted materials: wood; chain-link steel, iron, bricks, stone; stucco, or similar masonry, and non-prohibited evergreen plants.

2. Prohibited materials: unfinished concrete blocks; straw bales; barbed or razor wire; scrap lumber or other scrap materials; sheet metal; and hedges taller than eight (8) feet.

3. Masonry walls exceeding four (4) feet in height shall be subject to review and approval by the City Engineer. Fences and walls taller than six (6) feet require a building permit.

Chapter 3.3 — Parking and Loading

Sections:

3.3.100 Purpose

The purpose of Chapter 3.3 is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the economic viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. Because vehicle parking facilities occupy large amounts of land, they must be planned and designed carefully to use the land efficiently, minimize stormwater runoff, and maintain the visual character of the community. This Chapter recognizes that each development has unique parking needs and provides a flexible approach for determining parking space requirements (i.e., “minimum” and “performance-based” standards). This Chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

3.3.200 Applicability

All developments subject to site design review (Chapter 4.2), including development of parking facilities, shall comply with the provisions of this Chapter.

3.3.300 Automobile Parking Standards

A. Vehicle Parking - Minimum Standards by Use. The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 3.3.300A, ***or*** alternatively, through a separate parking demand analysis prepared by the applicant and subject to a Type II Land Use Review (or Type III review if the request is part of an application that is already subject to Type III review). Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described above. Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, shared parking, and designated on-street parking. In recognition that downtown is the most compact and walkable part of Creswell, there are no minimum off-street parking requirements in the Downtown Commercial (DC) District.

Table 3.3.300A – Minimum Required Parking by Use

Use Categories *(Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3.)*	**Minimum Parking per Land Use** (fractions rounded down to the closest whole number)
Residential Categories Note: if a subdivision is created with streets that have no parking on either side, parking bays must be provided per Section 3.300.G.3	
Household Living	
Accessory Dwelling	None
Single-Family Dwelling, including attached and detached dwellings and manufactured homes	None, except attached dwellings shall conform to the parking requirements for multi-family uses
Duplex	3 spaces per duplex
Multi-family	1 space per studio or 1-bedroom unit 1.5 spaces/unit per 2-bedroom unit 2 spaces/unit per 3-bedroom or larger unit
Group Living, such as nursing or convalescent homes, rest homes, assisted living, congregate care, and similar special needs housing	0.5 space per 4 bedrooms

Use Categories *(Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3.)*	**Minimum Parking per Land Use** (fractions rounded down to the closest whole number)
Commercial Categories	
Drive-Up/Drive-In/Drive-Through (drive-up windows, kiosks, ATM's, similar uses/facilities), per Section 2.3.190	No requirement. See Section 2.3.190 for queuing area requirements
Bed and Breakfast Inn	1 space per bedroom
Educational Services, not a school (e.g., tutoring or similar services)	2 space per 1,000 sq. ft. floor area
Entertainment, Major Event	per CU review (Chapter 4.4)
Offices	2 spaces per 1,000 sq. ft. floor area
Outdoor Recreation, Commercial	per CU review (Chapter 4.4)
Parking Lot (when not an accessory use)	per CU review (Chapter 4.4)
Quick Vehicle Servicing or Vehicle Repair. (See also Drive-Up/Drive-In/Drive-Through Uses, per Section 2.3.190)	2 spaces, or per CU review (Chapter 4.4)
Retail Sales and Service (See also Drive-Up Uses)	Retail: 2 spaces per 1,000 sq. ft., except bulk retail (e.g., auto, boat, trailers, nurseries, lumber and construction materials, furniture, appliances, and similar sales) 1 per 1,000 sq. ft.
	Restaurants and Bars: 8 spaces per 1,000 sq. ft. floor area
	Health Clubs, Gyms, Continuous Entertainment (*e.g.,* bowling alleys): 3 space per 1,000 sq. ft.
	Lodging (hotels, motels, inns), (see also Bed and Breakfast Inns): 0.75 per rentable room; for associated uses, such as restaurants, entertainment uses, and bars, see above
	Theaters and Cinemas: 1 per 6 seats
Self-Service Storage	No standard

Use Categories *(Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3.)*	**Minimum Parking per Land Use** (fractions rounded down to the closest whole number)
Industrial Categories[1]	
Industrial Service (See also Drive-Up Uses)	1 space per 1,000 sq. ft. of floor area
Manufacturing and Production	1 space per 1,000 sq. ft. of floor area
Warehouse and Freight Movement	0.5 space per 1,000 sq. ft. of floor area
Waste-Related	per CU review (Chapter 4.4)
Wholesale Sales - fully enclosed - not enclosed	 1 space per 1,000 sq. ft. per CU review (Chapter 4.4)
Institutional Categories	
Basic Utilities	None
Colleges	per CU review (Chapter 4.4)
Community Service	1 space per 200 sq. ft. of floor area
Daycare, adult or child day care; does not include Family Daycare (12 or fewer children) under ORS 657A.250	1 space per 500 sq. ft. of floor area
Parks and Open Space	Determined per CU review (Chapter 4.4) for active recreation areas, or no standard
Religious Institutions and Houses of Worship	1 space per 75 sq. ft. of main assembly area; or per CU review, as applicable
Schools	Grade, elementary, middle, junior high schools: 1 space per classroom, or per CU review (Chapter 4.4)
	High schools: 7 per classroom, or per CU review (Chapter 4.4)
Other Categories[2]	
Accessory Uses (with a permitted use)	No standard, except some uses may be required to provide parking under the minimum standards for primary uses, as determined by the decision body through Land Use Review, Conditional Use Permit review, or Site Design Review.

Use Categories *(Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3.)*	**Minimum Parking per Land Use** (fractions rounded down to the closest whole number)
Agriculture – Animals	None, or per CU review (Chapter 4.4)
Agriculture – Nurseries and similar horticulture	See Retail Sales and Wholesale, as applicable
Radio Frequency Transmission Facilities	None
Rail Lines and Utility Corridors, except those existing prior to effective date of Development Code are allowed.	None
Temporary Uses (limited to "P" and "CU" uses), per Section 4.9.100.	As determined per Section 4.9.100
Transportation Facilities (operation, maintenance, preservation, and construction)	None

B. Vehicle Parking - Minimum Accessible Parking

1. Accessible parking shall be provided for all uses in accordance the standards in Table 3.3.300B; parking spaces used to meet the standards in Table 3.3.300B shall be counted toward meeting off-street parking requirements in Table 3.3.300A;

2. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway;

3. Accessible spaces shall be grouped in pairs where possible;

4. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered non-accessible spaces;

5. Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.

Table 3.3.300B - Minimum Number of Accessible Parking Spaces

Source: ADA Standards for Accessible Design 4.1.2(5)

Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (with 60" access aisle, or 96" aisle for vans*)	Van Accessible Parking Spaces with min. 96" wide access aisle	Accessible Parking Spaces with min. 60" wide access aisle
	Column A		
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1000	2% of total parking provided in each lot	1/8 of Column A**	7/8 of Column A***
1001	20 plus 1 for each 100 over 1000	1/8 of Column A**	7/8 of Column A***
*vans and cars may share access aisles **one out of every 8 accessible spaces		***7 out of every 8 accessible parking spaces	

C. Vehicle Parking - Maximum Parking Allowed. No site shall be permitted to provide more than 30 percent in excess of the minimum off-street vehicle parking required by Table 3.3.300A.

D. On-Street Parking. On-street parking shall conform to the following standards:

1. Dimensions. The following constitutes one on-street parking space:
   a. Parallel parking, each twenty-two (22) feet of uninterrupted curb;
   b. diagonal (45-60 degree) parking, each with twelve (12) feet of curb;
   c. 90-degree (perpendicular) parking, each with twelve (12) feet of curb.

2. Location. Parking may be counted toward the minimum standards in Table 3.3.300A when it is on the block face abutting the subject land use. An on-street parking space must not obstruct a required clear vision area and must not violate any law or street standard.

3. Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.

4. Truck Parking. In Residential Districts, no overnight parking or trucks or other equipment on wheels or tracks exceeding a 1-ton capacity used in the conduct of a business activity

shall be permitted except vehicles and equipment necessary for agricultural uses on the premises where such use is conducted.

E. Shared parking. Required parking facilities for two (2) or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. The City may approve owner requests for shared parking through Land Use Review.

F. Off-site parking. Except for single-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 500 feet of the use it serves and the City has approved the off-site parking through Land Use Review. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

G. General Parking Standards.

1. Location. Parking is allowed only on streets, within garages, carports, and other structures, or on driveways or parking lots that have been developed in conformance with this Code. In Residential Districts, all motor vehicles incapable of movement under their own power or lacking legal registration shall be stored off the street in a garage, carport, or other screened structure. Article 2, Land Use Districts, prescribes parking location for some land uses (e.g., the requirement that parking for some multi-family and commercial developments be located to side or rear of buildings), and Chapter 3.1, Access and Circulation, provides design standards for driveways. Street parking spaces shall not include space in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pedestrian accessway, landscape, or other undesignated area.

2. Mixed uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). The City may reduce the total parking required accordingly through Land Use Review.

3. Availability of facilities. Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers, and/or employees.

4. Lighting. Parking areas shall have lighting to provide at least two (2) foot-candles of illumination over parking spaces and walkways. Light standards shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use.

5. Screening of Parking Areas. Parking spaces shall be located or screened so that headlights do not shine onto adjacent residential uses, per Section 3.2.300E.

H. Parking Stall Design and Minimum Dimensions. All off-street parking spaces shall be improved to conform to City standards for surfacing, stormwater management, and striping. Standard parking spaces shall conform to the following standards and the dimensions in Figures 3.3.300F(1) through (3), and Table 3.3.300F:

1. Motor vehicle parking spaces shall measure eight (8) feet six (6) inches wide by eighteen (18) feet long or by sixteen (16) feet long, with not more than a two (2) foot overhang when allowed;

2. All parallel motor vehicle parking spaces shall measure eight (8) feet six (6) inches by twenty-two (22) feet;

3. Parking bays shall be provided at a ratio of 0.5 parking spaces per dwelling unit and shall conform to parallel parking stall design dimensions. No ADA parking spaces are required No more than 15 spaces may be grouped together.

4. Parking area layout shall conform to the dimensions in Figure 3.3.300F(1) and (2), and Table 3.3.300F, below;

5. Parking areas shall conform to Americans with Disabilities Act (ADA) standards for parking spaces (dimensions, van accessible parking spaces, etc.). Parking structure vertical clearance, van accessible parking spaces, should refer to Federal ADA guidelines; and

6. Bicycle parking shall be on a two (2) feet by six (6) feet minimum concrete pad per bike, or within a garage or patio of residential use.

Figure 3.3.300F(1) - Parking Area Layout

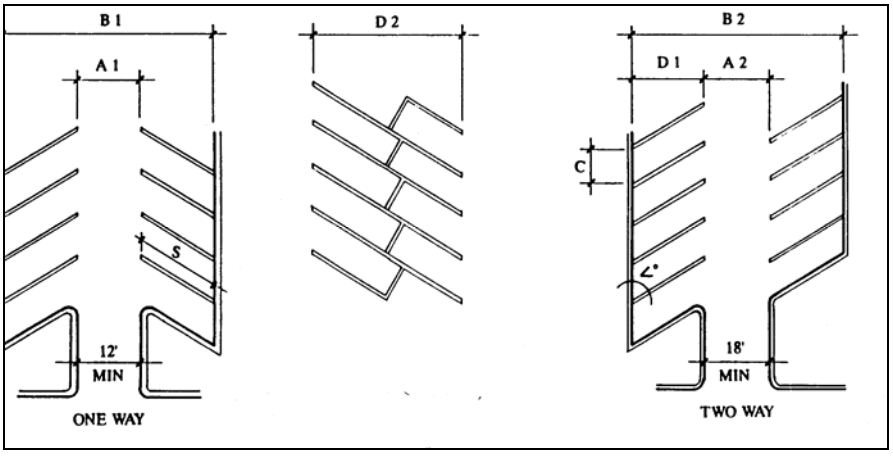


Figure 3.3.300.F(2) - Disabled Person Parking Requirements

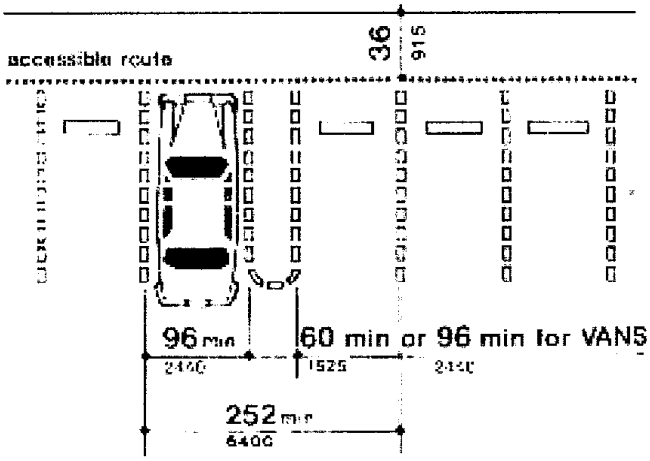


Table 3.3.300F - Parking Area Layout

	PARKING ANGLE < °	CURB LENGTH	STALL DEPTH		AISLE WIDTH		BAY WIDTH		STRIPE LENGTH
			SINGLE D1	DOUBLE D2	ONE WAY A1	TWO WAY A2	ONE WAY B1	TWO WAY B2	
Standard Space (See Figure 3.3.300F(2) for ADA space requirements)	90°	8'-6"	18'	36'	23'	23'	59'	59'	18'
	60°	10'	20'	40'	17'	18'	57'	58'	23'
	45°	12'	18'-6"	37'	13'	18'	50'	55'	26'-6"
	30°	17'	16'-6"	33'	12'	18'	45'	51'	32'-8"
	0°	22'	8'-6"	17'	12'	18'	29'	35'	8'-6"

Important cross-references:
See also, Article 2, Land Use District standards, for parking location requirements for some multi-family and commercial land uses; Chapter 3.1, Access and Circulation, for driveway standards; and Chapter 3.2, Landscaping.

3.3.400 Bicycle Parking Requirements

All uses that are subject to Site Design Review shall provide bicycle parking, in conformance with the standards in Table 3.3.400, and subsections A-H, below.

A. Minimum Required Bicycle Parking Spaces. Uses shall provide long- and short-term bicycle parking spaces, as designated in Table 3.3.400. Where two options are provided (e.g., 2 spaces, or 1 per 8 bedrooms), the option resulting in more bicycle parking is used.

Table 3.3.400 - Minimum Required Bicycle Parking Spaces

Use Categories	**Specific Uses**	**Long-term Spaces** (covered or enclosed)	**Short-term Spaces** (near building entry)
Residential Categories			
Household Living	Multifamily	1 per 4 units	2, or 1 per 20 units
Group Living		2, or 1 per 20 bedrooms	None
	Dormitory	1 per 8 bedrooms	None
Commercial Categories			
Retail Sales And Service		2, or 1 per 12,000 sq. ft. of floor area	2, or 1 per 5,000 sq. ft. of floor area
	Lodging	2, or 1 per 20 rentable rooms	2, or 1 per 20 rentable rooms
Office		2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 40,000 sq. ft. of floor area
Commercial Outdoor Recreation		8, or 1 per 20 auto spaces	None
Major Event Entertainment		8, or 1 per 40 seats or per CU review	None
Industrial Categories			
Manufacturing And Production		2, or 1 per 15,000 sq. ft. of floor area	None
Warehouse And Freight Movement		2, or 1 per 40,000 sq. ft. of floor area	None
Institutional Categories			
Basic Utilities	Bus transit center	8	None
Community Service		2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 10,000 sq. ft. of floor area
	Park and ride	8, or 5 per acre	None
Parks (active recreation areas only)		None	8, or per CU review
Schools	Grades 2-5	1 per classroom, or per CU review	1 per classroom, or per CU review
	Grades 6-12	2 per classroom, or per CU review	4 per school, or per CU review
Colleges	Excluding dormitories (see Group Living, above)	2, or 1 per 20,000 sq. ft. of net building area, or per CU review	2, or 1 per 10,000 sq. ft. of net building area, or per CU review

Use Categories	Specific Uses	Long-term Spaces (covered or enclosed)	Short-term Spaces (near building entry)
Medical Centers		2, or 1 per 70,000 sq. ft. of net building area, or per CU review	2, or 1 per 40,000 sq. ft. of net building area, or per CU review
Religious Institutions and Places of Worship		2, or 1 per 4,000 sq. ft. of net building area	2, or 1 per 2,000 sq. ft. of net building area
Daycare		2, or 1 per 10,000 sq. ft. of net building area	None
Other Categories			
Other Categories	Determined through Land Use Review, Site Design Review, or CU Review, as applicable		

B. Exemptions. Section 3.3.400, Bicycle Parking Requirements, does not apply to single-family and two-family housing (attached, detached, or manufactured housing), home occupations, agriculture and livestock uses.

C. Location and Design. Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or fifty (50) feet, whichever is less. Long-term (i.e., covered) bicycle parking should be incorporated whenever possible into building design. Short-term bicycle parking, when allowed within a public right-of-way, should be coordinated with the design of street furniture, as applicable.

D. Visibility and Security. Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

E. Options for Storage. Long-term bicycle parking requirements for multiple family uses 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. For security, bicycle parking shall be at least as well lit as vehicle parking.

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 3.1, Access and Circulation).

3.3.500 Loading Areas.

A. Purpose. The purpose of this section of the Code is to provide standards (1) for a minimum number of off-street loading spaces that will ensure adequate loading areas for large uses and developments, and (2) to ensure that the appearance of loading areas is consistent with that of parking areas.

B. Applicability. Section 3.3.500 applies to residential projects with fifty (50) or more dwelling units, and non-residential and mixed-use buildings with 20,000 square feet or more total floor area.

C. Number of Loading Spaces.

1. Residential buildings. Buildings where all of the floor area in residential use shall meet the following standards:

    a. Fewer than fifty (50) dwelling units on a site that abuts a local street: No loading spaces are required.

    b. All other buildings: One (1) space.

2. Non-residential and mixed-use buildings. Buildings where any floor area in non-residential uses shall meet the following standards:

    a. Less than 20,000 square feet total floor area: No loading spaces required.

    b. 20,000 to 50,000 square feet of total floor area: One (1) loading space.

    c. More than 50,000 square feet of total floor area: Two (2) loading spaces.

D. Size of Spaces. Required loading spaces shall be at least thirty-five (35) feet long and ten (10) feet wide, and shall have a height clearance of at least thirteen (13) feet.

E. Placement, setbacks, and landscaping. Loading areas shall conform to the setback and perimeter landscaping standards in Articles 2 and 3. Where parking areas are prohibited between a building and the street, loading areas are also prohibited. The decision body may approve a loading area adjacent to or within the street right-of-way through Site Design Review or Conditional Use Permit review, as applicable, where it finds that loading and unloading operations are short in duration (i.e., less than one hour), do not obstruct traffic during peak traffic hours, or do not interfere with emergency response services.

3.3.600 Stacking and Queuing Areas.

A. Purpose. The purpose of this section of the Code is to provide standards (1) for a minimum number of off-street loading spaces that will ensure adequate loading areas for large uses and developments in order to prevent and minimize congestion of public roadways, improve safety for the loading and unloading of people, and (2) to ensure that the appearance of loading areas is consistent with that of parking areas.

B. Applicability. Uses that involve queuing of vehicles, loading and unloading of goods, materials, or people are required to have an area for vehicle stacking to prevent or minimize congestion of public streets. Examples of uses include but are not limited to schools and drive-through services such as banks, car washes, and coffee stands.

C. Number of Loading Spaces. A stacking space shall be a minimum of nine feet (9') in width and 20' in length and shall not be located within or interfere with any other circulation driveway, parking space, fire lane, or maneuvering area.

In all Districts, at the time any building or structure is erected or altered, stacking spaces shall be provided in the number and manner set forth in the following list of property uses:

- **Automated Teller Machine (ATM)**: Three (3) stacking spaces.
- **Automobile Oil Change and Similar Establishments**: Three (3) stacking spaces per bay.
- **Car Wash (Full Service)**: Six (6) stacking spaces per bay.
- **Car Wash (Self-Service – Open Bay)**: Two (2) stacking spaces per bay.
- **Car Wash (Self-Service – Drying Areas and Vacuum Islands)**: Two (2) stacking spaces per drying area and/or vacuum island.
- **Dry Cleaning, Pharmacy, or Other Retail Establishments with Drive-thru**: Three (3) stacking spaces for first service window.
- **Financial Institution**: Five (5) stacking spaces per window or service lane.
- **Elementary, Middle, Day Schools and Similar Child Training and Care Establishments**: One (1) stacking space per 10 students provided on a through "circular" drive.
- **Kiosk (coffee)**: Three (3) stacking spaces per window or service lane.
- **Kiosk (with Food Service)**: Five (5) stacking spaces for first window, order board, or other stopping point.

- **Kiosk (without Food Service)**: Two (2) stacking spaces for first window, order board, or other stopping point.

- **Restaurant with Drive-thru**: Five (5) stacking spaces for first window, order board, or other stopping point.

Other uses not specifically listed above shall furnish stacking and queuing spaces as required by the Planning Commission. The Planning Commission shall use the above list as a guide for determining requirements for said other uses.

An alternate number of required stacking spaces can be approved by the Planning Commission through variance procedures and criteria in Section 5.1.400 (E).

Chapter 3.4 — Public Facilities

Sections:

3.4.010 Purpose and Applicability

A. Purpose. The purpose of this Chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth and provide a range of transportation options, including options for driving, walking, transit and bicycling. This Chapter is also intended to implement the City's Transportation System Plan and Oregon's Transportation Planning Rule.

B. When Standards Apply. Unless otherwise provided, the standard specifications for construction, reconstruction, or repair of transportation facilities, utilities, and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.

C. Engineering Design Criteria, Standard Specifications and Details. The current combined and subsequent amendments to the Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A.-ODOT, as may be amended by the City of Creswell, are incorporated by reference. The design criteria, standard construction specifications and details adopted by the City, or any other agency with jurisdiction, shall supplement the general design standards of this Development Code. The City's specifications, standards, and details are hereby incorporated into this Code by reference.

D. Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development approval shall indicate whether rough proportionality exists between the benefit to be derived from the condition imposed and the projected impact or burden of the proposed development. The applicant may be requested to provide evidence of impacts as part of the City's completeness review, as a basis for these findings.

3.4.100 Transportation Standards

A. Development Standards. The following standards shall be met for all new uses and developments:

1. All new lots created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation must have frontage or approved access to a public street.

2. Streets within or abutting a development shall be fully improved in accordance with the Transportation System Plan and the provisions of this Chapter. Half- or three-quarter-street improvements may be accepted only in the case of a collector or arterial street, and only when requiring a full-width street improvement can not be justified based on the proportionate impact of the development on the transportation system. Where a less than full street is allowed, the minimum total paved width shall not be less than twenty-eight (28) feet to provide for two travel lanes and bicycle lanes, subject to review and approval by the City Engineer.

3. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable road authority;

4. New streets and drives shall be paved.

B. Guarantee. The City may accept a future improvement guarantee (e.g., owner agrees to provide cash or letter of credit prior to signature of the final plat) in lieu of street improvements if one or more of the following conditions exist:

1. A partial improvement does not create a potential safety hazard to motorists, bicyclists, or pedestrians;

2. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, reduce street safety or capacity;

3. The improvement would be in conflict with an adopted capital improvement plan; or

4. The improvement is associated with an approved land partition in the RL or RM District and the proposed land partition does not create any new streets.

C. Creation of Rights-of-Way for Streets and Related Purposes. Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed in the public interest by the City Council for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code.

D. Creation of Access Easements. The City may approve an access easement when the easement is necessary to provide for access and circulation in conformance with Chapter 3.1, Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.

E. Street Location, Width, and Grade. Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan and an approved street plan or subdivision plat. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:

1. Street grades shall be approved by the City Engineer in accordance with the design standards of this Section; and

2. Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:

    a. provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Section, or

    b. conform to a street plan adopted by the City if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets, and the need for public convenience and safety.

F. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be the widths in Table 3.4.100. A variance shall be required to vary the standards in Table 3.4.100. Where a range of width is indicated, the width shall be the narrower in the range unless unique and specific conditions exists as determined by the decision-making authority based upon the following factors:

1. Street classification in the Transportation System Plan;

2. Anticipated traffic generation;

3. On-street parking needs;

4. Sidewalk and bikeway requirements based on anticipated level of use;

5. Requirements for placement of utilities;

6. Street lighting;
7. Minimize drainage, slope, and sensitive lands impacts;
8. Street tree location, as provided for in Chapter 3.2;
9. Protection of significant vegetation, as provided for in Chapter 3.2;
10. Safety and comfort for motorists, bicyclists, and pedestrians;
11. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;
12. Access needs for emergency vehicles; and
13. Transition between different street widths (i.e., existing streets and new streets).

Table 3.4.100F Street Standards

Street Type	Ave. Daily Trips (ADT)	Right-of-Way Width	Curb-to-Curb Paved Width	Within Curb-to-Curb Area				Curbs	Planting Strips or Tree Wells**	Side-walks **
				Motor Vehicle Travel Lanes	*Median/ Center Turn Lane*	*Bike Lanes*	*On-Street Parking*			
Arterials	8,000-30,000 ADT									
Boulevards:										
2-Lane Boulevard		61'-87'	34'	11'	None	2 at 6'	8' bays	6"	7'-12'	5'-12'
3-Lane Boulevard		73'-99'	46'	11'	12'	2 at 6'	8' bays	6"	7'-12'	5'-12'
5-Lane Boulevard		95'-121'	68'	11'	12'	2 at 6'	8' bays	6"	7'-12'	5'-12'
Avenues:										
2-Lane Avenue	3,000 to 10,000 ADT	59'-86'	32'-33'	10'-10.5'	none	2 at 6'	8' bays	6"	7'-12'	5'-12'
3-Lane Avenue		70.5'-97.5'	43.5'-44.5'	10'-10.5'	11.5'	2 at 6'	8' bays	6"	7'-12'	5'-12'
Collectors	1,500-5,000 ADT									
Residential:					As per traffic calming					
No Parking		49'-51'	22'-32'	11'		2 at 5'	None	6"	7'-8'	5'-12'
Parking One Side		50'-56'	25'-35'	9'-10'		2 at 5'	7' lane	6"	7'-8'	5'-12'
Parking Both Sides		57'-63'	32'-42'	9'-10'		2 at 5'	7' lanes	6"	7'-8'	5'-12'
Commercial (Collectors and Local Streets):					As per traffic calming					
Parallel One Side		55'-65'	28'	10'			8' lane	6"	7'-8'	6'-12'
Parallel Both Sides		63'-73'	36'	10'			8' lanes	6"	7'-8'	6'-12'

Street Type	Ave. Daily Trips (ADT)	Right-of-Way Width	Curb-to-Curb Paved Width	Within Curb-to-Curb Area				Curbs	Planting Strips or Tree Wells**	Side-walks **
				Motor Vehicle Travel Lanes	*Median/ Center Turn Lane*	*Bike Lanes*	*On-Street Parking*			
Diagonal Parking One Side		65'-74'	37'	10'			Varies	6"	7'-8'	6'-12'
Diagonal Parking Both Sides		81'-91'	54'	10'			Varies	6"	7'-8	6'-12'
Local Streets	Less than 1,500 ADT									
Residential:										
Parking Both Sides		56'-60'	32'	14' (queuing)			7' lanes	6"	7'-8'	5'-6'
No Parking		44'-50'	22'	22'			None	6"	7'-8'	5'-6'
Commercial:	See Collector standards for commercial streets.									
[Reserved for Additional Standards, as needed]										
*Where the standards provide a range, roadways shall be the minimum width practicable given site conditions and available alternate routes (i.e., for emergency responders). Sidewalk and planter strips should generally be designed at the maximum width, except where reduced widths would help in the protection of significant trees, wetlands, or other sensitive lands. The planter strip may be waived and sidewalks installed curb-tight to protect sensitive lands.										

Figure 3.4.100F(1) Three-Lane Arterial-Boulevard Street Section

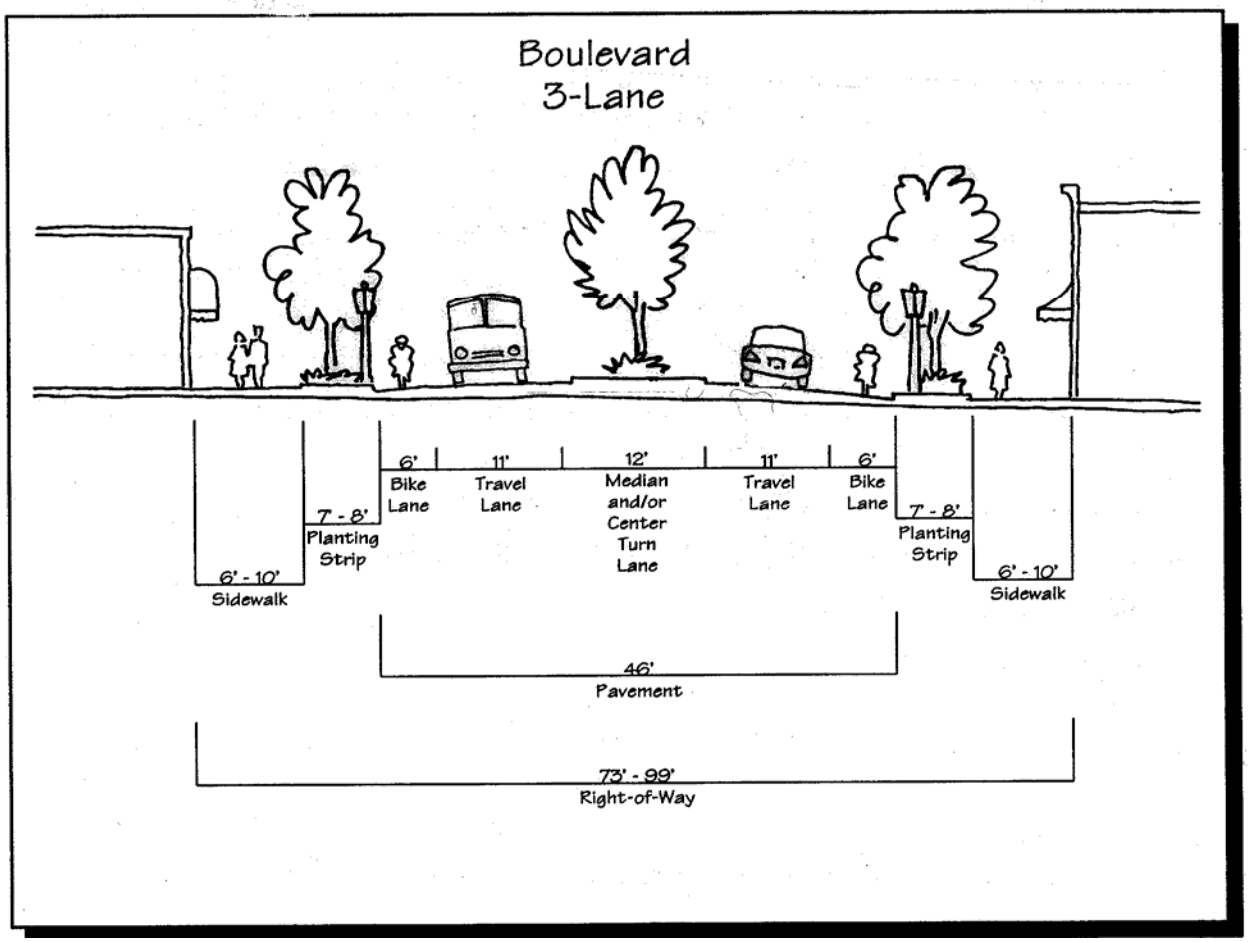
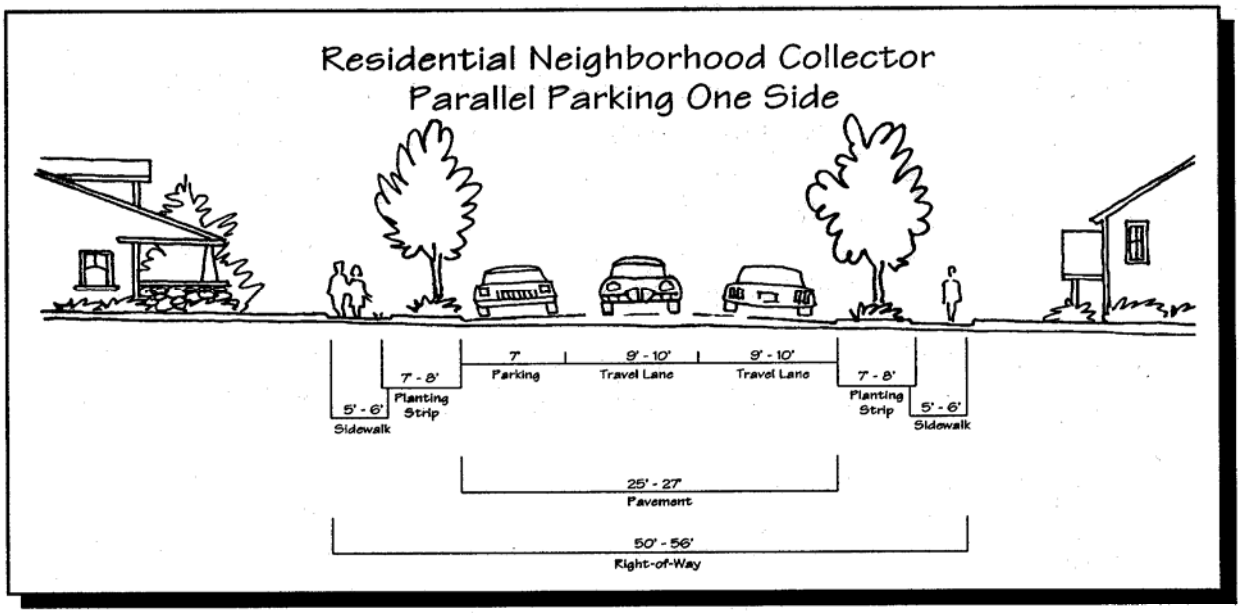


Figure 3.4.100F(2) Residential Collector Street Sections



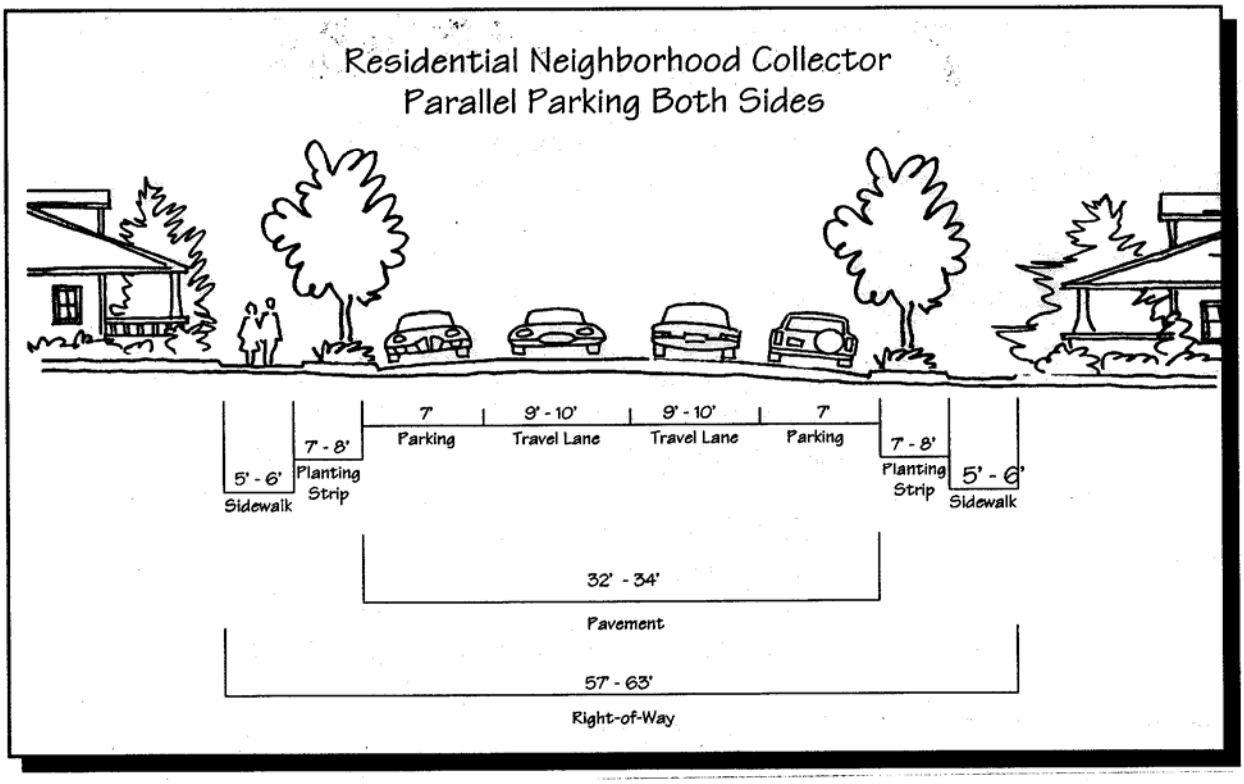


Figure 3.4.100F(3) Commercial/Industrial Collector Street Sections (Parking One Side)

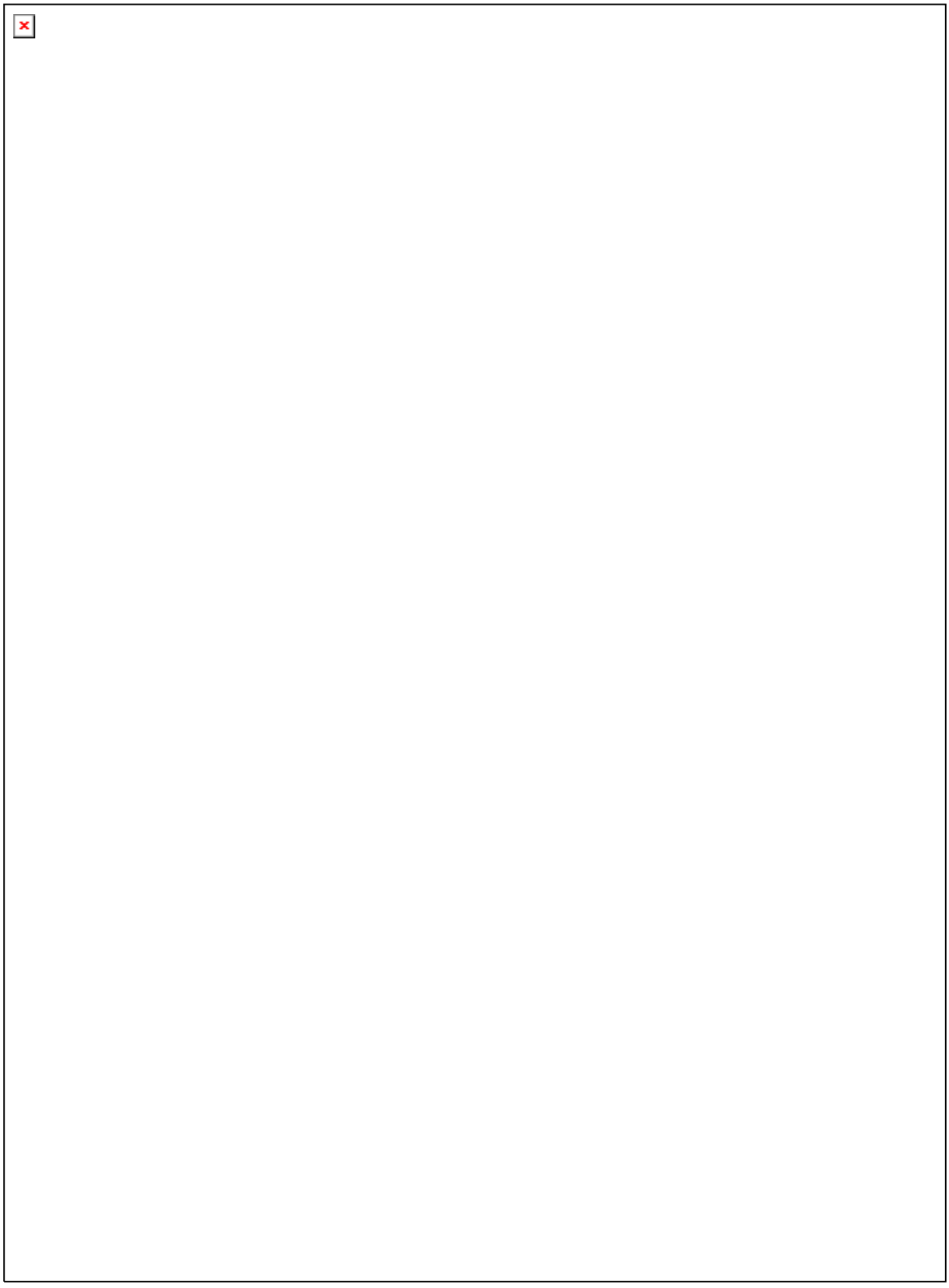
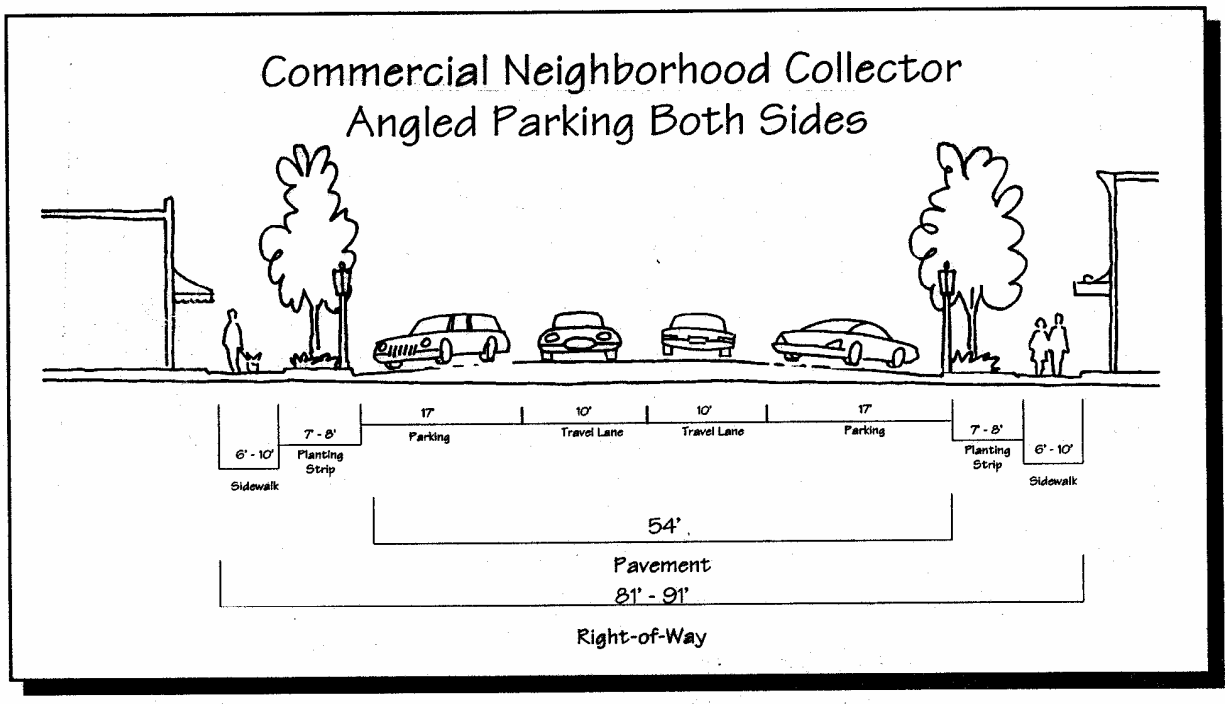


Figure 3.4.100F(4) Commercial/Industrial Collector Street Sections (Parking Two Sides)



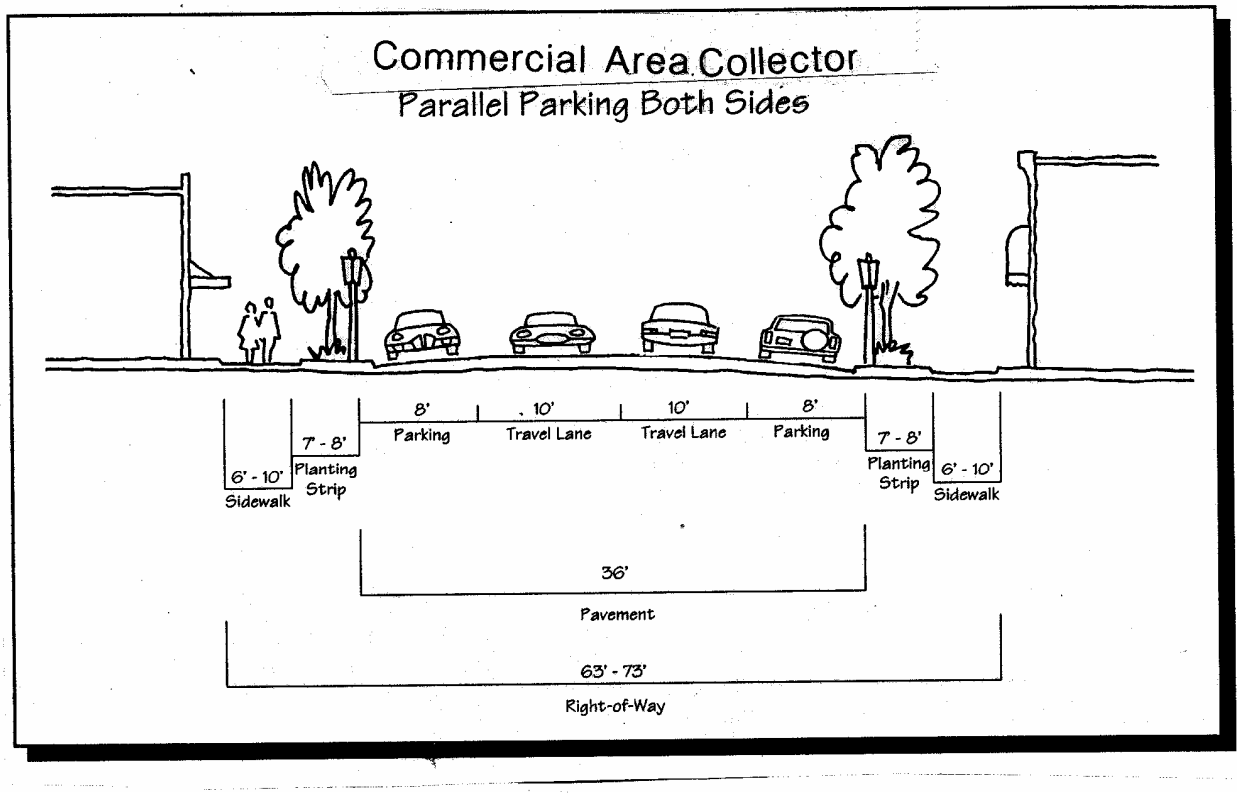
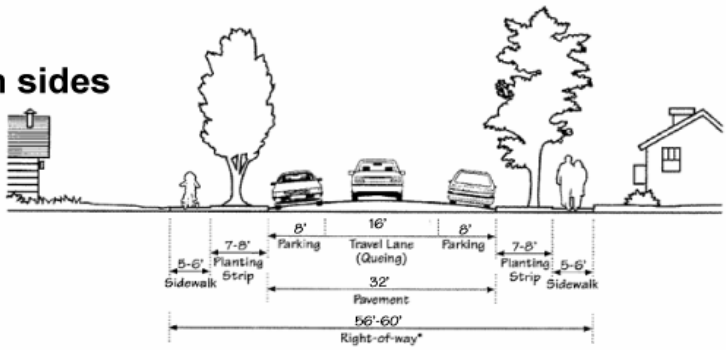


Figure 3.4.100F(5) Local Residential Street Sections
(VARIABLE RIGHTS-OF-WAY SHOWN; ADD'L WIDTH MAY BE REQUIRED DEPENDING ON WHETHER DRIVEWAY OFFSETS, CURVE RADII AND OTHER FACTORS SUPPORT QUEUING)

32-Ft Street
Parking on both sides



22-Ft Street
No on-street parking allowed

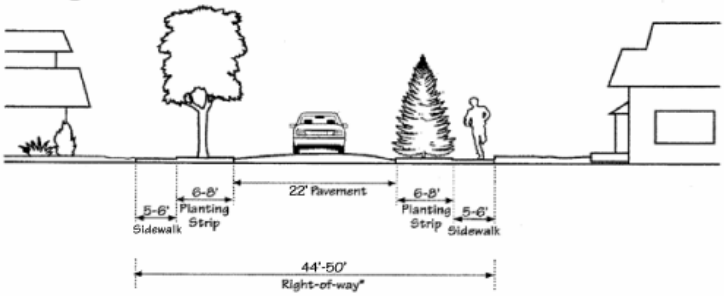
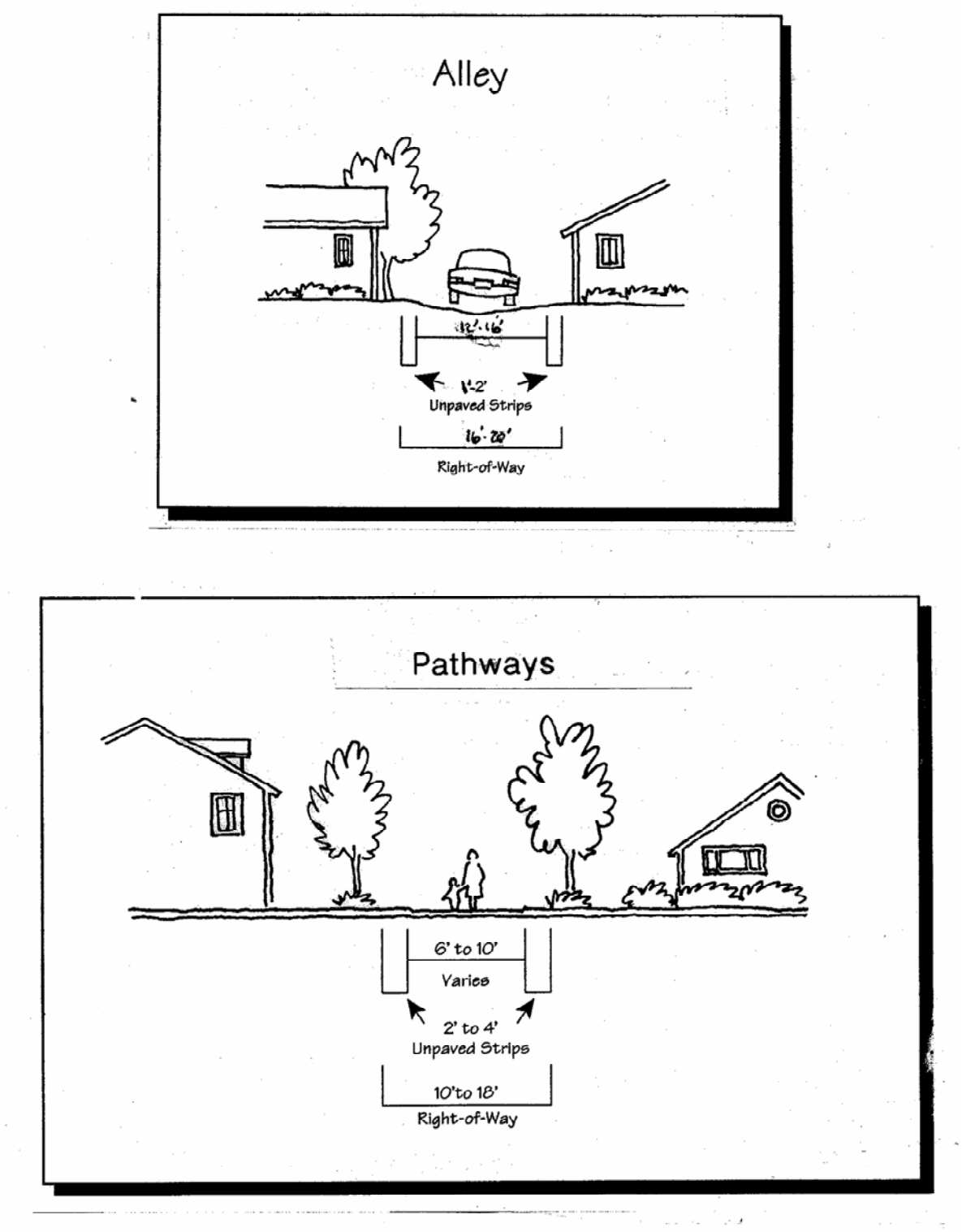


Figure 3.4.100F(2) Alley and Pathway Sections



Note: Where an alley serves as a fire apparatus lane, it must provide twenty (20) feet of unobstructed width

H. Subdivision Street Connectivity. All subdivisions shall conform to all the following access and circulation design standards, as applicable:

1. Connectivity to Abutting Lands. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this Section. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. All street stubs shall be provided with a temporary turn-around unless specifically exempted by the Fire Marshal, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.
2. When Abutting an Arterial Street. Property access to abutting arterials shall be minimized. Where such access is necessary, shared driveways may be required in conformance with Section 3.1.2. If vehicle access off a secondary street is possible, then the road authority may prohibit access to the arterial.
3. Continuation of Streets. Planned streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods and to facilitate emergency access and evacuation. Connections shall be designed to meet or exceed the standards in subsection 4, below, and to avoid or minimize through traffic on local streets. Appropriate design and traffic control and traffic calming measures, as provided in subsection H, below, are the preferred means of discouraging through traffic.
4. Street Connectivity and Formation of Blocks. In order to promote efficient vehicular and pedestrian circulation throughout the city, subdivisions and site developments of more than two (2) acres shall be served by a connecting network of public streets and/or accessways, in accordance with the following standards (minimum and maximum distances between two streets or a street and its nearest accessway):

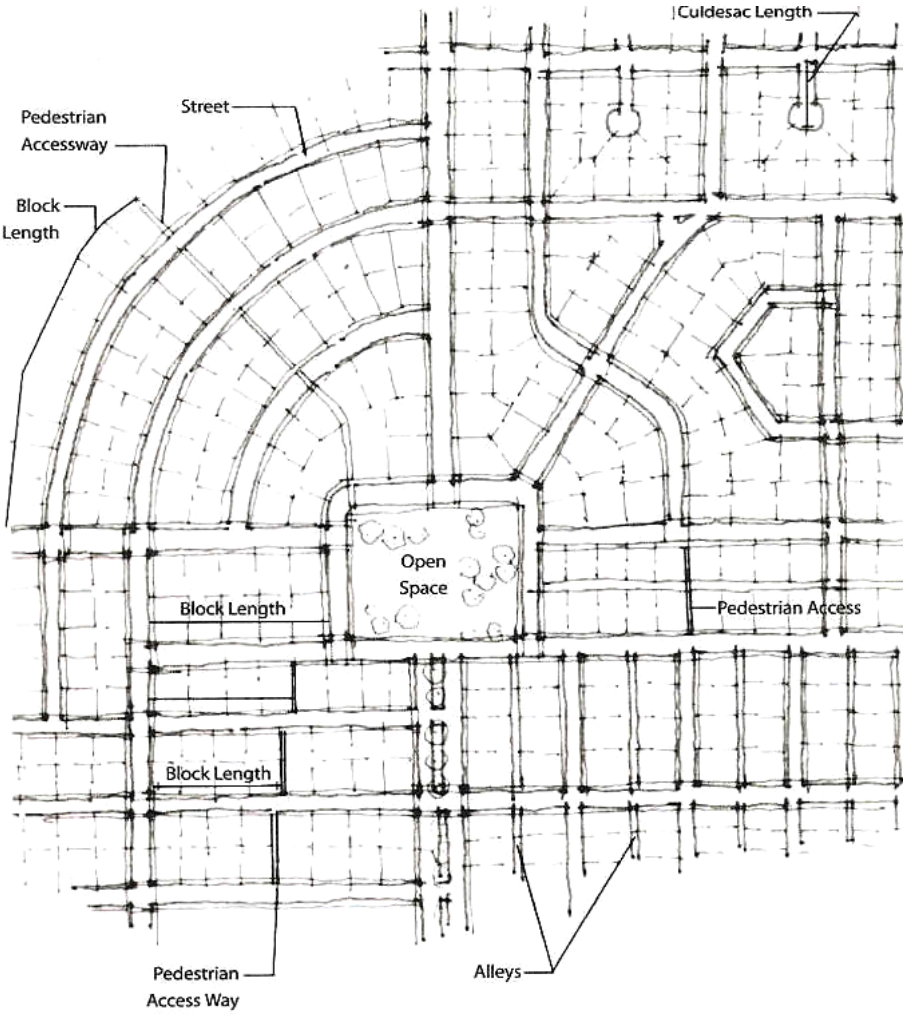
    a. Residential Districts: Minimum of 100-foot block length and maximum 500-foot length.

    b. Downtown Commercial District: Block lengths shall be consistent with the existing town plat, as of March 2006. Streets shall not be vacated in the DC District.

    c. General Commercial and Industrial-Commercial Districts: Minimum of 100-foot block length and maximum 600-foot length.

    d. Not applicable to the Industrial Districts.

Figure 3.4.100G - Street Connectivity and Formation of Blocks



5. Accessway Standards. Where a street connection in conformance with the maximum block length standards in subsection 4 is impracticable, an accessway shall be provided at or near the middle of a block in lieu of the street connection, as generally shown in Figure 3.4.100G. The City may also require developers to provide an accessway where a cul-de-sac or other street is planned and the accessway would connect the streets or provide a connection to other developments. Such accessways shall conform to all of the following standards:

   a. Accessways shall be no less than ten (10) feet wide and located within a right-of-way or easement allowing public access and, as applicable, emergency vehicle access;

   b. If the streets within the subdivision or neighborhood are lighted, all accessways in the subdivision shall be lighted. Accessway illumination shall provide at least two (2)-foot candles;

   c. A right-of-way or public access easement provided in accordance with subsection b that is less than twenty (20) feet wide may be allowed on steep slopes where the decision body finds that stairs, ramps, or switch-back paths are required;

   d. All accessways shall conform to applicable ADA requirements; and

e. The City may require landscaping as part of the required accessway improvement to buffer pedestrians from adjacent vehicles, or to screen accessways from view of adjacent residences where a fence is not otherwise installed, provided that landscaping or fencing adjacent to the accessway shall not exceed four (4) feet in height.

I. Traffic Signals and Traffic Calming Features.

1. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Highway Capacity Manual and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed in conformance with the road authority's requirements. The developer's cost and the timing of improvements shall be included as a condition of development approval.

2. When an intersection meets or is projected to meet traffic signal warrants, the City may accept alternative mitigation, such as a roundabout, in lieu of a traffic signal, if approved by the City Engineer and applicable road authority.

3. The City may require the installation of calming features such as traffic circles, curb extensions, reduced street width (parking on one side), medians with pedestrian crossing refuges, and/or special paving to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

J. Future Street Plan and Extension of Streets.

1. A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 600 feet surrounding and adjacent to the proposed land division. The street plan is not binding; rather it is intended to show potential future street extensions with future development.

2. Streets shall be extended to the boundary lines of the parcel or tract to be developed when the City determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to a-c, below:

   a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.

   b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.

c. Temporary street ends shall provide turnarounds constructed to Uniform Fire Code standards for streets over 150 feet in length. See also, Section 3.1.200.

K. Street Alignment, Radii, Connections and Completion of Half Streets.

1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that offsets of less than 300 feet on such streets are created, as measured from the centerline of the street.

2. Spacing between local street intersections shall have a minimum separation of 125 feet as measured from the centerline of the street, except where more closely spaced intersections are designed to provide an open space, pocket park, common area, or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.

3. All local and collector streets that stub into a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.

4. Proposed streets or street extensions shall be located to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands. Developments abutting an existing half- or three-quarter street shall be required to build out the street to its full dimensions and specifications.

5. In order to promote efficient vehicular and pedestrian circulation throughout the City, the design of subdivisions and alignment of new streets shall conform to block length standards in Article 2 and Section 3.4.100(H)(4).

6. Corner curb radii shall be at least twenty (20) feet, except where smaller radii are approved by the City Engineer.

L. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with the standards in Table 3.4.100, applicable provisions of Transportation System Plan, the Comprehensive Plan, and adopted street plans. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner. Replacement costs due to damage of sidewalk and/or planter strips in the right-of-way shall be the obligation of the property owner as determined by the City Engineer.

M. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:

1. Streets shall have at least twenty-five (25) feet of tangent adjacent to the right-of-way intersection unless topography requires a lesser distance;

2. Intersections that are not at right angles shall have a minimum corner radius of twenty (20) feet along the right-of-way lines of the acute angle; and

3. Right-of-way lines at intersection with arterial streets shall have a corner radius of not less than twenty (20) feet.

N. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to a proposed development are less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of Section 3.4.100.

O. Cul-de-sacs. A cul-de-sac street shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation. When cul-de-sacs are provided, all of the following shall be met:

1. The cul-de-sac shall not exceed a length of 600 feet; the length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac;

2. The cul-de-sac shall terminate with a circular or hammer-head turnaround meeting the Uniform Fire Code. Circular turnarounds shall have a radius of no less than 35 feet, and not more than a radius of 45 feet (i.e., from center to edge of pavement), subject to approval by the City Engineer; except that turnarounds shall be larger when they contain a landscaped island or parking bay at their center. When an island or parking bay is provided, there shall be a fire apparatus lane of twenty (20) feet in width; and

3. The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle accessway connection between it an adjacent streets accessways, parks, or other right-of-way. Such accessways shall conform to Section 3.1.400.

P. Grades and Curves. Grades shall not exceed 10% on arterials, 12% on collector streets, or 12% on any other street (the maximum street grade permitted for hillside developments is 15%, except that grades in excess of 15%, but not more than 20%, may be allowed for a distance not to exceed 200 feet. Street intersections and curb cuts are never allowed at grades in excess of 15%), and:

1. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and

2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent or less. Landings are that portion of the street within twenty (20) feet of the edge of the intersecting street at full improvement.

Q. Curbs, Curb Cuts, Ramps, and Driveway Approaches. Concrete curbs, curb cuts, wheelchair ramps, bicycle ramps, and driveway approaches shall be constructed in accordance with standards specified in Chapter 3.1, Access and Circulation.

R. Streets Adjacent to Railroad Right-of-Way. When a transportation improvement is proposed within 300 feet of a public railroad crossing, or a modification is proposed to an existing public crossing, the Oregon Department of Transportation and the rail service provider shall be notified and given an opportunity to comment, in conformance with the provisions of Article 4. Private crossing improvements are subject to review and licensing by the rail service provider.

S. Development Adjoining Arterial Streets. Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access from through traffic and minimize traffic conflicts. (See also, the access requirements under Section 3.1.200, Vehicular Access and Circulation.) The development design shall include one or more of the following:

1. A parallel access street (frontage road) along the arterial with a landscape median (raised curbs) of not less than ten (10) feet in width separating the two streets;

2. Deep lots (120 feet or greater) abutting the arterial or major collector to provide at least ten (10) feet of landscape buffering along the arterial and receive access from a secondary street. Where a secondary street is not available, such lots shall combine and share driveways;

3. Screen planting within a non-access reservation (e.g., public easement or tract) of not less than ten (10) feet in width at the rear or side property line along the arterial; or

4. Other treatment approved by the City that is consistent with the purpose of this Section.

T. Alleys, Public or Private. Alleys shall conform to the standards in Table 3.4.100. Alley intersections and sharp changes in alignment shall be avoided. The corners of necessary alley intersections shall have a radius of not less than twelve (12) feet.

U. Private Streets. Private streets are discouraged. Where they are necessary or otherwise allowed, they shall conform to City standards of construction and shall include sidewalks or pathways as approved by the City. Private streets shall not be used to avoid public access connectivity required by this Chapter. Gated streets (i.e., where a gate limits access to a development from a public street) are prohibited. Legal assurance for construction and maintenance shall be required of the developers and owners.

V. Street Names. The developer shall submit proposed street names to the Lane County Road

Naming Committee for approval prior to preliminary plat approval. No new street name shall be used that duplicates or could be confused with the name of an existing street in the vicinity. Street names, signs, and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency service providers.

W. Survey Monuments. Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments shall be reestablished and protected.

X. Street Signs. The city, county, or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

Y. Mail Receptacles. Plans, including placement of mail receptacles, shall be approved by the City of Creswell in coordination with the United States Postal Service. Mail receptacles are subject to the requirements of Section 632 of the Postal Operations Manual, which requires Centralized Boxed Units.

Z. Street Light Standards. Street lights shall be installed in accordance with City standards.

AA. Street Cross-Sections. The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway unless otherwise approved by the City Engineer.

3.4.200 Public Use Areas

A. Dedication of Public Use Areas.

1. Where a proposed park, playground, or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision or master plan, the City may require the dedication or reservation of this area on subdivision plat(s), and improvement thereof for public use, provided that the impact of the development on the City park system is roughly proportionate to the dedication or reservation being made.

2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision or master plan that are suitable for the development of parks and other public uses; however, the City is under no obligation to accept such areas offered for dedication or sale.

3. The amount of land and park improvements required shall be proportionate to number of dwelling units proposed and conform to the level of service standards in the City Creswell Parks and Open Space as adopted or hereafter amended and updated. At a minimum, 217.8 square feet of park land per dwelling unit or single family lot shall be improved and dedicated to the City. This equals approximately ¼ acre (10,890 square feet) of park land per fifty (50) dwelling units. The required park land is in addition to any street tree planter strips, storm water facilities, wetland protection areas, or other open space dedications that may be donated or otherwise required.

4. When the following conditions preclude dedication of land and park improvements outlined in subsection 3 above, the Creswell Parks and Open Space Master Plan proposed standards in acres per 1,000 (page 19 of the Creswell Parks and Open Space Master Plan as adopted or hereafter amended and updated) for dedication may be applied:

    a. Sensitive or unbuildable areas that include steep slopes, wetlands, or natural areas designated for protection or conservation by the Comprehensive Plan or refinements to the Comprehensive Plan (e.g., Parks and Open Space Master Plan) and provided that these resources are preserved.

    b. Significant trees and other on-site vegetation provided that these resources are preserved.

    c. Utility dedications outside the right-of-way.

5. Commercial, industrial and civic development shall include mini-parks to serve the employees generated by such uses. Mini-parks are required at a ratio of 0.5 acres per 1,000 population, using 10 employees per net acre, parcel size and road frontage to calculate the required acreage. At a minimum, mini-parks shall contain seating and weather protection canopies, awnings, or similar weather protection.

6. The Creswell City Council may permit a non-City (public or private) entity to own and

manage the park area required in subsection 3, provided that the City and park provider shall first enter into a legal agreement assuring that City residents will have public access to the park. The agreement, at a minimum, shall also describe the types of park uses and facilities that are to be provided, park operating hours, and ongoing maintenance responsibilities. All property taxes are the responsibility of the owner.

7. Connectivity with existing and proposed multi-use paths and trails is encouraged.

B. System Development Charge Credit. Dedication of land or facilities to the City for parks, voluntary or otherwise, may be eligible for credit toward any required system development charge for parks. A third party certified appraiser shall be retained by the developer to determine a price per acre.

3.4.300 Sanitary Sewers, Water, Street Lights, Wells, and Fire Protection.

A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's Sanitary Sewer Master Plan and Water System Master Plan as adopted or hereafter amended and updated, and the applicable construction specifications. When streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements shall also be stubbed with the streets, except as may be waived by the City Engineer.

B. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards, and approval has been granted by applicable state agencies.

C. Over-Sizing. The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage Master Plan as adopted or hereafter amended and updated, provided that the City may grant the developer credit toward any required system development charge for the same.

D. Street Lights. Street lights shall be provided in all developments within the City and shall be provided in accordance with the following standards:

1. New Streets. Street lighting shall be installed at intersections and at a maximum distance of 220 feet apart at a height of 25 to 30 feet with the following exceptions:

    a. A cul-de-sac where the terminus is less than 150 feet from the nearest lighted intersection; otherwise, a street light shall be installed at the end of a cul-de-sac.

    b. For streets serving industrial areas, there shall be a minimum of one (1) street light at each intersection.

    c. Existing Streets. Development having 200 feet or more of frontage on an existing street shall install a minimum of one (1) street light for the first 200 feet, plus one (1) street light per 220 feet of additional frontage. A development with less than 200 feet of frontage on an existing street shall enter into a deferred improvement agreement for future light installation. Street lights shall be 25 to 30 feet in height.

    d. All street lighting shall be constructed to cast light downward and minimize light pollution.

E. Wells.

1. Drilling of private well is not allowed within the city limits.

2. Upon development, wells shall be abandoned per applicable standards of the state of Oregon Administrative Rules, Division 220, 690-220-005 through 690-220-0140.

F. Fire Protection. All new development shall conform to the applicable provisions of the IFC, as determined in the City's sole discretion. Developers shall provide third party verification of existing hydrant flow. Fire flow analyses and plans for hydrants shall be subject to review and approval as part of the Land Use Review, Site Design Review, and/or Preliminary Subdivision/Partition process.

G. Inadequate Facilities. Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and that if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems.

3.4.400 Storm Drainage and Erosion Control

A Statement of Purpose. This Section addresses the management plan requirements, pollution reduction, and flow control for stormwater generated from new and redevelopment. For the purpose of this Code, "new" and "redevelopment" refer to any man-made change to improved or unimproved real estate including, but not limited to the placement of buildings or other structures, dredging, filling, grading, or paving. The primary purposes of this Section are to:

1. Protect and enhance water quality;

2. Meet State and Federal water quality standards;

3. Prevent property damage during floods and storms;

4. Reduce pollution and runoff;

5. Protect native plant species, and fish and wildlife habitats;

6. Conserve scenic and recreational values of open areas, including stream enhancement.

B. Applicability. No permit for construction of new development or tenant improvements greater than 10,000 square feet within the City shall be issued until a stormwater management plan is approved. Development projects shall not be phased or segmented in such a manner to avoid the requirement of these Rules and Regulations.

C. General Provisions

1. Issuance of permit. The City shall issue a land use review permit only where adequate provisions for stormwater and flood water runoff have been made in conformance with the City of Creswell Storm Drainage Master Plan as adopted or hereafter amended and updated.

2. All development shall be planned, designed, constructed and maintained to:

   a. Provide a system by which storm/surface water within the development will be managed without causing damage or harm to the natural environment, or to property or persons.

   b. Protect property from flood hazards.

D. Stormwater Management Pre-Construction, Post-construction Submittal Requirements, and Plan Review Standards.

1. Pre-construction plans shall include the following analyses and descriptions:

a. An analysis of stormwater mitigation strategies to increase infiltration and evapotranspiration (use of water by plants) and reduce the amount of stormwater runoff generated from the site.

b. Calculations of the amount of impervious surface before development and the amount of impervious surface after development. Impervious surface refers only to strictly impervious surfaces including roofs of buildings, impervious asphalt and concrete pavements, and other specifically impervious pavement materials such as mortared masonry and gravel.

c. An analysis of vegetative and other treatment methods used to reduce pollutants.

d. An analysis of flow reduction methods including, infiltration, and detention and techniques.

e. Statement of consistency with the City's stormwater management purposes stated in Section A above.

2. Post-construction plans shall include the following information:

a. As-built plans, stamped by a certified engineer indicating all stormwater mitigation and management strategies are installed per approved plans and approved changes.

b. Maintenance plans for all stormwater facilities installed to comply with this Code. The maintenance program must be approved by the City. Proof of maintenance shall be submitted annually.

3. Plan Review Standards. Plans shall be submitted to the City for review. All plans and calculations must be stamped and signed by a certified engineer. Plan approval will be based on the following criteria:

a. Design, construction and maintenance of proposed stormwater management plan will result in post construction stormwater volumes flowing off site that are substantially the same as preconstruction volumes for all storms less than or equal to the 10-year design storm.

b. All culvert installations must allow fish passage in accordance with Department of State Lands (DSL) and the US Army Corps of Engineering (COE) and any other authorized federal, state, or local agency.

c. Installation of culverts, spans or stormwater outfalls along natural water features shall be designed to emphasize preservation of natural flow conditions, allow for natural obstructions, and pursue stream enhancement opportunities.

d. Culverts and other drainage facilities shall be large enough to accommodate

existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Engineer.

e. Stormwater mitigation strategies, such as retention of existing trees, and use of porous paving surfaces, as well as stormwater treatment and flow control facilities used to meet the requirements of this Code must be included in the plans.

E. Effect on Downstream Drainage. Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards.

F. Existing Watercourse. Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety.

G. Over-Sizing. The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage as adopted or hereafter amended and updated, provided that the city may grant the developer credit toward any required system development charge for the same.

H. Erosion Control. Erosion control is required prior to, during and after construction activities for projects that disturb one (1) or more acres of land over a period of time. A National Pollution Discharge Elimination System (NPDES) Permit must be obtained from the Department of Environmental Quality prior to the issuance of a development permit or land use permit.

I. Wetlands. Development within a wetland is subject to compliance with the following.

1. Notification**.** The City shall provide notice to the Department of State Lands (DSL), the applicant, and property owner of record in areas identified as:

   a. Wetlands (on the Statewide Wetlands Inventory or National Wetland Inventory); or

   b. Water (as mapped by the Natural Resource Conservation Service); or

   c. Soils listed as hydric or soils with inclusions of hydric soils (as listed by the Natural Resource Conservation Service)

2. Application Type**.** The following application types shall require notification:

   a. Any complete application for subdivisions;

b. Building permits for new structures;

c. Other development permits and approvals that allow physical alteration of land involving excavation and grading, including permits for removal or fill, or both, or development in the floodplain;

d. Conditional uses and variances that involve physical alteration of land or construction of new structures; and

e. Master planned development approvals that are wholly or partially completed. This provision does not apply if a permit from DSL has been issued for the proposed activity.

3. Approval. Approval of any activity described above shall include one of the following:

a. Issuance of a permit by DSL required for the project before any physical alteration takes place within the wetlands;

b. Notice from DSL that no permit is required; or

c Notice from DSL that no permit is required until specific proposals to remove fill or alter the wetlands are submitted.

d. Copies of application materials submitted to all state and federal agencies (such as but not limited to the DSL and ACE) for permitting must be included in the application to the City in order for it to be deemed complete.

3.4.500 Utilities

A. Underground Utilities.

1. Generally. All new and existing utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above.

2. Subdivisions. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

   a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (Chapter 3.1);

   b. The City reserves the right to approve the location of all surface-mounted facilities;

   c. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and

   d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

B. Exception to Undergrounding Requirement. The standard applies only to proposed partitions and subdivisions. An exception to the undergrounding requirement may be granted due to physical constraints, such as steep topography, sensitive lands or existing development conditions.

3.4.600 Easements.

A. Provision. The developer or applicant shall make arrangements with the City, the applicable district, and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be determined by the City.

B. Recordation. As determined by the City, all easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other public utilities shall be recorded with the final plat. See Chapter 4.2, Site Design Review, and Chapter 4.3, Land Divisions.

3.4.700 Construction Plan Approval and Assurances

A. Plan Approval and Permit. No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after plans in accordance with City specifications have been approved by the City, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. All permit fees shall be established by resolution of the City Council.

B. Performance Guarantee. The City may require the developer or subdivider to provide bonding, a letter of credit, or other performance guarantee as approved by the City Attorney to ensure completion of required public improvements in a sum approved by City as sufficient to cover the costs of the improvements and repairs, including related engineering and incidental expenses, and to cover the cost of City inspection. If the developer fails to complete public improvements per plan, City standards, and City approval, and the City has unreimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit, letter of credit, or other performance guarantee for reimbursement. If the amount of the performance guarantee is less than the cost and expense incurred by the City, the Developer shall be liable to the City for the difference. See Chapter 4.2, Site Design Review, and Chapter 4.3, Land Divisions.

3.4.800 Installation

A. Conformance Required. Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.

B. Adopted Installation Standards. Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A.-ODOT, are hereby incorporated by reference; compliance with other standards may also be required upon recommendation of the City.

C. Commencement. Work shall not begin until the City has been notified in advance in writing.

D. Resumption. If work is discontinued for more than one month, it shall not be resumed until the City is notified in writing.

E. City Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications to the approved design requested by the developer may be subject to review under Chapter 4.6, Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.

F. Engineer's Certification and As-Built Plans. A registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide two (2) sets of "as-built" plans, in conformance with the City Engineer's specifications, for permanent filing with the City.

Chapter 3.5 — Other Standards

Sections:

3.5.100 Telecommunication Facilities

A. Purpose. The purpose of this Section is to ensure that telecommunications facilities are located, installed, maintained, and removed in a manner that:

1. Minimizes the number of transmission towers throughout the community;

2. Encourages collocation of telecommunication facilities;

3. Encourages the use of existing buildings, light or utility poles or water towers as opposed to construction of new telecommunication towers; and

4. Ensures that all telecommunication facilities, including towers, antennas, and ancillary facilities are located and designed to minimize the visual impact on the immediate surroundings and throughout the community.

B. Applicability. All new towers or antennas within the City of Creswell shall be subject to these regulations, except for the following uses, which shall only be required to comply with the applicable provisions of the underlying zoning district in which they are located and Federal Communications Commission policy:

1. Private Amateur Radio/Direct Home Satellite. Private Amateur Radio (HAM) antennas, their support structures, and direct to home satellite receiving antennas are exempt from this ordinance.

2. Preexisting Towers or Antennas. Preexisting towers and preexisting antennas are allowed to continue as non-conforming uses as governed by Section 5.2 of this Code.

C. General Requirements. The following requirements apply to all wireless telecommunications facilities:

1. Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use or existing structure on the same lot shall not preclude the installation of an antennas or tower on such lot, as long as the facility meets setbacks and other requirements.

2. Not Essential Services. Wireless Telecommunications facility applications shall be reviewed and if determined to be not essential services by the City Administrator, they shall be regulated and permitted pursuant to this Ordinance

and shall not be regulated or permitted as essential services, public utilities, or private utilities.

3. State and Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this Ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antennas at the owner's expense.

4. Building Codes; Safety Standards. To ensure the structural integrity of wireless telecommunications facilities the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building and safety codes and standards. A building permit may be required by the City of Creswell. If, upon inspection, the City of Creswell concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards, unless the tower poses such an imminent public hazard that the City sets a shorter time period, as determined in City's sole discretion. Failure to bring such tower into compliance within said thirty (30) days or other timeline imposed by the City shall constitute grounds for removal of the tower or antennas at the owner's expense.

5. Height. Towers shall not exceed 150 feet. All antennas or other supporting equipment attached to towers are included in the calculation of height. Antennas that are attached to buildings may not exceed the height standards in the base zone in which they are located.

6. Setbacks. All equipment shelters shall be set back from property lines according to the required setbacks of the underlying zone. A tower shall be set back from any residentially zoned district or adjacent lot with a residential dwelling a distance equal to the height of the tower from finished grade, or according to the setbacks of the underlying zone, whichever is greater.

7. Allowed Tower Types. All towers must be monopole type towers. Lattice towers may not be constructed within the City of Creswell.

8. Color. Towers and antennas shall be subject to any applicable standards of the FAA and shall either maintain a galvanized steel finish or be painted a neutral color so as to reduce visual obtrusiveness. Supporting electrical and mechanical

equipment must also be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure.

9. Design and Building Materials. At a tower site, the design of the building and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.

10. Lighting. Towers shall not be artificially lighted, unless specifically required by the FAA. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding areas, must be shielded, may not include intermittent or flashing lights unless required by the FAA, and are subject to applicable lighting standards in this Ordinance.

11. Landscaping. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.

12. Signs. No signs shall be allowed on an antenna or tower.

13. Security Fencing. Towers shall be enclosed by security fencing not less than six feet in height.

14. Collocation requirements. Towers must be built in a manner that allows antennas for one or more additional users.

15. Separation distances between towers. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers within a one-mile radius of the proposed tower. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) shall be as shown in Table 3.5.100.

Table 3.5.100. Separation Distances Between Towers

Proposed Tower Type	Existing Tower Types	
	Monopole 75 Ft. in Height or Greater	Monopole Less Than 75 Ft. in Height
Monopole 75 ft. in Height or Greater	1,500 ft	750 ft
Monopole less than 75 ft. in Height	750 ft	750 ft

D. Application requirements. In addition to any information required for applications for conditional use permits under Chapter 4.4, applicants for a conditional use permit

for a wireless telecommunications facility shall submit the following information:

1. Five (5) copies of the application shall be submitted for the initial review by City staff. An additional fifteen (15) copies of the complete application shall be submitted by a date the City Administrator requires (i.e., for the Planning Commission hearing) and shall include:

    a. a scaled site plan clearly indicating the location, type, and height of the proposed wireless telecommunications tower,

    b. on-site land uses and zoning, adjacent land uses and zoning,

    c. Comprehensive Plan designation of the site and surrounding properties,

    d. adjacent roadways,

    e. proposed means of access,

    f. setbacks from property lines,

    g. locations of any adjacent existing towers,

    h. landscaping,

    i. elevation drawings of the proposed tower and any other structures,

    j. topography,

    k. parking,

    l. and any other information deemed necessary by the Planning Director to be necessary to assess compliance with this ordinance.

2. A description of the type of service offered and the consumer receiving equipment.

3. Identification of the provider and backhaul provider, if different.

4. Legal description of the parent tract and lease parcel (if applicable).

5. The setback distance between the proposed tower and the nearest residentially zoned property

6. Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the City of Creswell an inventory of the applicant's existing towers, antennas, or sites approved for towers or antennas, that are either within the

jurisdiction of the City of Creswell, including specific information about the location, height, and design of each tower. The City of Creswell may share such information with other applicants applying for administrative or conditional use approval under this ordinance or other organizations seeking to locate antennas within the jurisdiction of Creswell, provided, however that the City is not, by sharing this information, in any way representing or warranting that such sites are available or suitable for collocation of facilities.

7. The separation distance from other towers described in Section 3.5.100.C.15 shall be shown on an updated site plan or map in relationship to the proposed tower. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if applicable.

8. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.

9. A description of compliance with all applicable federal and state laws.

10. A notarized statement by the applicant as to whether construction of tower will accommodate collocation of additional antennas for future users.

11. An engineer's analysis/report of the recommended site location area for the proposed facility. If an existing structure within the area recommended by the engineer's report provides an opportunity for collocating, reasons for not collocating shall be provided and must demonstrate at least on of the following deficiencies:

    a. the structure is not of sufficient height to meet engineering requirements;

    b. the structure is not of sufficient structural strength to accommodate the facility;

    c. electromagnetic interference for one or both facilities will result from collocation;

    d. the radio frequency coverage objective cannot adequately be met.

12. A copy of that portion of the lease agreement with the property owner that includes collocation provisions (where applicable), facility removal within 90 days of abandonment and a bond to guarantee removal.

E. Procedures for Approval. The following procedures apply to wireless telecommunications facilities:

1. Type I Approval. Any antennas that are not attached to a tower may be approved ministerially provided that:

a. The antenna is located in the General Commercial (GC), Downtown Commercial (DC), Industrial Commercial (IC), General Industrial (GI), Public Facilities (PF), or Parks, Recreation, and Open Space (PRO-S) zoning districts.

b. The antenna does not exceed the height standards of the base zone.

c. The antenna complies with all general requirements of this Ordinance including Section 4.1.200 (Type 1 procedures), all applicable FCC and FAA regulations, and all applicable building codes and safety regulations.

2. Type II Approval. Type II review is available towers, and includes notice to property owners within 100' of the subject site and the opportunity for a Planning Commission public hearing if requested. The following towers must reviewed through a Type II procedure:

a. Towers that are of a stealth design, as defined in Chapter 1.3, and are to be located in either the Industrial Commercial (IC) or General Industrial (GI) zoning districts.

b. Towers that are located in the Public Facilities (PF) zoning district.

3. Conditional Use Permits. All other towers shall be processed through a Type III process, which requires a public hearing before the Planning Commission. All towers allowed under the Type III procedure shall be located in the Industrial Commercial (IC) or General Industrial (GI) zoning districts.

a. An applicant for a conditional use permit shall submit the information described in this Section and in Section 4.4, and a non-refundable fee.

b. Criteria in Granting Conditional Use Permits. In addition to any standards for consideration of conditional use permit applicants pursuant to Section 4.4 and the general requirements of this Section, the Planning Commission shall consider the following factors in determining whether to issue a conditional use permit:

(1) Design and placement of the tower, with particular reference to design characteristics or placement considerations that have the effect of reducing or eliminating visual obtrusiveness;

(2) Proximity of the wireless telecommunications facility to residential district boundaries;

(3) Proposed ingress and egress.

c. In granting a conditional use permit, the Planning Commission may impose conditions to the extent the Planning Commission concludes such conditions are necessary to minimize any adverse effect of the proposed tower or antenna on adjoining properties.

F. Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within ninety (90) days of receipt of notice from the City of Creswell notifying the owner of such abandonment. Failure to remove the tower or antenna within said ninety (90) days shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower. The city requires the posting of an open ended bond before development permit issuance to insure removal of a wireless telecommunications facility after the facility is no longer being use.

[3.5.200 Reserved]