



**CITY OF CARLTON
CITY COUNCIL WORK SESSION AGENDA
TUESDAY, JANUARY 9, 2024, 6:00 – 8:00 P.M.
VIA ZOOM & 945 WEST GRANT STREET, CARLTON OR 97111**

The Mission of the City of Carlton is to safeguard and enhance the vitality and livability of the community by providing essential services with professionalism and integrity.

	<u>Pages</u>
1) CALL TO ORDER – ROLL CALL	
A. Changes to the Agenda	
2) WORK SESSION AGENDA ITEMS	
A. Draft code review: Division III (development standards) and Division IV (special uses)	2
3. FUTURE WORK SESSION AGENDA ITEMS	
4. ADJOURNMENT	

The public is encouraged to join the meeting virtually using Zoom due to lack of seating in the meeting room. Please follow the directions below to log on:

To join using a computer, please use the link:

<https://us02web.zoom.us/j/87389685921?pwd=UzBjNUZOSVErWGJpQlFnYmxwc09hZz09>

To join using a phone, please call: 1-253-215-8782 and enter Meeting ID: 873 8968 5921 and then enter Passcode: 417112



MEMO

DATE: December 21, 2023
TO: Mayor Linda Watkins and City Councilors
Envision Carlton Project Advisory Committee Members
Planning Commissioners
FROM: Elizabeth Decker, JET Planning
SUBJECT: Code Companion for Draft Carlton Code Updates, Divisions III and IV
ATTACHED: Carlton Development Code Division III – General Development Standards and Division IV – Supplemental Standards

I. PURPOSE & BACKGROUND

The City of Carlton is continuing its review of the proposed updates to the Carlton Development Code (CDC), with focused review of the second two divisions of code. The purpose of the January 9th work session is to review the draft code language and specific code provisions in more detail to confirm or revise the proposed direction.

The review schedule for the draft code includes:

- ✓ November 7, 2023: Review of key concepts
- ✓ December 5, 2023: Review of draft code for Division I (definitions and administration) and Division II (zoning districts)
- **January 9, 2024:** Review of draft code for Division III (development standards including streets and utilities, landscaping and design), Division IV (special uses including PUDs, vacation rentals)
- February 6, 2024: Review of draft code for Division V (general standards), Division VI (application requirements and review criteria) and Division VIII (administration)

Following the sequential review of the draft code, the City will begin the adoption process for the final code integrating refinements generated during the work sessions.

II. KEY TOPICS

Several topics that have been highlighted in previous conversations and that span multiple code sections merit further discussion to inform refinements to these code divisions and further sections to be discussed in coming months.

A. Landscaping and Tree Requirements

Code sections: CDC 17.84.060, 17.84.090, 17.88.050.J.2

Related Council goal: Action 2.6

As part of the Council's broader focus on enhancing green spaces within the city, the proposed code includes enhanced requirements for trees planted in both private landscaping and as street trees in public right-of-way. Proposed landscaping standards in CDC 17.84.060 require trees, shrubs and plants at ratios specific to residential and commercial development on private property. Additional standards in CDC 17.84.090 require street trees planted every 35 feet for residential developments, selected from the adopted street tree list.

Note that not all residential streets are required to include a landscape strip where street trees can be planted, according to CDC 17.64.040. The proposed code addresses this issue by requiring that street trees be planted in the front yard of the residential development instead, where landscape strips are not present. Longer term, the upcoming Transportation System Plan (TSP) update will review the street cross sections and could update requirements to require landscape strips for additional situations.

Would you like to see any further modifications to the private and street tree planting requirements, such as the spacing requirements or to expand the street tree requirements beyond residential developments?

B. Native and Nuisance Species for Landscaping

Code section: CDC 17.84.060

Related Council goal: Action 2.6

The proposed landscaping standards include new standards requiring a minimum 50% of native species in landscaped areas and prohibiting nuisance plants. To implement these standards, the City must select an existing plant list for reference or create their own lists. Some options include:

Gardening with Oregon Native Plants West of the Cascades, OSU Extension Service.

https://extension.oregonstate.edu/sites/default/files/documents/12581/native-plants-west-cascades-final0_0.pdf

Native Plants for Willamette Valley Yards, Metro.

<https://www.oregonmetro.gov/sites/default/files/2020/06/30/native-plants-for-Willamette-Valley-yards-booklet-high-res-20200107.pdf>

Portland Plant List, City of Portland. Includes both native and nuisance plants.

<https://www.portland.gov/bps/documents/portland-plant-list/download>

Invasive Species Prohibited Plant List, City of Eugene. https://www.eugene-or.gov/DocumentCenter/View/53051/Invasive-Species-Prohibited-9_2020?bidId=

Nuisance Plant List, City of Oregon City.

<https://www.orcity.org/DocumentCenter/View/5196/Nuisance-Plant-List-PDF?bidId=>

Native Plant List, City of Oregon City.

<https://www.orcity.org/DocumentCenter/View/5195/Native-Plant-List-PDF?bidId=>

Our recommendation is to select an established, trusted list for consistent reference, but we do not have a specific preference about which list(s) to select. The City may wish to have further, separate conversations about preferred plant lists, particularly if there is a desire to create a City-specific list rather than reference an established list.

Do you support the proposed 50% minimum for native species or would you like to see a different requirement? How would the City like to select or develop a native and invasive species list to adopt by reference?

C. Midblock Pedestrian/Bicycle Access Ways

Code section: CDC 17.88.050.I

Related Council goal: Action 2.6

Also as part of the updates to expand green spaces, proposed standards enhance requirements for midblock connections anywhere the block length exceeds the allowed maximum (600 ft). Proposed standards double the required paved width of those midblock connections from 5 feet to 10 feet to create more space for walking and biking. The requirements also introduce new standards for 10 feet of landscaping, including trees and shrubs.

Do these development standards meet the intended goals or would you like to see further adjustments to the specific widths and improvement standards?

Is there anywhere else that you would like to see midblock connections required as a policy, such as at the end of cul-de-sacs? Note that site-specific connections, especially in existing developed areas, should be identified and detailed in future TSP or parks plans like any transportation project.

D. Cottage Cluster Design Standards

Code section: CDC 17.106.040

Related Council goal: Action 2.3

In addition to permitting cottage clusters broadly in the individual residential zones, new design standards for cottages specify greater detail for such developments. The proposed standards include:

- Dimension standards for the individual cottages, including a maximum 900-square-foot building footprint, 1,600-square-foot maximum floor area and a 25-foot (2 story) height limit to create smaller cottage dwellings. The footprint and height are key to the cottage definitions, but the total floor area can be set anywhere from 900 square feet (a single-story) to 1,800 square feet (two full stories). The proposed 1,600-square-foot aims for a “sweet spot” that allows a partial second story and avoids a boxy look, focusing on smaller dwellings to serve smaller households, but Council input on this size limit is desired.
- Cluster size limits, as discussed last month, to cap cottage clusters at 12 cottages in the R-1 and R-2 zones and no limit in the R-3 and MX zones. As discussed last month, there are some “natural” limits to the size of cottage clusters because of the requirement to cluster cottages around a common courtyard, which becomes difficult with a large number of cottages. These specific cluster size limits create greater certainty for the City and developers about the scale of desired development, but could be adjusted if desired by Council.
- Site design standards to require a common courtyard with at least 50% of cottages oriented towards the courtyard, and the remainder of cottages oriented to the street or internal pedestrian walkways.
- Parking standards for two options: shared parking areas with small clusters of parking spaces, and/or individual garages that can be attached or detached. In any configuration, a minimum of one parking space per cottage must be provided.

The majority of the proposed standards come directly from the state’s Model Code, which has been adopted widely.

Do you support the proposed 1,600-square-foot maximum cottage size or would you like to see it adjusted?

Are there any further refinements you would like to see to the cottage cluster size maximums?

Are there any other questions or changes to the cottage standards that you would like to see?

E. Vacation Rental Standards

Code sections: CDC 17.125

Related Council goal: Action 2.4

The draft code incorporates the draft vacation rental standards discussed earlier this fall by Council. Based on direction at the December work session, the proposed code is “dwelling-type neutral” and does not limit vacation rentals to specific dwelling types, meaning that ADUs, cottages and other expanded housing types would be eligible to be used as vacation rentals if they meet the other criteria in this section.

Proposed language specifies that vacation rental licenses are specific to an individual dwelling, and a separate license is required for each dwelling that the owner wishes to use as a vacation rental. For example, a homeowner could not get a vacation rental license that allowed them to interchangeably rent out their ADU or primary home. The proposed code does not prohibit multiple vacation rental licenses on a single property, however, nor does it address “clustering” of licenses such as multiple units in a townhouse development, each with their own address.

Would you like to see any standards addressing the number of vacation rentals permitted on a single property and/or within proximity to each other?

Additional changes to the vacation rental standards are detailed in the code updates table below, including clearer staff-level license review procedures that would limit Planning Commission review of applications to only applications that are appealed.

III. CODE SPECIFICS

The following table serves as a companion to review the proposed code updates, to explain the more significant changes. The draft code incorporates consultants’ and staff review, and is recommended as proposed.

PROPOSED CODE UPDATES	
Code Section	Summary of Changes & Additional Issues
CDC 17.60.030, Application of Public Facility Standards	<ul style="list-style-type: none"> Define the public facilities improvements required with new housing types, including exempting ADUs and treating duplexes and 2-unit townhouses the same as single-family dwellings. Clarify that improvements are triggered for replacement of existing single-family dwelling and renovations or additions that exceed 50% of the existing value or square footage, respectively.
CDC 17.64 Street Standards	
Generally, changes are limited to clarifications rather than new policies. Further policy refinement, such as modifying street cross-sections, will be addressed through the TSP update.	
CDC 17.64.020.D, Scope and 17.64.030.N, Landscape strip	Remove details about landscape strip and street trees here and replace with reference to new landscaping standards in 17.84.090.
CDC 17.64.050, Modifications	<p>Create two paths to modify street improvement standards:</p> <ul style="list-style-type: none"> Retain the existing discretionary review of modifications when proposed at the time of a development application, such as a subdivision. Add a minor, engineer-level review for modifications needed later in the development process to respond to field conditions, without having to return to a public hearing.
CDC 17.68, Off-Street Parking and Loading	
CDC 17.68.050, Off-street parking requirements	<ul style="list-style-type: none"> Retain requirements for 2 space per single-family dwelling and townhouse, and 1 space per multi-family dwelling. Specify that ADUs are not required to provide any off-street parking. Require 1 space per dwelling unit in a duplex (2 total), consistent with state law. Introduce requirement for 1 space per cottage unit.
CDC 17.68.055, Adjustment of parking standards	Clarify option to use a minor variance to reduce parking requirements by up to 20%, and introduce specific approval criteria for reductions greater than 20% based on site-specific parking study.
CDC 17.68.120, Downtown Parking District	Adopt map of Downtown Parking District and add clarification that no minimum parking is required, but any parking provided must meet the same design standards as all parking areas.
CDC 17.72, Storm Drainage	Revisions per the City Engineer to enhance storm drainage requirements and review, including requirements for detention and treatment on larger development sites and encouraging low-impact development (LID) techniques.

PROPOSED CODE UPDATES	
Code Section	Summary of Changes & Additional Issues
CDC 17.76, Utility Lines and Facilities	Minor revisions per the City Engineer, including increased easement widths for access to utilities.
CDC 17.80, Signs	Very minimal changes to correct minor omissions.
CDC 17.84, Site and Landscaping Design	
17.84.050, Minimum landscaped area requirements	Allow reduction in on-site landscaping for multifamily developments if land is dedicated to the City for public park.
17.84.060, General provisions	<ul style="list-style-type: none"> • Add specific planting requirements (trees, shrubs and ground cover) for landscaped areas rather than more general requirement to create 50% plant canopy coverage. <i>See discussion in Section II.A.</i> • Require a minimum of 50% of new plantings to be native species. <i>See discussion in Section II.B about listing species.</i> • Clarify unclear ‘credit’ language to allow landscaping in adjacent public right-of-way landscaping strips to count towards the minimum required site landscaping. • Prohibit nuisance plants and require their removal. <i>See discussion in Section II.B about listing species.</i>
17.84.070, Screening and buffering	Remove screening requirements for parking lots, which are already specified in Section 17.68.100 specific to parking lots.
17.84.090, Street trees	Introduce minimum requirement of one street tree per 35 ft of frontage for new residential development, to be selected from the adopted street tree list. <i>See discussion in Section II.A.</i>
CDC 17.88, Development Standards for Land Divisions	
This section works in tandem with the subdivision approval criteria in Chapter 17.176 to address new land divisions. This section is primarily focused on the infrastructure requirements for land division, consistent with the rest of this division. Proposed changes include references to new proposed standards in Chapter 17.176 which will include a lot size averaging option, open space requirements, and housing variety requirements.	
17.88.030.A, Minimum lot area	Added reference to lot size averaging option proposed in Chapter 17.176, to be discussed further in February.
17.88.030.E, Flag lots	Added reference to criteria in Chapter 17.176 that address when flag lots can be approved.
17.88.040, Standards for blocks	Add more explicit requirement for midblock pedestrian/bicycle access ways where blocks exceed 600 feet in length, developed to enhanced standards in Section 17.88.050.I to create linear, green paths.
17.88.050.I, Improvement requirements	Expand the pedestrian/bicycle access way development standards to require a 20-ft wide facility with a minimum 5-ft paved portion and 10-ft wide landscaped portion. <i>See discussion in Section II.C.</i>
17.88.050.J.2, Street trees	Updated to require street tree planting consistent with proposed landscaping standards (section 17.84.090) rather

PROPOSED CODE UPDATES	
Code Section	Summary of Changes & Additional Issues
	than optional tree planting. Allow deferral of planting until after construction of adjacent residences; trees can be damaged during construction and flexibility with planting times can support survival rates.
CDC 17.100.030, Access spacing standards	Clarify different standards for spacing between intersections and between driveways, based on input from City Engineer.
CDC 17.100.040, General standards	Add specificity to the number of driveways permitted on a site based on type of development, based on input from City Engineer.
CDC 17.104, Historic Sites	Tie applicability to the revised definition of ‘historic sites’ that includes historic resources inventoried in the Comprehensive Plan, both sites on the National Register of Historic Places and any locally designated historic sites. No further changes proposed with this update; a future initiative to develop a local historic preservation program could include additional local designations and review procedures that merit future code updates, but cannot be completed in advance of the broader work.
CDC 17.106 Residential Design Standards	
CDC 17.106.020, Applicability	Here and throughout the chapter, exempt duplexes and two attached townhouses from the design standards of the chapter similar to single-family dwellings, consistent with direction in the individual zoning district chapters to allow those three types of residential development outright.
CDC 17.106.025, Single-family dwelling garage standards	For greater clarity about what portion of this chapter applies to single-family dwellings, create a separate section with the garage standards for those dwellings rather than combining with the design standards applicable to other multi-unit dwelling types.
CDC 17.106.030.E and F, Vehicle Access	Allow both of the existing options for vehicle access for multi-unit developments without the need to demonstrate site constraints that make front vehicle access necessary. <ul style="list-style-type: none"> • Allow ‘standard’ vehicle access via a shared driveway or alley oriented to a side or rear yard. • Allow front vehicle access from a share driveway in the front yard where standards are met to limit the driveway and garage width and to share driveways for adjacent lots. Change will facilitate development feasibility of townhouses with three or more units because front-oriented driveways and garages can sometimes be developed more feasibly than alley-oriented development.
CDC 17.106.030.G, Open Space	<ul style="list-style-type: none"> • Clarify applicability of standard to new multifamily developments, and expand applicability to developments

PROPOSED CODE UPDATES	
Code Section	Summary of Changes & Additional Issues
	<p>of one acre or larger, rather than three acres, with 10+ dwelling units. (Note: townhouse developments of a similar size will trigger open space requirements through the subdivision process, and cottage clusters have their own open space requirements.)</p> <ul style="list-style-type: none"> • Clarify that setback yards and landscaped area (a minimum of 25% of the site) can be counted towards meeting the common open space requirements, and are not in addition to the open space. • Establish minimum dimensional standards for open space to ensure it is usable. • Introduce more specific screening requirements for open spaces oriented towards adjacent single-family dwellings.
CDC 17.106.040, Cottage clusters	<p>Added new section detailing requirements for cottage clusters including:</p> <ul style="list-style-type: none"> • Add dimensional standards: 25-foot maximum height, 900-square-foot maximum footprint and 1,600-square foot maximum floor area in all zones. • Minimum cluster size of 4 cottages, with maximum of 12 cottages per cluster in the R-1 and R-2 zones and no maximum in the R-3 and MX zones. • Require common courtyard with cottages oriented towards the courtyard. • Allow two options for parking, at a minimum ratio of one space per cottage: shared parking areas with small clusters of parking spaces, and/or individual garages that can be attached or detached. <i>See further discussion in Section II.D.</i>
CDC 17.112.050.C, Density for Planned Unit Developments	<p>Planned Unit Developments (PUDs) are a discretionary alternative to subdivisions; they have not been used for recent developments, but remain an option. The only proposed changes update the density calculations to refer to the new minimum and maximum densities introduced for the residential zones, to replace an outdated formula that referred to significantly lower densities for previous zones.</p>
CDC 17.116, Manufactured Homes	<p>Delete design standards for individual manufactured homes due to new state requirements that manufactured homes on an individual lot be subject to only the same standards as site-built homes on the same lot. Standards for manufactured dwelling parks continue to apply—see below.</p>
CDC 17.120, Manufactured Dwelling Parks	<p>Update term throughout to ‘manufactured dwelling park.’</p>

PROPOSED CODE UPDATES	
Code Section	Summary of Changes & Additional Issues
CDC 17.120.C, Density for Manufactured Dwelling Parks	Updated measurement of density using ‘net density’ methodology, with commensurate revision to the allowed maximum density to permit 12 units per net acre consistent with the minimum area of 3,500 square feet per dwelling.
CDC 17.125, Vacation Rental Dwellings <i>See further discussion in Section II.E.</i>	
CDC 17.125.020, Definitions	Introduce definitions including “vacation rental,” which can be any type of dwelling unit including ADUs and other new dwelling types proposed in the residential zones.
CDC 17.125.030, Standards	Retain existing standards for use of vacation rentals including provisions for off-street parking and garbage service and add standards for pets and compliance with occupancy tax rules.
CDC 17.125.040, Process	Revise process to issue vacation rental license by using a new, staff-level Type II review against the standards in this chapter with notice mailed to residents within 250 feet of the proposed rental. Any decisions can be appealed to Planned Commission. This review would replace the current two-step process whereby staff initiates the review but refers applications that generate complaints or that require additional review for interpretation of standards to Planning Commission for a conditional use review.
CDC 17.125.050, License issuance	<ul style="list-style-type: none"> • Specify that licenses are specific to the property owner and an individual dwelling unit, and cannot be transferred. If there are multiple dwellings on site, individual licenses would be required for each unit sought to be used as a vacation rental. • Require annual renewal of the license.
17.125.060, Non-compliance	Remove complaint procedures as it puts the Planning Commission in the position of re-evaluating a license based “upon receipt of one complaint” and introduces new criteria “standards of judging objections” that are different from the standards for approval. For example, “monopoly of street parking spaces” is grounds for a complaint but is not a standard of approval for a vacation rental license. Instead of reviewing complaints, the city may impose fine via citation and can decide not to renew license based on non-compliance with standards via the new annual review.

Division III. GENERAL DEVELOPMENT STANDARDS

Chapter 17.60 GENERAL PROVISIONS

17.60.010 Purpose.

The purpose of this chapter is to:

- A. Carry out the comprehensive plan with respect to development standards and policies.
- B. ~~insure~~ **Ensure** that natural features of the landscape, such as landforms, natural drainage-ways, trees and wooded areas, are preserved as much as possible and protected during construction.
- C. Promote energy conservation and efficiency in development through site planning and landscaping.
- D. Promote and maintain healthy environments and minimize development impacts upon surrounding properties and neighborhoods.
- E. Provide an economical, safe, accessible, and multi-modal transportation system for the community.

17.60.020 Application of standards.

- A. The standards set forth in this chapter shall apply to partitions; subdivisions; planned unit developments; commercial, **institutional** and industrial projects; ~~single-family dwellings, duplexes, and multi-family~~ **residential** structures. Developments outside the city which will tie into or take access from city streets, or increase the flow or change the point of discharge to the city storm drainage system shall be subject to the improvement standards set forth in this title to the extent necessary to mitigate the impacts to these systems.
- B. The application of these standards to a particular development shall be modified as follows:
 1. Development standards that are unique to a particular use, or special use, shall be set forth within the district;
 2. Those development standards which are unique to a particular district shall be set forth in the section governing that district.
- C. No public works construction shall be undertaken until an agreement is executed between the developer and the city specifying the period within which required improvements and repairs shall be completed, as well as referencing the terms and conditions under which the city has approved the development. The agreement shall be in the form acceptable to the city ~~attorney~~.

17.60.030 Application of public facility standards.

- A.** Standards for the provision and utilization of public facilities or services available within the City of Carlton shall apply to all land developments in accordance with the following table of reference. No development permit shall be approved unless the following improvements are provided for prior to occupancy or operation, or unless future provision is assured in accordance with Chapter 17.216.

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Public Facilities Improvement Requirements Table

	Fire Hydrant	Streets	Water Hookup	Sewer Hookup	Storm Drainage	Street Lights
Single-family Dwelling, Townhouse (2 units) and Duplex	No	C-2	Yes	Yes	Yes	No
Accessory Dwelling Unit	No	No	No	No	No	No
Multifamily Dwelling, Cottage Cluster and Townhouse (3 or more units)	C-1	Yes	Yes	Yes	Yes	Yes
New Commercial, Institutional or Industrial Development Building	C-1	Yes	Yes	Yes	Yes	Yes
Commercial, Institutional or Industrial Change of Use or Expansion	C-1	C-3	Yes	Yes	Yes	Yes
New Industrial Building	C-1	Yes	Yes	Yes	Yes	Yes
Industrial Change of Use or Expansion	C-1	C-3	Yes	Yes	Yes	Yes
Partition, Subdivisions, PUD, or Manufactured Home Park	C-1	Yes	Yes	Yes	Yes	Yes

Legend:

C-1 Fire Hydrants for Commercial, Industrial Expansions, or Residential Uses: One or more fire hydrants are required as per the Uniform Building Code and **Uniform Oregon** Fire Code or if adequate fire flows are not available to the site. If the existing water lines are insufficient to provide adequate fire flows, water lines shall be upgraded to provide sufficient capacity at the developer's expense.

C-2 **New** Single-Family Dwellings, **Townhouses (2 units)** or Duplexes: **New dwellings** are responsible for sidewalk construction across all property frontages including curb and gutter where necessary. In addition, if so required by the city engineer, a three-quarter street improvement to city street standards for all boundary streets (See Section 17.128.050).

- a. **Demolition of an existing dwelling, and construction of a replacement dwelling is considered a new dwelling with regard to improvements.**
- b. **Improvements are required for additions which exceed fifty percent of the existing square footage of dwellings or remodels where the value of the alterations and improvements exceeds fifty percent of the current home value, as measured by the County Assessor. Garages, carports, sheds, and porches may not be included in the calculation of square footage if these spaces are not living spaces.**

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C-3 Street Improvements for Commercial, **Institutional** or Industrial Change of Use or Expansions: The city will require improvement to full city standards when the use meets any of the following criteria:

- a. The expanded use generates an average of 100+ trips per day as documented in the Trip Generation Manual of the Institute of Transportation engineers or other qualified source; or
- b. The expanded use includes at least weekly shipping and delivery trips by vehicles over twenty thousand (20,000) pounds gross vehicle weight; or
- c. The subject use expands by at least twenty-five (25) percent **based upon volume of business or footprint of facilities.**

~~Lots fronting on Highway 47 must obtain access permits from the Oregon Department of Transportation (ODOT).~~

17.60.040 Design standards.

The design of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required, shall comply with the requirements of the most recently adopted ~~Standard Specifications for~~ Public Works **Design Standards Construction** in the City of Carlton.

Chapter 17.64 STREET STANDARDS

17.64.010 Purpose.

- A. To provide for safe, efficient, and convenient vehicular movement in the city.
- B. To provide adequate access to all proposed and anticipated developments in the city.
- C. To provide adequate area in all public rights-of-way for sidewalks, bikeways, landscape strips, sanitary sewers, storm sewers, water lines, natural gas lines, power lines, and other utilities commonly and appropriately placed in such rights-of-way.
- D. Preserve and protect the existing and intended function of the road and other transportation facilities.
- E. Ensure that land uses authorized under Comprehensive Plan Map and Zoning Map amendments are consistent with the identified function, capacity, and level of service of transportation facilities.

17.64.020 Scope.

The provisions of this chapter shall be applicable to:

- A. The creation, dedication, or construction of all new public or private streets, pedestrian facilities, and bikeways in all subdivisions, partitions, or other developments in the city.
- B. The extension or widening of existing public or private street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the city, or which may be required by the city in association with other development approvals.
- C. The construction or modification of any utilities, bikeways, or sidewalks in public rights-of-way or private street easements.
- ~~D. The planting of street trees or other landscape materials in public rights-of-way (landscape strip).~~

17.64.030 General provisions.

The following provisions shall apply to the dedication, construction, improvement, or other development of all public streets in the city, and are intended to provide a general overview of typical minimum design standards. All streets shall be designed in conformance with the specific requirements of the most recently adopted Standard Specifications for Public Works Design Standards Construction in the City of Carlton and the Transportation System Plan.

The standard sections contained in Standard Specifications for Public Works Design Standards Construction in the City of Carlton and the Transportation System Plan are minimum requirements only and shall not be construed as prohibiting the city engineer from requiring thicker sections or engineer designed pavement sections in lieu of standard sections where conditions warrant.

- A. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.

yellow highlighted (proposed new) and ~~blue strike through~~ (proposed for delete)

- B. Development proposals shall provide for the continuation, and connection to, all streets, bikeways and pedestrian facilities within the development and to existing streets, bikeways and pedestrian facilities outside the development.
- C. Alignment. All streets other than minor streets or culs-de-sac, as far as practical, shall be in alignment with existing streets by continuation of the centerline thereof. The staggering of street alignments resulting in "T" intersections shall leave a minimum distance recommended by the city engineer.
- D. Future Extension of Streets. In order to promote the development of an efficient network of city streets and connections to state and county roads, development shall provide future street extensions as shown on the Future Street Plan found in the Carlton Transportation System Plan.

In addition to providing for future street extensions shown on the Future Street Plan, streets, bikeways and pedestrian facilities, shall also be extended to the boundary of a tract being developed, where necessary to give access to or permit a satisfactory future development of adjoining land. Reserve strips and street plugs may be required to preserve the objectives of street extensions.

- E. Existing Streets.
 - 1. Three-quarter **street** improvements to all existing streets adjacent to, within or necessary to serve the property, **as outlined in Section 17.128.050**, shall be required at the time of partitioning or subdivision, ~~unless the applicant demonstrates to the satisfaction of the city engineer that the condition and sections of the existing streets meet city standards and are in satisfactory condition to handle projected traffic loads.~~

Full street improvements to all existing streets adjacent to, within or necessary to serve the property, shall be required when it is determined that the vehicular and/or pedestrian impacts from the proposed development necessitate such improvements.
 - 2. For infill development that does not include partitioning or subdivision, construction of sidewalks, including curb and gutter where necessary, along all property frontages shall be the minimum requirement of development. A three-quarter street improvement **(see Section 17.128.050)** shall be required if the city engineer determines that the existing streets are not in condition to handle projected traffic loads.
 - 3. The city shall require the applicant to record an approved improvement deferral agreement or non-remonstrance agreement, see Section 17.216.030, in lieu of street improvements, where the following criteria are met:
 - a. The existing roadway condition and sections are adequate to handle existing and projected traffic loads; and
 - b. Existing public utilities (water, sanitary sewer and storm sewer) located within the existing roadway are adequate, or can be improved without damaging the existing roadway surface.
- F. New Streets. Where new streets are created, full street improvements shall be required. Three-quarter streets **(see Section 17.128.050)** may be approved in lieu of full street improvements on boundary streets when the city finds it to be practical to require the completion of the other one-quarter street improvement when the adjoining property is

developed. The city may allow three-quarter street improvements if all of the following criteria are met:

1. The adjoining land abutting the opposite side of the street is undeveloped; and
2. Storm water drainage is provided for on the non-curbed side of three-quarter street improvements in areas judged by the city engineer to have drainage concerns.

One-foot wide reserve strips and street plugs may be required to preserve the objectives of three-quarter streets.

- G. Culs-de-Sac. Culs-de-sac shall have maximum lengths of four hundred (400) feet and serve no more than eighteen (18) dwelling units. All culs-de-sac shall terminate with circular turn-arounds.
- H. Dead-End Streets. When it appears necessary to continue a street or public access way into a future subdivision or adjacent acreage, streets, or public access way shall be platted to a boundary of a subdivision or partition. The street may be platted without a turnaround unless the Planning Commission finds that a turnaround is necessary.
- I. Street Names. Street names and numbers shall conform to the established pattern in the city and shall be subject to the approval of the city. Street names shall be required for all new publicly dedicated streets and private streets.
- J. Grades and Curves. **Grades and curves shall meet the standards defined in the current Public Works Design Standards.** ~~Grades shall not exceed six percent on arterials, ten (10) percent on collectors, or twelve (12) percent on any other public or private street. To provide for adequate drainage, all streets shall have a minimum slope of 0.5 percent. Center line radii of curves shall not be less than three hundred (300) feet on major arterials, two hundred (200) feet on minor arterials, or one hundred (100) feet on other streets, and shall be to an even ten (10) feet. On arterials there shall be a tangent of not less than one hundred (100) feet between reversed curves. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept steeper grades and sharper curves.~~
- K. ~~Marginal Access~~ **Frontage** Streets. If a development abuts or contains an existing or proposed arterial street or railroad right-of-way, the city may require ~~marginal access~~ **frontage** streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- L. Vision Clearance Area. Vision clearance areas shall be maintained on corner lots at the intersection of all public streets and at the intersections of a public street with a private street as outlined in Section 17.92.080.
- M. Spacing Between Public Road Intersections. Spacing between public road intersections for each functional class of road shall conform to access spacing standards found in Section 17.100.030.
- N. Landscape Strip. The landscape strip includes the area located between a sidewalk and the curb, ~~(see figure below). This area serves many important functions including creating space for a variety of underground utilities such as telephone, cable television, fiber optic cables,~~

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etc. The landscape strip is also beneficial for locating utility poles, fire hydrants, benches, bus shelters and other features that might otherwise block or obstruct pedestrian travel along sidewalks. Landscaping helps to soften the hard edge created by pavement and curbs. Large trees can also provide cooling summer shade for parked cars and pedestrians. A canopy of street trees can help to slow traffic and enhance the beauty of the community. The physical separation from the street also improves the design of sidewalks by maintaining a constant grade without dipping at driveways, and makes American with Disabilities Act compliance easier. During winter months, snow can be plowed into these areas from the street and not block sidewalks. The landscape strip provides a physical separation from the adjacent roadway, providing enhanced pedestrian comfort and improved walking experience.



(Delete)

Landscaping and plant materials used in the landscape strip are subject to the provisions of Chapter 17.84. Maintenance of landscape strips in the right-of-way is the continuing obligation of the adjacent property owner.

17.64.040 Right-of-way and improvement widths.

The following standards are general criteria for all types of public streets, bikeways, landscape strips and sidewalks in the city. These standards shall be the minimum requirements for all streets, except where modifications are permitted under Section 17.64.050.

Street Classification		ROW Width (ft.)	Pavement Width (ft.)	Sidewalk Width (ft.)	Landscape Strip (ft.)	Bikeway Width (ft.)	Parking
Local	Typical Residential	47-57 50	34	5 ¹	5 (optional)	N/R	2 sides
	Commercial/Industrial Districts	60	36	5 ¹	5 (optional)	N/R	2 sides
	Local Narrow Option ²	39-49	26	5	5 (optional)	N/R	1 side
Collector	Existing Street	55	40	6 ¹	N/R	None ⁴	2 sides
	New Street	71	46	6 ¹	5	5	2 sides
	School Zone ³	49	34	6	N/R	5	None ⁵

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Arterials	Highway 47 (N. and S. of Main St.)	65	50	6 ¹	N/R	6	None
	Highway 47 (Main Street - STA)	60	40	10	N/R	None	2 sides
	Main Street (E. and W. of Highway 47)	65	50	6 ¹	N/R	5	2 sides
Alley		20	12 feet	N/R	N/R	N/R	N/R
Cul-de-sac bulb		45 foot radius	38 foot radius	5	N/R	N/R	N/R

¹ Ten-foot sidewalks required along commercially zoned property.

² Local narrow option **may be requested** ~~allowed~~ in residential areas only that provide access to nineteen (19) or fewer dwelling units. **May only be used with approval of the City.**

³ Applies to 3rd Street from Main Street to Polk Street and Polk Street from Pine Street to 3rd Street.

⁴ Bicycle lanes required on Grant Street from Yamhill Street to Pine Street and Yamhill Street from Main Street to Grant Street.

⁵ On-street parking permitted to be included during design phase where ROW available.

The property line radius at intersections of local streets shall be twenty (20) feet. All other intersection property line radii shall be according to the specifications of the city engineer.

17.64.050 Modification of right-of-way and improvement width.

The ~~city, pursuant to the review procedures of Chapter 17.196,~~ may allow modification to the public street standards of Section 17.64.040 **may be modified through either a major modification or a minor modification,** when both of the following criteria are satisfied: **Consideration shall be given to public safety, durability, cost of maintenance, function, appearance, and other appropriate factors to advance the goals of the adopted Carlton Comprehensive Plan and Transportation System Plan as a whole.**

A. Major Modification. When a major modification is desired as part of a development application, the modifications shall be processed as a Type III modification and shall meet the following criteria:

A1. The modification is necessary to provide design flexibility in instances where:

- 1a.** Unusual topographic, **geographic or physical** conditions ~~require a reduced width or grade separation of improved surfaces~~ **impose an unusual hardship on the applicant, and an equivalent alternative which can accomplish the same design purpose is available;** or
- 2b.** Parcel shape or configuration precludes accessing a proposed development with a street which meets the full standards of Section 17.64.040; or
- 3c.** A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or

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4d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development; **or**

e. A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship. Self-imposed hardships shall not be used as a reason to grant a modification request; or

f. Application of the standards of this chapter to the development would be grossly disproportional to the impacts created.

B2. Modification of the standards of Section 17.64.040 shall only be approved if the city finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.

B. Minor Modification. When a minor change to an approved development application is required to address a specific design or construction problem the modifications shall be processed as a Type I modification by the city engineer using the criteria:

1. Modifications to driveway location, size, and sharing standards;

2. Modifications to sidewalk and planter strips widths and location that preserve existing street trees, trees on private property, or to ensure compliance with ADA standards.

3. Other modifications that do not expand or reduce a quantifiable standard by more than twenty (20) percent. This may include sight distance, vertical alignment, horizontal alignment, geometric design, access spacing, and grades.

4. The modification is the minimum necessary to achieve the purpose.

17.64.060 Private streets.

A. Streets and other rights-of-way **servicing a planned unit development** that are not dedicated for public use shall comply with the following:

1. Private streets shall only be allowed where the applicable criteria of Section 17.88.030 (**DE**) are satisfied. Private streets shall have a minimum easement width of twenty (20) feet and a minimum paved or curbed width of eighteen (**18 20**) feet. **Private streets shall serve a maximum of ten (10) dwelling units.**
2. Unless otherwise specified in the **Standard Specifications for Public Works Design Standards Construction** in the City of Carlton, all private streets serving more than two dwelling units shall be constructed to the same pavement **structural** section specifications required for public streets. Provision for the maintenance of the street shall be provided in the form of a maintenance agreement, homeowners association, or other instrument acceptable to the city attorney.
3. A turn-around shall be required for any private street which has only one outlet and which is in excess of two hundred (200) feet long or which serves more than two residences. Turn-arounds for private streets shall be either a circular turn-around with a minimum paved radius of thirty-five (35) feet, or a "tee" or "hammerhead" turn-around with a minimum paved dimension across the "tee" of seventy (70) feet and a twenty (20) foot width with appropriate radius at the corners.

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- B. Any grant of a private street or land functioning as an easement shall not be accepted by the city and dedicated for public use except upon approval of the council and upon meeting the specifications of Sections 17.64.020 and 17.64.040.

17.64.070 Access easements.

A private access easement created as the result of an approved partitioning shall conform to the following:

- A. Partition access easements shall only be allowed where the applicable criteria of Section 17.88.030(D) are satisfied. The easement shall comply with the following standards:
1. Minimum width: twenty (20) feet;
 2. Minimum paved or curb to curb width: twenty (20) feet;
 3. Maximum length: two hundred fifty (250) feet;
 4. No more than three dwelling units shall have sole access to the easement.
- B. Unless otherwise specified in the ~~Standard Specifications for Public Works~~ **Design Standards Construction** in the City of Carlton, all private streets serving more than two dwelling units shall be constructed to the same pavement **structural** section specifications required for public streets. Provision for the maintenance of the street shall be provided in the form of a maintenance agreement, homeowners association, or other instrument acceptable to the city attorney.
- C. A turn-around shall be required for any access easement which has only one outlet and which is in excess of two hundred (200) feet long or which serves more than two residences. Turn-arounds shall be either a circular turn-around with a minimum paved radius of thirty-five (35) feet, or a "tee" or "hammerhead" turn-around with a minimum paved dimension across the "tee" of seventy (70) feet and a twenty (20) foot width with appropriate radius at the corners.
- D. All private access easements serving more than two residences shall be designated as fire lanes and signed for no parking.

Chapter 17.68 OFF-STREET PARKING AND LOADING

17.68.010 Purpose.

The purpose of this chapter is to provide adequate areas for the parking, maneuvering, loading and unloading of vehicles for all land uses in the city.

17.68.020 Scope.

Development of off-street parking and loading areas for commercial, industrial, or multi-family development shall be subject to the site design review procedures of Chapter 17.156. The provisions of this chapter shall apply to the following types of development:

- A. Any new building or structure erected after the effective date of the ordinance codified in this title, except as provided in subsection E of this section.
- B. The construction or provision of additional floor area, seating capacity, or other expansion of an existing building or structure.
- C. A change in the use of a building or structure that would require additional parking spaces or off-street loading areas under the provisions of this chapter.
- D. As a condition of approval in a land use decision.
- E. Off-street parking and off-street loading areas ~~requirements for a particular use as enumerated in this chapter~~ are not required ~~for a new or expanding use when located within the Downtown Parking District delineated in this chapter~~ **per Section 17.68.120**. ~~See also, the requirements of Chapter 17.30 Downtown (D) District.~~

17.68.030 Location.

Off-street parking and loading areas shall be provided on the same lot with the main building or structure or use except that:

- A. In any residential zone or for any residential use permitted in a nonresidential zone, automobile parking areas may be located on another lot if such lot is within two hundred (200) feet of the lot containing the main building, structure or use.
- B. In any nonresidential zone, the parking area may be located off the site of the main building, structure or use if it is within five hundred (500) feet of such site.

17.68.040 Joint use.

Parking area may be used for a loading area during those times when the parking area is not needed or used. Parking areas may be shared subject to city approval for nonresidential uses where hours of operation or use are staggered such that peak demand periods do not occur simultaneously. The requirements of Section 17.68.050 may be reduced accordingly. Such joint use shall not be approved unless satisfactory legal evidence is presented which demonstrates the access and parking rights of parties.

17.68.050 Off-street parking requirements.

Except where other city code provisions waive off-street parking requirements or allow credit for on-street parking in lieu of off-street parking, developments and changes in use that are subject to site

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design review shall provide off-street parking as required by Section 17.68.080 and approved by the city in the amount not less than listed below. ~~The Planning Commission may reduce the off-street parking requirements contained herein without the need for a variance upon finding that the specific characteristics of a proposed use are different than a typical use regulated by this section and the proposed use warrants less parking, as demonstrated by evidence in the record.~~

Residential

A. 1 and 2 family dwellings and townhouse Single family dwelling	2 spaces/dwelling unit
B. Accessory dwelling unit	0 spaces
C. Duplex	1 space/dwelling unit (2 total)
D. Cottage cluster	1 space/dwelling unit
B E. Multi-family dwellings	1 space/dwelling unit
C. Boarding house, lodging house, or rooming house	1 space/guest accommodation

Public Uses

A. Hospitals, nursing home, sanitarium, rest home, home for the aged, assisted living facility	1 space per 2 beds plus 1 space/2 employees
B. Library, reading room	1 space per 400 s.f.
C. Day care facility Child Care Center	2 spaces/classroom
D. Elementary or junior high school	2 spaces/classroom
E. High school	5 spaces/classroom
F. Other places of public assembly, including places of worship	1 space/4 seats or 8 feet of bench length
G. Government buildings	1 spaces/300 s.f. plus one space /2 employees

Commercial Uses

A. Movie theater, theater	1 space per 4 seats
B. Amusement and recreational services	1 space/200 s.f. of gross floor area
C. Retail store	1 space/400 s.f. of gross floor area plus one-space/2 employees.
D. Service or repair shop, retail store handling exclusively bulky merchandise such as automobiles and furniture	1 space/600 s.f. of gross floor area plus one-space/2 employees.
E. Banks, financial institutions, professional offices	1 space/200 s.f. of gross floor area plus one-space/2 employees.
F. Motel or hotel	1 space/guest room
G. Eating and drinking establishment, for consumption on the premises or drive-through facility	1 space/4 seats or 8 feet of bench length OR 1 space/4 seats or 1 space/200 s.f. of floor area, whichever is greater
H. Food cart	1 space/200 s.f. of gross outdoor seating area plus one-space/2 employees.

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Industrial Uses

Manufacturing establishment	1 space/employee or 1 space per 5,000 s.f. of gross floor area, which ever is greater
Wholesale establishment, warehouse, rail or truck freight terminal	1 space/employee.

17.68.055 Adjustment of parking standards.

A. An applicant may apply for an up to a twenty (20) percent reduction to the off-street parking requirements as a minor variance as set forth in Section 17.148.040.

B. An applicant may apply for a reduction to the off-street parking requirements greater than twenty (20) percent as a major variance as set forth in Section 17.148.050. The applicant shall demonstrate compliance with the following standards in lieu of the approval criteria in Section 17.148.050:

1. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development and parking plan, the extent of the adjustment requested along with findings for each applicable approval criteria.

2. Approval criteria for the adjustment are as follows:

a. Documentation. The applicant shall document that the individual project can be served by the proposed amount of parking and available on-street parking by completing a parking analysis for surrounding uses and on-street parking availability. The applicant shall show that there is a continued fifteen (15) percent on-street parking vacancy in the area adjacent to the use during peak parking periods.

i. For the purposes of demonstrating the availability of on street parking, the applicant shall undertake a parking study during time periods specified by the community development director. The time periods shall include those during which the highest parking demand is anticipated by the proposed use. Multiple observations during multiple days shall be required. Distances are to be calculated as traversed by a pedestrian that utilizes sidewalks and legal crosswalks or an alternative manner as accepted by the community development director.

ii. The on-site parking requirements may be reduced based on the parking vacancy identified in the parking study. The amount of the reduction in on-site parking shall be calculated as follows:

(a) Vacant on-street parking spaces within three hundred feet of the site will reduce on-site parking requirements by 0.5 parking spaces; and

(b) Vacant on-street parking spaces between three hundred and six hundred feet of the site will reduce on-site parking requirements by 0.2 parking spaces.

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- b. Function and Use of Site. The applicant shall demonstrate that modifying the amount of required parking spaces will not significantly impact the use or function of the site and/or adjacent sites.**
- c. Compatibility. The proposal is compatible with the character, scale and existing or planned uses of the surrounding neighborhood.**
- d. Safety. The proposal does not significantly impact the safety of adjacent properties and rights-of-way.**
- e. Services. The proposal will not create a significant impact to public services, including fire and emergency services.**

17.68.060 Residential driveways.

All single and joint use residential driveways shall be paved and have **a minimum of twelve (12) foot and** maximum twenty-~~four~~ **(20-24)** foot approach width from the curb line.

17.68.070 Off-street loading requirements.

Buildings or structures to be built or substantially altered which receive and distribute materials and merchandise by trucks shall provide and maintain off-street loading berths in sufficient number and size to adequately handle the needs of the particular use.

- A. The following standards shall be used in establishing the minimum number of berths required:

Gross Floor Area	Number of Berths
Up to 10,000 s.f. square feet	1
10,000 s.f. square feet and over	2

Note: For buildings or structures up to six thousand (6,000) ~~s.f.~~ **square feet** regular off-street parking areas may be used to meet the off-street loading requirements.

- B. A loading berth shall contain a space a minimum of twelve (12) feet wide and thirty-five (35) feet long and have a vertical clearance of fourteen (14) feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required size of these berths shall be increased.

17.68.080 Parking and loading area requirements.

All parking and loading areas, except those for single-family dwellings, **townhouses and duplexes**, shall be developed and maintained as follows:

- A. Surfacing: all driveways, parking, and loading areas shall have a durable, hard surface.
- B. Parking spaces: parking spaces shall be a minimum nine feet wide and eighteen (18) feet in length.
- C. **Driveways Drive Aisles.** The following **driveway drive aisle** dimensions shall apply:
 - 1. Without adjacent parking, **driveway drive aisle** width:
 - a. One-way: ten (10) feet;

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b. Two-way: sixteen (16) feet.

2. With adjacent parking:

Parking Angle	Driveway Drive Aisle Width
0 to 40°	12 feet
41 to 45°	13 feet
46 to 55°	15 feet
56 to 70°	18 feet
71 to 90°	24 feet

- D. Areas used for parking and maneuvering of vehicles shall be drained as to avoid flow of water across sidewalks.
- E. Except for parking to serve residential uses, parking and loading areas adjacent to residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents.
- F. Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
- G. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the site.
- H. Service drive exits shall have a minimum triangular vision clearance area two (2) sides of which are formed by the intersection of the driveway centerline and the street right-of-way line, which shall be fifteen (15) feet.
- I. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail at least four (4) inches high, located a minimum of three (3) feet from the property line, to prevent a motor vehicle from extending over an adjacent property or a street.
- J. Where a street(s) abutting a proposed development does not contain on-street parking and the classification of the subject street includes on-street parking, where practicable, the Planning Commission may require the developer to provide on-street parking as a condition of site design review or land division (subdivision or partition) approval. Where a developer is required to create on-street parking spaces, the Planning Commission may reduce off-street parking requirements for the subject development by up to an equal number of spaces.

17.68.090 General provisions—Off-street parking and loading.

- A. The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show an area that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this title. Should the owner or occupant of any lot or building change the use to which the lot or building is put, thereby increasing off-street parking and loading requirements, it shall be unlawful

and a violation of this title to begin or maintain such altered use until such time as the increased off-street parking and loading requirements are observed.

- B. Requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission based upon the requirements of comparable uses listed and expectations of parking and loading need.
- C. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately, unless a reduction is approved for shared parking pursuant to Section 17.68.040.
- D. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

17.68.100 Parking lot landscaping and screening standards.

All parking lots, which for purposes of this section include areas of vehicle maneuvering, parking, and loading, shall be landscaped and screened as follows:

- A. Lighting. Any light used to illuminate parking or loading area shall be arranged to be directed entirely onto the loading or parking area, shall be deflected away from any residential use and shall not cast a glare or reflection onto moving vehicles on the public rights-of-way.
- B. Screening Abutting Property Lines. Parking for commercial, industrial and multifamily uses which abut a residential use or zone property line shall be screened by a five-foot landscaped strip. Where a buffer between zones is required, the screening should be incorporated into the required buffer strip, and will not be an additional requirement. The screen shall grow to be at least thirty-six (36) inches higher than the finished grade of the parking areas, except for required vision clearance areas.
- C. Landscape Standards. Landscaping within or adjacent to a parking lot shall consist of a minimum of ten (10) percent of the total parking area plus a ratio of one tree per ten (10) parking spaces. Trees and landscaping shall be installed as follows:
 1. The tree species shall be an appropriate large canopied shade tree and shall be selected from the street tree list to avoid root damage to pavement and utilities, and damage from droppings to parked cars and pedestrians;
 2. The tree shall be planted in a landscaped area such that the tree bole is at least three (3) feet from any curb or paved area;
 3. The landscaped area shall be planted with shrubs, grass, or living groundcover to assure ninety (90) percent coverage within two years;
 4. That portion of a required landscaped yard, buffer strip or screening strip abutting parking stalls may be counted toward required parking lot landscaping as long as the tree species, living plant material coverage and placement distribution criteria are also met;
 5. **Landscaping should be evenly distributed throughout the parking area and perimeter A parking or loading area or drive aisle which runs adjacent to a property line shall be separated from an adjacent public or private street by a landscaped area a minimum**

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of 10 feet in width and shall be separated from an adjacent property by a landscaped area a minimum of five feet in width;

6. Landscaped areas in parking lots, service drives or loading areas shall have an interior width of not less than five feet;

7. A landscaped area shall be located to separate blocks of parking spaces at a minimum of one landscaped area per 10 parking spaces.

- D. Wheel Guards. Parking lot landscaping shall be protected from damage by a secured wheel guards to prevent vehicles entering into landscaped areas.
- E. Hedge Screening. The required hedge screen shall be installed as follows:
 - 1. Evergreen shrubs shall be planted so that eighty (80) percent of the desired screening is achieved within two (2) years, one hundred (100) percent within four (4) years;
 - 2. Living ground cover in the screen strip such that ninety (90) percent coverage is achieved within two (2) years.

17.68.110 Bicycle parking.

[A.] The following minimum number of bicycle parking spaces shall be provided:

Type of Use	Minimum Number
Single-Family Residential Dwelling, Townhouse, Duplex	-0-
Duplex, Triplex and Multi-Family and Cottage Cluster	Minimum two or one per every two dwelling units, whichever is greater.
Retail, Office and Institutional	Minimum of two or one per every 20 vehicle parking spaces, whichever is greater.
Industrial	Minimum of two or one per every 40 vehicle parking spaces, whichever is greater.
Schools and Parks	Minimum of two or one per every 10 vehicle parking spaces, whichever is greater.

Bicycle parking shall also be required for expansions and other remodeling that increases the required level of automobile parking.

- B. At a minimum bicycle parking facilities shall be consistent with the following design guidelines:
 - 1. All bicycle parking shall be within one hundred (100) feet from a building entrance and located within a well-lit and clearly visible area;
 - 2. Bicycle parking shall be convenient and easy to find. Where necessary, a sign shall be used to direct users to the parking facility;
 - 3. Each bicycle parking space shall be at least two (2) feet by six (6) feet with a vertical clearance of six (6) feet;
 - 4. An access aisle of at least five (5) feet shall be provided in each bicycle parking facility;
 - 5. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object, i.e., a "rack," upon which the bicycle can be

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locked. Structures that require a user-supplied lock shall accommodate both cables and U-shaped locks and shall permit the frame and both wheels to be secured (removing the front wheel may be necessary.) Note: businesses may provide long-term, employee parking by allowing access to a secure room within a building.

17.68.120 Downtown Parking District.

A. New or expanded development within the Downtown Parking District as established in Figure 17.68.120-1 are exempt from the minimum off-street parking requirements of Section 17.68.050 and the off-street loading requirements of Section 17.68.070.

B. If off-street parking or loading is provided, the development standards of Section 17.68.080 and parking lot landscaping and screening standards of Section 17.68.100 shall apply.

Figure 17.68.120-1



Chapter 17.72 STORM DRAINAGE

17.72.010 Purpose.

To provide for the drainage of surface water from all residential, commercial and industrial development; to minimize erosion; to reduce degradation of water quality due to sediments and pollutants in storm water runoff.

17.72.020 Scope.

- A. The provisions of this chapter shall apply to all new residential land partitions and subdivisions, planned unit developments, multi-family developments, commercial developments, **institutional developments** and industrial developments; and to the reconstruction or expansion of such developments.
- B. The provisions of this chapter shall apply to all drainage facilities that impact any public storm drain system, public right-of-way or easement dedicated to or located within all off-street parking and loading areas.
- C. All storm water runoff shall be conveyed to a public storm sewer or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. In the case of private development, the developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.

D. The storm facilities for new developments and redevelopment with over five-thousand (5,000) square feet of impervious surface shall include both detention and treatment.

17.72.030 Plan for storm drainage and erosion control.

No construction of any facilities in a development included in Section 17.72.020 shall be permitted until a storm drainage and erosion control plan for the project is prepared by an engineer registered in the State of Oregon and approved by the city. This plan shall contain at a minimum:

- A. The methods to be used to minimize the amount of runoff, siltation, and pollution created from the development both during and after construction.
- B. Plans for the construction of storm sewers, open drainage channels, and other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the storm drainage plans.
- C. **A storm drainage report shall be submitted with the land use application. It shall include at a minimum: upstream basins, on-site basins, topography, soils, land use, existing systems and discharges, existing capacity, design storm, existing conditions and post development conditions. The report shall be done in compliance with the current city Design Standards. The report shall be stamped by a registered professional engineer in Oregon.** Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included on the site plan drawings and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed using the rational formula and based upon the design criteria outlined in the Standard Specifications for Public Works Construction in the City of Carlton and the most current adopted storm drainage master plan.

D. The erosion control plan shall be in accordance with the requirements of the 1200-C or 1200-Z permits. These permits shall be acquired by the developer prior to construction and copies sent to the City.

17.72.040 General standards.

- A. All development shall be planned, designed, constructed and maintained to:
1. Protect and preserve existing natural drainage channels **to the maximum practicable extent**;
 2. Protect development from flood hazards;
 3. Provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin;
 4. Assure that waters drained from the development are **substantially free of pollutants, through such construction and drainage techniques as sedimentation ponds, reseeding, phasing or grading** **treated to industry standard using industry accepted stormwater treatment techniques and as shown in the Public Works Design Standards. This may include standard treatment facilities as well as low impact development (LID) facilities. Hard filters are considered the last option for public facilities**;
 5. Assure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development;
 - ~~6. Provide dry wells, French drains, or similar methods, as necessary to supplement storm drainage systems;~~
 - ~~7.6~~ **7. Avoid placement of surface detention or retention facilities in road rights-of-way. Public underground detention or retention facilities are considered a last option.**
 - 7. Where downstream system capacity is insufficient, additional detention or system improvements are required.**
- B. Where culverts cannot provide sufficient capacity without significant environmental degradation, the city may require the watercourse to be bridged or spanned.
- C. In the event a development or any part thereof is traversed by any watercourse, channel, stream or creek, gulch, or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the city. This does not imply maintenance by the city.
- D. Channel obstructions are not allowed except as approved for the creation of detention or retention facilities approved under the provisions of this title. Fences with swing gates may be utilized.
- E. Prior to acceptance of a storm sewer system by the city, the storm sewers shall be flushed and inspected by the city. All costs shall be borne by the developer.
- F. Easements for creeks and other watercourses shall be provided and shall extend fifteen (15) feet in each direction from the waterway centerline, ten (10) feet from the top of a recognizable bank, or sufficient width to pass 10-year flood flows or 100-year floodway on FEMA regulated stream, whichever is greater. The easements required by this chapter shall be held to prohibit the placement of any building on or over the easement, but shall not preclude landscaping, and shall be held to require restoration of the site following any excavation or other disturbance permitted by the easement.

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- G. ~~All storm drainage facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. The city will not expect the developer to pay for the extra pipe size required to accommodate future upstream development. Excavation and installation costs shall remain entirely the developer's responsibility.~~ **The specific location, size and capacity of storm drain facilities will be subject to the approval of the city engineer with reference to the applicable Public Works Design Standards and storm drainage master plan. In the absence of an adopted plan, the location, size and capacity will be subject to the hydrologic and hydraulic analysis by the developer's engineer and approved by the city engineer.**

Chapter 17.76 UTILITY LINES AND FACILITIES

17.76.010 Purpose.

To provide adequate services and facilities appropriate to the scale and type of development.

17.76.020 Standards.

- A. The design of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required, shall comply with the requirements of the most current adopted Standard Specifications for Public Works Construction in the City of Carlton.
- B. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbance of soil and site.
- C. Standards for Water Improvements.
 - 1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping station which connect to such water service facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.
 - 2. Specific location, size and capacity of such facilities will be subject to the approval of the city engineer with reference to the most current adopted City of Carlton water master plan. All water facilities shall conform with existing city pressure zones and shall be looped where **possible and** necessary to provide adequate ~~pressure~~ **capacity** and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. The city will not expect the developer to pay for the extra pipe material cost for waterlines exceeding eight inches in size. Installation costs shall remain entirely the developer's responsibility.
 - 3. The design of the water facilities shall take into account provisions for the future extension beyond the development to serve adjacent properties that, in the judgment of the city, cannot be feasibly served otherwise.
 - 4. Design, construction and material standards shall be as specified **in the Public Works Design Standards and** by the city engineer for the construction of such public water facilities in the city.
 - 5. The developer shall provide evidence of fire flow capability through fire hydrant tests and/or a hydraulic model.**
- D. Standards for Sanitary Sewer Improvements.
 - 1. All developments shall be required to be linked to existing sanitary sewer collection facilities adequately sized to serve their intended area by the construction of sewer lines which connect to existing adequately sized sewer facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.
 - 2. Specific location, size and capacity of such facilities will be subject to the approval of the city engineer with reference to the most current adopted wastewater facilities plan. All sewer

facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. The city will not expect the developer to pay for the extra pipe material cost for sanitary sewer lines exceeding twelve (12) inches in size. Installation costs shall remain entirely the developer's responsibility.

3. All properties shall be provided with gravity sanitary sewer service to a public sanitary sewer system except for parcels that have unique topographic or other natural features that make gravity sewer extension impractical as determined by the city engineer. Pumping stations will be allowed only when it has been demonstrated to the satisfaction of the city engineer that the development cannot be served by gravity. Maintenance of residential ~~pumping~~ **station (serving a single dwelling, multi-family unit or facility)** is the responsibility of the property owner.
4. Temporary sewer service facilities, including pumping stations, will be permitted only if the city engineer approves the temporary facilities, including all facilities necessary for transition to permanent facilities.
5. The design of the sewer facilities shall take into account provisions for the future extension beyond the development to serve upstream properties that, in the judgment of the city, cannot be feasibly served otherwise.
6. All land divisions or other developments requiring subsurface sanitary sewer disposal systems shall be prohibited.
7. Design, construction and material standards shall be as specified by the city engineer for the construction of such sewer facilities in the city.
8. Prior to acceptance of the sanitary sewer system by the city, the sewers shall be flushed and inspected by the city as required by the Standard Specifications for Public Works Construction in the City of Carlton. All costs shall be borne by the developer.

9. Industrial facilities that produce wastewater in greater capacity or stronger than standard residential wastewater shall provide a pretreatment system per the requirements of Chapter 13.08 of this code.

- E. Street Lights. All developments shall include underground electric service, light standards, wiring and lamps for street lights according to the specifications and standards of the city engineer. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility for the street lighting system.
- F. Private Utilities. All development which has a need for private utilities, including but not limited to electricity, gas, and communications services shall install them pursuant to the requirements of the district or company serving the development.
 1. Except as otherwise provided herein, all utility lines, cables or wires, including but not limited to those used for electricity, communications services and street lighting which are on or adjacent to land partitioned, subdivided or developed within the City of Carlton after the effective date of the ordinance codified in this title, shall be required to be placed underground. The intent of the city is that no poles, towers, or other structures associated with utility facilities shall be permitted on any street or lot within or adjacent to such partition, subdivision or development.

2. Exceptions. Above ground facilities shall be permitted for the following in which case the above provisions shall not apply:
 - a. Emergency installations or electric transmission lines or to through feeders operating at distribution voltages which act as a main source of supply to primary lateral and to direct connected distribution transformers and primary loads. Should it be necessary to increase the capacity of major power transmission facilities for service to the area, such new or revised installations shall be made only on rights-of-way or easements on which existing overhead facilities exist at the time of such capacity increase;
 - b. Appurtenances and associated equipment such as surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, telephone cable closures, connection boxes and the like;
 - c. Structures without overhead wires, used exclusively for fire alarm boxes, streetlights, or municipal equipment installed under the supervision and with the approval of the city engineer;
 - d. Power substations, pumping plants, and similar facilities necessary for transmission or distribution of utility services shall be permitted subject to compliance with all zoning regulations and other applicable land use regulations. The engineer for all such facilities, prior to any construction being started, shall approve plans showing landscaping and screening;
 - e. Certain industries requiring exceptionally large power supplies may request direct overhead power as a condition;
 - f. If existing overhead utilities within or adjacent to the development total less than one hundred fifty (150) linear feet, the city may allow the applicant to record an approved improvement deferral agreement, see Section 17.216.030, in lieu of relocating existing private utilities underground at the time of development.
3. Information on Development Plans. The developer or subdivider shall show on the development plan or in his or her explanatory information, easements for all underground utility facilities. Plans showing the location of all underground facilities as described herein shall be submitted to the city engineer for review and approval. Care shall be taken in all cases to ensure that aboveground equipment does not obstruct vision clearance areas for vehicular traffic.
4. Future Installations. The owner(s) or contract purchaser(s) of subdivided real property within a subdivision shall, upon conveyance or transfer of any interest including a leasehold interest in or to any lot or parcel of land, provide in the instrument conveying such interest a covenant running with and appurtenant to the land transferred under which grantee(s) or lessee(s), their heirs, successors, or assigns mutually covenant not to erect or allow to be erected upon the property conveyed any overhead utility facilities, including electric, communication, and cable television lines, poles, guys, or related facilities, except such facilities as are exempt from underground installation under this title or are owned or operated by the city. Such covenant shall require grantees to install, maintain, and use underground electric, telephone, cable television, or other utility services used or to be used to serve the premises. A copy of the covenant shall be submitted with the final plats.

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K-G. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city attorney and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as follows:

Easement Type	Minimum Width	Location
Water	10 15 feet	(1)(2)
Sewer	10 15 feet	(1)(2) (6)
Storm (piped)	10 15 feet	(1)(2)
Storm (other)	(5 as required)	(5)
Private Utility	5 feet (parallel to ROW)	(3)(4)
	10 15 feet (other)	(1)

- (1) Centered on utility line.
- (2) Centered on property line, where possible.
- (3) All property lines fronting existing or proposed street rights-of-way.
- (4) Measured from edge of right-of-way.
- (5) Determined on a case-by-case basis.

(6) Sanitary sewers over ten (10) feet deep shall have wider easements as needed per depth.

Chapter 17.80 SIGNS

17.80.010 Purpose.

- A. The purpose of these sign regulations is to provide equitable signage rights, promote traffic and pedestrian safety, and increase the economic viability of the city, by classifying and regulating the location, size, type and number of signs, in a content-neutral manner.
- B. Within the commercial areas, the city recognizes the need for businesses and organizations to inform the public about their location and their services. It also recognizes that a sign is a relative low cost form of business advertising.
- C. The city recognizes that the citizens of Carlton want to retain their unique small-town quality. One method of preserving the look of a small town is by controlling the number, size and type of signs allowed within the commercial district and to provide design guidelines that benefit the citizens and the businesses in improving the visual quality of the community.

17.80.020 Definitions.

See Signs, Section 17.12.020.

17.80.030 General provisions.

- A. **Conflicting Standards.** Signs shall be allowed subject to the provisions of this chapter, except when these provisions conflict with the specific standards for signs in the subject district.
- B. **Signs Subject to State Approval.** Off-premise advertising signs visible to the traveling public from state highways are further subject to the regulations and permit requirements of the State of Oregon, Department of Transportation.
- C. **Uniform Sign Code.** All signs shall comply with the provisions of the Uniform Sign Code of the Uniform Building Code.
- D. **Sign Clearances.** A minimum of eight (8) feet above sidewalks and fifteen (15) feet above driveways shall be provided under all free standing or wall mounted signs.

17.80.040 Signs allowed.

The following signs and sign work are allowed outright in all zones. These signs shall not require a permit, and shall not be included when determining compliance with total allowed area:

- A. **Re-painting, changes to the sign face or copy and maintenance of signs legally existing on the effective date of the ordinance codified in this chapter.**
- B. **Temporary Signs.**
 - 1. Real estate signs not exceeding six (6) square feet that advertise the sale, rental, or lease of premises upon which the sign is located. Real estate signs may be used up to two (2) years without a permit. Only one (1) real estate sign per lot may be displayed at any time, except on corner lots. Two (2) signs are permitted on corner lots; however only one (1) sign per street frontage is permitted.

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2. Political signs shall not exceed six (6) square feet. Political signs may be used up to sixty (60) days prior to an election but shall be removed not later than seven (7) days following the date of the election.
 3. Portable signs and other temporary signs that do not exceed six (6) square feet in area.
 4. Balloons that do not exceed a total cumulative diameter of twenty-four (24) inches.
- C. Signs posted by or under governmental authority including legal notices, traffic, danger, no trespassing, emergency and signs related to public services or safety.
 - D. Directional or informational signs bearing no advertising message and not exceeding four (4) square feet in area erected for the convenience of the public such as signs identifying restrooms, public telephones, walkways and similar features or facilities.
 - E. Flags with a total cumulative area not to exceed seventy-five (75) square feet per lot.
 - F. Signs within a building.
 - G. In a commercial or industrial zone, signs painted or hung on the inside of windows.
 - H. Reserved.
 - I. Memorial signs or tablets and names of buildings and dates of erection when cut into or attached to the surface or facade of the building.
 - J. Signs placed by a public utility showing the location of underground facilities.
 - K. Government Signs. Signs posted by or under governmental authority including legal notices, traffic, danger, no trespassing, emergency and signs related to public services or safety.
 - L. Building or freestanding signs that display or reflect the history or character of Carlton, as approved by the City Council, after recommendation by the Planning Commission.

17.80.050 Signs prohibited.

The following signs are prohibited in all zones:

- A. Portable signs within the public right-of-way, except for sidewalk or sandwich board signs that comply with Section 17.80.080(D).
- B. Signs that emit odor, visible matter, or sound, however an intercom system for customers remaining in their vehicles, such as used in banks and "drive thru" restaurants, shall be allowed.
- C. Signs that use or employ side guy lines of any type.
- D. Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress.
- E. Signs closer than twenty-four (24) inches horizontally or vertically from any overhead power line or public utility guy wire.
- F. No vehicle or trailer shall be parked on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby premises. This provision applies where the primary purpose of a vehicle is for advertising purposes and

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- is not intended to prohibit any form of vehicular sign, such as a sign attached to a motor vehicle which is primarily used for business purposes, other than advertising.
- G. Rotating/revolving signs, except by conditional use permit.
 - H. Flashing signs.
 - I. Private signs that project into public rights-of-way, except signs under a canopy that project over a public sidewalk where the sign is not less than eight (8) feet above the sidewalk.
 - J. Signs that obstruct required vision clearance area as defined in Section 17.92.080 or obstruct a vehicle driver's view of official traffic control signs and approaching or merging traffic, or which present a traffic hazard.
 - K. Signs that interfere with, imitate, or resemble any official traffic control sign, signal or device, emergency lights, or appears to direct traffic, such as a beacon light.
 - L. Signs attached to any pole, post, utility pole, or otherwise placed in the public right-of-way.
 - M. Signs or sign structures placed on or over private property without the written consent of the owner or agent thereof.
 - N. Pennants, banner signs and streamers except in nonresidential zones, which do not exceed a total cumulative area of twelve (12) square feet.
 - O. Billboard signs.
 - P. Roof signs, except by variance.
 - Q. Signs attached to trees, shrubs, stones or fences.
 - R. Bench signs, except as a conditional use, or those designating donor(s).
 - S. Any sign on unimproved property unless allowed as a real estate or temporary sign.
 - T. Any illegible sign or sign that has twenty-five (25) percent or more of its surface destroyed, defaced or missing.
 - U. Message signs, except by conditional use permit.

17.80.060 Signs in noncommercial zones.

The following regulations apply to signs in the AH, R-1, **R-2, PF**, MH, MX, and R-3 zones:

- A. Maximum Number. Any combination of signs not exceeding the sign area and height limitations of this section; plus signs allowed in Section 17.80.040.
- B. Maximum total sign area for property on which the building or buildings are located:
 1. Single-family and two-family (duplex) dwelling: six (6) square feet;
 2. Multiple family dwelling: twenty-four (24) square feet;
 3. Public and semi-public: thirty-two (32) square feet.
- C. Maximum sign height of freestanding signs: six (6) feet.
- D. Location of freestanding signs: where fences are allowed.
- E. Illumination. Signs may only be indirectly illuminated by a concealed light source, and shall not flash, blink, fluctuate or produce glare.

17.80.070 Review procedures in noncommercial zones.

- A. Permit Required. No property owner, lessee or contractor shall construct or alter any sign without first obtaining a valid sign permit.
- B. Current Signs. Owners of conforming or nonconforming signs existing as of the date of adoption of this title are not required to obtain a permit.
- C. Permit Fees. Permit fees may be established by City Council resolution.
- D. Application Requirements.
 - 1. An application for a sign permit shall be made on a form prescribed by the city manager. The application shall include, at a minimum, a sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises, the sign's location, graphic design, structural and mechanical design and engineering data which ensures its structural stability. The application shall also contain the names and address of the sign company, person authorizing erection of the sign and the owner of the subject property.
 - 2. The city manager shall issue a permit for a sign unless the sign does not comply with the provisions of these regulations or other provisions of this title. Sign permits mistakenly issued in violation of these regulations or other provisions of this title are void. The city manager may revoke a sign permit if he or she finds that there was a material and misleading false statement of fact in the application for the permit.
- E. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
 - 1. All signs shall comply with the applicable provisions of Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations. The issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements;
 - 2. All signs shall be maintained in a good structural condition at all times;
 - 3. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or ordinances regulating signs.

17.80.080 Signs in commercial and industrial zones.

All signs in the Commercial Business, Commercial Industrial, **Downtown** and General Industrial zones shall conform to Sections 17.80.020 through 17.80.050 and the following standards:

- A. Signs or sign structures located in commercial and industrial zones which are within seventy-five (75) feet of a residentially zone property shall be set back so as to meet the side and front yard setback requirements of the adjoining residential district.
- B. Accessory temporary signs are permitted provided such signs are securely affixed to the surface of a building wall or window, and must have the date of initial posting clearly written on the face of the sign. Such signs, including but not limited to sale signs and special product announcements, must be removed not later than ten (10) days after initial posting. Such signs shall not exceed the permitted ratio of sign area, including temporary signs, to building face area.

- C. Historical signs that are an integral part of a building design, or signs with a cultural significance to the community, as determined by the Planning Commission, may be exempted from the standards for signs.
- D. Sidewalk signs or sandwich boards are permitted provided:
 - 1. There is only one (1) sidewalk or sandwich board sign per business entrance. Vacant lots may have one (1) sandwich board sign per lot.
 - 2. The sign is professional in appearance with a maximum height of three (3) feet and a maximum width of two (2) feet in width. The height of the sign is measured from the grade of the curb line lowest to the base of the sign, to the highest point of the sign, sign structure or frame; whichever is greater.
 - 3. The total sign area does not exceed six (6) square feet per side. The base material used to support a sign shall be included in the dimensions used to calculate the sign area.
 - 4. The sign is removed at the close of each business day.
 - 5. Reserved.
 - 6. Sidewalk or sandwich board signs shall only be allowed within an adjacent public right-of-way along the frontage of the business displaying the sign, when they can be placed so that a minimum clear width of three (3) feet within the right-of-way is available for pedestrians immediately adjacent to the sign. Adjacent private property may be used to provide the three (3) foot clear width area when approved by the city manager.
 - 7. The sign is not to be located within a sidewalk bulb-out area or a location that interferes with traffic visibility.
- E. Reserved.
- F. Suspended signs that are suspended from the underside of a horizontal plane surface and is supported by that surface, shall have a maximum area of three (3) square feet and shall not project more than thirty (30) inches from the face of the building.

17.80.090 Signs in commercial and industrial zones—Appearance.

Signs shall be constructed of wood, brick, tile, masonry, synthetic materials, canvas, vinyl, glass, wrought iron, or metal. Signs shall be constructed of materials consistent with the age, appearance and purpose of the buildings adjacent to the sign. The design shall reflect and be consistent with the appearance, design, architecture and historical character of adjacent buildings and uses. Fluorescent or unusually bright colors shall not be permitted.

17.80.100 Signs in commercial and industrial zones—Size.

- A. Businesses with Two or More Street Frontages.
 - 1. Land abutting more than one street shall be allowed its quota of signs on each of the streets, and up to ten (10) percent of the permitted quota on any street may be deducted there from and added to the other street frontage.
 - 2. Where a business located on a corner erects an attached sign designated to be read from both intersecting public streets, the total aggregate area of such sign shall not exceed one-

half that which would be allowed for separate signs fronting on the intersecting public streets.

3. Where a business located on a corner is allowed a monument sign, it may have one such sign designed to be read from both intersecting public streets, or two such freestanding signs, provided that each sign is designed to be read from only one of the intersecting streets.

B. Area.

1. Wall signs shall not exceed ten (10) percent of the building face facing a street. For purposes of the area, the height of the lower level or story or twenty (20) feet, whichever is larger, shall be multiplied by the building frontage. Height of lettering cannot exceed twenty-four (24) inches.
2. Awning signs shall not exceed ten (10) percent of the awning area. For purposes of calculating the awning area, the height shall be multiplied by the width of the awning.
3. Projecting signs shall not exceed five (5) percent of the building face facing a street. For purposes of calculating the area, the height of the lower level or story, or twenty (20) feet, whichever is less, shall be multiplied by the building frontage. Height of lettering cannot exceed eight inches.
4. Roof signs are not permitted except by variance.
5. Freestanding signs: one square foot of sign area for each linear foot of property frontage upon a city street or a total of fifty (50) square feet for each street frontage, whichever is lesser.

- C. Height. Not more than four (4) feet above the eave line provided the maximum height above the ground line shall not exceed twenty (20) feet.

- D. Location. Attached to the building, except such signs shall not be roof signs.

17.80.110 Signs in commercial and industrial zones—Design review requirements.

All signs permitted within the commercial or industrial zones of the city shall conform with the following design review criteria, unless otherwise provided for in this title:

- A. Signs must be compatible in design and color with the architectural and historical qualities of Carlton and with the buildings with which they are associated.
- B. Signs illuminated by spotlights or indirect lighting shall be lighted so that glare from the light source is not visible to pedestrian or vehicle traffic.
- C. Directory signs (wall, projecting, and freestanding), and the individual signs comprising a directory sign shall be uniform or consistent in size, shape, and design. Individual signs in a directory sign may be added, moved, or substituted with signs for new businesses or uses without going through the design review process, provided that the design is consistent and the provisions of the original permit are met.

17.80.120 Signs in commercial and industrial zones—Permit application.

- A. Permit Required. No property owner, lessee or contractor shall construct, alter or relocate any sign without first obtaining a valid sign permit.

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- B. Current Signs. Owners of conforming or nonconforming signs existing as of the date of adoption of this title are not required to obtain a permit.
- C. Permit Fees. Permit fees may be established from time to time by City Council resolution.
- D. Application Requirements. An application for a sign permit shall be made on a form prescribed by the city manager. The application shall include the following information:
 - 1. The names and addresses of the sign company, person authorizing erection of the sign and the owner of the subject property;
 - 2. The location by street address of the proposed sign;
 - 3. A drawing suitable for folding for file storage, accurately colored and to scale showing the details of the sign, including all mounting structures and devices, materials from which constructed, lighting, and the name of the proposed lettering style, along with detailed illustration of the sign face;
 - 4. An accurate scaled site plan, showing the location of building(s), street(s) and other existing sign(s);
 - 5. In the case of wall and projecting signs, an accurate scaled drawing of all building faces to be signed, including the scaled outlines of all existing a proposed signs.
- E. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
 - 1. All signs shall comply with the applicable provisions of Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations. The issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements;
 - 2. All signs shall be maintained in a good structural condition at all times;
 - 3. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws regulating signs.

17.80.130 Sign in commercial and industrial zones—Review procedure.

- A. All signs requiring a permit shall be reviewed by the City staff. Staff shall consider the design, lettering, arrangement, size, texture, materials, colors, lighting, placement, and appropriateness of the proposed sign in relation to other signs and other structures on the premises and contiguous area in keeping with the intent of this title. City staff shall approve, modify or deny the permit.
- B. In the event the permit is modified or denied by the City staff, the applicant may appeal to the Planning Commission by giving written notice of the appeal to the City Recorder no later than ten (10) days following the modification or denial of the sign permit application by the City staff. The Planning Commission shall hear the matter at its next regularly scheduled meeting. The City staff shall furnish to the Planning Commission its findings and conclusions with respect to the permit. The Planning Commission may modify or deny the permit.

17.80.140 Nonconforming signs.

Signs that were legally established prior to the adoption of this Code on October 8, 2003, and no longer meet the sign code standards are considered nonconforming signs. Nonconforming signs may continue to be in use, subject to the restrictions in this section:

- A. General Requirements for Nonconforming Signs.
 - 1. A nonconforming sign shall not be:
 - a. Modified, unless the modification brings the sign into compliance with this chapter. A change of copy is allowed, except that any change in a wall sign that is painted on a structure shall comply with the requirements of this chapter.
 - b. Expanded.
 - c. Relocated.
 - 2. A nonconforming sign may undergo normal maintenance, except:
 - a. "Normal maintenance" excludes major structure repairs designed to extend the useful life of the nonconforming sign.
 - b. If a nonconforming sign is damaged by wind, fire, neglect or by any other cause, and such damage exceeds sixty (60) percent of its replacement value, the nonconforming sign shall not be repaired and shall be removed.
 - 3. Upon change of use of a business or premises, a nonconforming sign shall be brought into compliance with this Code within one hundred eighty (180) days.
- B. Abandoned Signs. All signs and sign structures for a business shall be removed within thirty (30) days after that business ceases to operate on a regular basis. Abandoned signs that are not removed may be removed by the city following notice to the property owner. The property owner will be assessed the cost of sign removal if the owner fails to remove the abandoned sign and the city exercises its authority under this provision.

17.80.150 Variances—Signs.

Any allowance for signs not complying with the standards set forth in these regulations shall be by variance. Variances to this chapter will be processed according to the procedures in Chapter 17.148; however, the criteria in Chapter 17.148 shall not be used, but instead the following criteria shall be used to review and decide sign variance applications:

- A. There are unique circumstances or conditions of the lot, building or traffic pattern such that the existing sign regulations create an undue hardship;
- B. The requested variance is consistent with the purpose of this chapter as stated in Section 17.80.010;
- C. The granting of the variance compensates for those circumstances in a manner equitable with other property owners and is thus not a special privilege to any other business. The variance requested shall be the minimum necessary to compensate for those conditions and achieve the purpose of this chapter;
- D. The granting of the variance shall not decrease pedestrian or traffic safety; and
- E. The variance request shall not be the result of a self-imposed condition or hardship.

17.80.160 Unlawful sign removal.

- A. Any unlawful sign that has not been removed within thirty (30) days after notification of the property owner may be removed by the city and the costs charged to the property owner. If removal costs have not been paid and the sign reclaimed within thirty (30) days of its removal by the city, the city is entitled to file a lien against the property on which the sign was located to secure payment of such costs and expenses of removal by the city. The city may sell or otherwise dispose of the sign so removed and apply the proceeds towards the cost of removal.
- B. Signs which are found upon public streets, sidewalks, rights-of-way, or other public property, or which present an immediate and serious danger to the public may be removed without prior notice.

17.80.170 Conditional uses.

- A. Procedures. Applications for conditional use permits for rotating/revolving signs or message signs shall be processed according to the procedure set forth in Chapter 17.156 of this title. The criteria to be reviewed and applied in conditional use permit proceedings are set forth in this section, and the criteria of Chapter 17.152 shall not be applied.
- B. Decision Criteria. The following criteria shall be used to review and decide conditional use permit applications for rotating/revolving, and message signs:
 - 1. The proposed sign is located in the CB, CI, or IG zones;
 - 2. The proposed sign, when conditioned, will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area;
 - 3. The proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree;
 - 4. The proposed sign will not present a traffic or safety hazard;
 - 5. If the application is for a message sign, no rotary beacon lights, zip lights, strobe lights, or similar devices shall be allowed. No chaser effect or other flashing effect consisting of external lights, lamps, bulbs or neon tubes are allowed;
 - 6. If the application is for a rotating/revolving sign, such sign cannot flash or be illuminated by intermittent light. Rotating/revolving signs shall revolve at a speed no greater than five (5) revolutions per minute;
 - 7. The total allowed sign area for a business shall be reduced by twenty-five (25) percent if the business has a rotating/revolving or message sign;
 - 8. The proposed sign will comply with all other regulations, including, but not limited to height and placement restrictions.

Chapter 17.84 SITE AND LANDSCAPING DESIGN

17.84.010 Purpose.

The purpose of this chapter is to establish standards to encourage quality landscaping that will contribute to the appearance and aesthetic appeal of the City of Carlton.

17.84.020 Scope.

All construction, expansion, or redevelopment of structures or parking lots for commercial, multi-family, or industrial uses shall be subject to the landscaping requirements of this chapter. The construction of new streets containing landscape strips shall also be subject to the landscaping requirements of this chapter.

Properties within the Downtown Parking District (Exhibit A of Chapter 17.68) are exempt from landscaping requirements, except as specifically required by Chapter 17.30 Downtown (D) District design standards and guidelines.

17.84.030 Approval process.

- A. Landscaping plans shall be submitted as required by the site design review of Chapter 17.156.
- B. Submittal Requirements. The applicant shall submit a landscape plan for approval that includes:
 - 1. The percentage of the **gross lot** area to be landscaped;
 - 2. The location, type, size, and species of existing and proposed plant materials;
 - 3. All existing and proposed site features including walkways, graveled areas, mailboxes, street lamps, patios, terraces, courts, fences, decks, foundations, potted trees and potted plants, and other open spaces;
 - 4. The location and height of fences, buffers, and screening;
 - 5. The location of underground irrigation system sprinkler heads where applicable;
 - 6. A narrative that addresses soil conditions and erosion control measures that will be used.

17.84.040 Landscaping installation and compliance.

All landscaping required by this title and approved by the Planning Commission shall be installed prior to issuance of a final occupancy permit unless security equal to one hundred twenty (120) percent of the cost of the landscaping is filed with the city assuring such installation within six (6) months of occupancy. The applicant will obtain cost estimates for landscape materials and installation to the satisfaction of the city prior to approval of the security. "Security" may consist of a faithful performance bond payable to the city, cash, certified checks, time certificates of deposit, assignment of a savings account or other such assurance of completion as shall meet with the approval of the city attorney. The city staff prior to any security being returned shall make the final landscape inspection. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the inspection to be postponed until the project is completed. If the installation of the landscaping is not completed within the six (6) month time period or within an extension of time authorized by the city, the security may be used by the city to complete the installation. Any portion of the security that remains after installation of the landscaping shall be returned to the applicant.

17.84.050 Minimum landscaped area requirements.

Except as modified by the development standards of the underlying zoning district, the following area requirements shall be the minimum areas devoted to landscaping:

- A. Multi-Family Developments: A minimum of twenty-five (25) percent of the gross land lot area shall be devoted to landscaping in multi-family developments. **The minimum landscaped area may be reduced to ten (10) percent where the development dedicates one-quarter acre or more land for a neighborhood park, consistent with the adopted Parks Development Plan.**
- B. Commercial Developments: A minimum of ten (10) percent of the gross land lot area shall be devoted to landscaping in commercial developments.
- C. Industrial Developments: A minimum of ten (10) percent of the gross land lot area shall be devoted to landscaping in industrial developments.
- D. Developments within Public Zones: A minimum of ten (10) percent of the gross land lot area shall be devoted to landscaping in public zones.
- E. Single-Family, **Townhouse** and Duplex Dwellings: All yard areas not otherwise improved with structures, parking, and circulation (driveways, walkways, etc.) shall be landscaped. At least fifty (50) percent of front yard areas not covered with driveways, patios, or paths shall contain planted areas (includes any trees retained in the development).
- F. Construction Clean-up: Contractors shall remove all equipment, signage, and debris, including excess soil, rock, building materials, and planting materials and containers, from the premises within seven (7) days of completing construction/landscape installation.

For expansions of existing developments and parking lots, the minimum new landscaped area shall be determined by: First calculating the percentage of the increase of total floor area or parking area; multiplying the gross site lot area by this percentage of increase; multiplying the resulting area by the minimum percentage for the type of development.

17.84.060 General provisions.

- A. For purposes of satisfying the minimum requirements of this title, a "landscaped area" must at a minimum be fifty (50) percent comprised of plant canopy area (at maturity); ~~drought tolerant plants (e.g., grasses, ground cover plants, shrubs, annuals, perennials or trees, or desirable native vegetation) are recommended.~~ **Landscaping materials should be selected and sited to produce a hardy and drought-resistant landscaped area. Selection should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, and compatibility with existing native vegetation preserved on the site. Within the minimum plant canopy area, the following plant start size and variety standards shall apply.**
 - 1. For all new residential development, and for every 50 feet of linear street frontage:**
 - a. One tree.**
 - b. Four one-gallon shrubs or accent plants.**
 - c. The remaining area shall consist of grasses, ground cover plants, shrubs, bark, rock, annuals or perennials.**

2. For all new non-residential development, and for every 30 feet of linear street frontage:

- a. One tree.**
- b. Five five-gallon or eight one-gallon shrubs or accent plants.**
- c. The remaining area shall consist of grasses, ground cover plants, shrubs, bark, rock, annuals or perennials.**

3. For all landscaped areas, a minimum of fifty (50) percent of plant materials shall be native species selected from the Native Plant List.

B. Required landscape areas not otherwise planted, per subsection 17.84.060.A, shall consist of one or more of the following: outdoor recreation area, islands and perimeter planting areas in parking and loading areas, screening walls or fences as required in this Section and elsewhere in this title, interior courtyards, solariums, greenhouses, and/or outdoor recreation facilities.

~~C. Landscaping shall be designed, developed, and maintained to satisfy the specific functional and aesthetic objectives appropriate to the development and the district, considering the following:~~

- ~~1. Type, variety, scale and number of plants used;~~
- ~~2. Placement and spacing of plants;~~
- ~~3. Size and location of landscaped areas;~~
- ~~4. Contouring, shaping and preparation of landscaped areas;~~
- ~~5. Use and placement of non-plant elements within the landscaping.~~

~~D. C.~~ **The city may grant the applicant credit for** Landscaping to be done in the **adjacent** public right-of-way **shall be counted toward the required on-site landscaping** provided **the applicant meets the elements set forth for the granting of a variance** **the landscaping meets the standards of this section.** It shall not be necessary to hold a public hearing to grant this credit. The city shall consider the need for future use of the right-of-way for street purposes when granting approval for credit under this chapter.

D. Nuisance plants. Plants listed on the Nuisance Plants List are prohibited from being planted in landscaping areas. All new landscaping areas must be cleared of groundcovers and shrubs on the Nuisance Plants List. Trees listed on the Nuisance Plants List are not required to be removed.

- E. The landscape design shall incorporate existing significant trees and vegetation preserved on the site.
- F. Landscaping shall be used to create an attractive streetscape along property frontage, particularly for commercial and industrial developments located along arterial or collector streets.

17.84.070 Screening and buffering.

Where required by ordinance, or where placed as a condition of approval, screening and buffering shall meet the following minimum requirements:

- A. Screening shall be used to eliminate or reduce the visual and noise impacts of the following uses:
 - 1. Commercial and industrial uses when abutting residential uses;
 - 2. Industrial uses when abutting commercial uses;

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3. Service areas and facilities, including garbage and waste disposal containers, recycling bins, and loading areas;
 4. Outdoor storage areas;
 - ~~5. Parking areas for ten (10) or more vehicles for multi-family developments, or twenty (20) or more vehicles for commercial or industrial uses;~~
 6. At and above-grade electrical and mechanical equipment, such as transformers, heat pumps, and air conditioners;
 7. Any other area or use as required by this title.
- B. Screening may be accomplished by the use of sight-obscuring plant materials (generally evergreens), earth berms, walls, fences, building parapets, building placement, or other design techniques.
- C. Buffering shall be used to mitigate adverse visual impacts, dust, noise or pollution, and to provide for compatibility between dissimilar adjoining uses. Where buffering is **determined to be necessary** **required in section 17.84.070.A**, one of the following buffering alternatives shall be employed:
1. Planting area: width not less than twenty (20) feet, planted with the following materials:
 - a. At least two (2) rows of deciduous or evergreen trees staggered and spaced not more than ten (10) feet apart; and
 - b. At least one (1) row of evergreen shrubs which will grow to form a continuous hedge at least five (5) feet in height within one (1) year of planting; and
 - c. Lawn, low-growing evergreen shrubs or evergreen ground cover covering the balance of the area.
 2. Berm plus planting area: width not less than fifteen (15) feet, developed in accordance with the following standards:
 - a. Berm form shall not slope more than forty (40) percent (2.5 Horizontal Run : 1 Vertical Run) on the side away from the area screened from view, and
 - b. A dense evergreen hedge shall be located so as to most effectively buffer the proposed use; and
 - c. Combined total height of the berm plus the hedge shall be at least five (5) feet within one year of planting.
 3. Wall plus planting area: width must not be less than five (5) feet developed in accordance with the following standards:
 - a. A masonry wall or fence not less than six (6) feet in height; and
 - b. Lawn, low-growing evergreen shrubs, and evergreen ground cover covering the balance of the area.
 4. Other methods that produce an adequate buffer considering the nature of the impacts to be mitigated, as approved by the city.

17.84.080 Planting and maintenance.

All landscaping shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement, in a substantially similar manner as found on the landscape plan that was approved by the City staff. In addition, the following shall apply:

- A. No sight-obscuring plantings exceeding twenty-four (24) inches in height shall be located within any required vision clearance area as defined in Subsection 17.92.080.
- B. Plant materials shall not cause a hazard. Landscape plant materials over walks, pedestrian paths, and seating areas shall be pruned to a minimum height of eight (8) feet and to a minimum height of fifteen (15) feet over streets and vehicular traffic areas.
- C. Landscape plant materials shall be selected which does not generally interfere with utilities above or below ground.
- D. Landscape plant material shall be installed to current nursery industry standards.
- E. Landscape plant materials shall be properly guyed and staked to current industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.
- F. All landscape material shall be guaranteed by the developer for a period of one year from the date of installation. A copy of the guarantee shall be furnished to the city by the developer.
- G. Plant materials shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas that will not be irrigated should be sufficiently hardy to thrive under these conditions. Plants should have vigorous root systems and be sound, healthy, and free from defects, diseases, and infections.
- H. Deciduous trees should be fully branched, have a minimum caliper of one and one-quarter inches, and a minimum height of eight (8) feet at the time of planting.
- I. Evergreen trees shall be a minimum of six (6) feet in height, fully branched.
- J. Shrubs shall be supplied in minimum one (1) gallon containers or eight-inch burlap balls with a minimum spread of fifteen (15) inches and a minimum height of eighteen (18) inches.
- K. Ground cover plants shall be spaced in accordance with current nursery industry standards to achieve covering of the planting area. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum four-inch size container or equivalent if planted eighteen (18) inches on center.
- L. All developments are required to provide appropriate methods of irrigation for the landscaping. Sites with over one thousand (1,000) square feet of total landscaped area shall be irrigated with automatic sprinkler systems to insure the continued health and attractiveness of the plant materials. Hose bibs and manually operated methods of irrigation may be used for landscaped areas totaling less than one thousand (1,000) square feet. Irrigation shall not be required in wooded areas, wetlands, floodplains, or along natural drainage channels or stream banks. Sprinkler heads shall not be a hazard to the public.
- M. Appropriate methods of care and maintenance of landscaped plant material shall be provided by the owner of the property.
- N. Landscape plant material shall be protected from damage due to heavy foot traffic or vehicular traffic by protective tree grates, pavers or other suitable methods.

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17.84.090 ~~Recommended and prohibited s~~ Street trees.

- A. All new residential developments shall install a minimum of one street tree per 35 feet of street frontage, or fraction thereof.**
- B. Street trees shall be planted within the landscaped strip, if present, or within the front yard.**
- C. All street trees must be a species listed in the adopted approved street tree list. ~~A list of recommended and prohibited street trees will be provided by the City of Carlton.~~**

Chapter 17.88 DEVELOPMENT STANDARDS FOR LAND DIVISIONS

17.88.010 Purpose.

To provide for the orderly, safe, efficient and livable development of land within the City of Carlton.

17.88.020 Scope.

The provisions of this chapter shall apply to all subdivisions, planned unit developments and partitions within the City of Carlton.

17.88.030 Standards for lots or parcels.

- A. Minimum Lot Area. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located **unless lot size averaging is approved according to the provisions of section 17.176.030.A.10.**
- B. ~~Maximum Lot Area~~ **Oversized Lots**. When single-family residential use is proposed for a lot with an area double or greater than the minimum density of the underlying zone the **applicant shall provide a shadow plat** ~~Master Plan demonstrating~~ **Planning Commission may take into consideration** the potential for further division of the lot at a future date.
- C. Lot Width and Depth. The depth of a lot or parcel shall not be more than three times the width of the parcel, with the following exceptions:
1. Parcels created for public utility uses or in zones where there is no minimum lot area requirement shall be exempt from width to depth ratio provisions.
 2. Lots within residential zones where the permitted minimum lot width is less than forty (40) feet may be permitted to have a width-depth ratio of no greater than 5:1.
- D. Access. All lots and parcels created after the effective date of the ordinance codified in this title shall provide a minimum frontage, on an existing or proposed public street, equal to twenty (20) feet, **or as required by the underlying zone, whichever is greater.** ~~An~~ **The city may approve an** exception ~~shall apply~~ when residential lots or parcels and planned unit developments, ~~may be~~ **are** accessed via a private street or easement developed in accordance with the provisions of Chapter 17.64.~~060~~ or when the city finds that public street access is:
1. Infeasible due to parcel shape, terrain, or location of existing structures; and
 2. Not necessary to provide for the future development of adjoining property.
- E. Flag Lots. ~~If a flag lot is permitted~~ **Where flag lots are proposed consistent with section 17.176.030.A.11**, the following standards shall be met:
1. The access strip shall not be less than twenty (20) feet wide. The access strip shall be improved with minimum twelve (12) foot wide paved driveways that meet applicable city standards. If said access strip is over ~~two hundred~~ **one hundred fifty (200 150)** feet in length, the driveway shall terminate in a turn-around capable of accommodating emergency fire vehicles **consistent with Oregon Fire Code standards;**
 2. The access strip shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this title.

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- F. Through Lots. Through lots **are prohibited.** ~~shall be avoided except~~ **The city may approve an exception** where essential to provide separation of residential development from major traffic arteries, adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A ten (10) foot wide screening or buffering easement, pursuant to the provision of Chapter 17.84, may be required by the city during the review of the land division request.
- G. Lot Side Lines. The side lines of lots, as far as practicable, shall run at right angles to the right-of-way line of the street upon which the lots face.
- H. Lot Grading. The minimum elevation at which a structure may be erected, taking into consideration the topography of the lot, the surrounding area, drainage patterns and other pertinent data, shall be established by the building inspector.
- I. Utility Easements. Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Such easements shall have a minimum total width as specified in Section 17.76.020.

17.88.040 Standards for blocks.

- A. General. The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control, and safety of street traffic; and recognition of limitations and opportunities of topography.
- B. Sizes.
 - 1. Block Length. Except as provided in Section 17.100.030 for the Main Street Special Transportation Area (STA), blocks in residential and commercial districts shall be a minimum of one hundred (100) feet long and shall not exceed six hundred (600) feet in length between street right-of-way lines, unless the previous adjacent development pattern or topographical conditions justify a variation. Blocks that exceed six hundred (600) feet in length shall provide **additional a pedestrian/ and bicycle accessways located within one hundred (100) feet of the midpoint of the block and designed to meet the standards of section 17.88.050.I.**
 - 2. Block Perimeter. Block perimeters in residential and commercial districts shall not exceed one thousand four hundred (1,400) feet.
- C. Alleys. Alleys may be provided in all districts, however, alleys shall be provided in commercial and industrial areas, unless other permanent provisions for access to off-street parking and loading facilities are provided.

17.88.050 Improvement requirements.

All improvements required by this title or as conditions of approval of any subdivision or partition shall be completed prior to the issuance of any building permits for any structures within the subject development. If the developer requests approval to record the final plat before all required improvements have been constructed and all conditions of approval have been met by the developer and accepted by the city, the developer shall provide a security guarantee satisfactory to the city that all improvements will be constructed in conformance with all city standards and ordinances and all conditions of approval will be satisfied **in compliance with Section 17.216.030.** If the total street frontage of the development is less than or equal to two hundred fifty (250) feet, the applicant may

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request to sign and the city may grant an improvement deferral agreement or non-remonstrance agreement.

- A. Frontage Improvements. Street improvements shall be required for all public streets on which a proposed land division fronts in accordance with Chapter 17.64. ~~Such improvements shall be designed to match with existing improved surfaces for a reasonable distance beyond the frontage of the property.~~ Frontage improvements shall include: sidewalks, curbing, **pavement**, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as the city shall determine to be reasonably necessary to serve the development or the immediate neighborhood.
- B. **Street Improvements.**
1. Internal Streets. All public or private streets within the land division shall be constructed as required by the provisions of Chapter 17.64. Private driveways serving flag lots or private streets shall be surfaced as per the requirements of this title.
 2. **Boundary Streets. All public or private streets along the boundary of the land division shall be constructed as required by the provisions of Chapter 17.64. The pavement and sidewalk shall be extended beyond the frontage of the development sufficiently to transition the width. At a minimum this shall be a three (parallel) to one (perpendicular) slope.**
- C. Monuments. Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes at every street intersection at all points of curvature, points of tangency of street center lines, and other points required by state law.
- D. Bench Marks. Elevation benchmarks shall be set at intervals established by the city engineer. The benchmarks shall consist of a brass cap set in a curb or other immovable structure.
- E. Surface Drainage and Storm Sewer System. Drainage facilities shall be provided within the land division and to connect the land division drainage to drainage-ways or to storm sewers outside the land division and shall be consistent with the most current adopted storm water master plan, **Public Works Design Standards and Chapter 17.72**. Design of drainage within the land division shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the land division and to provide extension of the system to serve such areas. The design shall take into account provisions for the future extension beyond the land division to serve upstream properties that, in the judgment of the city, cannot be served otherwise.
- F. Sanitary Sewers. Sanitary sewer shall be installed to serve the land division and to connect the land division to existing mains both on and off the property being divided, **and shall be consistent with the most current adopted wastewater facilities plan, Public Works Design Standards and Chapter 17.76**. The design shall take into account provisions for the future extension beyond the land division to serve upstream properties that, in the judgment of the city, cannot be served otherwise. The city may require that the construction of sewage lines of a size in excess of that necessary to adequately service the development in question, where such facilities are or will be necessary to serve the entire area within which the development is located when the area is ultimately developed.
- G. Water System. Water lines with valves and fire hydrants serving the land division and connecting the land division to the city mains shall be installed, **and shall be consistent with**

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- the most current adopted water master plan, Public Works Design Standards and Chapter 17.76.** The design shall take into account provisions for extension beyond the land division to adequately **loop grid** the city system and to serve the area within which the development is located when the area is ultimately developed. However, the city will not expect the developer to pay for the extra pipe material cost of mains exceeding eight inches in size. Installation costs shall remain entirely the developer's responsibility.
- H. **Pedestrian Facilities and Bicycle Ways Sidewalks.** Sidewalks shall be installed along both sides of each public street ~~and in any pedestrian or bicycle ways~~ within the land division as well as along all frontages to existing streets. Sidewalks shall be extended as required to connect to other sidewalk systems. The city may defer sidewalk construction until the dwellings or structures fronting the sidewalk are constructed. Any required off-site sidewalks, sidewalks fronting public property, or sidewalks adjacent to existing structures shall not be deferred.
- I. Pedestrian/Bicycle **Access Way** Design Standards. Pedestrian/bicycle access ways **shall be installed where required based on block length or other locations elected by the applicant and** shall meet the following design standards:
1. Minimum dedicated width: ~~ten~~ **twenty (10 20)** feet;
 2. Minimum ~~improved~~ **paved** width: five (5) ~~to ten~~ **(10)** feet;
 - 3. Minimum landscape strip: five (5) feet on either side of pavement or one ten (10) foot wide landscape strip, planted with a minimum of one tree and five shrubs per 35 linear feet meeting the minimum standards of section 17.84.080.**
 - ~~3-4.~~ Vision clearance: a clear line of visions for the entire length of the access way shall be required;
 - ~~4-5.~~ Pedestrian scale lighting fixtures shall be provided along the walkway and lighted to a level where the system can be used at night;
 - ~~5-6.~~ The access way shall be designed to prohibit vehicle traffic.
- J. Other.
1. Curb cuts and driveway installations, excluding common drives, are not required of the land divider but, if installed, shall be according to the city standards;
 2. Street trees ~~planting is not required of the land divider but, if planted, shall be in accordance with city requirements and of a species compatible with the width of the planting strip;~~ **shall be planted in accordance with section 17.84.090. The city may defer street tree planting until the dwellings or structures fronting the street are constructed.**
 3. Streetlights. The installation of underground electric service, light standards, wiring, and lamps for streetlights of a type required by city standards following the making of necessary arrangements with the serving electric;
 4. Street Signs. The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the city and shall be of a type required by city standards.
 - 5. Utility lines and facilities shall be installed in accordance with Chapter 17.76.**

17.88.060 Improvement procedures.

In addition to other requirements, improvements installed by a developer for any land division, either as a requirement of these regulations or at his or her own option, shall conform to the requirements of this title and improvement standards and specifications adopted by the city, and shall be installed in accordance with the following procedure:

- A. Improvement work shall not commence until plans have been checked for adequacy and approved by the city engineer. Plans shall be prepared in accordance with requirements of the city. **Other agency approvals shall be obtained as required which may include ODOT, Yamhill County, DEQ and OHA.**
Improvement work shall not commence until all permits have been obtained, fees been paid and a preconstruction meeting held with the City.
- B. Improvement work shall not commence until the city has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the city has been notified.
- C. Improvements shall be constructed under the inspection and to the satisfaction of the city engineer, **and other agencies as required.** The city may require changes in typical sections and details in the public interest, if unusual conditions arise during construction to warrant the change.
- D. All underground utilities, sanitary sewers, and storm drains installed in streets by the developer shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made. Unless otherwise approved by the city, this shall be interpreted as extending to the right-of-way or easement line.
- E. Upon completion of the public improvements and prior to final acceptance of the improvements by the city, the developer shall provide two certified as-built drawings of all public utility improvements to the city. As-built conditions and information shall be reflected on one set of Mylar base as-built drawings. The developer's engineer shall submit the as-built drawings to the city.

Chapter 17.92 YARD, FENCE AND LOT STANDARDS

17.92.010 New buildings—Required to be located on a lot.

Every building erected shall be located on a lot as herein defined.

17.92.020 Yards apply only to one building.

No required yard or other open space or required driveway provided around or for any building or structure for the purpose of complying with the provisions of this title shall be considered as providing a yard or open space for any other building, nor shall any yard or other required space on an adjoining lot be considered as providing a yard or open space on the lot whereon the building is to be erected.

17.92.030 No parking in yard areas.

Exclusive of city-approved paved or gravel driveways, no parking shall be allowed within the required front yard area or yards located adjacent to a street. The side yard and rear yard areas may not be used for parking of vehicles, except in city-approved parking areas. The yard areas adjacent to a street shall not be used for the permanent storage of utility trailers, house or vacation trailers, boats, or other similar vehicles.

17.92.040 Front yard projections.

Planter boxes, chimneys and flues, steps, cornices, eaves, gutters, belt courses, leaders, sills, pilasters, lintels, and other ornamental features which extend not more than eighteen (18) inches from main buildings are exempt from the front yard setback provisions and need not be included when determining the setback.

17.92.050 Side yard projections.

- A. Cornices, eaves, gutters, and fire escapes, when not prohibited by any other code or ordinance, may project into a required side yard not more than one-third ($\frac{1}{3}$) of the width of the side yard provided a minimum setback of thirty-six (36) inches is maintained.
- B. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, and ornamental features may project not more than eighteen (18) inches into a required side yard, provided, however, chimneys and flues shall not exceed six (6) feet in width.
- C. Uncovered decks and patios attached to the main building when measured directly beneath the outside edge of the deck or patio may be extended to the side yard property line when they are thirty-six (36) inches or less in height from ground level.

17.92.060 Rear yard projections.

- A. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, gutters and other ornamental features, may project not more than eighteen (18) inches into a required rear yard, provided, however, chimneys and flues shall not exceed six (6) feet in width.
- B. A fire escape, balcony, outside stairway, cornice or other unenclosed, unroofed projections may project not more than five (5) feet into a required rear yard and set back at least six (6) feet from any property line.

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- C. Planter boxes, steps, uncovered porches when not more thirty-six (36) inches above grade are exempt from the minimum rear yard depth requirements.
- D. Uncovered decks and patios attached to the main building when measured directly beneath the outside edge of the deck or patio may be extended to the rear yard property line when they are thirty-six (36) inches or less in height from ground level.

17.92.070 Vision clearance.

- A. A vision clearance area shall be maintained at each access to a public street and on each corner of property at the intersection of two streets or a street and a railroad. A vision clearance area shall contain no planting, sight-obscuring fence (open chain link excluded), wall, structure, or temporary or permanent obstruction exceeding three (3) feet in height, measured from the ground. The preceding provisions shall not apply to the following:
 1. Public utility poles;
 2. A tree trimmed (to the trunk) to a line at least eight (8) feet above the level of the intersection;
 3. Another plant species of open growth habit that is not planted in the form of a hedge and which is so planted and trimmed as to leave at all seasons a clear and unobstructed cross-view;
 4. A supporting member or appurtenance to a permanent building lawfully existing on the date this standard becomes effective;
 5. An official warning sign or signal;
 6. A place where the natural contour of the ground is such that there can be no cross-visibility at the intersection;
 7. The post section of a pole sign when there are no more than two posts and any post is less than eight inches in diameter;
 8. Telephone switch boxes provided they are less than ten (10) inches wide at the widest dimension.
- B. For single use residential driveways, the vision clearance area shall consist of a triangular area, two sides of which are the curb line and the edge of the driveway. Where no curbs exist, the future location of the curb, based on future full street improvements shall be used.
- C. The following measurements shall establish the vision clearance areas:

Type of Intersection	Measurement Along Each Lot Line or Drive Edge*
Controlled intersection (stop sign or signal)	15 feet
Uncontrolled intersection	40 feet
Commercial and industrial driveways	20 feet
Shared residential driveway (2+ units)	20 feet
Residential driveways	10 feet
Alley	15 feet

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*When there is an intersection of two or more streets of different right-of-way width, the distance to be measured along the lot lines shall be the distance specified for each type street.

17.92.080 Fences, walls and hedges.

A. Materials.

1. Fences and walls shall not be constructed of nor contain any material that could cause bodily harm, such as barbed wire, broken glass, spikes, or any other hazardous or dangerous materials. Electric fences are not permitted;
2. Electric or barbed wire fences intended to contain or restrict cattle, sheep, horses or other livestock, and existing prior to annexation to the city, may remain;
3. All required swimming pool and hot tub fencing shall be a minimum of four (4) feet in height and be equipped with a self-locking gate that closes automatically.

B. Standards.

1. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair including noticeable leaning, missing sections, broken supports, non-uniform height, and uncontrolled growth of vegetation;
2. Fences shall not exceed four (4) feet in height in any front yard, ;
3. The maximum fence height in a street side yard shall not exceed six (6) feet;
4. Fences within a front or street side yard shall also conform to the clear vision requirements at intersections, which further restrict the use or height of sight-obscuring fences;
5. In no instance shall a fence extend beyond the property line including into a public right-of-way. It is the responsibility of the property owner to determine the property line.
6. Fences shall not exceed seven (7) feet in height.

Chapter 17.96 ACCESSORY STRUCTURES

17.96.010 Generally.

Accessory structures shall comply with the requirements of this chapter.

17.96.020 R-1 district.

- A. Location and Number. Except as provided in Section 17.96.040, accessory structures shall not be located within a front or street side yard. A maximum of one accessory structure providing enclosed or partially enclosed space (e.g., garage, carport, shed, workshop, or similar structure) is permitted for every three thousand seven hundred fifty (3,750) square feet of lot area.
- B. Height. The maximum allowable height is twenty (20) feet, except that no accessory structure shall exceed the height of the primary building.
- C. Property Setbacks. For structures ten (10) feet or less in height there shall be a minimum five-foot setback from the nearest property line. For buildings greater than ten (10) feet in height there shall be a setback of five (5) feet along each side property line and ten (10) feet along the rear property line.
- D. Building Separation. Accessory structure shall be separated from the primary buildings by a minimum of six (6) feet.
- E. Building Size. The accessory structure(s) shall be limited to the greater of the following: on a lot that is less than one-quarter (0.25) acre, twenty (20) percent of the floor area (excluding any attached garage) of the primary building or four hundred eighty (480) square feet, whichever is greater; and on a lot that is one-quarter (0.25) acre in size or larger, forty (40) percent of the floor area (excluding any attached garage) of the primary building or nine hundred sixty (960) square feet, whichever is greater.
- F. Rear Yard Limitation. In no case shall the accessory structure(s) occupy more than twenty (20) percent of the rear yard. The building size limitation shall be considered the maximum allowable area permitted for all accessory structures.
- G. Exterior Finish. The accessory structure shall have an exterior finish that is similar in appearance to the primary structure.

17.96.030 AH, MH, R-2, R-3, CB, D, CI, PF and GIG districts.

- A. Location and Number. Except as provided in Section 17.96.040, accessory structures may be located anywhere the primary structure may be placed. There is no limit to the number of permitted accessory structures.
- B. Height. Accessory structures shall comply with the height provisions in the underlying zone for the primary structure.
- C. Setbacks. Accessory structures shall comply with the setback provisions in the underlying zone for the primary structure.
- D. Building Size. There is no limitation.
- E. Design Standards. Design standards may apply, subject to Chapter 17.156 Site Design Review and provisions of the underlying zone.

17.96.040 Portable accessory structures.

- A. Portable accessory structures, as defined by this title, shall be structurally sound and shall be anchored. Such structures shall be maintained in good condition using only original manufacturer's coverings. No plastic sheeting, tarpaulins, or other materials shall be used as a covering. Such structures shall meet all applicable Uniform Building Code requirements.
- B. In residential zones, one portable accessory structure, used as a private garage, as defined by this title, may be located within the side portion of a front yard, but must maintain the required front and side yard setbacks, including clear vision setbacks for corner lots.
- C. If located within a rear yard the following setbacks apply: for structures ten (10) feet or less in height there shall be a minimum five-foot setback along the side and rear property lines. For structures greater than ten (10) feet in height there shall be a setback of five (5) feet along each side property line and ten (10) feet along the rear property line.
- D. In commercial and industrial zones, portable accessory structures may be located on any portion of the lot or parcel, subject to applicable setback and Building Code requirements.

Chapter 17.100 ACCESS CONTROL STANDARDS

17.100.010 Purpose.

The purpose is to implement the access management policies of the City of Carlton, Transportation System Plan. Access control standards manage access to land development while preserving the flow of traffic in terms of safety, capacity, functional classification, and level of service. Major roadways, including highways, arterials, and collectors serve as the primary network for moving people and goods. These transportation corridors also provide access to businesses and homes and have served as the focus for commercial and residential development. If access points are not properly designed, these roadways will be unable to accommodate the needs of development and retain their primary transportation function. To achieve this purpose, state and local roadways have been categorized in the City of Carlton, Transportation System Plan by function and classified for access purposes based upon their level of importance and function. Regulations are applied to these roadways for the purpose of reducing traffic accidents, personal injury, and property damage attributable to poorly designed access systems, and to thereby improve the safety and operation of the roadway network. This protects the substantial public investment in the existing transportation system and reduces the need for expensive remedial measures.

17.100.020 Applicability.

This title shall apply to all public streets within Carlton and to all properties that abut these roadways.

17.100.030 Access spacing standards.

A hierarchy of spacing standards is established that is dependent on the functional classification of the street.

Function Street Classification	Posted Speed Range	Minimum Spacing Between Driveways and/or Streets (1)	Minimum Spacing Between Driveways (2)
Highway 47 (subject to ODOT standards)			
Yamhill to Pine Street (Main Street STA)	20 mph	Streets: Existing city block spacing Driveways: 175 feet or mid-block if block is less than 350 feet	175 feet or mid-block if block is less than 350 feet
North city limits to Main Street	20 30 mph	450 600 feet (new) Existing block spacing	600 feet (new) Existing driveways
South city limits to Main Street	20 mph 30 mph	450 feet (new) 600 feet (new) Existing block spacing	450 feet (new) 600 feet (new) Existing driveways
Arterial	25 mph	220 feet	110 feet or mid-block if the block is less than 220 feet
Collector (3)	20—25 mph	200 feet	30 feet for single family dwelling

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		50 feet for single family detached units, 25 feet for attached units.	20 feet for townhouse dwelling (4)
Local (3)	20–25 mph	200 feet 50 feet for single family detached units, and 25 feet for attached units.	30 feet for single family dwelling 20 feet for townhouse dwelling (4)

(1) Measured between street centerlines.

(2) Measured between edge of driveways.

(3) The intersection and driveway spacing standards have been updated from the 2009 TSP.

(4) Where minimum spacing between driveways on adjacent lots cannot be achieved due to lot width, driveways on adjacent lots shall be combined. Combined driveways are encouraged for all townhouse dwellings.

17.100.040 General standards.

- A. Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification.
- B. When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a **marginal access frontage** or local street. Access rights of these lots, to the arterial shall be dedicated to the City of Carlton and recorded with the deed. A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial.
- C. Subdivisions with frontage on the state highway system shall be designed to share access points to and from the highway. If access off of a secondary street is possible, then access should not be allowed onto the state highway.
- D. Wherever a proposed development abuts unplatted developable land within the urban growth boundary, street stubs shall be provided to provide access to abutting properties or to logically extend the street system into the surrounding area.
- E. Local streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation. Connections shall be designed to avoid or minimize through traffic on local streets. Appropriate design and traffic control such as four-way stops and traffic calming measures are the preferred means of discouraging through traffic.
- F. In all cases reasonable access or the minimum number of access connections, direct or indirect, necessary to provide safe access to and from a street shall be granted.

1. Single family dwelling shall have one driveway.

2. Duplex dwelling may have two driveways if minimum spacing standards in section 17.100.030 are met, or a single combined driveway.

3. A multifamily dwelling site shall have one driveway unless a second is required for circulation on large lots. Driveways shall meet minimum spacing standards in section 17.100.030.

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4. Commercial and industrial facilities shall have one driveway unless a second is required for circulation or loading on large lots. Driveways shall meet minimum spacing standards in section 17.100.030.

- G. New connections shall not be permitted within the functional area of an intersection as defined by the connection spacing standards of this title, unless no other reasonable access to the property is available.

17.100.050 Joint and cross access.

- A. Adjacent commercial properties classified as major traffic generators (i.e. shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.
- B. Systems of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:
1. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;
 2. A design speed of ten (10) mph and a maximum width of twenty **four** (~~20-24~~) feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
 3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;
 4. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.
- C. Pursuant to this section, property owners shall:
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 will be dedicated to the City of Carlton 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.
- D. The City of Carlton may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
1. Joint access driveways and cross access easements are provided in accordance with this section;
 2. The site plan incorporates a unified access and circulation system in accordance with this section;
 3. The property owner enters into a written agreement with the City of Carlton, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction on each side of the joint use driveway.

17.100.060 Nonconforming access features.

Legal access connections in place as of the effective date of the ordinance codified in this title that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

- A. When new access connection permits are requested;
- B. Change in use or enlargements or improvements that will increase trip generation.

17.100.070 Review procedures.

- A. 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 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 Type I review procedures found in Section 17.188.010.
- B. Traffic Study Requirements.
 - 1. The City shall require a traffic impact analysis (TIA) prepared by a qualified professional to determine access, circulation, and other transportation requirements when:
 - a. The development generates twenty-five (25) or more peak-hour trips or two hundred fifty (250) or more daily trips.
 - b. An access spacing exception is required for the site access driveway(s) and the development generates ten (10) or more peak-hour trips or one hundred (100) or more daily trips.
 - c. The development is expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour.
 - d. The development is expected to significantly impact adjacent roadways and intersections that have previously been identified as high crash locations or areas that contain a high concentration of pedestrians or bicyclists such as a schools.
 - 2. The scope of the TIA shall be in accordance with the direction and approval of the City Engineer. If impacted streets includes ODOT or Yamhill County, then the scope must meet their requirements as well. At a minimum the TIA shall include the following items: project description, current conditions (street condition, traffic control) trip generation, traffic volumes for the existing conditions and development and build-out, safety analysis including geometry, operational analysis current and post development, site specific conditions and impacts (schools, parks, other large traffic or pedestrian generators), and recommendations.**
 - 3.** Transportation Assessment. If a TIA is not required, the applicant's traffic engineer shall submit a transportation assessment letter to the City indicating the proposed land use action is exempt.
 - a.** This letter shall outline the trip-generating characteristics of the proposed land use and verify that the site-access driveways or roadways meet City of Carlton sight-distance requirements and roadway design standards.

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- b.** The ~~Public~~ **Public** Works Director may waive the requirement for a transportation assessment letter if a clear finding can be made that the proposed land use action does not generate twenty-five (25) or more peak-hour trips or two hundred fifty (250) or more daily trips and the existing and or proposed driveway(s) meet the City's sight-distance requirements and access spacing standards.
- C. Conditions of Approval. The City 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.
- D. Access permit reviews shall address the following criteria:
1. Access shall be properly placed in relation to sight distance, driveway spacing, and other related considerations, including opportunities for joint and cross access;
 2. The road system shall provide adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and service vehicles;
 3. The access shall be consistent with the access management standards in the most current adopted City of Carlton Transportation System Plan.
- E. Any application that involves access to the State Highway System shall be reviewed by the Oregon Department of Transportation for conformance with state access management standards.

Chapter 17.104 HISTORIC SITES

17.104.010 Applicability.

This chapter is applicable to all sites or structures **listed in the City of Carlton, Comprehensive Land Use Plan as a historic or cultural resource** ~~listed in the City of Carlton, Comprehensive Land Use Plan as a historic or cultural resource~~ **defined as historic sites in Section 17.12.020.**

17.104.020 Review procedures.

- A. Upon receipt of a land use application or demolition permit a determination shall be made if the site has historical significance by being listed as a historic or cultural resource. If the site is of historical significance the Planning Commission shall conduct a site design review and consider the following:
1. The state of repair of the building and cost of restoration or repair;
 2. The character of the neighborhood;
 3. Other factors the Planning Commission feels appropriate.
- B. Following review and hearing, the Planning Commission shall make a recommendation for approval, approval with mitigation, or denial of the land use action.

17.104.030 Preservation of historical record.

If a site with historical significance is to be demolished or significantly altered, the Planning Commission may direct that an acceptable detailed pictorial and graphic record be prepared prior to demolition or alteration.

Chapter 17.106 RESIDENTIAL DESIGN STANDARDS

17.106.010 Purpose.

The following standards are intended to promote human-scale design in new development, while ensuring visibility of adjacent public ways to encourage crime prevention, traffic calming, and safe and convenient walking in neighborhoods. The standards are intended to provide flexibility in building style and detailing.

17.106.020 Applicability.

This section chapter applies to the following building types:

- A. Single-family ~~non attached (non common wall)~~ dwellings, **duplexes and two attached townhouse dwellings** are not subject to site development review, but new dwellings are required to comply with subsection ~~17.106.030(A)~~ **17.106.025**; no other provisions of Chapter 17.106 apply to ~~non attached~~ single-family dwellings, **duplexes or two attached townhouse dwellings**;
- B. ~~Duplexes, triplexes, and attached single family dwellings (e.g., townhomes)~~ **Three or more attached townhouse dwellings** are subject to all provisions of Chapter 17.106;
- C. Multi-family housing, including residential care facilities, are subject to all provisions of Chapter 17.106;
- D. Mixed-use buildings (residential and other use combined) are subject to all provisions of Chapter 17.106.
- E. Cottage clusters are subject to the provisions of Section 17.106.040.**

17.106.025 Single-family dwelling garage standards.

- A. All single-family dwellings shall have a garage or carport containing not less than two hundred (200) square feet of covered vehicle/storage space. The garage shall be constructed of materials that are similar in color, material, and appearance to the primary structure. The garage or carport shall be constructed prior to occupancy.**

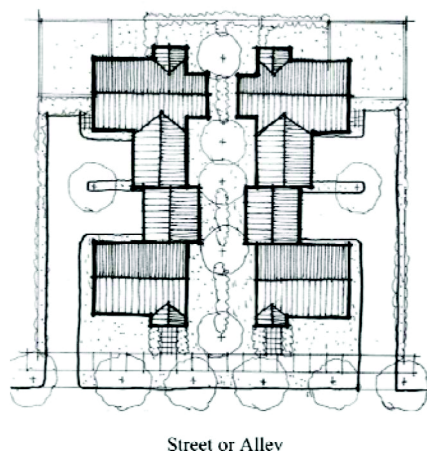
17.106.030 Design standards.

- A. ~~Single Family Dwellings — Not Attached (non common wall). All single family dwellings shall have a garage or carport containing not less than two hundred (200) square feet of covered vehicle/storage space. The garage shall be constructed of materials that are similar in color, material, and appearance to the primary structure. The garage or carport shall be constructed prior to occupancy.~~ **The standards of this section apply to multi-family dwellings, mixed-use buildings and three or more attached townhouse dwellings.**
- B. Building Orientation Standard. All residential buildings, ~~except single family non attached (non common wall) dwellings and accessory structures,~~ shall be oriented to a street. This standard is met when at least one building on a site is placed within twenty (20) feet of a street right-of-way ("street"), and such building contains a dwelling entrance facing the street. Multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units). Alternatively, a building may have its entrance oriented to a side yard **or central courtyard** when a direct pedestrian walkway is provided between the building

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entrance and the street, and the elevation facing the street contains windows, a porch and/or **other detailing** **a balcony** to avoid a blank wall appearance and to provide visibility of the street from the dwelling or garage, as applicable.

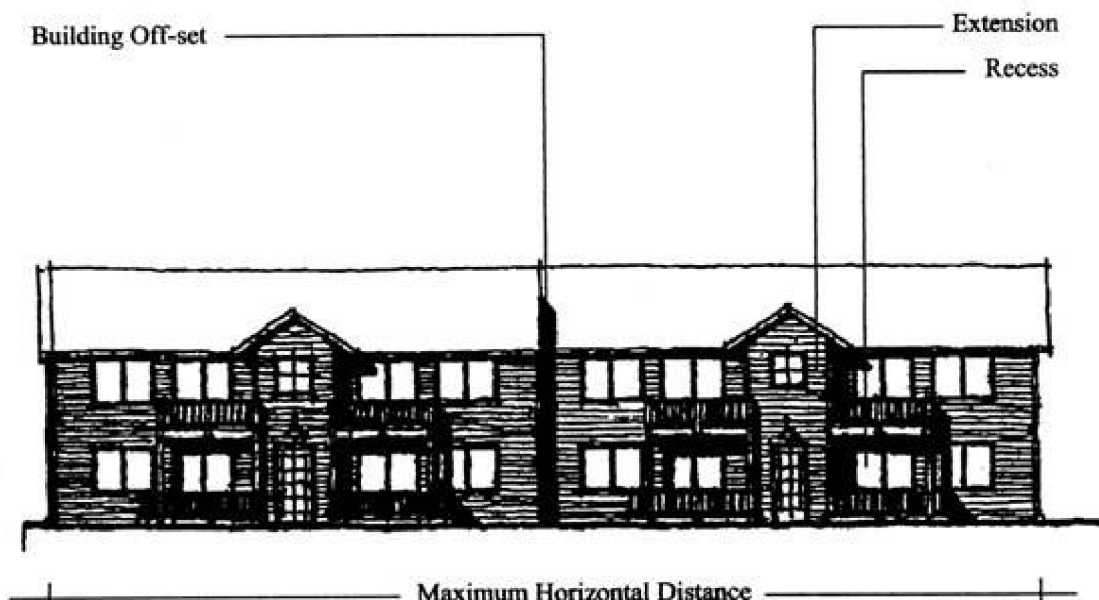
Figure 17.106.030(B-1)
Building Orientation



- C. Except as allowed for **single family attached dwellings** **townhouse dwellings** under subsection 17.106.030(E), for the purposes of complying with subsection 17.106.030(B), no off-street parking, garage or carport entrance, drive, or other vehicle areas shall be placed between any building and the street to which it is oriented.
- D. Building form and detailing. New buildings and building additions subject to site development review shall conform to all of the following standards, as applicable. The graphics provided with each standard are intended to show examples of how to comply. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.
1. Building Form. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed one hundred sixty (160) feet. All buildings shall incorporate design features, **including one or more of the following:** **such as** offsets, balconies, **covered porches,** projections, **or** window reveals, **or similar elements** to preclude large expanses of uninterrupted building surfaces, as generally shown in Figure 17.106.030(D). Along the vertical face of a structure, such features shall occur at a minimum of once every forty (40) feet, and on each floor shall contain at least two (2) of the following features:
 - a. Recess (**e.g.,** deck, patio, courtyard, **or** entrance **or similar feature**) that has a minimum depth of four (4) feet;
 - b. Extension (**e.g.,** floor area, deck, patio, **or** entrance, **or similar feature**) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet; and/or
 - c. Offsets or breaks in roof elevation of two (2) feet or greater in height.

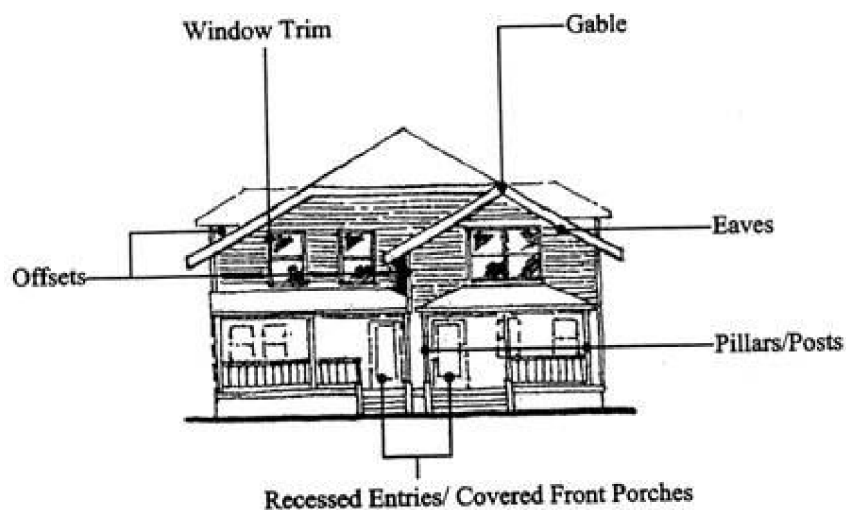
Figure 17.106.030(D-1)
Building Form (Multifamily Housing Example)

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2. Eyes on the Street. All building elevations visible from a street right-of-way shall provide doors, porches, balconies, and/or windows. A minimum of fifty (50) percent of front (i.e., street-facing) elevations, and a minimum of twenty-five (25) percent of side and rear building elevations, **as applicable**, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. The standard applies to each full and partial building story.

Figure 17.106.030(D-2)
Examples of Architectural Details



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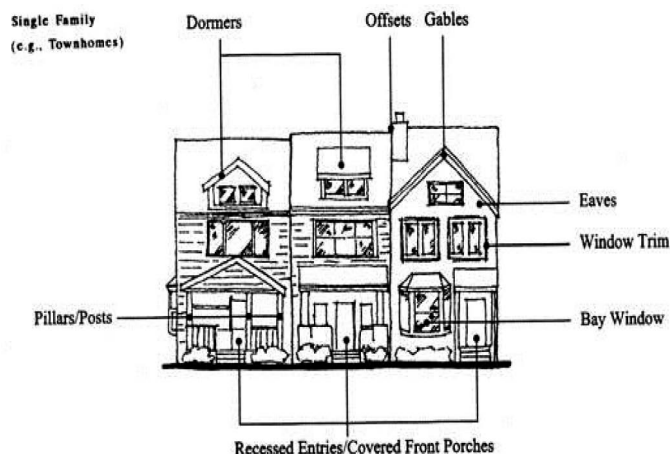
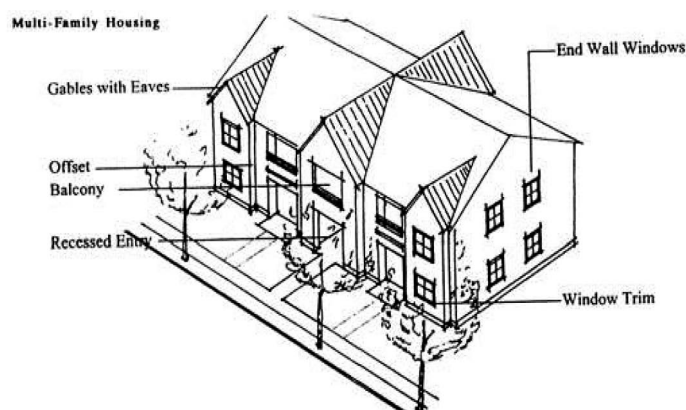


Figure 17.106.030(D-3)
Examples of Architectural Details (Continued)



3. Detailed Design. All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least two (2) of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):
 - a. Dormers;
 - b. Gables;
 - c. Recessed entries;
 - d. Covered porch entries;
 - e. Cupolas or towers;
 - f. Pillars or posts;
 - g. Eaves (minimum six-inch projection);
 - h. Off-sets in building face or roof (minimum sixteen (16) inches);
 - i. Window trim (minimum four inches wide);
 - j. Bay windows;
 - k. Balconies;

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- l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, **or** ornamentation, ~~and similar features~~);
 - m. Decorative cornices and roof lines (e.g., for flat roofs);
 - n. An alternative feature providing visual relief, similar to options in subsections (3)(a) through (m) of this section.
- E. Standard Vehicle Access. Except as provided under subsection 17.106.030(F), dwellings **subject to the provisions of Section 17.106.030** shall have garages or other covered parking accessed from a shared driveway or alley oriented to a side or rear yard, ~~as applicable~~. Such access shall be created at the time of subdivision or site development review approval, as applicable. ~~An exception to this standard is permitted when existing development patterns or topography makes compliance impracticable. As provided by Chapter 17.100, the city may require the construction of pathways between townhome lots (e.g., between building breaks) to implement code standards for access and circulation.~~

Figure 17.106.030(E-1)

Attached Single Family and Multiplex Housing Townhouses With Alley Access

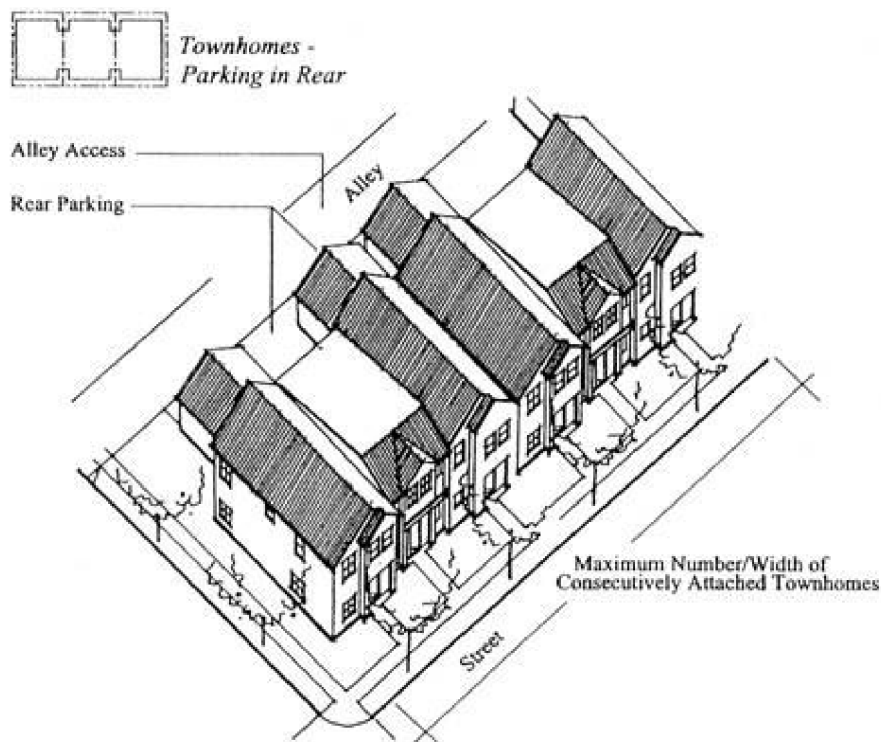
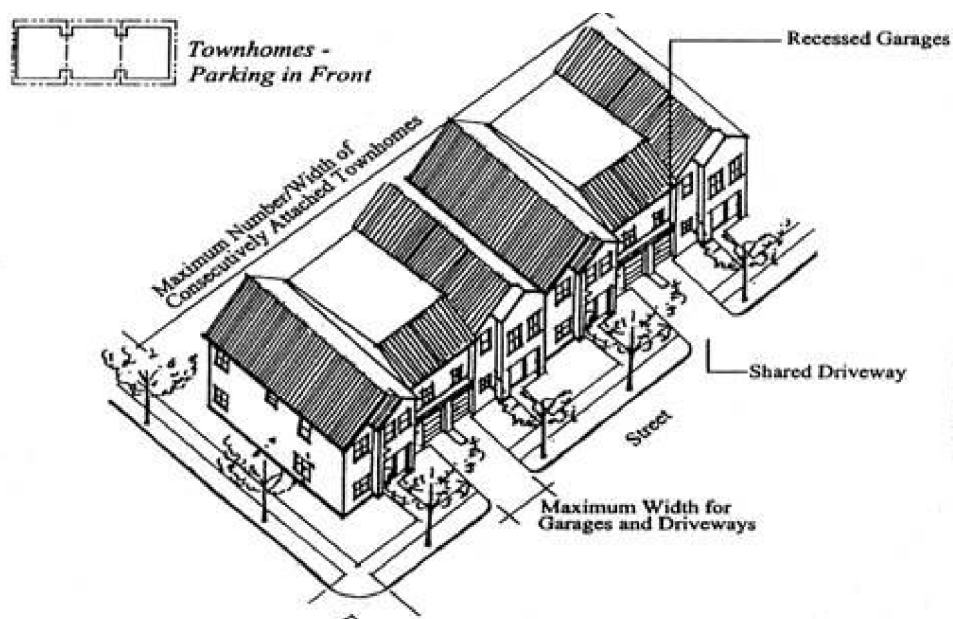


Figure 17.106.030(E-2)

Attached Single Family and Multiplex Housing Townhouses With Street Access

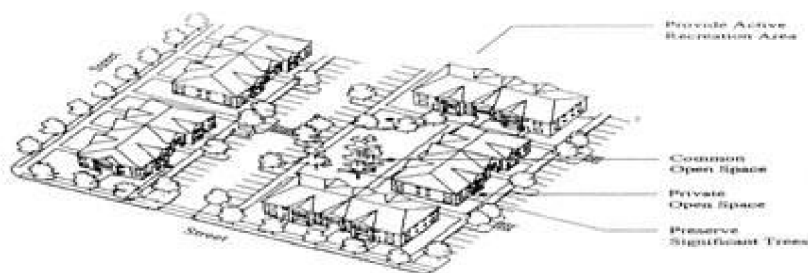
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- F. Alternative (Front) Vehicle Access. **Where compliance with subsection** **As an alternative to** 17.106.030(E) **is not practical due to topographic or other site constraints, or an applicant requests an adjustment to said subsection, the city through site development review may approve** a garage or other parking area **may be located** adjacent to a front yard, subject to the following standards, which are intended to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and to minimize paved surfaces and reduce storm water runoff.
1. When a garage opening faces a street, it shall be setback from the street property line by not less than twenty (20) feet or recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of four (4) feet.
 2. The maximum allowable driveway within a front or street side setback is twenty (20) feet.
 3. The total width of all garage openings on any street-facing building elevation shall not exceed fifty (50) percent of the total width of the building elevation on which the opening(s) are located, or 22 feet, whichever is less. For example, a twenty-four (24) foot wide unit may have one twelve (12) foot wide recessed garage facing the street.
 4. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than twenty (20) feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, before building permit issuance.
- G. Open Space. New **multi-family developments** subject to the provisions of this Chapter shall provide open space in compliance with all of the following requirements:

Figure 17.106.030(G)
Multifamily Housing (Open Space)

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1. Common Open Space Standard. ~~Inclusive of required setback yards, a~~ **A** minimum of fifteen (15) percent of the site area shall be designated and permanently reserved as usable common open space in developments that are at least ~~three~~ **one (1)** acres in size with more than ten (10) dwelling units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.).
 - a. Required setback yards and landscaped area required by Chapter 17.84 may be counted toward meeting the common open space requirement if they meet all common open space requirements of this subsection.**
 - b.** Sensitive lands and historic buildings or landmarks open to the public and designated by the comprehensive plan may be counted toward meeting the common open space requirements.
 - c. To ensure usable open space, at least one common open space area shall be provided within the development that is at least 500 square feet in size and has a minimum dimension of 20 feet for all sides.**
2. Private Open Space Standard. Private open space areas shall be required for dwelling units based on all of the following standards:
 - a. A minimum of fifty (50) percent of all ground-floor housing units shall have front or rear patios or decks measuring at least forty-eight (48) square feet. Ground-floor housing means the housing unit entrance (front or rear) is within five (5) feet of the finished ground elevation (i.e., after grading and landscaping);
 - b. A minimum of fifty (50) percent of all upper-floor housing units shall have balconies or porches measuring at least twenty-four (24) square feet. Upper-floor housing means housing units that are more than five (5) feet above the finished grade; and
 - c. **Where private** ~~Private~~ open space areas **face** ~~shall be oriented toward common open space areas and away from~~ adjacent single-family residences, **a combination of landscaping and screening shall be provided as a buffer. This buffer shall include a minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width and a minimum six-foot-tall decorative, sight obscuring fence or wall made of wood, stone, brick or vegetation (chain link fencing with or without slats is not permitted to meet this standard).** ~~trash receptacles, parking and drives to the greatest extent practicable.~~
3. Common Areas. ~~"Common areas"~~ (e.g., ~~landscaping in private tracts, shared driveways, private alleys, and similar uses~~) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building

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maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city before building permit approval.

4. Exemptions. Exemptions to the common open space standard ~~may be granted for multi-unit developments of up to ten (10) units.~~ Exemptions may be granted for the first twenty (20) units of a larger project when the development is located within one-quarter mile (measured walking distance) of a public park, and there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), lighted, and maintained pedestrian trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby park provides active recreation areas such as play fields; children's play area, sports courts, walking/fitness course, or similar facilities.
- H. Landscaping and Screening. All yards not otherwise improved with buildings, parking, circulation, or recreation facilities shall be landscaped pursuant to Section 17.84.050. ~~Additional landscaping, fencing or other screening may be required through site development review.~~ All landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.
- I. Trash Receptacles. Trash receptacles shall be oriented away from adjacent residences and shall be fully screened with an evergreen hedge or solid fence or wall of not less than six (6) feet in height.

17.106.040 Cottage clusters.

A. Cottage clusters shall meet the design standards of this subsection. No other design standards shall apply to cottage clusters unless noted in this subsection.

B. Dimensional Standards. The dimensional standards of the zone where the cottage cluster is located shall apply with the following exceptions:

- 1. The maximum height for a cottage dwelling is twenty-five (25) feet.**
- 2. The maximum footprint for a cottage dwelling is nine hundred (900) square feet.**
- 3. The maximum gross floor area for a cottage dwelling is one thousand six hundred (1,600) square feet.**
- 4. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.**

C. Cluster Size.

- 1. Cottage clusters shall have a minimum of four cottage dwellings.**
- 2. Cottage clusters in the R-1 and R-2 zones shall have a maximum of 12 cottage dwellings per cluster. Cottage clusters in the R-3 and MX zones shall have no maximum number of cottage dwellings per cluster. Multiple clusters are permitted on a single development site.**

D. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 17.106.040-1):

- 1. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.**

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2. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

- a. Have a main entrance facing the common courtyard;**
- b. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and**
- c. Be connected to the common courtyard by a pedestrian path.**

3. Cottages within 20 feet of a street property line may have their entrances facing the street.

4. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

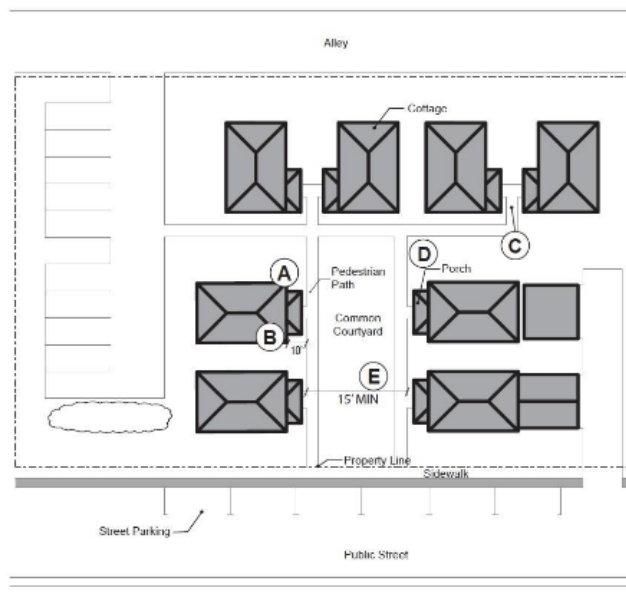
E. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 17.106.040-1):

- 1. The common courtyard must be a single, contiguous piece.**
- 2. Cottages must abut the common courtyard on at least two sides of the courtyard.**
- 3. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.**
- 4. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.**
- 5. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.**

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- 6. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.**

Figure 17.106.040-1: Cottage Cluster Orientation and Common Courtyard Standards



- A** A minimum of 50% of cottages must be oriented to the common courtyard.
- B** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- C** Cottages must be connected to the common courtyard by a pedestrian path.
- D** Cottages must abut the courtyard on at least two sides of the courtyard.
- E** The common courtyard must be at least 15 feet wide at its narrowest width.

- F. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:**

- 1. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (D)(5).**
- 2. A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.**

- G. Pedestrian Access.**

- 1. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:**
 - a. The common courtyard;**
 - b. Shared parking areas;**

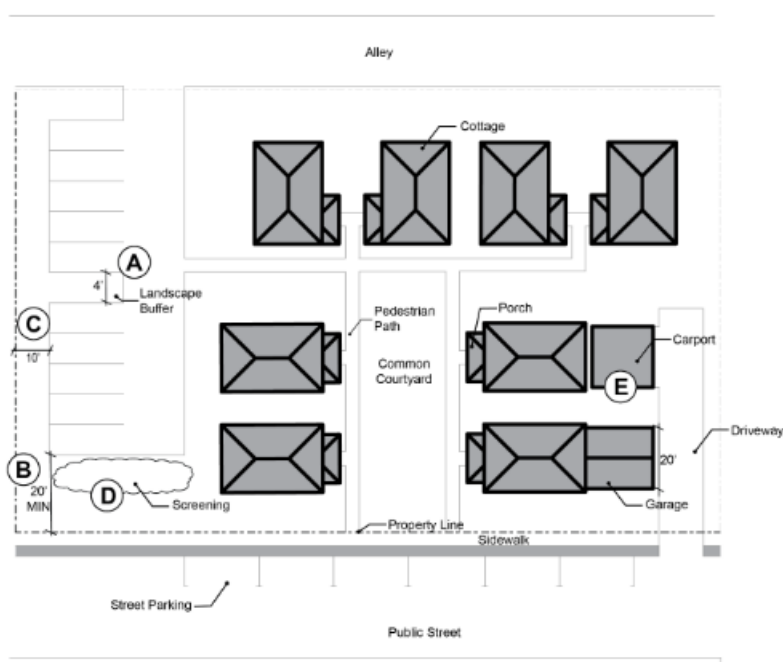
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- c. **Community buildings; and**
 - d. **Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.**
- 2. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.**
- H. Parking Design (see Figure 17.106.040-2).**
- 1. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:**
 - a. **Cottage cluster projects with fewer than 12 cottages are permitted parking clusters of not more than five (5) contiguous spaces.**
 - b. **Cottage cluster projects with 12 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.**
 - c. **Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.**
 - d. **Clustered parking areas may be covered.**
 - 2. Parking location and access.**
 - a. **Off-street parking spaces and vehicle maneuvering areas shall not be located:**
 - i. **Within of 20 feet from any street property line, except alley property lines; or**
 - ii. **Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.**
 - b. **Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.**
 - 3. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.**
 - 4. Garages and carports.**
 - a. **Garages and carports (whether shared or individual) must not abut common courtyards.**
 - b. **Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.**
 - c. **Individual detached garages must not exceed 400 square feet in floor area.**
 - d. **Garage doors for attached and detached individual garages must not exceed 20 feet in width.**
 - I. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.**
 - J. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing single-family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:**

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- a. **The existing dwelling may be nonconforming with respect to the requirements of this code.**
- b. **The existing dwelling may be expanded up to the maximum dimensions in subsection (B); however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.**
- c. **The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.**
- d. **The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (1)(a) of this section (E).**

Figure 17.106.040-2: Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

Division IV. SUPPLEMENTAL STANDARDS FOR SPECIAL USES

Chapter 17.108 SPECIAL USES—GENERAL PROVISIONS

17.108.010 Applicability of special use standards.

Special uses included in this chapter are uses, which, due to their effect on surrounding properties, must be developed in accordance with special conditions and standards. These special use standards may differ from the development standards established for other uses in the same zoning district. When a dimensional standard for a special use differs from that of the underlying district, the standard for the special use shall apply.

17.108.020 Process.

The status of a special use as a permitted or conditional use is set forth in the underlying zoning district. Conditional uses shall be processed in accordance with the criteria and procedures specified in Chapter 17.152. Permitted uses shall be reviewed for compliance with the standards of Chapters 17.60 through 17.104 of this title in the manner specified in the particular special use section. Special uses that are conditional uses in the underlying zoning district shall be reviewed for compliance with the standards of Chapters 17.60 through 17.104 during the review of the conditional use permit. In addition to any specific requirements under the special use, the following information shall be included with the application submittal:

- A. A description of the proposed use and specific reason for the request.
- B. A vicinity map indicating the relationship of the proposed use to the surrounding area.
- C. A site plan of the property, including existing and proposed improvements, and other information necessary to address the requirements and conditions associated with the use.
- D. A building profile of proposed new or remodeled structures, as applicable.
- E. Information addressing the criteria set forth under Chapter 17.152.

Chapter 17.112 PLANNED UNIT DEVELOPMENT (PUD)

17.112.010 Purpose.

- A. To produce a development which would provide development opportunities not easily achieved from traditional lot-by-lot development while protecting the city's goals of overall density and character.
- B. To allow flexibility which will encourage a more creative approach that will result in a more efficient, aesthetic, and desirable use of open area, while substantially maintaining the same population density and area coverage permitted in the district in which the project is located.
- C. To allow flexibility in design, placement of buildings, use of open spaces, circulation facilities, off-street parking areas, and to best utilize the site potential characterized by special features of geography, topography, size and shape.

17.112.020 Area of application.

Planned unit developments may be established on parcels of land that are suitable for and of sufficient size to be planned and developed in a manner consistent with the purposes and objectives of this chapter.

17.112.030 Applicant.

Planned unit development projects may be applied for:

- A. By the owner of all the property involved, if under one ownership; or
- B. Jointly by all owners of the property in the area proposed for the planned unit development project, if there is more than one owner.

17.112.040 Uses permitted.

In a planned unit development only the following uses are permitted:

- A. Residential uses.
- B. Recreational facilities including, but not limited to, tennis courts, swimming pools, and playgrounds.
- C. Open space uses.
- D. Schools, libraries, community halls, and places of worship.
- E. Offices, buildings, and facilities required for the operation, administration, and maintenance of any planned unit development and for recreation purposes such as: golf courses, recreation rooms, and vehicle storage areas.
- F. Convenience establishments of a commercial and service nature, including delicatessen, coffee shops, convenience stores, restaurants, laundry, and dry-cleaning establishments, beauty shops and barber shops, (but specifically excluding drive-in services gas stations and a repair garage) provided:

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1. Such convenience establishments are an integral part of the general plan of development for the planned unit development and provide facilities related to the needs of the prospective residents;
2. Such convenience establishments and their parking areas will not collectively occupy more than one acre per one hundred (100) dwelling units;
3. Such convenience establishments will be located, designed, and operated to efficiently serve frequent trade and to serve the needs of persons residing in the planned unit developments;
4. Such convenience establishments will not, by reason of their location, construction, or operation, have adverse effects on residential uses within or adjoining the district, or create traffic congestion or hazards to vehicular or pedestrian traffic.

17.112.050 Development requirements.

Planned unit developments shall comply with the applicable general development standards of Chapters 17.60 through 17.104 of this title. Underlying zoning lot dimensions and areas need not be met in a planned unit development.

- A. Site Adaptation. To the maximum extent possible, the plan and design of the development shall assure that natural or unique features of the land and environment are preserved.
- B. Lot Arrangement. All lots within the development shall be designed and arranged to have a maximum of two hundred (200) feet walking distance, or frontage on, open space or recreation areas.
- C. Density of Development. ~~Permitted density of development in all PUD's shall be determined in accordance with the following procedures:~~ **PUDs shall meet the minimum and maximum net density specified for the subject zoning district.**
 - ~~1. Determine total gross site area (G.S.A.);~~
 - ~~2. Multiply the G.S.A. by .85 to determine the net site area (NSA);~~
 - ~~3. Deduct from the N.S.A. Any acres of twenty (20) percent or greater slope that will be developed, proposed commercial areas, and other nonresidential uses to determine net developable site area (NDSA). Open space areas and hillside areas that will be in open space areas are not required to be deducted;~~
 - ~~4. Determine maximum density of development in accordance with the appropriate method below:~~
 - ~~a. SR district developments: Multiply NDSA by six units per acre.~~
 - ~~b. R-3 district: Multiply NDSA by fourteen (14) units per acre.~~
- D. Amount of Open Space. The required amount of open space or outdoor recreational area shall be at least twenty (20) percent of the gross area.
- E. Structure Setback Provisions. Yard setbacks for lots on the perimeter of the project shall be the same as that required for the subject-zoning district. Detached structures shall maintain a minimum side yard setback from interior space lines of three (3) feet or meet the Uniform Building Code requirement for firewalls. A minimum front yard setback of twenty (20) feet

shall be required for any garage opening facing a public street. Otherwise the minimum setbacks of the underlying zone do not apply.

- F. Zero Side Yard Setback. Zero side yard dwelling units authorized in a planned unit developments shall meet the following use and development standards:
1. Number of Attached Units. No more than six dwelling units, each on a lot held in separate ownership.
 2. Yards Adjacent to a Street. This chapter does not relieve the requirements of this title for yards adjacent to a street.
 3. Maintenance Easement. As a condition of issuance of a permit for any building having an exterior wall contiguous to a property line, the applicant shall furnish an easement from the owner of the property adjacent to said wall providing for ingress, egress, and use of such adjacent property for the purpose of maintaining, repairing, and replacing the building. Said easement shall be appurtenant to the property on which the building is located and shall be approved as to form by the city attorney and shall be recorded with Yamhill County prior to issuance of the permit.
- G. Circulation.
1. Streets within a PUD shall comply with the applicable standards of Chapter 17.64;
 2. Roads and pedestrian and bikeway paths shall be an integrated system designed to provide efficient and safe circulation to all users. Developments should be designed to minimize the length of roadway;
 3. Pedestrian/bikeways shall be clearly signed and have adequate crossing facilities where warranted.
- H. Off-Street Parking. Off-street parking requirements shall be as specified in Chapter 17.68. Parking may be provided on each lot or in clustered parking areas. The city if warranted by reduced lot sizes, type of street, and/or traffic volumes, may require additional off-street parking for guests and recreational vehicles.
- I. Utilities. In addition to other requirements set forth herein, the following shall apply:
1. All sewer and water provisions shall be approved by the city before construction of such improvements;
 2. All utility services shall be placed underground;
 3. Provisions shall be made for fire prevention, including service water lines, non-freeze hydrants, and free emergency access for fire fighting equipment around buildings;
 4. Provision shall be made for control of site storm water drainage, as required by Chapter 17.72.
- J. Homeowners Association. A non-profit incorporated homeowners association, or an alternative acceptable to the city attorney, shall be required for improving, operating, and maintaining common facilities, including open space, streets, drives, service and parking areas, and recreation areas. The following principles shall be observed in the formation of any homeowners association and shall be reviewed by the city attorney:

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1. A homeowners association shall be set up before approval of the final plat, or any portion thereof;
2. Membership shall be mandatory for each homeowner and any successive buyer;
3. The open space restrictions shall be in perpetuity;
4. The homeowners association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities;
5. Home owners shall pay their pro rated share of the cost or the assessment levied by the association shall become a lien on the property;
6. The association shall be able to adjust the assessment to meet changes needed;
7. No change in open space use or dissolution of homeowners association shall occur without a public hearing before the Planning Commission and approval by the City Council.

17.112.060 Process.

Planned unit developments shall be processed in accordance with the submittal requirements and procedures established in Chapter 17.176. Approval shall only be granted if the requirements of this chapter and all other applicable requirements of this title are met.

17.112.070 Modification of approval.

A new public hearing shall be required if any one of the following changes is proposed to an approved planned unit development site plan:

- A. Increase or decrease of ten (10) percent (or more) in the number of dwelling units.
- B. Increase or decrease of ten (10) percent (or more) in the area devoted to open space or recreational space.

Chapter 17.116 MANUFACTURED HOMES

~~17.116.010 Purpose.~~

~~The following general standards are applicable to all manufactured homes sited on individual lots within the City of Carlton.~~

~~17.116.020 General standards.~~

- ~~A. The manufactured home shall be multi-sectional and shall enclose a space of no less than one thousand (1,000) square feet.~~
- ~~B. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than eighteen (18) inches above grade. The foundation must be constructed of concrete or concrete block.~~
- ~~C. The manufactured home shall have a roof with a nominal pitch of no less than three (3) feet in height for each twelve (12) feet in width.~~
- ~~D. Roofing material shall be composition asphalt, fiberglass, wood shake, or tile.~~
- ~~E. The exterior siding must be horizontal lapped wood siding or a siding of equivalent appearance.~~
- ~~F. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting current performance standards specified by state law for single-family dwellings.~~
- ~~G. The manufactured home shall have a garage or carport containing not less than two hundred (200) square feet of covered vehicle/storage space. The garage shall be constructed of materials that are similar in color, material, and appearance to the manufactured home. The garage or carport shall be constructed prior to occupancy.~~
- ~~H. Transportation mechanisms, including wheels, axles, and hitch must be removed prior to occupancy.~~
- ~~I. The manufactured home shall be provided with gutters and downspouts to direct storm water away from the placement site.~~
- ~~J. All utilities shall be connected to the manufactured home in compliance with city and state requirements prior to occupancy.~~
- ~~K. The manufactured home shall be constructed and maintained in conformance with the state and federal safety construction standards, applicable at the time of placing the manufactured home. The home shall bear the Oregon "Insignia of Compliance".~~
- ~~L. A manufactured home shall not be placed within an acknowledged historical district or adjacent to a historic landmark.~~

~~17.116.030 Process.~~

~~The city shall review compliance with the standards of this chapter administratively during the review of applicable building permits and set-up permits.~~

Chapter 17.120 MANUFACTURED HOME DWELLING PARKS

17.120.010 Purpose.

The following standards shall apply to the design and development of all manufactured home dwelling parks in the City of Carlton.

17.120.020 General standards.

- A. Any lot or site used for a manufactured home dwelling park and any modifications to a manufactured home dwelling park shall comply with the provisions of ORS 446.002 to ORS 446.210 and Manufactured Home Dwelling Park Standards, adopted as Oregon Administrative Rule, Chapter 814, Subdivision 3, Manufactured Home Dwelling Parks, Sections 28.010 to 28.170, inclusive.
- B. All parks shall require a minimum of three one acres.
- C. Density. The maximum net density of a manufactured home dwelling park shall not exceed ten (10) twelve (12) units per gross net acre.
- D. Minimum Area. The minimum area to be contained on a manufactured home space by a manufactured home and its accessory structures shall be three thousand five hundred (3,500) square feet.
- E. Setbacks. The following setback standards shall apply:
 1. General park development: setbacks for structures other than manufactured homes, carports and related accessory buildings shall comply with the minimum residential setbacks in the underlying zone.
 2. Manufactured homes:
 - a. Front: five (5) feet minimum to the sidewalk; eight (8) feet minimum to the curb;
 - b. Side and rear: fifteen (15) feet minimum to any adjacent manufactured home; ten (10) feet minimum to any adjacent nonresidential structure;
 - c. Manufactured homes on the periphery of a manufactured home park shall maintain the same setback as required for the front, side and rear yard in the underlying zone.
 3. Accessory structures:
 - a. Front: five (5) feet minimum to the sidewalk; eight (8) feet minimum to the curb;
 - b. Adjacent side and rear: six (6) feet minimum to any adjacent manufactured home, or, nonresidential structure.
 4. Carports:
 - a. Front: twenty (20) feet minimum to the sidewalk or curb, if a sidewalk is not provided;
 - b. Side and rear: carports attached to, or within three (3) feet of, the manufactured home shall comply with the setbacks for the manufactured home. Otherwise, the setback provisions for accessory structures shall apply.
- F. Minimum Width. No manufactured home space shall be less than forty (40) feet in width at its driveway frontage.

- G. Boundaries of Space. The boundaries of each manufactured home space shall be clearly marked by permanent markers.
- H. ~~Driveways~~ **Drive Aisles**. All ~~driveways~~ **drive aisles** shall be paved with an asphaltic material or concrete and shall be a minimum of twenty (20) feet in width. In addition, if parking is to be permitted along the ~~driveways~~ **drive aisles**, a minimum width of thirty (30) feet is required. All ~~driveways~~ **drive aisles** shall be adequately designed as to permit safe, easy access by emergency vehicles.
- I. Parking. A minimum of two off-driveway parking spaces shall be provided for each manufactured home space.
- J. Walks. Provisions shall be made for a walk from each manufactured home to each ~~driveways~~ **drive aisles**. All walks must be hard surfaced, well-drained and not less than thirty-six (36) inches in width.
- K. Patio. Each manufactured home space shall have a slab or patio or concrete, asphalt or flagstone or similar substance not less than twenty (20) feet in length and ten (10) feet in width adjacent to each manufactured home parking site.
- L. Storage Area. A storage space in a building having a gross floor area of at least sixty (60) square feet shall be constructed and completed prior to occupancy of the manufactured home for storing the outdoor equipment and accessories necessary to residential living.
- M. Accessory Buildings. Accessory buildings that are placed on a manufactured home space shall be sited in a manner so as not to hinder or restrict access to the side and rear yard areas adjacent to the manufactured home.
- N. Manufactured Home Space Coverage. Not more than forty-five (45) percent of a manufactured home space may be occupied by a manufactured home and its accessory structures.
- O. Signs. All signs shall be in accordance with Chapter 17.80 of this title.
- P. Lighting. Common driveways and walkways must be adequately lighted.
- Q. Skirting. All manufactured homes shall have skirting around the exterior of the manufactured home or they may be situated upon a continuous foundation meeting the approval of the city building code.
- R. Open Space. A minimum of at least five thousand (5,000) square feet per twenty-five (25) manufactured home spaces or portion thereof shall be provided for a recreational play area group or community activities. No approved open space area shall contain less than five thousand (5,000) square feet. The floor area of indoor facilities, such as a community building, may be included in calculating the open space requirement.
- S. Utilities. All utility services shall be underground. The applicant shall furnish the city with proper easements for reading the meters and for inspecting water and sewer lines. All meters and water lines shall be inspected while being installed and the installation shall meet city standards. The park owners to city standards shall maintain all meters and water and sewer lines.
- T. Sewer and Surface Drainage. Adequate provisions shall be for sewage disposal and surface drainage and plans for such must have prior approval of the health department and the city engineer before a manufactured home park is approved. All sewer lines and drainage facilities shall be inspected while being installed and the installation shall meet city standards.

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- U. Additions to Manufactured Homes. Carports, cabanas, ramadas, awning and all other structures, whether defined herein or not, which are situated upon a manufactured home space and are attached to the manufactured home, shall conform to the requirements of the city building code. Such additions and structures shall be considered as a portion of the manufactured home for determining the extent of lot coverage, setback lines and all other requirements for manufactured homes, as if such additions and structures were a part of such manufactured home.
- V. No part of any manufactured **home dwelling** park shall be used for the parking or storage of any heavy equipment, or trucks with a rated capacity exceeding two tons.
- W. A caretaker, owner or manager shall be responsible for keeping the manufactured **home dwelling** park, its facilities and equipment in a clean, orderly and sanitary condition.
- X. Landscaped buffer areas shall be developed around the perimeter of all manufactured **home dwelling** parks. Buffering shall comply with the standards of Chapter 17.84.
- Y. All units placed within a manufactured **home dwelling** park after the effective date of the ordinance codified in this title shall be "manufactured **homes dwellings**" as defined in Section 17.12.020.

17.120.030 Process.

Manufactured **home dwelling** parks shall be subject to the Site Design Review procedures of Chapter 17.156. Submittal requirements and review procedures shall be as specified in that section. Approval shall not be granted unless all provisions of this chapter and other applicable requirements of this title are met.

Chapter 17.124 HOME OCCUPATIONS

17.124.010 Standards.

Home occupations may be allowed as an accessory use on any property on which there is a residence, subject to the following standards and restrictions:

- A. Participation. No more than one person shall be employed whom is not a member of the family residing on the premises.
- B. Character. The character and primary use of the residence and premises shall not be changed by the use of colors, materials design, construction, lighting, landscaping or lack of landscaping.
- C. Traffic. A home occupation located on a local street, or privately maintained road serving three or more residences, shall not generate more than twenty (20) vehicle trips in one day. A "trip" is a vehicle traveling in one direction to or from a source. Twenty (20) trips are equivalent to ten (10) round trips.
- D. Noise. A home occupation shall not create noise of a type, duration or intensity that, measured at the property line, exceeds sixty (60) DBA between the hours of seven a.m. and six p.m. No noise shall be created by the home occupation between the hours of six p.m. and seven a.m. that is detectable to normal sensory perception, off the premises of the home occupation.
- E. Equipment and Process Restrictions. No home occupation shall create vibration, glare, fumes, odors, or electrical interference detectable to normal sensory perception outside the dwelling unit. In the case of electrical interference, nothing shall be used which creates visual or auditory interference in any radio or television off the premises.
- F. Hazards. No equipment, process or material shall be used which will change the fire rating or structure separation, firewall, or ventilation requirements for the structure in which the home occupation is located. No hazardous materials shall be used or stored on the property on which a home occupation located in quantities not typical of those customarily used in conjunction with activities or primary uses allowed in the zoning district.
- G. Signs. Signing shall be as provided in Chapter 17.80.
- H. On-Premise Client Contact. Customer and client contact shall be primarily by electronic media, telephone or mail, and not on the premises of the home occupation, except those home occupations, such as tutoring, counseling or personal services, which cannot be conducted except by personal contact. Services or sales conducted on the premises shall be by appointment only, and shall not be oriented toward, or attract, off-the-street customer or client traffic.
- I. Deliveries and Large Vehicle Storage. Delivery of materials to and from the premises shall not involve the use of vehicles over two ton capacity, except parcel post or private parcel delivery trucks. Vehicles over one ton capacity and used in conjunction with a home occupation shall be stored within an enclosed structure on the property. Regardless of capacity, storage of vehicles within the public right-of-way shall be prohibited.
- J. Parking. Parking spaces needed for the conduct of a home occupation shall be provided off the street, in defined areas which are appropriately designed and surfaced for that purpose,

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and not located within the side or rear yard setbacks of the district. No more than two home occupation-related vehicles shall be located on the property at one time.

- K. Storage and Use of Yard Areas. Storage of tools, equipment and materials, and display of merchandise and all other activities associated with a home occupation, except as provided above for parking, shall be contained and conducted wholly within covered and enclosed structures and shall not be visible from the exterior of the containing structure(s). Home occupations that involve the care of children may use rear yard areas for playground equipment.
- L. Family **day child** care **facilities homes**, as permitted by this Code, shall not be subject to the provisions of this section.
- M. As a condition of approval, prior to commencing business, the home occupation proprietor shall obtain a business license from the City of Carlton.

17.124.020 Process.

- A. Home occupations that meet the General Standards of Section 17.124.010 and that are fully enclosed within a primary residential use are permitted outright as an accessory use to the residential use.
- B. A home occupation that is not fully enclosed within a primary structure (residence) but meets all of the General Standards of Section 17.124.010 may be permitted subject to review and approval of a minor conditional use permit pursuant to Chapter 17.152.
- C. A home occupation that exceeds one or more of the General Standards of Section 17.124.010 may be permitted subject to review and approval of a major conditional use permit pursuant to Chapter 17.152.
- D. The standards of this chapter shall govern all home occupations.
- E. If the city manager or city manager's designee finds that the facts of the particular case require interpretation of existing standards, then a public hearing before the Planning Commission shall be scheduled. The procedures for conducting the public hearing shall comply with the standards in Chapter 17.196.

17.124.030 Noncompliance.

Any home occupation that does not comply with the requirement of this chapter and the provisions of the underlying district shall be a violation of this title and shall be subject to the enforcement remedies of Section 17.04.040.

Chapter 17.125 VACATION RENTAL DWELLINGS

17.125.010 Purpose.

Vacation rental dwellings are intended to meet the desire of many owners to rent their property on a short-term basis and to provide for the orderly use and regulation of such rentals to preserve the health, safety and welfare of the community. This use shall not adversely affect the residential character of the neighborhood where they are located. These standards and procedures are in addition to City ordinances and Federal and State laws and regulations.

17.125.020 Definitions

The following words and phrases shall have the meaning set forth in this Chapter.

“Incident” means an offensive activity or breach of the standards.

“Local representative” means a person with the authority to take action or make decisions concerning the management of a licensed vacation rental property.

“Overnight” means anytime between the hours of 10:00 p.m. and 7:00 a.m. on the following day.

“Rental occupant” means a person over the age of four (4) years who occupies a rented vacation rental.

“Sleeping area” means a bedroom or loft within a dwelling unit which meets the requirements of the building code as adopted by the State of Oregon.

“Surfaced” means a gravel, paved, tile, brick or concrete surface suitable for parking a vehicle.

“Vacation rental” means a dwelling unit, or any portion thereof, which is rented, or held out as available for rent, for periods of less than thirty (30) days, such as by the day or week. A dwelling which is listed with an agent as a vacation rental, advertised, available by referral, word of mouth, commendation and reputation are some of, but not limited to, the ways of identifying a vacation rental. It shall be a rebuttable presumption that a dwelling unit is a vacation rental if it is visited overnight by at least four (4) different vehicles over the course of a month, for three (3) consecutive months. The exchange of consideration is not necessary to meet the definition of a vacation rental if the dwelling otherwise is held out as available for occupancy for periods of less than thirty (30) days.

17.125.0130 - Standards.

A vacation rental dwelling permit license shall be issued as an accessory use provided the following standards are met:

- A. **A vacation rental shall comply with all applicable laws.** There must be no offensive noise, smoke, dust, litter or odor noticeable at or beyond the property line resulting from the use of the dwelling as a vacation rental dwelling that violates the Carlton Municipal Code.

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- B. The use shall not adversely affect the residential character of the neighborhood.
- C. There shall not be an excessive generation of traffic created by the vacation rental **dwelling**.
- D. One (1) off-street parking space will be provided for each bedroom **/sleeping area** in the **dwelling vacation rental**, but in no event shall less than two (2) spaces be provided for each **dwelling separate vacation rental. All off-street parking spaces shall be surfaced.**
- E. The **dwelling vacation rental** must maintain the residential nature of the front and side yards. The lot must be landscaped and maintained as a permanent residence similar to the surrounding area.
- F. The **permittee licensee** must provide receptacles for the deposit of garbage and subscribe to a solid waste collection service for the vacation rental **dwelling**.
- ~~G. The permittee must obtain a business registration license from the City of Carlton.~~
- ~~H.G.~~ Signs for vacation rentals **dwelling**s shall comply with requirements ~~in, of~~ Chapter 17.80.
- ~~H.H.~~ The property owner shall designate a local representative who permanently resides within the Carlton Urban Growth Boundary, or a licensed property management company with a physically staffed office within ten (10) vehicular miles of the Carlton Urban Growth Boundary. The **property** owner may be the designated representative where the owner resides in the Carlton Urban Growth Boundary.

The local representative must be authorized by the owner of the dwelling to respond to the tenant and neighborhood questions or concerns. The local representative shall serve as the initial contact person if there are questions or complaints regarding the operation of the dwelling for vacation rental purposes. The local representative must respond to complaints in a timely manner to ensure the dwelling complies with the standards for vacation rental dwellings and other city ordinances pertaining to noise, disturbances, nuisances, as well as state laws pertaining to the consumption of alcohol, or the use of illegal drugs.

- ~~H.I.~~ The following information shall be posted within the vacation rental dwelling adjacent to the front door:
1. The name of the local representative and a telephone number where the representative may be reached;
 2. The telephone number and web site address of the City of Carlton and the Carlton Police Department;
 3. The maximum number of occupants permitted to stay in the dwelling;
 4. The maximum number of vehicles allowed to be parked on the property;
 5. The number and location of off-street parking spaces; and
 6. The solid waste collection day.

J. All pets must be under control at all times. Methods of control include a leash or demonstrated effective voice command. The person having the control, custody or possession of a dog shall clean up after the dog by using a dog waste bag or other suitable method.

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K. The licensee must comply with the requirements of the occupancy tax ordinance as a condition for issuance or renewal of a vacation rental license.

L. Vacation rentals shall comply with the standards in this section, whether or not the vacation rental is occupied by a renter, owner, or other person.

17.125.0240 - Process.

A. Step One Process.

1. ~~Notice. Upon receipt of an application for a vacation rental dwelling permit, notice must be mailed at the applicant's expense to all owners of property within one hundred (100) feet of the exterior boundary of the property for which the application is made, giving the property owners notified twenty (20) days in which to respond to the city.~~

2. ~~Staff review.~~

a. ~~If no objections or complaints are received regarding the proposed use of the property as a vacation rental dwelling, staff may issue a vacation rental dwelling permit to the applicant. However, if staff finds that the facts of the particular case requires interpretation of existing standards, then a public hearing before the Planning Commission shall be scheduled. The procedures for conducting the public hearing shall comply with the standards found in Chapter 17.196.~~

b. ~~If staff receives one (1) or more written objections from individuals affected by the proposed use regarding compliance with any of the vacation rental standards listed above, after the notice requirements of the Step One process have been met, no permit shall be issued at that time and a hearing shall be set before the Planning Commission in accordance with the Step Two process specified below.~~

B. ~~Step Two Process. If the staff refers the matter to the Planning Commission for hearing, or a hearing is required as a result of a Step One mandatory referral, the application will be deemed an application for a conditional use and the conditional use requirements of Chapter 17.152 shall apply, as well as the standards for issuance of a vacation rental dwelling permit. The Development Code public hearing notice provisions and application fee requirements for a conditional use shall also apply.~~

Applications for vacation rental license are subject to the Type II process as described in 17.188.020 and notice to property owners as described in 17.192.020, except that notice shall be mailed at the applicant's expense to all owners of property within two hundred and fifty (250) feet of the exterior boundary of the property to where an application for vacation rental license is sought. Appeals of a Type II decision are subject appeal provisions as described in Chapter 17.204.

17.125.0350 ~~Permit License~~ issuance.

A vacation rental ~~permit license~~ shall be issued in the name of the property owner and is not transferable. **A vacation rental license shall be specific to an individual dwelling; separate licenses shall be required in the event that an owner seeks to use multiple dwellings at a single address as vacation rentals.** The ~~permit license~~ shall terminate and be deemed void when the ~~permit license~~ holder sells or transfers the property occupied or rented as a vacation rental ~~dwelling~~. ~~A conditional use permit~~

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approved for a two-family duplex vacation rental will automatically terminate if the other half of the duplex is rented out for non-vacation use.

A. Upon receipt of the completed application, the annual license fee and attestation that the licensing standards have been met, the City shall issue a license to the applicant (not the dwelling) for a period of one year. The license may be renewed annually if all standards are met. A vacation rental licensee shall not be required to pay a business license fee in addition to the annual vacation rental license fee. The license application and annual fees established under this Chapter shall be set by the City Council, and may be changed by resolution. All fees are non-refundable.

B. All licenses shall be obtained prior to any rental of the property. The required application and license fee are due on January 1 of each year for the fiscal year commencing with that date and are delinquent on February 1. The delinquency fee will be set by resolution.

17.125.0460 Non-compliance ~~and complaints~~.

A. Non-Compliance. Any vacation rental ~~dwelling~~ unit that does not comply with the requirements of this Section and the provisions of the underlying district shall be a violation of this Ordinance and shall be subject to the enforcement remedies of Section 17.04.040.

~~B. Complaint Procedures. In addition to penalties specified in Section 17.04.040, the city may determine that an appropriate penalty is the revocation of a vacation rental permit in accordance with the following complaint procedures:~~

~~1. The Planning Commission shall review the vacation rental dwelling permit upon receipt of one (1) written complaint from an individual who is adversely affected by the proposed use. The complaint shall clearly state the nature of the objection to the vacation rental dwelling. Staff shall investigate all such complaints and the results of the investigation shall be reported to the Planning Commission at a regular meeting. The complainant and owner of the vacation rental dwelling shall be notified of the meeting. Standards of judging objections shall include, but are not limited to, the following:~~

~~i. Generation of excessive traffic;~~

~~ii. Monopoly of on-street parking spaces;~~

~~iii. Other offensive activities not in harmony with the residential neighborhood as may be determined by the Planning Commission;~~

~~iv. Compliance with vacation rental dwelling permit standards, including conditions required by the Planning Commission as a result of issuance of a vacation rental permit through the conditional use process;~~

~~2. The Planning Commission, upon hearing the evidence, may: approve the use as it exists; require the use to be terminated; or impose appropriate restrictions on the operation of the vacation rental dwelling.~~

~~3. The determination of the Planning Commission shall become final ten (10) days after the date of its written decision unless appealed to the City Council.~~

Chapter 17.126 FOOD CART PERMITS

17.126.010 Applicability.

The provisions of this section apply to food carts used in the preparation and/or sales of food and beverage items to the general public on private property. A food cart that remains on one lot for more than four hours in any one day and for more than ninety (90) days in any 12-month period must be approved following the procedures identified in Section 17.126.

17.126.020 Approval required.

Food carts are allowed as conditional uses in the DD, CB, CI and GI zoning districts and must be reviewed and approved by the planning commission following a major conditional use permit review procedure for compliance with the use and dimensional provisions of the underlying zone (not including design standards), the criteria for a conditional use permit and the provisions of Section 17.126. Food carts must also obtain approval of a city business license and all relevant county and state permits and licenses for a mobile food unit.

17.126.030 Application submission requirements.

An application for approval for the placement and operation of a food cart in the City of Carlton must include the following:

- A. A completed application form for a conditional use permit in addition to any other land use applications required by the underlying zoning district and an application fee.
- B. The initial application and each annual renewal requires the signature of the property owner authorizing the use on the site.
- C. Site plan drawn to scale including:
 1. Site dimensions.
 2. Relationship of the site to adjoining properties, streets, alleys, structures, public utilities, and drainage ways.
 3. Number and location of food carts on the site.
 4. Individual square footage of all food carts.
 5. Accessible pedestrian routes.
 6. Size and location of customer seating areas.
 7. Vehicular circulation and ingress/egress points.
 8. Parking and loading areas.
 9. Location and design elevation of all proposed structures and landscaped areas.
 10. Location and specifications of food cart pads.
 11. Location and design of fences and walls.
 12. Number and location of trash and recycling areas.
 13. Location and type of auxiliary storage.

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- D. Pictures of all sides of proposed food cart(s).
- E. Proximity to bathroom and written permission for use of hand-washing facilities and bathroom(s).
- F. Disposal plan for wastewater and gray water.
- G. Exterior lighting plan indicating location, size, height, typical design, material, color, and method of illumination.
- H. Written verification that the food cart has been permitted, inspected and meets applicable county health regulations.
- I. Any additional information that may be required by the city manager to properly evaluate the proposed site plan. The city manager may waive any of the requirements above where determined that the information required is unnecessary to properly evaluate the proposal.

17.126.040 Permit terms and conditions.

Each food cart permit issued shall terminate December 31 of the year in which it is issued and shall be subject to the following minimum conditions:

- A. Food cart permits are valid for the calendar year in which they are issued and will be renewed through a minor conditional use permit application procedure, except if the use was the subject of a city code enforcement action. If an enforcement action has occurred, the use shall be reviewed at the time of renewal following the major conditional use permit review procedure.
- B. The initial application and each annual renewal requires the signature of the property owner authorizing the use on the site.
- C. The permit issued shall be specific to one property and specific to the permittee only and the permit is not transferable to others in any manner. The permittee will be responsible for compliance with all conditions of approval.
- D. The permit is specifically limited to the area approved or as modified by the city manager, and will include a site plan indicating the area approved for the operation of one or more food carts and the location of common seating areas.
- E. A Class I—IV mobile food unit license issued by the Yamhill County Department of Health must be must be displayed on the unit at all times so it can be read from the outside. The registration must be current and valid. The vehicle registration of the mobile food unit must be displayed on the unit at all times so it can be read from the outside. The registration must be current and valid.
- F. Each food cart shall be inspected by the New Carlton Fire District once per calendar year, or as warranted by the Carlton Fire District.
- G. All food carts are subject to all applicable city, county, and state codes and regulations.
- H. It is the responsibility of the permittee holder to notify the city manager if the food cart will be closed for more than thirty (30) days.

17.126.050 Use limitations and development standards.

The following limitations and standards shall apply to all food carts permitted after the effective date of this chapter.

- A. Use Limitations.
 - 1. Food carts shall not provide drive-through facilities and are not allowed to provide internal floor space to customers.
 - 2. Food carts must be mobile units but are not permitted to operate from a motorized vehicle. An example of a mobile unit that meets this standard includes a trailer modified for the purpose of selling food but does not include a push-cart.
- B. Size and Placement.
 - 1. Carts shall not exceed twenty-six (26) feet in length, not including the trailer hitch, or be greater than two hundred sixty (260) square feet.
 - 2. All carts shall be placed on a paved surface such as but not limited to concrete, asphalt or pavers, or other approved material excluding gravel. If new paved surface is added to a site to accommodate a cart, the parking area shall comply with applicable parking design standards contained in Chapter 17.98.
 - 3. All seating areas shall be located on the subject property at least ten (10) feet from a food cart and seating areas shall be separated from parking areas by an approved fence or barrier.
 - 4. Ingress and egress shall be safe and adequate when combined with the other uses of the property and will comply with provisions of Section 17.68.
 - 5. Food carts shall provide adequate vision clearance as required by Section 17.92.070.
 - 6. Carts shall not occupy parking needed to meet minimum vehicle and bicycle parking requirements, and shall not occupy pedestrian walkways or required landscape areas. Blocking automobile access to parking spaces shall be considered occupying the spaces.
 - 7. Carts shall be located at least three feet from the public right-of-way or back of sidewalk, whichever provides the greater distance from the public right-of-way.
 - 8. Carts shall remain at least ten (10) feet away from other food carts, buildings and parking stalls.
 - 9. Carts shall not be located within twenty-five (25) feet of an active driveway entrance as measured in all directions from where the driveway enters the site at the edge of the street right-of-way. Carts shall not occupy fire lanes or drive aisles necessary for vehicular circulation or fire/emergency vehicle access. Customer service windows shall be located at least five feet from an active drive aisle used by cars. Each cart shall provide an awning for shelter to customers with a minimum clearance of seven feet between the ground and the awning.
 - 10. Only one cart shall be allowed on any legal lot of record.
- C. Operation and Maintenance.
 - 1. Carts shall limit the visual effect of accessory items not used by customers, including but not limited to tanks, barrels, etc. by screening with a site-obscuring fence or

landscaping, or containing them within a storage shed not to exceed one hundred (100) square feet.

2. The exterior surfaces of all carts shall be clean and free from dents, rust, peeling paint, and deterioration, and windows shall not be cracked or broken.
 3. The exterior surface of all food carts proposed to be located in the Downtown district shall be a color that is consistent with the Carlton Downtown historic color palette.
 4. Carts shall not have missing siding, skirting or roofing.
 5. Structures used to provide shelter to customers shall only be tents, canopies and similar membrane structures. Other structures for customer shelter are not allowed. This does not preclude the use of awnings attached to and supported by a mobile unit or umbrellas designed for café or picnic tables. All canopies, tents and other membrane structures erected on food and beverage cart sites shall comply with building code anchoring and engineering standards and fire code standards. Tents and canopies shall not have not tears, mold, or broken or non-functioning supports and shall be securely anchored.
 6. Unenclosed areas intended to be occupied by customers, such as areas near food cart service windows and customer seating, shall be illuminated when carts are in operation during hours of darkness;
 7. No source of outdoor lighting shall be visible at the property line adjacent to residential uses at three feet above ground level.
 8. Outdoor lighting fixtures shall be oriented and/or shielded so as not to create glare on abutting properties.
 9. Food carts are exempt from land-use district density, floor-area ratio and Downtown district design guidelines and standards. Accessory items to the food cart that are not for customer use, such as barrels, tanks or containers shall be screened to substantially limit the views of such items from the street.
 10. Signage shall comply with sign code regulations. Each cart is permitted one A-Frame sign.
- D. Fire and Safety.
1. Carts shall not have components or attachments in disrepair in a manner that causes an unsafe condition.
 2. Uses shall not create tripping hazards in pedestrian or vehicular areas with items such as cords, cables and pipes.
 3. If external electric service is necessary, an underground electric service outlet providing electricity to the unit may be used. The outlet must have a ground fault interrupter and meet all applicable city, state and federal codes. The extension cord from the outlet to the mobile food unit must not be longer than ten (10) feet and must meet all city, state and federal codes.
 4. Carts shall meet fire code requirements regarding distances from other structures or combustible materials.

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5. Any cooking device within a food cart that creates grease-laden vapors shall provide an approved hood and extinguishing system, or be the type with a self-closing lid as approved by the fire marshal. Appropriate fire extinguishers are required.
 6. Propane tanks shall be stored and handled properly and be located at least ten (10) feet from combustible vegetation and trash receptacles and twenty (20) feet from a potential ignition source. Propane tanks shall remain outdoors and be secured from falling.
- E. Health and Sanitation.
1. Trash and recycle receptacles shall be provided on site, and must be emptied and maintained. Trash and recycle receptacles shall be provided at a rate of one receptacle for every food cart. Where the food cart operator proposes to provide an outdoor seating area a minimum of one twenty-gallon trash receptacle and one twenty-gallon recycle receptacle shall be provided in the common seating area.
 2. Restrooms with hand washing facilities shall be provided for employees and customers. The restroom can be on-site or within one-quarter mile or a five-minute walk (such as at a neighboring business) and must be available during the cart's hours of operation. If the restroom is not on-site, the food cart operator shall submit written permission from an adjacent business or property owner where the facility is located.
 3. Sites containing more than one food cart shall provide a restroom facility on the same lot as the food cart.
 4. Wastewater and gray water shall be disposed of properly without harm to the environment or city infrastructure. An approved disposal plan shall detail storage and removal methods.
 5. Food carts that are fully contained; i.e., carts that provide their own water, power, and waste disposal, are permitted with no additional utility considerations beyond the permitting process and site plan approval described herein. Food carts that require a water source, power source, or waste disposal location are permitted only where the city manager has approved site plans that show safe access and location of the aforementioned provisions. Such provisions shall be subject to all applicable building permits and system development charge requirements.

17.126.060 Legal non-conforming food carts.

- A. Food cart permits issued prior to September 14, 2015 may be renewed under the code provisions that existed at the time they were permitted, except the following new standards apply and supersede the standards in effect prior to September 14, 2015 and Section 17.126.020.
- B. Food carts shall not have any internal floor space available to customers.
- C. Food carts mobile units shall not exceed twenty-six (26) feet in length or exceed two hundred sixty (260) square feet in area.
- D. Food carts shall comply with the vision clearance requirements of Section 17.92.070.
- E. Awnings attached to a food and/or beverage cart shall have a minimum of seven feet of clearance between the ground and the awning to allow access for pedestrians under the awning.

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- F. Carts shall be located at least three feet from the right-of-way or back of sidewalk, whichever provides the greater distance from the right-of-way.
 - G. Carts shall provide at least five feet between service windows or other customer service points and an active drive aisle.
 - H. Carts shall remain at least ten (10) feet away from other food carts, buildings and parking stalls.
 - I. Carts shall not occupy off-street parking spaces, fire lanes or drive aisles necessary for vehicular circulation or fire/emergency vehicle access as determined by the manager. Carts may occupy other drive aisles. In cases where a portion of a drive aisle is occupied, at least four feet of clear maneuvering space shall be provided between the closed portion of the drive aisle and the abutting active parking spaces.
 - J. Unless otherwise specified in this section, legal non-conforming food carts shall be exempt from a finding of adequate public facilities unless it is determined that the proposed use exceeds the capacity of existing public facilities or causes unsafe conditions.
 - K. Food carts are exempt from land-use district density, floor-area ratio and Downtown district design guidelines and standards. Accessory items to the food cart that are not for customer use, such as barrels, tanks or containers shall be screened to substantially limit the views of such items from the street.
 - L. Structures used to provide shelter to customers shall only be tents, canopies and similar membrane structures. Other structures for customer shelter are not allowed. This does not preclude the use of awnings attached to and supported by a mobile unit or umbrellas designed for café or picnic tables. All canopies, tents and other membrane structures erected on food and beverage cart sites shall comply with building code anchoring and engineering standards and fire code standards. Tents and canopies associated with a food cart shall not have visible tears or mold, missing anchoring or broken and/or non-functioning supports.
 - M. Unenclosed areas intended to be occupied by customers, such as areas near food cart service windows and customer seating, shall be illuminated when carts are in operation during hours of darkness.
 - N. No source of outdoor lighting shall be visible at the property line adjacent to residential uses at three feet above ground level.
 - O. Outdoor lighting fixtures shall be oriented and/or shielded so as not to create glare on abutting properties.
 - P. Carts shall not have missing siding, skirting or roofing.
 - Q. Permits are not transferrable to new owners of the food cart. Non-conforming status is non-transferable to a new owner or operator. Legal non-conforming status of pre-existing food carts will expire on December 31, 2020.
 - R. Restrooms with hand washing facilities shall be provided for employees and customers. The restroom can be on-site or within one-quarter mile or a five-minute walk (such as at a neighboring business) and must be available during the cart's hours of operation. If the restroom is not on-site, the food cart operator shall submit written permission from an adjacent business or property owner where the facility is located.

17.126.070 Revocation or suspension of permit.

- A. A food cart permit shall be subject to revocation by the city if the application is found to include false information.
- B. A food cart permit shall be suspended if the food cart is closed for more than ninety (90) days without providing advance written notice to the city manager.



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CARLTON URBAN RENEWAL AGENCY MEETING AGENDA

TUESDAY, JANUARY 9, 2024

8:00 PM

CITY HALL, COUNCIL CHAMBERS, 945 WEST GRANT STREET, CARLTON

The City of Carlton's Mission is to safeguard and enhance the vitality and livability of the community by providing essential services with professionalism and integrity.

1. Call to Order – Roll Call

- 1) Changes to the Agenda x

2. Agenda Items

- 1) Minutes Approval – June 7, 2023 104
- 2) Urban Renewal Financial Report FY23 105

3. Adjournment

Due to the small room size, the public is invited to join the meeting virtually using Zoom. Please follow the access directions below:

To join using a computer, please use the link:
<https://us02web.zoom.us/j/87389685921?pwd=UzBjNUZOSVErWGJpQlFnYmxwc09hZz09>

To join using a phone, call: 1-253-215-8782 and enter Meeting ID: 873 8968 5921 and enter Passcode: 417112

*This facility is ADA accessible.
 If you need special accommodations, please contact the City Recorder at 503.852.7575 at least 48 hours prior to this meeting.*



Carlton Urban Renewal Agency Minutes
Tuesday, June 6, 2023 5:45 PM
Via Zoom and at 945 W Grant Street, Carlton, Oregon

1. CALL MEETING TO ORDER & ROLL CALL

Mayor Linda Watkins called the meeting to order at 5:46 PM.

Members Present: Mayor Linda Watkins, Council President Shirley Ward-Mullen, Councilors Kevin Skipper, Guilherme Brandão, Grant Erickson, Carolyn Thompson-Rizer, and David Samuel Hill.

Members Absent: None

Staff Present: City Manager Shannon Beaucaire, Assistant City Manager Christy Martinez, Administrative Manager Aimee Amerson, Finance Specialist Morgan Shelton

Others Present: Kuri Gill, Oregon Heritage

1) Changes to the Agenda

None

2. Public Hearing

5:46 PM

There was no discussion or comment.

1) Approval of Minutes – January 3, 2022, Urban Renewal Agency

MOTION: Skipper/Ward-Mullen approve and authorize the Mayor to sign the Carlton Urban Renewal Agency (CURA) meeting minutes from January 4, 2022, as submitted. Motion carried (7 Yes/0 No/0 Absent/0 Abstain).

2) Fiscal Year 23/24 Carlton Urban Renewal Budget

5:49 PM

Assistant City Manager Christy Martinez presented the Urban Renewal Report for FY23/24 (see agenda packet for full report).

MOTION: Ward-Mullen/Erickson that the Carlton Urban Renewal Agency (CURA) approve and authorize the CURA Chairperson to sign Resolution 2023-9 adopting the Urban Renewal Agency budget for the fiscal year 2023-2024, making appropriations, and a declaration of tax increment. Motion carried (7 Yes/0 No/0 Absent/0 Abstain).

3) Resolution 2023-10

5:50 PM

Assistant City Manager Martinez explained appropriation changes for FY22/23.

MOTION: Skipper/Hill to approve and authorize the Mayor/Carlton Urban Renewal Agency (CURA) Chairperson to sign Resolution 2023-10 authorizing budget adjustments for Fiscal Year 2022-23. Motion carried (7 Yes/0 No/0 Absent/0 Abstain).

3. ADJOURNMENT

The meeting adjourned at 5:51 PM.

APPROVED by the City of Carlton City Council on January 9, 2024.

ATTEST:

Morgan Shelton, Finance Specialist

Linda Watkins, Mayor

Memorandum

To: The Carlton Urban Renewal Agency
 From: Christy Martinez, Assistant City Manager
 Subject: Carlton Urban Renewal Annual Report – FY23
 Date: January 9, 2024

Recommendation

Staff recommends that the Carlton Urban Renewal Agency approve and forward the Urban Renewal Financial Report to the City Council for FY23.

Background

Under ORS 457.460, each year, an Urban Renewal Agency must prepare a report on finances and file that report with the municipality's governing body within which it is located. The report must be made by January 31st and filed with the City Council. ORS 457.460 requires an Urban Renewal Agency to provide specific financial information in the annual report. These items are addressed separately below at a summary level.

1. The amount of money received during the preceding fiscal year under ORS 457.420 to 457.460 and from indebtedness incurred under ORS 457.420 to 457.460. Below is the total revenue collected by the agency from tax increment and debt issuance.

Total Tax Increment Received in FY 2022-23:	<u>\$249,080</u>
Total Revenue from Debt Issuance:	<u>\$ 0</u>

2. The purposes and amounts for which any money received under ORS 457.420 to 457.460 and from indebtedness incurred under ORS 457.420 to 457.460 expended during the preceding fiscal year. The individual area plans must authorize expenditures and may include construction projects and programs.

Total Materials and Services:	<u>\$ 6,049</u>
Total Improvement Expenditures:	<u>\$259,690</u>
Total Debt Service Expenditures:	<u>\$ 65,000</u>

3. An estimate of money to be received during the current fiscal year under ORS 457.420 to 457.460 and from indebtedness incurred under ORS 457.420 to 457.460.

Total Tax Increment Projected to be received for FY 2023-24:	<u>\$ 260,590</u>
Total Revenue from Debt Issuance Projected to be received for FY 2023-24:	<u>\$ 0</u>

4. A budget setting forth the purposes and estimated amounts for which the money will be received under ORS 457.420 to 457.460 and from indebtedness incurred under ORS 457.420 to 457.460 to be expended during the current fiscal year.

Materials and Services:	<u>\$ 6,000</u>
Total Improvement Budget:	<u>\$ 536,477</u>
Total Debt Service Budget:	<u>\$ 65,000</u>

5. An analysis of the impact of carrying out the urban renewal plan on the tax collections for the preceding year for all taxing districts included under ORS 457.430.

The Urban Renewal Agency receives revenue by applying property tax rates to the current fiscal year assessed value above the frozen assessed value in FY22 (\$18,785,600). This analysis would show the tax revenue available to other governments if the Urban Renewal Area was not in place during FY23.

The table below summarizes this information for the entire agency by tax district. The difference between the total below (\$258,379) and the sum from #1 (\$249,080) is because discounts have not been figured in, and interest accrued on the account balance is included.

Carlton Urban Renewal	2022-23 Tax Year
<u>Taxing District</u>	<u>Impact</u>
Chemeketa Community College	\$ 11,148.17
Chemeketa Regional Library	\$ 1,450.17
New Carlton Fire	\$ 18,693.57
City of Carlton	\$ 89,275.97
Willamette Regional ESD	\$ 5,279.52
Yamhill County	\$ 45,929.54
Yamhill County Extension	\$ 793.06
Yamhill County Soil & Water	\$ 611.79
Yamhill-Carlton SD #1	\$ 85,197.37
Grand Total	\$ 258,379.16

A public notice will be published as required and is on file with the City and available to all interested persons.

Alternatives

- 1. Do not approve

Fiscal Impact

None

Exhibit

None



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**CITY COUNCIL REGULAR SESSION AGENDA
TUESDAY, JANUARY 9, 2024
VIA ZOOM & 945 WEST GRANT STREET, CARLTON OR**

The Mission of the City of Carlton is to safeguard and enhance the vitality and livability of the community by providing essential services with professionalism and integrity.

8:15 PM CITY COUNCIL REGULAR MEETING

Page

1. CALL TO ORDER	
2. ROLL CALL	
3. PLEDGE OF ALLEGIANCE	
4. CHANGES OR ADDITIONS TO THE AGENDA	
5. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS	
A. Planning Commission Re-Appointment- Commissioner Turrell	109
B. Mayor Activity report	112
6. CITIZEN COMMENTS	
<i>This section of the agenda allows members of the public to address the City Council on any items off or on the agenda. When invited by the Mayor, members of the public shall come forward, state their name and street address, and direct all comments to the Mayor. Comments are typically limited to three (3) minutes unless additional time is allowed by the Mayor.</i>	
A. Items NOT on Agenda	
B. Items on the Agenda	
7. CONSENT AGENDA	
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8. ORDINANCES/RESOLUTIONS/DISCUSSION/ACTION ITEMS	
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F. Community Room discussion continued	147

9. ADJOURNMENT

Due to the small room size, the public is invited to join the meeting virtually using Zoom. Please follow the access directions below:
To join using a computer, please use the link:
<https://us02web.zoom.us/j/87389685921?pwd=UzBjNUZOSVZlWGpQlFhYmxcw09hZz09>
To join using a phone, call: 1-253-215-8782 and enter Meeting ID: 873 8968 5921 and enter Passcode: 417112



To: The Mayor and Members of the City Council
From: Aimee Amerson, City Recorder
Subject: Planning Commissioner Re-Appointment
Council Goal: Goal 3: Citizen Involvement
Date: January 9, 2024

Recommended Motion

It is MOVED that the City Council re-appoint Susan Turrell to the Planning Commission extending her service for four years and expiring on December 31, 2028.

Background

Commissioner Turrell has served on the Planning Commission since January 25, 2021. She volunteered to complete the term of a Commissioner who had resigned. Commissioner Turrell would like to continue her service on the Planning Commission and has informed staff that she would like to be re-appointed by the City Council to four-year term which would end on December 31, 2028.

Alternatives

1. Do not reappoint and instruct staff to post the vacancy.

Fiscal Impact

None.

Exhibits

- Email from Commissioner Turrell confirming re-appointment request

From: [Susan Turrell](#)
To: [Aimee Amerson](#)
Cc: [Shannon Beaucaire](#)
Subject: Re: Commissioner term expiration
Date: Tuesday, November 21, 2023 5:39:09 PM
Attachments: [image003.png](#)
[image002.png](#)

Hello Aimee,

If council chooses to reappoint me, I am willing to serve another term.

Thank you for your patience in waiting for this response.

Sincerely,

Susan

From: Susan Turrell <sturrell@ci.carlton.or.us>
Sent: Tuesday, November 14, 2023 6:50 PM
To: Aimee Amerson <aamerson@ci.carlton.or.us>
Cc: Shannon Beaucaire <sbeaucaire@ci.carlton.or.us>
Subject: Re: Commissioner term expiration

Thank you for this outreach, Aimee.

I am considering the best use of my volunteer time. I valued the time I spent on the commission and am grateful for the time I was granted to do that work.

I understand you need a decision from me regarding a reapplication before the 27th. I will absolutely honor your need to plan and get back to you regarding my decision before that date.

Thank you,

Susan

From: Aimee Amerson <aamerson@ci.carlton.or.us>
Sent: Tuesday, November 14, 2023 6:40 AM
To: Susan Turrell <sturrell@ci.carlton.or.us>
Cc: Shannon Beaucaire <sbeaucaire@ci.carlton.or.us>
Subject: FW: Commissioner term expiration

Hi Susan,

I didn't get a chance to talk with you last evening, but I was curious if you have made a decision on whether or not you want to serve another term of four years. If you could let me know your decision by 11/27 at the latest, I would appreciate it. Please let me know if you have any questions. Thanks!

Best,



ATTENTION PUBLIC OFFICIALS:

A "Reply to All" of this email message could lead to violations of Oregon open meetings laws. If replying, please reply only to the sender.

From: Aimee Amerson

Sent: Thursday, November 9, 2023 6:58 AM

To: Susan Turrell <sturrell@ci.carlton.or.us>

Cc: Shannon Beaucaire <sbeaucaire@ci.carlton.or.us>; Christy Martinez <cmartinez@ci.carlton.or.us>

Subject: Commissioner term expiration

Good morning Susan,

Our records indicate that your current term as commissioner will expire on 12/31/2024. You are eligible to serve two more four year terms if you would like.

If you would like to be re-appointed by Council, I do need to know that so I can get your re-appointment on the proper agendas. If you would prefer to end your service on the commission, that is also a choice. If you could let me know how your choice, I will make sure everything is timely arranged so you have no interruptions in your service.

Thanks for your help!

Best,



ATTENTION PUBLIC OFFICIALS:

A "Reply to All" of this email message could lead to violations of Oregon open meetings laws. If replying, please



To: The Members of the City Council
From: Linda Watkins, Mayor
Subject: Mayor Activity Report
Council Goal: Goal 4: Good Governance
Date: January 9, 2024

Summary

With the holidays over and the 2024 sessions of both the state legislature and Congress heading back into session, our state and federal representatives have been busy preparing for the sessions to come and that has included constituent outreach in the form of conferring with elected officials. Last month I was pleased to be able to attend two such meetings; one with other county mayors convened by State Representative Lucetta Elmer, and a week later, an open house with Congresswoman Andrea Salinas.

Taken in order: On December 12 Rep. Elmer convened a discussion session with her district mayors, and county law enforcement to discuss the concerns many agencies have been expressing regarding the new Measure 110, the Drug Addiction Treatment and Recovery Act. A number of law enforcement and city governments feel the act as it is written, while well-intentioned, is detrimental to law enforcement's ability to control drug use. The meeting allowed law enforcement and cities opportunity to discuss the issues and ideas to mitigate those issues that seem to be arising with the virtual decriminalization of certain drugs. The meeting was also attended by County Commissioner Berschauer, and county law enforcement.

On December 19, just a week later, I attended an open house in Salem with Congresswoman Salinas. Judging from the turnout, I think every one of her constituent groups that were invited were in attendance! Fortunately, City Manager Beaucaire provided me with a summary of talking points/issues from Carlton, so along with a short chat with the congresswoman, and a somewhat longer visit with her staff, I was able to leave the printout which covered our needs for resources to upgrade our city sewer line. They were all aware of, asked about the recent East Main Street system collapse.

We had a short discussion about getting the Congresswoman out for a visit/tour of the city...hopefully this year.



City Council Work Session Minutes
Tuesday, December 5, 2023
Via Zoom and at 945 W Grant Street, Carlton, Oregon

WORK SESSION**6:00 PM****1. CALL TO ORDER and ROLL CALL****6:00 PM**

Mayor Linda Watkins called the meeting to order at 6:00 PM.

ROLL CALL

Members Present: Mayor Linda Watkins, Council President Shirley Ward-Mullen, Councilors Kevin Skipper, Grant Erickson (arrived at 6:26 PM), Guilherme Brandão, Carolyn Thompson-Rizer, and David Samuel Hill.

Members Absent: None

Staff Present: City Manager Shannon Beaucaire, City Attorney Tyler Yeoman-Millette, City Engineer Gordon Munro, City Recorder Aimee Amerson (arrived at 7:30), City Planner Scott Whyte, and Finance Specialist Morgan Shelton

Others Present: Elizabeth Decker and Steve Faust with 3J Consulting, and Susan Turrell of the Planning Commission and Comprehensive Plan Advisory committee

A. Changes to the Agenda

None

2. WORK SESSION AGENDA ITEMS**6:01 PM****A. Review of Draft code Divisions I (definitions and administration) and II (zoning districts)**

City Manager Shannon Beaucaire introduced Steve Faust with 3J Consulting and Elizabeth Decker with JET Planning to review of Draft Code Divisions I and II proposals.

In the Division I discussion, Decker gave a brief presentation overview and introduced City Engineer Gordon Munro to discuss Floodplain Management. Munro covered changes in flood code nomenclature and defined new language added to the code. Councilors discussed possible color gradients in the area of special flood hazard on the map, and if the City has experienced situations relating to the new language added to the code. Councilors also discussed the variety of housing types (permitting vs requiring) and how the City can ensure a mix of different uses in new neighborhoods by adding more stringent requirements for new construction, preferred cottage cluster parameters and potential issues with various sizes and scales for each zone, cottage cluster greenspace management and Home Owner Associations (HOA), infrastructure requirements for the addition of more homes and possible system limitations, regulations to add vacation rental limitations that allow for equitable habitation opportunities, and setting historic standards that encompass the preservation of historic buildings.

In the Division II presentation, Decker asked for Council opinion on specific code changes. Councilors discussed and offered input on topics such as; townhouses in the R-2 zone and the addition of administrative review and associated process, support for an increase in the minimum lot density, modified dimensional standards in R-3 zone to support a higher density and how it affects dimensional standards for other standards, dimensional standards in the Downtown Zone, permissions of more lodging opportunity in Commercial Zones CB and CI, zone map configuration for future development and expansion visioning, and minimum lot size increase for partitions in the AH Zones.

3. FUTURE WORK SESSION AGENDA ITEMS

None.

4. ADJOURNMENT**7:56 PM**

The Work Session meeting adjourned at 7:56 PM.

APPROVED by the City of Carlton City Council on January 9, 2024.

ATTEST:

Morgan Shelton, Finance Specialist

Linda Watkins, Mayor



City Council Minutes
Tuesday, December 5, 2023
Via Zoom and at 945 W Grant Street, Carlton, Oregon

REGULAR MEETING**8:00 PM****1. CALL TO ORDER**

Mayor Linda Watkins called the regular meeting to order at 8:05 PM.

2. ROLL CALL

Members Present: Mayor Linda Watkins, Council President Shirley Ward-Mullen, Councilors Kevin Skipper, Grant Erickson, Guilherme Brandão, Carolyn Thompson-Rizer, and David Samuel Hill.

Members Absent: None

Staff Present: City Manager Shannon Beaucaire, City Attorney Tyler Yeoman-Millette, City Recorder Aimee Amerson, and Finance Specialist Morgan Shelton

Others Present: Michael Skipper

3. PLEDGE OF ALLEGIANCE**8:00 PM**

The Pledge of Allegiance was performed.

4. CHANGES OR ADDITIONS TO THE AGENDA**8:00 PM**

City Manager Shannon Beaucaire proposed the addition of a discussion about the East Main Sidewalk program and beginning sign-ups for Councilors to receive their city-issued tablets.

5. CERMIONIES, APPOINTMENTS, AND ANNOUNCEMENTS**8:02 PM****A. DLCD Housing Planning Assistance Grant award**

City Manager Shannon Beaucaire introduced City Recorder Aimee Amerson to inform the Council of a grant awarded to the City for \$50,000 to help pay for sections the Development Code update project.

6. CITIZEN COMMENTS**8:02 PM****A. Items NOT on the Agenda**

None given.

B. Items on the Agenda**8:02 PM**

None given.

7. CONSENT AGENDA**8:03 PM****A. Meeting Minutes – Approve**

- City Council – November 7, 2023 (Work and Regular Session)

B. Accounts Payable report**C. Finance reports****D. Quarterly Grant Update**

Mayor Linda Watkins introduced the consent agenda and asked for a motion.

MOTION: Thompson-Rizer/Ward-Muller: to approve the consent agenda including City Council meeting minutes from November 7, 2023, the accounts payable report, the financial reports, and the quarterly grant update as submitted. Motion Carried (7 Yes/ 0 No / 0 Absent /0 Abstain).

8. ORDINANCES/RESOLUTIONS/DISCUSSION/ACTION ITEMS**8:03 PM****A. 2024 Draft Federal Agenda and check in with Michael Skipper of CFM Advocates**

Mayor Linda Watkins introduced Michael Skipper with CFM Advocates to give an overview of the work that CFM Advocates has been doing to lobby for federal funding for city projects. Skipper discussed the Fiscal Year 2023 success of around 3.7 million dollars of funding. He moved on to outline the federal agenda for 2024 and the proposed funding initiatives for projects such as Fire Flow Improvement, Sewer Collection Pipe Replacement, West Main Street Revitalization, and Emergency Operation Improvements. He also discussed the 2024 climate and how upcoming political elections and

various campaigning towards disaster relief will have an impact on senate and representative work towards City funding efforts.

Councilors asked questions and discussed different funding opportunities, the earmark process for obtaining funding, and success rates between state and federal funding.

B. Community Room discussion continued

8:26 PM

Beaucaire presented the Council with a proposed draft Community Room Policy and Reservation Application. She revisited the topic of allowing alcohol serving and consumption in the community room. City Recorder Aimee Amerson explained the City's current OLCC permitting process for alcohol service outside of City-owned spaces. The Council asked questions and discussed possible policy implementations and how those policies would be impacted under various scenarios. The Council agreed on the allowance of alcohol service at the property and requested research on the addition of a security requirement for events where alcohol is served, the requirement of food service if alcohol is present, event duration, hours of operation for community room use, types of uses that will be allowed in the community room, definition of kitchen use, and implementation of parameters pertaining to continued recurring use that will impede others from use of the space.

C. East Main Sidewalk Project Update

8:58 PM

City Manager Beaucaire provided the Council with an update on the implementation of an East Main Sidewalk Program and the challenges faced with conducting the program as originally designed. In response to struggles to find a youth workforce, Beaucaire suggested a modification to the program that would allow a wider range of applicant participation.

As a closing statement, Beaucaire informed the Council that she is meeting with Jensen Strategies regarding the upcoming 2024 Council goal setting meeting. She also added that representatives from Jensen Strategies will be working to set up individual interviews with the Mayor and Council.

9. ADJOURNMENT

9:03 PM

The Regular Session meeting adjourned at 9:03 PM.

APPROVED by the City of Carlton City Council on January 9, 2024.

ATTEST:

Morgan Shelton, Finance Specialist

Linda Watkins, Mayor

Accounts Payable

Checks by Date - Summary by Check Date

User: jbrandao
 Printed: 12/27/2023 3:23 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
	BlaLar	Larry Blake	11/01/2023	500.00
	CenLin	CenturyLink	11/01/2023	615.54
	CmoPip	C-More Pipe Services	11/01/2023	2,150.00
	Comcas	Comcast	11/01/2023	77.51
	ConSys	Control Systems NW LLC	11/01/2023	9,119.75
	DavAut	Davison Auto Parts	11/01/2023	20.10
	DraAwa	Drain Away Rooter	11/01/2023	260.00
	EdgAna	Edge Analytical Inc	11/01/2023	203.00
	HauRue	Haugeberg, Rueter, Gowell	11/01/2023	7,990.15
	Holst	Holst	11/01/2023	10,030.56
	OnliNW	Hunter Communications	11/01/2023	491.25
	VolJak	Jake Volz	11/01/2023	1,400.00
	LesSch	Les Schwab Tire Center	11/01/2023	99.96
	MarChr	Christy Martinez	11/01/2023	38.91
	McCSco	McClure and Sons, Inc.	11/01/2023	153,229.55
	OreRevCT	Oregon Department Of Revenue	11/01/2023	550.00
	PriSys	Primisys	11/01/2023	6,338.40
	PriUti	Private Utility Locating, LLC.	11/01/2023	450.00
	Reece	Reece Complete Security Solutions	11/01/2023	5,638.50
	RMSPum	RMS Pump	11/01/2023	21,900.24
	SieSpr	Sierra Springs	11/01/2023	65.44
	SolYes	Solutions Yes	11/01/2023	463.26
	SpaStr	Spaniol's Striping & Signs	11/01/2023	4,815.00
	VerWir	Verizon Wireless	11/01/2023	775.97
	YamShe	Yamhill County Sheriff's Office	11/01/2023	160.00
	YamSof	YC Softball	11/01/2023	90.00
Total for 11/1/2023:				227,473.09
	9985	CIS	11/05/2023	29,751.38
	9981	EFTPS	11/05/2023	12,876.95
	OreRev	Oregon Dept. of Revenue	11/05/2023	3,862.10
	9100	PERS	11/05/2023	11,746.06
	10004	Attn: Voya Institutional Plan Services VOY	11/05/2023	1,300.00
	10005	Attention: Voya Institutional Plan Services	11/05/2023	925.76
Total for 11/5/2023:				60,462.25
	BotEqu	Botten's Equipment Rental	11/08/2023	59.00
	VinBou	Brian Richardson	11/08/2023	700.00
	CasInc	Caselle, Inc.	11/08/2023	340.00
	CIT	CIT First-Citizens Bank & Trust Co	11/08/2023	511.00
	Comcas	Comcast	11/08/2023	171.39
	ConTri	CTGR	11/08/2023	140.00
	EdgAna	Edge Analytical Inc	11/08/2023	204.00
	JerRev	Jernstedt Revocable Trust	11/08/2023	66.75
	LesSch	Les Schwab Tire Center	11/08/2023	602.96

Check No	Vendor No	Vendor Name	Check Date	Check Amount
	NexCle	Nexus Commercial Cleaning LLC	11/08/2023	1,064.00
	PorGen	Portland General Electric	11/08/2023	1,563.61
	PriSys	Primisys	11/08/2023	9,396.40
	RecWes	Recology Western Oregon	11/08/2023	480.15
	SpaStr	Spaniol's Striping & Signs	11/08/2023	4,879.00
	SprBro	Springbrook Holding Company LLC	11/08/2023	14.00
	StaFor	State Forester	11/08/2023	63.26
	TetTec	Tetra Tech, Inc	11/08/2023	15,675.48
	UsaBlu	USABlueBook	11/08/2023	251.45
	Ward J	Jill M Ward	11/08/2023	255.00
	WesAll	Western Alliance Bank	11/08/2023	14,043.25
	WilFar	Wilco Farmers	11/08/2023	2,486.92
	YamCom	Yamhill Communications Agency	11/08/2023	2,433.58
Total for 11/8/2023:				55,401.20
	3JCon	3J Consulting	11/15/2023	5,766.50
	AirNor	Airgas USA, LLC	11/15/2023	4,267.66
	AmiChr	Christine Amiel	11/15/2023	90.00
	BusOre	Business Oregon	11/15/2023	374,204.67
	CarCor	Carlton Corner Service	11/15/2023	1,203.01
	CFMAdv	CFM Advocates	11/15/2023	4,200.00
	ConSys	Control Systems NW LLC	11/15/2023	5,942.73
	CraRoc	Crabtree Rock Company, Inc.	11/15/2023	1,016.05
	DatPro	Dataprose	11/15/2023	688.02
	EdgAna	Edge Analytical Inc	11/15/2023	621.00
	IntPol	International Association of Chiefs of Polic	11/15/2023	275.00
	JorRam	Jordan Ramis PC	11/15/2023	73.00
	MotSol	Motorola Solutions	11/15/2023	469.80
	OpeGov	OpenGov, Inc.	11/15/2023	12,500.00
	PorGen	Portland General Electric	11/15/2023	4,092.19
	SieSpr	Sierra Springs	11/15/2023	71.44
	TetTec	Tetra Tech, Inc	11/15/2023	67,196.70
	TranRis	Data Solutions, Inc TransUnion Risk and A	11/15/2023	75.00
Total for 11/15/2023:				482,752.77
	9981	EFTPS	11/20/2023	13,358.20
	OreRev	Oregon Dept. of Revenue	11/20/2023	3,986.39
	9100	PERS	11/20/2023	12,160.11
	10004	Attn: Voya Institutional Plan Services VOY	11/20/2023	1,300.00
	10005	Attention: Voya Institutional Plan Services	11/20/2023	925.76
Total for 11/20/2023:				31,730.46
	CarTes	Carlson Testing, Inc.	11/22/2023	892.00
	UB*00571	Richard Ceder	11/22/2023	150.00
	CFMAdv	CFM Advocates	11/22/2023	4,200.00
	UB*00570	Mitch Chadwick	11/22/2023	150.00
	Comcas	Comcast	11/22/2023	90.17
	UB*00574	Carter Cooley	11/22/2023	150.00
	UB*00577	Daniel Dugan	11/22/2023	150.00
	EdgAna	Edge Analytical Inc	11/22/2023	366.40
	UB*00576	Jacob Fields	11/22/2023	150.00
	GovCom	Government Ethics Commission	11/22/2023	1,323.95
	UB*00575	Jared Hall	11/22/2023	150.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
	HawInc	Haworth Inc.	11/22/2023	653,884.05
	UB*00572	Norvin & Susan Kenner	11/22/2023	150.00
	CouGov	Mid-Willamette Valley Council Of Governr	11/22/2023	11,877.52
	OreRev	Oregon Dept. of Revenue	11/22/2023	907.00
	UB*00573	Michael Parlette	11/22/2023	150.00
	PorGen	Portland General Electric	11/22/2023	101.80
	QedLab	QED Lab Inc	11/22/2023	3,140.00
	Reece	Reece Complete Security Solutions	11/22/2023	2,235.00
	SolYes	Solutions Yes	11/22/2023	229.30
	ZipFib	Ziply Fiber	11/22/2023	978.00
	ZumInd	ZUMAR Industries	11/22/2023	262.96
Total for 11/22/2023:				681,688.15
	BlaLar	Larry Blake	11/29/2023	500.00
	CDLand	C and D Landscape	11/29/2023	206.25
	CarTru	Carlton Truck Shop	11/29/2023	418.47
	MunCor	CivicPlus LLC	11/29/2023	1,519.10
	Comcas	Comcast	11/29/2023	77.51
	EdgAna	Edge Analytical Inc	11/29/2023	488.00
	FarEle	Farnham Electric Co.	11/29/2023	1,430.00
	Holst	Holst	11/29/2023	8,749.22
	OnliNW	Hunter Communications	11/29/2023	491.25
	LakInd	Lakeside Industries, Inc.	11/29/2023	144.00
	MacWel	Mac Welding & Fabrication Inc	11/29/2023	284.00
	OreWat	OAWU	11/29/2023	135.00
	OreHea	OHA Cashier	11/29/2023	200.00
	PorGen	Portland General Electric	11/29/2023	497.66
	Reece	Reece Complete Security Solutions	11/29/2023	9,500.00
	SieSpr	Sierra Springs	11/29/2023	13.98
Total for 11/29/2023:				24,654.44
	9985	CIS	12/05/2023	29,751.67
	9981	EFTPS	12/05/2023	12,832.56
	OreRev	Oregon Dept. of Revenue	12/05/2023	3,819.24
	9100	PERS	12/05/2023	11,707.71
	10004	Attn: Voya Institutional Plan Services VOY	12/05/2023	1,300.00
	10005	Attention: Voya Institutional Plan Services	12/05/2023	925.76
Total for 12/5/2023:				60,336.94
	CIT	CIT First-Citizens Bank & Trust Co	12/06/2023	260.22
	CitSwe	City Sweepers, LLC.	12/06/2023	2,020.00
	Comcas	Comcast	12/06/2023	171.39
	DatPro	Dataprose	12/06/2023	684.03
	DavAut	Davison Auto Parts	12/06/2023	298.71
	FarEle	Farnham Electric Co.	12/06/2023	3,281.55
	VolJak	Jake Volz	12/06/2023	2,000.00
	LowHom	LOWE'S Home Improvement	12/06/2023	236.49
	NexCle	Nexus Commercial Cleaning LLC	12/06/2023	1,064.00
	OreWat	OAWU	12/06/2023	662.50
	OreRevCT	Oregon Department Of Revenue	12/06/2023	300.00
	OreAgr	Oregon Dept of Agriculture	12/06/2023	50.00
	PorGen	Portland General Electric	12/06/2023	1,759.51
	PrinNW	Print NW	12/06/2023	127.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount	
		VerWir	Verizon Wireless	12/06/2023	775.97
		YamCom	Yamhill Communications Agency	12/06/2023	2,433.58
		YamHea	Yamhill County	12/06/2023	283.00
		YamShe	Yamhill County Sheriff's Office	12/06/2023	144.00
		CasCol	Cascade Columbia Dist. Co.	12/06/2023	795.00
		CasInc	Caselle, Inc.	12/06/2023	340.00
		CenLin	CenturyLink	12/06/2023	611.09
				Total for 12/6/2023:	18,298.04
		3JCon	3J Consulting	12/13/2023	2,020.00
		AirNor	Airgas USA, LLC	12/13/2023	294.45
		VinBou	Brian Richardson	12/13/2023	700.00
		CDLand	C and D Landscape	12/13/2023	4,500.00
		CFMAdv	CFM Advocates	12/13/2023	4,200.00
		CIT	CIT First-Citizens Bank & Trust Co	12/13/2023	539.51
		MunCor	CivicPlus LLC	12/13/2023	900.00
		EdgAna	Edge Analytical Inc	12/13/2023	253.00
		LesSch	Les Schwab Tire Center	12/13/2023	835.84
		MacAud	Mac Audio Company	12/13/2023	500.00
		McmPum	McMinnville Pumping LLC	12/13/2023	585.00
		CouGov	Mid-Willamette Valley Council Of Governr	12/13/2023	5,984.54
		OreMay	OMA	12/13/2023	150.00
		OreDes	Oregon Destination Association	12/13/2023	300.00
		PauRog	Pauly, Rogers and Co., P.C.	12/13/2023	4,950.00
		PorGen	Portland General Electric	12/13/2023	4,026.92
		Reece	Reece Complete Security Solutions	12/13/2023	330.00
		SecSta	Secretary of State	12/13/2023	150.00
		SieSpr	Sierra Springs	12/13/2023	71.44
		SprBro	Springbrook Holding Company LLC	12/13/2023	9.50
		TranRis	Data Solutions, Inc TransUnion Risk and A	12/13/2023	75.00
		WilFar	Wilco Farmers	12/13/2023	3,547.88
		WilDev	Wildcat Development Corporation	12/13/2023	22,122.00
		FirFedCC	First Federal Card Services	12/13/2023	4,024.14
				Total for 12/13/2023:	61,069.22
		9981	EFTPS	12/20/2023	13,020.29
		OreRev	Oregon Dept. of Revenue	12/20/2023	3,860.41
		9100	PERS	12/20/2023	11,858.54
		10004	Attn: Voya Institutional Plan Services VOY	12/20/2023	1,300.00
		10005	Attention: Voya Institutional Plan Services	12/20/2023	925.76
		DepVeh	Department of Transportation	12/20/2023	10.00
		FenMas	Fence Master Fence Co.	12/20/2023	34,021.98
		HauRue	Haugeberg, Rueter, Gowell	12/20/2023	4,068.00
		HawInc	Haworth Inc.	12/20/2023	411,727.24
		McMCha	McMinnville Area Chamber of Commerce	12/20/2023	356.00
		PacSSC	Pacific Service & Supply Co., Inc.	12/20/2023	500.00
		PorGen	Portland General Electric	12/20/2023	1,352.44
		PriSys	Primisys	12/20/2023	6,898.40
		PriUti	Private Utility Locating, LLC.	12/20/2023	475.00
				Total for 12/20/2023:	490,374.06

Check No Vendor No Vendor Name Check Date Check Amount

Report Total (180 checks):

2,194,240.62

General Ledger

Revenue vs Budget

User: aamerson
 Printed: 1/2/2024 7:14:33 AM
 Period 06 - 06
 Fiscal Year 2024



Account Number	Description	Budget	End Bal	% AvailUncollect
001	General			
	Revenue	2,003,447.00	1,117,133.56	44.24
001	General	2,003,447.00	1,117,133.56	44.24
005	Tourism			
	Revenue	152,548.00	25,232.97	83.46
005	Tourism	152,548.00	25,232.97	83.46
011	Street			
	Revenue	414,963.00	139,736.11	66.33
011	Street	414,963.00	139,736.11	66.33
012	Water			
	Revenue	2,127,106.00	950,318.28	55.32
012	Water	2,127,106.00	950,318.28	55.32
013	Sewer			
	Revenue	1,432,721.00	699,828.86	51.15
013	Sewer	1,432,721.00	699,828.86	51.15
017	Capital Improvement			
	Revenue	26,936,314.00	711,419.24	97.36
017	Capital Improvement	26,936,314.00	711,419.24	97.36
020	SDC's			
	Revenue	3,545,441.00	163,676.81	95.38
020	SDC's	3,545,441.00	163,676.81	95.38
024	Debt Service Pool Project			
	Revenue	71,315.00	59,835.79	16.10
024	Debt Service Pool Project	71,315.00	59,835.79	16.10
026	Debt Service			
	Revenue	1,235,799.00	0.00	100.00
026	Debt Service	1,235,799.00	0.00	100.00
027	VERF			
	Revenue	122,256.00	0.00	100.00
027	VERF	122,256.00	0.00	100.00

<u>Account Number</u>	<u>Description</u>	<u>Budget</u>	<u>End Bal</u>	<u>% AvailUncollect</u>
070	Urban Renewal			
	Revenue	767,977.00	252,369.53	67.14
070	Urban Renewal	767,977.00	252,369.53	67.14
Revenue Total		38,809,887.00	4,119,551.15	89.3853

General Ledger Expense vs Budget

User: aamerson
 Printed: 1/2/2024 7:12:02 AM
 Period 06 - 06
 Fiscal Year 2024



Account Number	Description	Budget	Period Amt	End Bal	% Available	Account
001	General					
001	Administrative	-	-	-	-	
	Personal Services	63,352.00	5,245.05	31,388.97	50.45	505000
	Materials & Services	94,000.00	3,027.71	72,800.81	22.55	608801
	Transfers	<u>250,564.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.00</u>	630560
		-----	---	---	---	
001	Administrative	407,916.00	8,272.76	104,189.78	74.46	
002	Finance					
	Personal Services	124,180.00	11,164.14	63,362.01	48.98	505000
	Materials & Services	137,800.00	6,058.77	72,489.76	47.39	608601
	Capital Outlay	0.00	0.00	0.00	0.00	620100
	Contingencies	<u>246,266.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.00</u>	640000
		-----	---	---	---	
002	Finance	508,246.00	17,222.91	135,851.77	73.27	
003	LandUse and Planning					
	Personal Services	33,400.00	2,866.72	17,716.90	46.96	505000
	Materials & Services	<u>128,850.00</u>	<u>8,149.54</u>	<u>121,451.14</u>	<u>5.74</u>	608701
		-----	---	---	---	
003	LandUse and Planning	162,250.00	11,016.26	139,168.04	14.23	
004	Police					
	Personal Services	559,400.00	45,050.40	285,685.13	48.93	505000
	Materials & Services	153,500.00	3,866.26	54,959.13	64.20	608925
	Capital Outlay	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	620500
		-----	---	---	---	
004	Police	712,900.00	48,916.66	340,644.26	52.22	
005	Municipal Court					
	Personal Services	30,275.00	1,643.54	9,962.21	67.09	505000
	Materials & Services	<u>21,250.00</u>	<u>1,284.00</u>	<u>10,765.79</u>	<u>49.34</u>	608601
		-----	---	---	---	

Account Number	Description	Budget	Period Amt	End Bal	% Available	Account
005	Municipal Court	51,525.00	2,927.54	20,728.00	59.77	
006	Parks	-	-	-	-	
	Personal Services	34,550.00	4,797.22	28,578.02	17.29	505000
	Materials & Services	39,650.00	207.21	33,348.10	15.89	608601
	Capital Outlay	0.00	0.00	0.00	0.00	620500
		---	---	---	---	
006	Parks	74,200.00	5,004.43	61,926.12	16.54	
007	Pool	-	-	-	-	
	Personal Services	56,060.00	0.00	55,352.34	1.26	504900
	Materials & Services	30,350.00	1,752.10	16,593.30	45.33	608100
	Capital Outlay	0.00	0.00	0.00	0.00	620500
		---	---	---	---	
007	Pool	86,410.00	1,752.10	71,945.64	16.74	
001	General	2,003,447.00	95,112.66	874,453.61	56.35	
005	Tourism					
500	Tourism	-	-	-	-	
	Materials & Services	152,548.00	6,204.00	20,611.01	86.49	601100
		---	---	---	---	
500	Tourism	152,548.00	6,204.00	20,611.01	86.49	
005	Tourism	152,548.00	6,204.00	20,611.01	86.49	
011	Street					
110	Streets	-	-	-	-	
	Personal Services	40,530.00	4,089.53	24,173.16	40.36	505000
	Materials & Services	134,160.00	5,176.97	47,980.22	64.24	608601
	Capital Outlay	10,000.00	0.00	0.00	100.00	620505
	Contingencies	176,473.00	0.00	0.00	100.00	640000
	Transfers	53,800.00	0.00	0.00	100.00	630600
		---	---	---	---	
110	Streets	414,963.00	9,266.50	72,153.38	82.61	
011	Street	414,963.00	9,266.50	72,153.38	82.61	
012	Water					
120	Water	-	-	-	-	
	Personal Services	533,325.00	41,816.27	251,574.76	52.83	505000
	Materials & Services	396,600.00	16,546.91	204,441.45	48.45	608600
	Capital Outlay	104,806.00	0.00	25,806.46	75.38	620510
	Contingencies	230,573.00	0.00	0.00	100.00	640000

Account Number	Description	Budget	Period Amt	End Bal	% Available	Account
	Transfers	861,802.00	0.00	0.00	100.00	630525
120	Water	2,127,106.00	58,363.18	481,822.67	77.35	
012	Water	2,127,106.00	58,363.18	481,822.67	77.35	
013	Sewer					
130	Sewer	-	-	-	-	
	Personal Services	465,300.00	40,600.97	241,302.42	48.14	505000
	Materials & Services	367,300.00	13,783.03	178,167.68	51.49	608600
	Capital Outlay	14,850.00	0.00	0.00	100.00	620500
	Contingencies	182,943.00	0.00	0.00	100.00	640000
	Transfers	402,328.00	0.00	0.00	100.00	630600
130	Sewer	1,432,721.00	54,384.00	419,470.10	70.72	
013	Sewer	1,432,721.00	54,384.00	419,470.10	70.72	
017	Capital Improvement					
	Transfers	0.00	0.00	0.00	0.00	400335
170	Capital Improvements Expense	-	-	-	-	
	Materials & Services	120,482.00	22,122.00	53,022.00	55.99	630700
	Contingencies	1,837,832.00	0.00	0.00	100.00	640000
170	Capital Improvements Expense	1,958,314.00	22,122.00	53,022.00	97.29	
171	FacilitiesSpecial Projects	-	-	-	-	
	Capital Outlay	7,070,000.00	431,445.58	2,304,544.92	67.40	630500
171	FacilitiesSpecial Projects	7,070,000.00	431,445.58	2,304,544.92	67.40	
172	Parks Projects	-	-	-	-	
	Capital Outlay	30,000.00	0.00	0.00	100.00	630500
172	Parks Projects	30,000.00	0.00	0.00	100.00	
173	Transportation Projects	-	-	-	-	
	Capital Outlay	1,870,000.00	0.00	4,702.47	99.75	630500
173	Transportation Projects	1,870,000.00	0.00	4,702.47	99.75	
174	Water Projects	-	-	-	-	
	Capital Outlay	3,020,000.00	3,391.05	64,039.89	97.88	630760

Account Number	Description	Budget	Period Amt	End Bal	% Available	Account
174	Water Projects	3,020,000.00	3,391.05	64,039.89	97.88	
175	Sewer Projects	-	-	-	-	
	Capital Outlay	<u>12,888,000.00</u>	<u>214,996.98</u>	<u>495,323.65</u>	<u>96.16</u>	631500
175	Sewer Projects	12,888,000.00	214,996.98	495,323.65	96.16	
176	Storm Water Projects	-	-	-	-	
	Capital Outlay	<u>100,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.00</u>	630500
176	Storm Water Projects	100,000.00	0.00	0.00	100.00	
017	Capital Improvement	26,936,314.00	671,955.61	2,921,632.93	89.15	
020	SDC's					
200	SDC Fund	-	-	-	-	
	Materials & Services	240,000.00	0.00	998.81	99.58	608300
	Capital Outlay	2,380,441.00	0.00	102,349.65	95.70	630500
	Contingencies	775,000.00	0.00	0.00	100.00	650400
	Transfers	<u>150,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.00</u>	630000
200	SDC Fund	3,545,441.00	0.00	103,348.46	97.09	
020	SDC's	3,545,441.00	0.00	103,348.46	97.09	
024	Debt Service Pool Project					
240	Capital Project Pool Bond	-	-	-	-	
	Contingencies	3,228.00	0.00	0.00	100.00	650000
	Debt Service	<u>68,087.00</u>	<u>0.00</u>	<u>14,043.25</u>	<u>79.37</u>	620550
240	Capital Project Pool Bond	71,315.00	0.00	14,043.25	80.31	
024	Debt Service Pool Project	71,315.00	0.00	14,043.25	80.31	
026	Debt Service					
260	Dept	-	-	-	-	
	Contingencies	163,854.00	0.00	0.00	100.00	650000
	Debt Service	<u>1,071,945.00</u>	<u>0.00</u>	<u>316,639.67</u>	<u>70.46</u>	620810
260	Dept	1,235,799.00	0.00	316,639.67	74.38	
026	Debt Service	1,235,799.00	0.00	316,639.67	74.38	
027	VERF					
127	Reserves	-	-	-	-	
	Capital Outlay	122,256.00	0.00	115,611.52	5.43	620500

<u>Account Number</u>	<u>Description</u>	<u>Budget</u>	<u>Period Amt</u>	<u>End Bal</u>	<u>% Available</u>	<u>Account</u>
	Contingencies	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	650000
		—	—	—	—	
127	Reserves	122,256.00	0.00	115,611.52	5.43	
027	VERF	122,256.00	0.00	115,611.52	5.43	
070	Urban Renewal					
700	Urban Renewal	-	-	-	-	
	Materials & Services	6,500.00	5,100.00	5,100.00	21.54	608600
	Capital Outlay	536,477.00	0.00	9,237.50	98.28	620705
	Contingencies	160,000.00	0.00	0.00	100.00	640000
	Debt Service	<u>65,000.00</u>	<u>0.00</u>	<u>65,000.00</u>	<u>0.00</u>	620900
		—	—	—	—	
700	Urban Renewal	767,977.00	5,100.00	79,337.50	89.67	
070	Urban Renewal	767,977.00	5,100.00	79,337.50	89.67	
Expense Total		38,809,887.00	900,385.95	5,419,124.10	86.03	67



Budget Calendar Fiscal Year 2024-2025

January	Tuesday	January 9, 2024	Resolution 2024-349-Budget Officer Christy Martinez Appointed
	Tuesday	January 9, 2024	Budget Calendar Created FY24-25
	Tuesday	January 20, 2023	FY25 City Council Goal Setting
February	Tuesday	February 5, 2024	Budget Request Forms to Department Heads
March	Friday	March 4, 2024	Department Heads return Budget Request Forms
	Tuesday	March 5, 2024	City Council Adopts goals at Regular Council Meeting
March	Friday	March 29, 2024	Publish Newspaper/Website Notice for Public Hearing Budget & Shared Revenue (4-9-24)
	Friday	April 12, 2024	Publish Newspaper/Website Notice for Public Hearing Budget & Shared Revenue (if needed) (4-23-24)
April	Tuesday (6:00PM)	April 9, 2024	Budget Committee Meeting
	Tuesday (6:00PM)	April 9, 2024	Urban Renewal Meeting
	Tuesday (6:00PM)	April 23, 2024	Budget Committee Meeting (if needed)
	Tuesday (6:00PM)	April 23, 2024	Urban Renewal Meeting (if needed)
	Friday	April 26, 2024	Publish Newspaper/Website Notice for Public Hearing Budget & Shared Revenue (5-7-24)
May	Tuesday (7:00PM)	May 7, 2024	City Council Meeting to enact resolution to adopt budget, make appropriations, impose and categorize taxes and resolution to receive state revenues
	Tuesday (6:45PM)	May 7, 2024	Urban Renewal Meeting to enact resolution to adopt budget, make appropriations, impose and categorize taxes and resolution to receive state revenues
July	Thursday	July 15, 2024	Submit tax certification, budget and resolutions to Assessor
	Friday	July 29, 2024	State Shared Revenues submitted to Department of Administrative Services

Memorandum

To: The Carlton Urban Renewal Agency
 From: Christy Martinez, Assistant City Manager
 Subject: Carlton Urban Renewal Annual Report – FY23
 Date: January 9, 2024

Recommendation

Staff recommends that the Carlton Urban Renewal Agency approve and forward the Urban Renewal Financial Report to the City Council for FY23.

Background

Under ORS 457.460, each year, an Urban Renewal Agency must prepare a report on finances and file that report with the municipality's governing body within which it is located. The report must be made by January 31st and filed with the City Council. ORS 457.460 requires an Urban Renewal Agency to provide specific financial information in the annual report. These items are addressed separately below at a summary level.

1. The amount of money received during the preceding fiscal year under ORS 457.420 to 457.460 and from indebtedness incurred under ORS 457.420 to 457.460. Below is the total revenue collected by the agency from tax increment and debt issuance.

Total Tax Increment Received in FY 2022-23:	<u>\$249,080</u>
Total Revenue from Debt Issuance:	<u>\$ 0</u>

2. The purposes and amounts for which any money received under ORS 457.420 to 457.460 and from indebtedness incurred under ORS 457.420 to 457.460 expended during the preceding fiscal year. The individual area plans must authorize expenditures and may include construction projects and programs.

Total Materials and Services:	<u>\$ 6,049</u>
Total Improvement Expenditures:	<u>\$259,690</u>
Total Debt Service Expenditures:	<u>\$ 65,000</u>

3. An estimate of money to be received during the current fiscal year under ORS 457.420 to 457.460 and from indebtedness incurred under ORS 457.420 to 457.460.

Total Tax Increment Projected to be received for FY 2023-24:	<u>\$ 260,590</u>
Total Revenue from Debt Issuance Projected to be received for FY 2023-24:	<u>\$ 0</u>

4. A budget setting forth the purposes and estimated amounts for which the money will be received under ORS 457.420 to 457.460 and from indebtedness incurred under ORS 457.420 to 457.460 to be expended during the current fiscal year.

Materials and Services:	<u>\$ 6,000</u>
Total Improvement Budget:	<u>\$ 536,477</u>
Total Debt Service Budget:	<u>\$ 65,000</u>

5. An analysis of the impact of carrying out the urban renewal plan on the tax collections for the preceding year for all taxing districts included under ORS 457.430.

The Urban Renewal Agency receives revenue by applying property tax rates to the current fiscal year assessed value above the frozen assessed value in FY22 (\$18,785,600). This analysis would show the tax revenue available to other governments if the Urban Renewal Area was not in place during FY23.

The table below summarizes this information for the entire agency by tax district. The difference between the total below (\$258,379) and the sum from #1 (\$249,080) is because discounts have not been figured in, and interest accrued on the account balance is included.

Carlton Urban Renewal	2022-23 Tax Year
<u>Taxing District</u>	<u>Impact</u>
Chemeketa Community College	\$ 11,148.17
Chemeketa Regional Library	\$ 1,450.17
New Carlton Fire	\$ 18,693.57
City of Carlton	\$ 89,275.97
Willamette Regional ESD	\$ 5,279.52
Yamhill County	\$ 45,929.54
Yamhill County Extension	\$ 793.06
Yamhill County Soil & Water	\$ 611.79
Yamhill-Carlton SD #1	\$ 85,197.37
Grand Total	\$ 258,379.16

A public notice will be published as required and is on file with the City and available to all interested persons.

Alternatives

- 1. Do not approve

Fiscal Impact

None

Exhibit

None



To: The Mayor and Members of the City Council
From: Christy Martinez, Assistant City Manager
Subject: Resolution No. 2024-349: Appointment of Budget Officer
Council Goal: Goal 5: Financial Sustainability
Date: January 9, 2024

Recommended Motion

It is MOVED that the City Council approve and authorize the Mayor to sign Resolution No. 2024-349 to appoint the Assistant City Manager as the Budget Officer for Fiscal Year 2025.

Background

Oregon budget law (ORS 294.331) requires a Budget Officer's appointment to prepare and present the budget for the City of Carlton. The attached resolution satisfies the state requirement.

The Budget Officer ensures all tasks are completed satisfactorily and complying with Oregon budget law.

Fiscal Impact

None.

Attachments

1. Resolution No. 2024-349 – Appointing the Assistant City Manager as Budget Officer for Fiscal Year 2025



RESOLUTION NO. 2024-349

A RESOLUTION APPOINTING THE ASSISTANT CITY MANAGER AS BUDGET OFFICER FOR THE FISCAL YEAR 2024-2025.

RECITALS:

WHEREAS, Oregon Municipal Budgeting Low (ORS 294.331) requires the appointment of a Budget Officer to prepare the budget for the City of Carlton and,

WHEREAS, the City of Carlton is initiating preparation of its FY24/25 Budget.

THE CITY OF CARLTON RESOLVES AS FOLLOWS:

1. The Assistant City Manager is appointed Budget Officer for the FY 24/25 Budget process.

ADOPTED by the City Council of the City of Carlton, Oregon, on January 9, 2024, by the following votes:

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED and signed by the Mayor on January 9, 2024.

Linda Watkins, Mayor

ATTEST: _____
Aimee Amerson, City Recorder



Memorandum

To: The Mayor and Members of the City Council
From: Christy Martinez, Assistant City Manager
Subject: Resolution No. 2024-350: WC Insurance Coverage to Volunteers
Council Goal: Goal 4: Good Governance
Date: January 9, 2024

Recommended Motion

It is MOVED that the City Council approve and authorize the Mayor to sign Resolution No. 2024-350, extending Carlton's workers' compensation insurance coverage to volunteers of the City.

Background

This is an annual housekeeping item required from City/County Insurance Services (CIS) to provide workers' compensation to City volunteers, including:

- Police reserves and non-public safety.
- Public Officials performing Non-Administrative duties.
- Parks and recreation volunteers.
- Clerical support.
- Establishes a process to add volunteers during the year.

Fiscal Impact

There is a minimal cost to include workers' compensation coverage with City County Insurance Services (CIS).

Attachments

1. Resolution No. 2024-350: Workers' Compensation Insurance Coverage to Volunteers

This facility is ADA accessible.

If you need special accommodation, please contact the City Recorder at 503.852.7575 at least 24 hours prior to this meeting.



RESOLUTION NO. 2024-350

A RESOLUTION EXTENDING THE CITY OF CARLTON'S WORKERS' COMPENSATION INSURANCE COVERAGE TO VOLUNTEERS OF THE CITY.

RECITALS:

WHEREAS, the City of Carlton receives valuable services from volunteers and they should be protected from injuries arising out of or in the scope of their services to the City; and

WHEREAS, on June 22, 2005, the City of Carlton approved Resolution No. 13 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on June 12, 2006, the City of Carlton approved Resolution No. 40 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on June 11, 2007, the City of Carlton approved Resolution No. 66 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on July 8, 2013, the City of Carlton approved Resolution No. 174 extending workers' compensation coverage to police reserve and non-public safety, parks and recreation volunteers; and

WHEREAS, on December 8, 2014, the City of Carlton approved Resolution No. 2014-190 extending workers' compensation coverage to volunteers of the City of Carlton and repealing only Resolution No 2013-174 and Resolution No. 2006-040; and

WHEREAS, on January 3, 2017, the City of Carlton approved Resolution No. 2017-235 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on January 2, 2018, the City of Carlton approved Resolution No. 2018-258 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on January 8, 2019, the City of Carlton approved Resolution No. 2019-277 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on January 7, 2020, the City of Carlton approved Resolution No. 2020-291 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on January 6, 2021, the City of Carlton approved Resolution No. 2021-307 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on January 4, 2022, the City of Carlton approved Resolution No. 2022-322 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on January 10, 2023, the City of Carlton approved Resolution No. 2023-335, extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, on January 9, 2024, the City of Carlton approved Resolution No. 2024-350 extending workers' compensation coverage to volunteers of the City of Carlton; and

WHEREAS, City/County Insurance Services (CIS) requests a current resolution is approved annually for this volunteer program in which they are extending workers' compensation coverage to the volunteers of the City.

THE CITY OF CARLTON RESOLVES AS FOLLOWS:

1. Pursuant to ORS 656.031, the City of Carlton elects to provide workers' compensation coverage to the classes of volunteers listed in this resolution, noted on the CIS payroll schedule and verified at audit.
 - a. An assumed monthly wage of \$800.00 will be used for public safety volunteers in the police reserve; and
 - b. An assumed monthly wage of \$800.00 will be used for public officials for the performance of the following non-administrative duties (1) weeding the flower beds at the parks; and
 - c. Non-public safety volunteers in (1) parks and recreation and (2) clerical will keep track of their hours and have their assumed payroll reported in the correct class code for the type of work being performed using Oregon minimum wage.
2. Citizens who participate on City committees, commissions, task forces, ad-hoc committees; volunteer at public events; court-mandated community service workers/inmates; or the like, are not considered volunteers under this program.
3. Unanticipated volunteer projects or exposure not addressed herein will be added onto the City of Carlton's coverage agreement (1) by endorsement, (2) with advance notice to CIS, and (3) allowing two weeks for processing. It is hereby acknowledged that coverage of this type cannot be backdated.
4. The City of Carlton agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service and hours of service will be kept monthly for reporting purposes and make them available if CIS request copies at the time of a claim or during year-end audit to verify coverage; and
5. All previous resolutions regarding the extension of workers' compensation insurance coverage to volunteers of the City are hereby superseded by Resolution No. 2024-350.

ADOPTED by the City Council of the City of Carlton, Oregon, on January 9, 2024, by the following votes:

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED and signed by the Mayor on January 9, 2024.

Linda Watkins, Mayor

ATTEST: _____
Aimee Amerson, City Recorder



To: The Mayor and Members of the City Council
From: Christy Martinez, Assistant City Manager
Subject: Budget Adjustments and Appropriation Changes for FY24
Council Goal: Goal 5: Financial Sustainability
Date: January 9, 2024

Recommended Motion

It is MOVED that the City Council approve and authorize the Mayor to sign Resolution No. 2024-351, authorizing budget adjustments for Fiscal Year 2023-24.

Background

Public Works was on a waitlist to receive a 3-yard dump truck, which became available sooner than anticipated. We committed to the purchase rather than dropping to the bottom of the waitlist.

Fiscal Impact

None.

Exhibit

1. Resolution No. 2024-351



RESOLUTION NO. 2024-351

A RESOLUTION PROVIDING FOR BUDGET TRANSFERS AND MAKING APPROPRIATION CHANGES FOR THE FISCAL YEAR 2023-24

RECITALS:

WHEREAS, the City of Carlton’s 2023-24 budget requires adjusting various funds, organization units, departments, and categories of expense accounts for additional appropriation authority and,

WHEREAS, under the provisions of Oregon Local Budget Law, fund units and accounts are required to reflect sufficient authorized appropriations; and,

WHEREAS, appropriation authority may be made by transfers of appropriations within organization units, transfers within categories of expense and/or transfers of contingency appropriations with a specific fund when authorized by official resolution of the governing body as provided by ORS 294.463; and,

WHEREAS, additional appropriation authority for expenditures may be made by transferring contingency appropriations within a specific fund when authorized by the official resolution of the governing body as provided by Oregon Local Budget Law.

THE CITY OF CARLTON RESOLVES AS FOLLOWS:

1. To adjust the City of Carlton’s Budget for the Fiscal Year 2023-24 for such transfers of categories of expense, organizational units, and contingency appropriations to fund expenditures with each fund account, as shown in Exhibit A, and provide expenditure authority as hereby increased and appropriated. The net effect of such appropriation transfers is zero.

ADOPTED by the City Council of the City of Carlton, Oregon, on January 9, 2024, by the following votes:

AYES:	NAYES:	ABSENT:	ABSTAIN:
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APPROVED and signed by the Mayor on January 9, 2024.

Linda Watkins, Mayor

ATTEST: _____
Aimee Amerson, City Recorder

CITY OF CARLTON OREGON
EXHIBIT A TO RESOLUTION NO. 2024-351
BUDGET TRANSFERS AND APPROPRIATIONS FOR FISCAL YEAR 2023-2024

VERF Fund	Original Budget	Changes	Adjusted Budget
Unappropriated Contingency	19,407	19,507	0
027-127 Truck Purchase	102,749	19,507	122,256

Purpose:

Public Works was on a waitlist for a 3-yard dump truck, which became available sooner than anticipated. There was no fiscal impact; monies were available in unappropriated contingency.



To: The Mayor and Members of the City Council
From: Tyler C. Yeoman-Millette, City Attorney
Subject: Updates to Municipal Code regarding Public Contracting
Date: January 9, 2024

Background and Discussion

During the 2023 Legislative Session, the Oregon Legislature passed SB 1047, which modified certain provisions of the Oregon Public Contracting Code, found at ORS Chapters 279, 279A, 279B, and 279C. One of the primary purposes of this bill was to increase the contract value thresholds which set the maximum values for following less formal contracting procedures. Specifically, SB 1047 amended ORS 279B.065 to allow local jurisdictions to utilize *any* process to award contracts valued at \$25,000 or less, and to utilize the intermediate procurement process (which entails acquiring at least three informal bids or quotes) for contracts valued at up to \$250,000. Prior to the passage of SB 1047, these thresholds were \$10,000 and \$150,000, respectively. Increasing these thresholds allows the City to more efficiently award contracts within these specified contract values.

While reviewing the Carlton Municipal Code's provisions relating to public contracting to determine what amendments, if any, were necessary following the passage of SB 1047, it was determined that some provisions of CMC 3.04 were many years of out date, and other provisions were able to be amended to provide better specificity and clarity. Additionally, going through these code provisions allowed us to ensure that the appropriate provisions of the recently-adopted purchasing policy were referenced and incorporated into CMC Chapter 3.04.

Attached for review and discussion is Ordinance 2024-747, which will adopt the updated public contracting code provisions upon passage.

Exhibit

1. Ordinance 2024-747, including revised Carlton Municipal Code Chapter 3.04.

ORDINANCE 2023-747

AN ORDINANCE AMENDING CHAPTER 3.04 OF THE CARLTON MUNICIPAL CODE RELATING TO PUBLIC CONTRACTING

WHEREAS, during the 2023 legislative session, important provisions of the Oregon Public Contracting Code, ORS Chapters 279, 279A, 279B, and 279C, were amended to allow less formal processes for awarding public contracts; and

WHEREAS, the Carlton Municipal Code Chapter 3.04, relating to public contracting, has become outdated and requires amending to align with the recent changes to the Oregon Public Contracting Code; and

WHEREAS, further changes to CMC Chapter 3.04 are necessary to streamline the public contracting process and to clarify certain provisions of Carlton’s public contracting process; and

WHEREAS, the City Council desires to amend CMC Chapter 3.04, in its entirety, to adopt updated public contracting provisions for the City, as outlined in the attached Exhibit A.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF CARLTON, OREGON, as follows:

Section 1. Carlton Municipal Code Chapter 3.04, relating to public contracting, is hereby amended in its entirety, as outlined in the attached Exhibit A.

Section 2. This ordinance shall be effective on the thirtieth day following its passage by the Carlton City Council.

ADOPTED by the City Council of the City of Carlton, Oregon, on _____ 2024, by the following votes:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

Linda Watkins, Mayor

ATTEST:

Aimee Amerson, City Recorder

3.04.010 Contract review board.

The Carlton city council is designated as the local contract review board under the Oregon Public Contracting Code. The contract review board may, from time to time, delegate its powers and responsibilities consistent with the Oregon Public Contracting Code and the Model Rules. The city manager ("manager") or his or her designated purchasing agent, and the city finance department are designated as Carlton's "contracting agency" for purposes of contracting powers and duties assigned to Carlton as a "contracting agency" under the Oregon Public Contracting Code or the Model Rules.

3.04.020 Definitions.

Except as specifically provided herein, public contracts shall be let by Carlton according to the Oregon Public Contracting Code, including the Model Rules adopted by the Oregon Attorney General as they now exist and as they may be amended in the future. Definitions provided by the Oregon Public Contracting Code or the Model Rules shall apply to Carlton procurements, except as may be specifically provided herein.

3.04.030 Competitive procurement exemptions.

The following classes of public contracts are hereby exempted from requiring competitive sealed bids or competitive sealed proposals:

- A. Any public contract exempted by the Oregon Public Contracting Code or Model Rules;
- B. Public contracts, other than public improvement contracts, that do not exceed twenty-five thousand dollars (\$25,000), when the small procurement provisions of ORS 279B are followed.
- C. Public contracts, other than public improvement contracts, that do not exceed two-hundred fifty-thousand dollars (\$250,000), when the intermediate procurement provisions of ORS 279B are followed.
- D. Change orders or contract amendments that are reasonably related to the scope of work under the original contract, up to fifty thousand dollars (\$50,000.00). Change orders or other amendments that increase the initial price of the contract by more than fifty thousand dollars (\$50,000.00) must be separately approved by the contract review board.
- E. Purchases through federal programs, pursuant to ORS 279A.180.
- F. An emergency contract, provided that the contracting agency adheres to the requirements of the Oregon Public Contracting Code and the Model Rules relating to emergency procurement.
- G. Any other contract (including sole source and brand name specification contracts) where the public interest would be promoted by exempting the contract from the competitive

bidding process, provided that the contract review board adheres to the Public Contracting Code and the Model Rules in making the exemption.

3.04.040 Notice of contracts.

Notice of public improvement contracts may be published electronically where the contracting agency finds that such publication is likely to be cost effective, as provided in ORS 279C.360.

3.04.050 Public Improvement Contracts

- A. Public improvement contracts estimated by the contracting agency not to exceed one-hundred thousand dollars (\$100,000.00) may be let by competitive quote under the following procedures:
 - 1. The contracting agency shall informally solicit at least three price quotes from prospective contractors. If three prospective contractors are not available, then fewer quotes may be solicited, and the contracting agency shall maintain records of the attempts to obtain quotes.
 - 2. The contracting agency shall award the contract to the prospective contractor whose quote will best serve the interests of Carlton, taking into account price and other applicable factors, such as experience, specific expertise, availability, project understanding, contractor capacity, and contractor responsibility. If the contract is not awarded on the basis of the lowest price, the contracting agency shall make a written record of the basis for the award.
 - 3. A procurement may not be artificially divided or fragmented to qualify for the informal contract award procedures provided by this section.
- B. Public improvement contracts in excess of one-hundred thousand dollars (\$100,000.00) shall be let in accordance with the provisions of ORS 279C.

3.04.060 Personal services contracts.

Personal services contracts (other than personal services contracts for city officers, or architectural or engineering services), are subject to the rules established by this section:

- A. Personal service contracts will be used to retain the services of independent contractors, other than architects or engineers. Nothing in this section shall apply to the employment of regular city employees.
- B. Unless otherwise approved by the Carlton city manager, all personal service contracts shall require the contractor to defend, indemnify, and hold harmless the city, its officers, agents and employees against and from any and all claims or demands for damages of any kind arising out of or connected in any way with the contractor's performance

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- thereunder and shall include a waiver of contractor's right to ORS 30.285 and ORS 30.287 indemnification and defense.
- C. Unless otherwise approved by the Carlton city manager, city personal service contracts shall contain a provision requiring the person or entity providing the service to obtain and maintain liability insurance coverage in at least the amount of the city's tort liability limits, naming the city as an additional named insured, during the life of the contract.
 - D. All Carlton personal service contracts shall contain all contract provisions mandated by state law. These provisions may be incorporated in the personal service contract by reference to state law, unless state law provides otherwise. The Carlton city attorney's office will prepare model contract provisions for use in city personal service contracts.
 - E. The following procedure shall be observed in the selection of personal service contractors:
 - 1. For personal service contracts involving an anticipated fee of fifty-thousand dollars (\$50,000) or less per annum, the Carlton city manager or his or her designated officer may negotiate and recommend to the contract review board a contract for such services with any qualified contractor of his or her selection.
 - 2. For personal service contracts involving an anticipated fee of more than fifty-thousand dollars (\$50,000) per annum, the Carlton city manager or his or her designated officer shall solicit at least three prospective contractors who shall appear to have at least minimum qualifications for the proposed assignment, notify each prospective contractor in reasonable detail of the proposed assignment, and determine the prospective contractor's interest and ability to perform the proposed assignment.
 - 3. The Carlton city manager or his or her designated officer may arrange for any or all interested prospective contractors to be interviewed for the assignment by an appropriate city employee or by an interview committee.
 - 4. Following a review of the qualifications and interview, where conducted, of the interested prospective contractors, the Carlton city manager or his or her designated officer shall select the prospective contractor, and a personal service contract to the contract review board.
 - F. The above provisions regarding selection procedures do not apply to amendments, modifications or supplements to executed personal service contracts.
 - G. The following criteria shall be considered in the evaluation and selection of a personal service contractor:
 - 1. Specialized experience in the type of work to be performed.
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2. Capacity and capability to perform the work, including any specialized services within the time limitations for the work.
 3. Educational and professional record, including past record of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, ability to meet schedules, and contract administration, where applicable; and
 4. Availability to perform the assignment and familiarity with the area in which the specific work is located, including knowledge of design or techniques peculiar to it, where applicable.
 5. Any other factors relevant to the particular contract.
- H. The selection procedures described in this section may be waived by the Carlton city manager, at his or her discretion where an emergency exists that could not have been reasonably foreseen and requires such prompt approval by the contract review board execution of a contract to remedy the situation that there is not sufficient time to permit utilization of the selection procedures.
- I. Nothing contained in this section shall preclude the city from complying with provisions of federal or state law that require the city to utilize a different selection or contracting procedure.

3.04.070 Disposition of surplus personal property.

Disposition of surplus personal property may be made, at the discretion of the Carlton city manager or his or her designee, under provisions of the Oregon Public Contracting Code, or the Model Rules, or under the provisions of this section:

- A. From time to time and after personal property owned by Carlton is determined by the Carlton city manager or his or her designee to be surplus to the needs of the city, the city may sell the property at public auction. Carlton may utilize a contracting firm, approved by the contract review board, for disposition of the property on terms and conditions contained in a contract approved by the contract review board. Carlton shall give notice of the public auction by posting notice of the means by which the property will be disposed of on the Carlton internet website, or by advertisement in a newspaper of general circulation.
- B. Auction sales may be conducted entirely on the internet. Sale shall be for cash to the highest bidder. All proceeds of the sale shall be paid to Carlton's general fund, subject to the terms and conditions of the contract (if any) approved by the contract review board between Carlton and a firm selected to conduct the auction.
- C. All personal property sold pursuant to this section shall be sold as-is without any warranty, either express or implied, of any kind, including but not limited to warranties

of title or fitness for any purpose. Upon receiving payment for the personal property from the successful bidder, the person or company conducting the auction shall execute an appropriate bill of sale, which shall recite that the sale is without warranty, as provided in this subsection.

3.04.080 Bids exceed budget.

If bids are solicited for a public improvement contract, and all bids exceed the budget for the project, the contracting agency may, prior to contract award, negotiate for a price within the project budget under the following procedures:

- A. Negotiations will begin with the lowest, responsive and responsible bidder. If negotiations are not successful, then the contracting agency may begin negotiations with the second lowest responsive, responsible bidder, and so on.
- B. Negotiations may include the inclusion of value engineering and other options to attempt to bring the project cost within the budgeted amount.
- C. A contract may not be awarded under this section if the scope of the project is significantly changed from the description in the original bid documents.
- D. The contracting agency will adhere to the provisions of ORS 279C.340 in applying this section.

3.04.090 Purchasing policies.

The contracting agency may adopt appropriate purchasing policies dealing with ethics, environmental considerations and the like, subject to review and modification by the contract review board.

3.04.100 Conflicts of interest.

No member, officer, or employee of the city of Carlton, or its designees or agents, no member of the governing body of the city of Carlton, and no other public official of the city of Carlton who exercise any function or responsibility with respect to a public contract during his or her tenure or for one year thereafter, shall have any direct financial interest in work performed in connection with a public contract. No member, officer, or employee of the city of Carlton, or its designees or agents, no member of the governing body of the city of Carlton, and no other public official of the city of Carlton, or any business in which they may have an interest or by which they may be employed, shall enter into a procurement, public improvement or service contract with the city of Carlton while such person holds such public office or position, or for one year thereafter.

3.04.110 Conflicting provisions.

In the event of a conflict between any provision of the Oregon Public Contracting Code or the Model Rules and the Carlton Municipal Code, the provisions of the Oregon Public Contracting Code or the Model Rules shall control.



To: The Mayor and Members of the City Council
From: Aimee Amerson, City Recorder
Subject: Community Room Discussion
Council Goal: Goal 3: Citizen Involvement
Date: January 9, 2024

Background

At its November meeting the Mayor and Council began discussions regarding public utilization of the community room. Discussions ranged from birthday parties to HOA meetings, trainings, and yoga space.

Based upon the information received from Council, the team has continued to draft an outline of a policy document and application. This is a working document that will change as Council continues to discuss policy aspects of the room's use. We utilized the examples provided at the November and December meetings to incorporate Council's discussions into this draft outline.

Staff used the requirements and concerns voiced in December's meeting regarding alcohol into a draft application/alcohol contract for Council review. This will guide application conditions as well as any possible additional fees involved. The information will also determine some of the possible uses of the space.

With alcohol being allowed, the additional stipulations or parameters noted on the application are:

- Required security elements.
- Food requirements.
- Time limits or use restrictions.
- Additional fees and charges.

Attached is a draft Community Room application. Please note that all fees are currently TBD. Staff needs time to review and compare to other facilities in order to provide a recommended option to Council. Kitchen use and other fees will be reviewed and recommended to Council for further discussion.

Exhibits

Draft Community Room application (all changes since last meeting are in red.)

Working Document
Draft Community Room Policy Outline & Application

1. Making a Reservation:

The Community Event Center is available for rental seven (7) days a week. The hours for use are 8:00 am to 11:00 pm Monday – Sunday. For rental availability contact the City of Carlton during business hours at 503-852-7575.

- a. All reservations require submission of a Community Room Reservation application. The person signing the application must be present at the function and will be responsible for ensuring the room use policies and procedures are followed. Applicants must be 21 years of age or older. The completed Community Room Reservation application and rental fee(s) must be received a minimum of twenty-one (21) business days prior to the requested rental date. The City will let the applicant know if the application is complete and approved within two (2) business days when all application documents are received.

When required, the refundable security deposit(s) is also due a minimum of fourteen (14) business days in advance of the rental date.

- b. *The City of Carlton will accept facility reservations no more than one year in advance. Reservations for more than one year in advance may be reviewed on an individual basis.*

2. Civic Center Community Room Rental Fees:

The rental rates shown are hourly rates. Fees charged will be based on one (1) hour increments. The minimum reservation period is three (3) hours. Your reservation is based on the time that you are IN THE ROOM including setup and cleanup.

- a. *The entire facility is handicap accessible with handicap accessible restrooms.*
- b. *Rentals are for the indoor spaces only.*
- c. *Use of the parking lot area for anything other than parking purposes requires a Right of Way permit.*

Room	Capacity	Group 1 Hourly Rate	Group 2 Hourly Rate
Community Room	Dining: TBD Seated: TBD Standing: TBD	Banquet set up: TBD Theatre set up: TBD Bare floor: TBD	TBD TBD TBD
Kitchen	TBD		
Entry/Hall open space	TBD	Bare floor:	Bare floor:

Capacities may be limited by the facility depending on the situation.

Set up Descriptions:

Working Document
Draft Community Room Policy Outline & Application

- Banquet – *Description pending*
- Theatre – *Description pending*
- Bare Floor - *Description pending*

•••Kitchen fees dependent on use (To be discussed in the future).

Community Room Deposit Fees:

Alcohol Usage Fee \$125.00/2-hour minimum
Kitchen deposit \$ TBD

Other Fees:

Staff Fee* \$TBD
Security Fee \$TBD
Police Fee* \$TBD
Equipment Fee -See List
(To be developed)

*Additional staff fees may occur if event is outside of regular business hours or extra setup/teardown/event staffing is required.

Group Classifications:

Group 1: Carlton Residents and Resident Non-Profit Organizations.

- Residency is determined by providing a copy of Driver's License or Carlton utility bill with the application.
- *Non-profit rentals will be required to provide a current federal tax non-profit number to qualify for the non-profit rate.*

For purposes of determining group classification:

- Resident: An individual whose primary residence is within the city limits of Carlton.
- An incorporated legal non-profit organization whose business office is located within the city limits of Carlton.

Group 2: General Public

- Individuals and profit organizations located outside of the city limits of Carlton.

3. Submitting an application:

- a. The application, room rental fee, room set up plan, and security deposit must be turned into the Civic Center Main office at least fourteen (14) days prior to your event in person. Email or faxed applications will not be considered. Cash, Check, Visa or Mastercard may be used to make a rental fee payment. ~~Only cash or check will be accepted for the security deposit.~~ Please make checks payable to City of Carlton.
- b. Applicants must be 21 years of age or older.*
- c. Applicant must provide Federal or State approved picture identification at time of application.*

Working Document
Draft Community Room Policy Outline & Application

- d. *An application will be considered confirmed and final only when signed by an authorized City of Carlton staff member, is submitted with a signed Facility Use and Rental Agreement/Application, including any addenda, all fees and deposits are paid in full, and accompanied by all required documentation.*
- e. *The Community Room Application is not transferable.*
- f. *The person who signs the facility use permit is responsible for assuring compliance of these policies and for payment of all fees, charges, and deposits concerning the rental.*
- g. *The Applicant will be considered the person in charge for the rental of the facility. To reduce the possibility of confusion, all correspondence will be sent to the address for the applicant listed on the facility use permit and all communication with the City of Carlton will be through the applicant on the use permit application.*
- h. *The Applicant is asked to name an Authorized Back-up Person. The Back-up Person is only able to pick up the facility key, attend the walk-through for the Applicant and be present at the event in Applicant's absence. The Applicant is responsible for all other aspects of the facility rental.*
- i. *Either the Applicant or the Authorized Back-up Person MUST be present at all times during the use of the facility. If either of these people is not present anytime during the event set up, clean up or event operation, the event is subject to immediate closure.*
- j. *Applicant may appeal any City administration decision to deny a request for use of the Community Room to the Carlton City Council.*

4. Security Deposit:

- a. A refundable security deposit is required for all events. The deposit is due a minimum of fourteen (14) business days in advance of the rental date and must be accompanied by the completed and signed Community room reservation application. Refund of the security deposit is based on whether ALL policies and procedures have been followed.
- b. Civic Center management will determine the amount of the security deposit to be refunded based on the applicant's checklist and input from the City of Carlton staff, janitorial service provider, security and/or police that were present at the event.
- c. If the City of Carlton keeps any portion of the deposit, a listing of how the deposit was applied will be provided to the renter along with the remaining balance of the deposit should there be any. Deposits will be refunded *via check* within three (3) weeks of the event or within three (3) weeks of cleaning and repairs being completed.

Working Document
Draft Community Room Policy Outline & Application

5. Cancellations *and Refunds:*

- a. Please submit cancellations no less than 5 business days prior to the scheduled event. A \$_____ service charge (*equivalent to 2 hours of staff time to be recommended at a later date*) to cover administrative costs processing and approving the application, will be retained for each cancellation. Room rental fees will be forfeited if an event is cancelled with less than five (5) business days' notice.
- b. Inclement weather may cause late opening, early closure and/or cancellation of class, activity, and rental. If the facility is closed due to inclement weather, all rentals will be cancelled.*
- c. The City of Carlton reserves the right to terminate any Community Room Use application at any time with or without cause.*
- d. The City of Carlton reserves the right to pre-empt any scheduled use for official City business.*
- e. The City of Carlton reserves the right to make further stipulations for use prior to approving a Community Room application.*
- f. Termination of facility use due to unruly behavior or participant's conduct violates any local or state laws, facility rules or regulations, or if any City codes, will cause all fees and deposits to be forfeited.*

6. Revoked or Denied Use:

- a. If there is any indication of rental under false pretext, or that the facility will be used for or to promote illegal activities.*
- b. For any activity prohibiting admission based on race, religion, ethnic group, sex, or national origin.*
- c. For any activity by the same sponsor if the charges for a previous activity have not been paid.*

7. Attendance:

- a. Please be as accurate as possible when you estimate attendance for your event. The number of people allowed into the facility will be limited to the number you indicated on your application. City Staff, Security personnel or City of Carlton Police Officers may deny access to the facility if the number of people in attendance exceeds the original estimate and/or capacity limits.*
- b. One Chaperone will be required for every fifteen (15) youths under the age of 18. Chaperones must be at least 21 years of age. A list of Chaperones may be requested before the event.*

Working Document
Draft Community Room Policy Outline & Application

8. Facility Key:

- a. *Applicant is responsible to pick up the facility key during City Hall business hours on the last business day prior to the event and to return the key in the drop slot in front of the Civic Center immediately after event.*
- b. *Failure to lock the facility after event use and any lost or late key return will result in the Key Deposit being forfeited.*

9. Insurance Certificate Requirement

- a. *In order to protect both the renter and the City of Carlton, a certificate of insurance is required at events where there will be 35 or more people in attendance and/or whenever alcohol is being served or sold. A certificate of insurance can be secured from most homeowners insurance policies at no extra charge.*
- b. *The insurance Certificate MUST have the following information:*
 - o *Insurance policy should be for no less than \$1,000,000.00.*
 - o *The City of Carlton; 191 East Main Street, Carlton, Oregon 97111 must be listed as an additional insured.*
 - o *The policy must state that the event will be held at the Civic Center Community Room located at 191 East Main Street, Carlton OR 97111.*
 - o *Date of event must be listed on the certificate.*

If you are unable to obtain an insurance certificate from your insurance provider, you can get information or a quote by going online to: <https://www.theeventhelper.com#8SVcJA>.

10. Safety Requirements:

- a. *Exits shall not be obstructed in any manner and shall remain free of any material or matter where its presence would obstruct or render the exit hazardous. This means do not block doors with city furniture or equipment, decorations, etc., so they cannot be used as an exit in the event of a fire.*
- b. *The building should AT NO TIME be left unlocked and/or unattended.*
- c. *Under no circumstances may tables or chairs be removed from the interior of the building.*
- d. *Climbing on chairs or any other piece of furniture is prohibited.*
- e. *The City accepts no responsibility for the safety of foods prepared or stored on site.*
- f. *The Community Room abuts a residential neighborhood. We ask renters to respect the neighborhood and to act accordingly.*
- g. *The Community Room in the Civic Center has a parking area that should be utilized. In the case where on-street parking is needed, we ask that you be respectful of private property and do not block or park in residents' driveways.*

Working Document
Draft Community Room Policy Outline & Application

- h. The sale and use of tools, equipment, or other items that could damage tables or floors in the building is prohibited (examples: heavy or sharp items, used or new items that contain grease or oil, caustic chemicals).*
- i. Weapons are prohibited inside and outside of the Civic Center building and campus, including but not limited to, knives, handguns, rifles, shotguns, pellet guns and bb guns, this includes the use and/or sale of such items.*

11. Security:

- a. All City and County ordinances and Oregon State Laws govern the Community Event Center use, building, campus, rooms, and occupants.*
- b. City Staff, Security or City, County or State law enforcement officers shall have the right to attend any function for the purpose of inspections, complaint investigation, etc., and have the right to terminate use of these facilities during any function should the participant's conduct violate any local or state laws, regulations, or codes (including noise) and/or they feel that the rental may become unruly. In such instances, all fees and deposits will be forfeited.*
- c. The applicant agrees to acknowledge rules and regulations by signing the appropriate form at the time of application.*

12. General Information/Security Deposit Refund:

All conditions must be followed for continuation of room use privileges and /or security deposit refund:

- a. We prohibit nailing, tacking, taping, or stapling to any walls or surfaces. All decorations and rental items must be removed at the end of an event. We are not responsible for items left behind.
- b. All decorations must be flame-retardant and comply with Fire Marshal regulations.*
- c. Rice, birdseed, glitter, or confetti type products are not allowed.
- d. The reservation is only for the approved room or space(s) listed on application. This does not include additional areas, i.e. lobby, adjoining rooms, etc.
- e. Use of open flames and candles are not allowed.
- f. Red colored food or beverages may not be served in carpeted areas.
- g. Smoking is not permitted in the facility or within ten (10) feet of any opening, door, or window.
- h. Alcoholic beverages may be consumed on premises with prior authorization and fee payment. See below for more details.
- i. Rentals may not end later than 11:00pm.

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- j. Amplified sound is not permitted outside of the building. Amplified sounds may be used within the building but must not disturb other Civic Center users or surrounding neighbors.
- k. *All sound amplification must end at 10:00 pm. Music and any sound amplification must be kept at levels which do not disturb the reasonable peace and quiet of any citizen.*
- l. *Doors and windows must always remain closed when any sound amplification devices are being used, which includes but is not limited to, live music, PA systems, disc jockeys, radios, stereos, or any other sound amplifying devices.*
- m. *Equipment, supplies, or other products belonging to private groups may not be stored in the facility or on the grounds prior to the applicant's function/event.*
- n. Facilities must be cleaned immediately following the event. The facility must be left undamaged. The facility, including flooring, must be left clean and the furniture in the original configuration and condition. For complete information refer to your rental and cleanup agreement portion of the Community Room application.

13. Alcohol and Tobacco Use

- a. *Alcohol use is permitted inside the Civic Center building. Additional deposits and insurance may be required.*
- b. *Consumption or the use of alcoholic beverages is prohibited outside the Community Center building or on any public premises adjacent to it.*
- c. *Events where alcohol will be served or sold require an OLCC Licensed Server. The OLCC licensed server must always be present during the event and proof of certification and Federal or State Issued photo Id will be required at the time of application.*
- d. *Only beer, wine, and champagne are allowed to be served or sold within the Civic Center building.*
- e. *Events that allow the use of alcohol without the proper insurance certificate, an OLCC Licensed server and/or payment of the correct deposit amounts will be subject to immediate termination.*
- f. *Smoking and/or tobacco use is prohibited in the Civic Center building and on public premises adjacent to the building including but not limited to the area surrounding the facility and the parking lot in accordance with Oregon Revised Statutes (ORS 433.850).*

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14. Closing Procedures:

All persons must leave the premises and cleanup must be completed no later than the end of the rental agreement period or 11:00 pm, whichever comes first. If the building is not vacated by the agreed upon time, additional rental fees may be charged, and future usage of the facility may be denied. Time exceptions will be reviewed on an individual request basis.

Before leaving the facility please ensure:

- a. The building is left as you found it.*
- b. All windows and doors are closed and locked (unlocked doors and windows will result in deposit forfeit).*
- c. All lights are shut off, remember to check bathrooms.*
- d. All tables and chairs are wiped down and put back on the racks.*
- e. Garbage is bagged and placed where City Staff instruct. New garbage bags should be placed in garbage cans if available.*
- f. All carpeting is vacuumed.*
- g. Floors are swept.*
- h. Check that you have not left any items behind.*

15. In Case of an Emergency:

- a. For facility entry and/or key card problems, please call: _____*
- b. For all other facility issues, please contact YCOM at 503-434-6500. YCOM will contact the on-call city representative to assist.*

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Community Room Reservation Application

Organization/ Individual Requesting Use:

Event Date: _____ Day of Week: _____

Event Type and Title: _____

Hours of Reservation: _____ to _____ **(Must include set-up and clean-up)**

Actual Event Start/End Time: _____ to _____

Room(s) Requested: _____

Expected Attendance: _____

Contact Person: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Day Phone: _____ Evening Phone: _____

Email: _____

FOOD SERVICE AND ALCOHOL: (Please circle your response)

Is food being served? YES NO If yes, will the event be catered? YES NO

Is alcohol being served? YES NO

If yes, you must complete and sign a separate alcohol contract and pay the Alcohol Usage Fee.

ROOM SET UP:

Will you be doing your own set up? YES NO

Please attach the Civic Center for room layout(s) to application.

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I understand and agree that I may forfeit my deposit if it is necessary for City of Carlton Staff or janitorial service, to extensively clean or repair facilities following our facility use, or if during the course of my rental if I fail to enforce facility policies stated and those that may be presented to me by City of Carlton Staff before or during my event. I understand that variations in rental times and room requests, needs, or uses, may necessitate rental fee adjustments. I agree to assume full responsibility for the conduct of my guests, members and employees or third parties hired to provide services to my group or myself. I understand that my event must be conducted in accordance with the regulations set forth in these documents and if a violation is to occur that all violators may be required to leave, and my event may be terminated immediately in its entirety. I further agree to indemnify, defend, and hold harmless City of Carlton for any damage, injury, suits, or claims which may arise from intentional acts, negligence or omissions of the group, its guests, members, employees or third parties hired to provide services for the group.

RENTAL CLEAN-UP AGREEMENT

To receive full refund of the cleaning deposit(s), the rented area(s) will be left free of debris. The floor will be swept and free of food. Spills will be wiped up before leaving. All tables and chairs will be wiped down and cleaned. All bottles, cans and trash will be removed from the facility at the end of the event. There are recycling bins and trash cans just outside the back of the facility. The Civic Center prohibits nailing, tacking, taping, or stapling to any of the walls or surfaces. The City of Carlton is not responsible for items left behind. All decorations and rental items must be removed from the facility immediately following the event. This includes flowers, votives, and cake stands. Please be aware that there is an additional charge for damage done to any surfaces, equipment, or flooring and is subject to additional charges and loss of deposit(s). This is a smoke free facility. Please make guests aware they must go outside to smoke.

The contents of the above arrangements meet with my approval. I consider our contract definite and confirmed.

Customer/Renter Signature: _____ Date: _____

Facility Representative: _____ Date: _____

No equipment or furniture shall under any circumstances be removed from the facility

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For Staff use only:

___ Group 1 fees to be charged

___ Group 2 fees to be charged

Deposits (Note amount and date paid)

Community Room Deposit: _____

Kitchen use Deposit: _____

Entry/ Hall/Lobby Deposit: _____ Total deposit charges: _____

Other Fee charges (Hourly rate totals)

Room Rental Fee: _____

Kitchen Fee: _____

Staff fee: _____

Security fee: _____

Police fee: _____

Alcohol fee: _____

Equipment fees (list all equipment and fees):

Total other fee charges: _____

Date deposits and fees paid: _____

Staff Review and Approval: _____ Date: _____

Staff Notes: