

Division II. ZONING AND DEVELOPMENT PROVISIONS

Chapter 17.20 RESIDENTIAL-LOW DENSITY (R-1) DISTRICT

17.20.010 Purpose.

The Residential-Low Density (R-1) district preserves existing **single-family neighborhood** residential areas and provides for future **single-family neighborhood residential** housing opportunities **including single-family detached homes, duplexes, and other similarly scaled dwellings**. The R-1 district is consistent with the Residential comprehensive plan designation.

17.20.020 Permitted uses.

The following uses are permitted in the Residential-Low Density District:

- A. Single-family dwelling, including a single-family manufactured home **subject to Chapter 17.116 and a prefabricated structure**.
- B. Duplex dwelling **on a corner lot**.
- C. **Public park and recreation area. Accessory dwelling, subject to the provisions of Section 17.20.060.**
- D. Cottage cluster, subject to the provisions of Section 17.106.040.**
- ~~D E.~~ Planned unit development subject to the provisions of Chapter 17.112.
- ~~E F.~~ **Child care facilities, as defined by Oregon Revised Statutes Chapter 657A. Family child care home.**
- ~~F G.~~ Residential **care home.s**, as defined by this ordinance. All residential care homes shall be duly licensed by the State of Oregon.
- ~~G H.~~ Home Occupation, subject to the provisions of Chapter 17.124.
- ~~H I.~~ A single-family Vacation rental dwelling unit, **when such dwelling obtains a vacation rental dwelling permit in accordance with the vacation rental dwelling conditional use standards and procedures set forth in subject to the provisions of** Chapter 17.125.
- J. Public park and recreation area.**

17.20.030 Conditional uses.

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Chapter 17.152.

- A. Place of worship.
- B. Public or private school.
- C. Community building.
- D. Utility facility including utility rights-of-way.
- E. Bed and breakfast.

~~F. A two-family vacation rental dwelling when such dwelling obtains a vacation rental permit for both units, unless one of the units is owner-occupied, in accordance with the vacation rental dwelling standards set forth in Section 17.125.010.~~

17.20.035 Density standards.

A. The minimum net density in the Residential-Low Density District shall be 4.6 dwelling units per net acre.

B. The maximum net density in the Residential-Low Density District shall be determined by the allowed minimum lot areas.

17.20.040 Dimensional standards.

The following dimensional standards shall be the minimum requirements for all development in the R-1 district except for modifications permitted under Chapter 17.132.

Minimum Lot Area	
Single-family dwelling	7,500 square feet, except lots smaller than 7,500 square feet lawfully created prior to Ordinance #619 on November 10, 2003 [effective date of Code] are permitted
Duplex	9,000 7,500 square feet, provided duplexes on corner lots shall have each unit access a different street
Cottage cluster	15,000 square feet
Public utility structures	Lot area shall be adequate to contain all proposed structures within the required yard setbacks
Minimum Yard Setback Requirements, except as provided for Accessory Structures under Chapter 17.96:	
Front yard	20 feet, except 15 feet for uncovered porches and covered but unenclosed porches not more than one story high
Rear yard	15 feet
Side yard (interior)	5 feet
Side yard (adjacent to street)	Same as Front Yard
Nonconforming structures	Where an existing structure on an abutting parcel is placed closer than 5 feet to a side property line, the minimum separation between the existing structure and any new construction shall conform to the applicable building code
Maximum structure height	35 feet
Minimum lot width at building line	75 50 feet, except lots narrower than 75 50 feet lawfully created prior to Ordinance #619 on November 10, 2003 [effective date of Code] are permitted.

Maximum Lot Coverage	65 percent where a building exceeds 20 feet in height 70 percent where all buildings on the site are 20 feet or less in height
-----------------------------	---

17.20.050 Development standards.

All development in the R-1 district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Accessory Structures. Accessory structures as provided for in Chapter 17.96.
- B. Off-Street Parking. Parking shall be as specified in Chapter 17.68.
- C. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Chapters 17.172 through 17.176, as applicable.
- ~~D. Lot Coverage. The following standards are applied to parcel area or lot area, as applicable:
 - 1. Maximum lot coverage by buildings: thirty five (35) percent where a building exceeds 20 feet in height, and forty (40) percent where all buildings on the site are 20 feet or less in height;
 - 2. Maximum lot coverage by impervious surfaces, including pavement and roofed areas not otherwise considered buildings: thirty (30) percent;
 - 3. Combined maximum lot coverage: sixty five (65) percent where a building exceeds 20 feet in height, and seventy (70) percent where all buildings on the site are 20 feet or less in height.~~

D. Cottage clusters shall be subject to the Site Design Review procedures of Chapter 17.156.

- E. Yards and Lots. Yards and lots shall conform to the standards of Chapter 17.92.
- F. Signs. Signs shall conform to the requirements of Chapter 17.80.
- G. Driveways. Driveways shall conform to the standards 17.68.060.
- H. Landscaping and Screening. Where landscaping, fencing or other screening is required pursuant to land division approval or other land use approval, all such landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.
- I. Building and Site Design. All residential structures shall conform to the design standards of Chapter 17.106.

1. Single-family dwellings shall comply with the garage or carport standards in Section 17.106.025.

17.20.060 Accessory dwelling standards.

Accessory dwellings shall conform to all of the following standards:

- A. A maximum of one accessory dwelling is allowed per single-family dwelling. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage**

or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).

B. Size. An accessory dwelling shall not exceed 800 square feet of floor area. However, accessory dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling would be more than 800 square feet.

C. Other Development Standards. Accessory dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district, except that:

1. Conversion of an existing legal non-conforming structure to an accessory dwelling is allowed, provided that the conversion does not increase the non-conformity.

2. Conversion of an existing legal accessory structure to an accessory dwelling is allowed.

3. Accessory dwellings are not included in minimum or maximum density calculations.

D. Parking. No off-street parking is required for an accessory dwelling.

Chapter 17.22 RESIDENTIAL-MEDIUM DENSITY (R-2) DISTRICT

17.22.010 Purpose.

The Residential-Medium Density (R-2) district provides for **single family and duplex neighborhood residential** housing at an average density of ten (10) dwelling units per acre or less **including single-family dwellings, duplexes, townhouses and cottages at compatible scale**. The R-2 district is consistent with the **new Residential Medium Density** comprehensive plan designation.

17.22.020 Permitted uses.

The following uses are permitted in the Residential-Medium Density District:

- A. Single-family dwelling, including **a** single-family manufactured home **subject to Chapter 17.116 and a prefabricated structure**.
- B. Duplex dwelling.
- C. Accessory dwelling, subject to the provisions of Section 17.20.060.**
- ~~C D.~~ Attached single-family **Townhouse** dwelling (maximum of two (2) consecutively attached townhome **townhouse** units), subject to Chapter 17.156.**
- ~~D E.~~ Public park and recreation area. **Cottage cluster, subject to the provisions of Section 17.106.040.****
- ~~E F.~~ Planned unit development subject to the provisions of Chapter 17.112.**
- ~~F G.~~ Child care facilities, as defined by Oregon Revised Statutes Chapter 657A. **Family child care home.****
- ~~G H.~~ Residential care homes, as defined by this ordinance. All residential care homes shall be duly licensed by the State of Oregon.**
- ~~H I.~~ Home Occupation, subject to the provisions of Chapter 17.124.**
- ~~I J.~~ A single family Vacation rental dwelling unit, when such dwelling obtains a vacation rental dwelling permit in accordance with the vacation rental dwelling conditional use standards and procedures set forth in **subject to the provisions of** Chapter 17.125.**
- K. Public park and recreation area.**

17.22.030 Conditional uses.

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Chapter 17.152.

- A. Place of worship.
- B. Public or private school.
- C. Community building.
- D. Utility facility including utility rights-of-way.
- E. Bed and breakfast.

~~F. A two-family vacation rental dwelling when such dwelling obtains a vacation rental permit for both units, unless one of the units is owner-occupied, in accordance with the vacation rental dwelling standards set forth in Section 17.125.010.~~

17.22.035 Density standards.

A. The minimum net density in the Residential-Medium Density District shall be 5.8 dwelling units per net acre.

B. The maximum net density in the Residential-Medium Density District shall be determined by the allowed minimum lot areas.

17.22.040 Dimensional standards.

The following dimensional standards shall be the minimum requirements for all development in the R-2 district except for modifications permitted under Chapter 17.132.

Minimum Lot Area	
Single-family dwelling	6,000 square feet
(1) Non common wall dwelling	6,000 square feet
(2) Attached (townhome) dwelling—Maximum of two (2) consecutively attached units Townhouse dwelling	2,400 square feet for an interior lot and 4,000 square feet for a corner lot
Duplex dwelling	7,000 6,000 square feet, provided duplexes on corner lots shall have each unit access a different street, unless the lot is located on an arterial street.
Cottage cluster	12,000 square feet
Public utility structures	Lot area shall be adequate to contain all proposed structures within the required yard setbacks
Minimum Yard Setback Requirements, except as provided for Accessory Structures under Chapter 17.96:	
Front yard	Front yard 15 feet, except 20 feet for a garage or carport opening when facing street, and 10 feet for uncovered porches and covered but unenclosed porches not more than one story high (except where easements preclude closer setback)
Rear yard	15 feet
Side yard (interior)	3 feet, except 0 feet for adjoining townhome units townhouses
Side yard (adjacent to street)	10 feet
Nonconforming structures	Regardless of the above the minimum distance between a proposed structure and an existing structure on another parcel shall be 6 feet
Maximum structure height	35 feet, except where a new building (any use) is proposed on a lot platted prior to [effective date]

	of Code], the height of the new building shall not exceed the average height of all dwellings (residential uses) located within 50 feet of the subject lot, plus 5 feet.
Minimum lot width at building line	24 feet, except 40 feet for corner lot
Maximum Lot Coverage	80 percent where a building exceeds 20 feet in height 85 percent where all buildings on site are 20 feet or less in height

17.22.050 Development standards.

All development in the R-2 district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Accessory Structures. Accessory structures as provided for in Chapter 17.96.
- B. Off-Street Parking. Parking shall be as specified in Chapter 17.68.
- C. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Chapters 17.172 through 17.176 as applicable.

~~D. Lot Coverage. The following standards are applied to parcel area or lot area, as applicable:~~

- ~~1. Maximum lot coverage by buildings: fifty (50) percent where a building exceeds twenty (20) feet in height, and sixty (60) percent where all buildings on the site are twenty (20) feet or less in height;~~
- ~~2. Maximum lot coverage by impervious surfaces, including pavement and roofed areas not considered buildings: thirty (30) percent;~~
- ~~3. Combined maximum lot coverage: eighty (80) percent where a building exceeds twenty (20) feet in height, and eighty-five (85) percent where all buildings on the site are twenty (20) feet or less in height.~~

D. Cottage clusters shall be subject to the Site Design Review procedures of Chapter 17.156.

- E. Yards and Lots. Yards and lots shall conform to the standards of Chapter 17.92.
- F. Signs. Signs shall conform to the requirements of Chapter 17.80.
- G. Driveways. Driveways shall conform to the standards 17.68.060.
- H. Landscaping and Screening. All front and street side yards shall be landscaped pursuant to Section 17.84.050. Other landscaping, fencing or other screening may be required pursuant to land division approval or other land use approval. All landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.
- I. Building and Site Design. All residential structures shall conform to the design standards of Chapter 17.106.

1. Single-family dwellings shall comply with the garage or carport standards in Section 17.106.025.

Chapter 17.24 MANUFACTURED HOME (MH) DISTRICT

17.24.010 Purpose.

The manufactured home (MH) district provides areas for the development of residential manufactured **home dwelling** parks to increase the choice and mixture of single-family housing opportunities. The MH district is consistent with the **residential Manufactured Home** comprehensive plan designation.

17.24.020 Permitted uses.

The following uses are permitted in the Manufactured Home District:

- A. Single-family dwelling; including a single-family manufactured home **subject to Chapter 17.116** **and a prefabricated structure.**
- B. Duplex dwelling.**
- B C. Public park and recreation area. Accessory dwelling, subject to the provisions of Section 17.20.070.**
- D. Manufactured dwelling park subject to the provisions of Chapter 17.120.**
- ~~E.~~ Planned unit development subject to the provisions of Chapter 17.112.
- ~~D E.~~ ~~Child care facilities, as defined by Oregon Revised Statutes Chapter 657A.~~ **Family child care home.**
- ~~E G.~~ Residential ~~care home.s, as defined by this ordinance. All residential care homes shall be duly licensed by the State of Oregon.~~
- ~~F H.~~ Home occupation, subject to the provisions in Chapter 17.124.
- ~~G I.~~ A single family ~~Vacation rental dwelling unit, when such dwelling obtains a vacation rental dwelling permit in accordance with the vacation rental dwelling conditional use standards and procedures set forth in~~ **subject to the provisions of** Chapter 17.125.
- J. Public park and recreation area.**

17.24.030 Conditional uses.

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Chapter 17.152.

- ~~A. Manufactured home park subject to the provisions of Chapter 17.120.~~
- ~~B. A~~ Place of worship.
- ~~C. B~~ Public or private school.
- ~~D. C~~ Community building.
- ~~E. D~~ Utility facility including utility rights-of-way.

17.24.035 Density standards.

- A. The minimum net density in the Manufactured Home District shall be 4.6 dwelling units per net acre.**

B. The maximum net density in the Manufactured Home District shall be determined by the allowed minimum lot areas. Maximum net density for manufactured dwelling parks shall be as specified in Chapter 17.120.

17.24.040 Dimensional standards.

The following dimensional standards shall be the minimum requirements for all development in the MH district except as provided for manufactured **home dwelling** parks under Chapter 17.120 or for modifications permitted under Chapter 17.132.

Minimum Lot Area	
Single-family dwelling	7,500 square feet
Duplex dwelling	7,500 square feet
Public utility structures	Lot area shall be adequate to contain all proposed structures within the required yard setbacks
Minimum Yard Setback Requirements, except as provided for Accessory Structures under Chapter 17.96:	
Front yard	20 feet, except 15 feet for uncovered porches and covered but unenclosed porches not more than one story high
Rear yard	15 feet
Side yard (interior)	5 feet
Side yard (adjacent to street)	Same as Front Yard
Maximum structure height	35 feet
Minimum lot width at building line	75 50 feet
Maximum Lot Coverage	65 percent

17.24.050 Development standards.

Except as otherwise provided for manufactured **home dwelling** parks under Chapter 17.120, all development in the MH district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Accessory Structures. Accessory structures as provided for in Chapter 17.96.
- B. Off-Street Parking. Parking shall be as specified in Chapter 17.68.
- C. **Subdivisions and** Partitions. Land divisions shall be reviewed in accordance with the provisions of Chapter 17.172 **through 17.176 as applicable**.
- ~~D. Lot Coverage. The following standards are applied to parcel area or lot area, as applicable:
 - ~~1. Maximum lot coverage by buildings: thirty five (35) percent;~~
 - ~~2. Maximum lot coverage by impervious surfaces, including pavement and roofed areas not considered buildings: thirty (30) percent;~~
 - ~~3. Combined maximum lot coverage: sixty five (65) percent.~~~~
- DF.** Yards and Lots. Yards and lots shall conform to the standards of Chapter 17.92.

- EG.** Signs. Signs shall conform to the requirements of Chapter 17.80.
- FH.** Driveways. Driveways shall conform to the standards 17.68.060.
- GI.** Landscaping and Screening. Where landscaping, fencing or other screening is required pursuant to land division approval or other land use approval, all such landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.
- HJ.** Building and Site Design. All residential structures shall conform to the design standards of Chapter 17.106.

1. Single-family dwellings shall comply with the garage or carport standards in Section 17.106.025.

Chapter 17.28 RESIDENTIAL-MEDIUM HIGH DENSITY (R-3) DISTRICT

17.28.010 Purpose.

The Residential-Medium High Density (R-3) district provides opportunities for higher density housing in close proximity to substantial commercial and public development where full urban services are available. The R-3 district, ~~which generally accommodates residential development of eight (8) to thirty-two (32) units per acre,~~ is consistent with the Residential comprehensive plan designation.

17.28.020 Permitted uses.

The following uses are permitted in the Residential-Medium High Density district:

- A. Duplex dwelling, ~~Multi family dwellings, Manufactured Home Parks subject to Chapter 17.120.~~
- B. Townhouse dwelling.**
- C. Multi-family dwelling.**
- D. Manufactured dwelling park subject to the provisions of Chapter 17.120.**
- E. Cottage cluster subject to the provisions of Section 17.106.040.**
- ~~B. Public park and recreation area.~~
- ~~C.F.~~ Planned unit development subject to the provisions of Chapter 17.112.
- ~~D. Boarding, lodging, or rooming house.~~
- E.G. Child care facilities, as defined by Oregon Revised Statutes Chapter 657A Family child care home.**
- F.H. Residential care homes and residential care facilities, as defined by this ordinance. All residential care homes and residential care facilities shall be duly licensed by the State of Oregon.**
- ~~G.I~~ Home occupation, subject to the provisions of Chapter 17.124.
- H.J. Single family dwelling subdivisions platted after [effective date of amended code] provided subdivision achieves a density of not less than eight (8) dwelling unit per acre. Single-family dwelling, including a manufactured home and a prefabricated structure, on a lot within a subdivision platted after adoption of Ordinance #619 on November 10, 2003.**
- I.K. Single-family dwellings (attached or non-attached), including single-family manufactured dwelling subject to Chapter 17.116, lawfully existing as of adoption of Ordinance #619 on November 10, 2003 [effective date of amended code].**
- L. Accessory dwelling, subject to the provisions of Section 17.20.070.**
- J.M. A single family Vacation rental dwelling unit, when such dwelling obtains a vacation rental dwelling permit in accordance with the vacation rental dwelling conditional use standards and procedures set forth in subject to the provisions of Chapter 17.125.**
- N. Public park and recreation area.**

17.28.030 Conditional uses.

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Chapter 17.152.

- A. Place of worship.
- B. Public or private school.
- C. Community building.
- D. Utility facility including utility rights-of-way.
- E. Bed and breakfast.
- F. ~~A two family vacation rental dwelling when such dwelling obtains a vacation rental permit for both units, unless one of the units is owner occupied, in accordance with the vacation rental dwelling standards set forth in Section 17.125.010.~~

17.28.035 Density standards.

- A. The minimum net density in the Residential-Medium High Density district shall be 12 dwelling units per net acre.**
- B. The maximum net density in the Residential-Medium High Density district shall be 32 dwelling units per net acre.**

17.28.040 Dimensional standards.

The following dimensional standards shall be the minimum requirements for all development in the R-3 district except for modifications permitted under Chapter 17.132.

Minimum Lot Area	
Single-family dwelling	3,000 square feet
(1) Non common wall dwelling	4,000 square feet for an interior lot and 5,000 square feet for corner lot
(2) Attached (townhome) dwelling Townhouse dwelling Maximum of two (2) consecutively attached units	2,400 2,000 square feet for an interior lot and 5,000 2,400 square feet for a corner lot
Duplex or Single Dwelling with Accessory dwelling	8,000 3,000 square feet
Multi-family dwelling, 3-unit	9,500 5,000 square feet plus 1,500 square feet per unit in excess of 3 units
Cottage cluster	6,000 square feet
Public utility structures	Lot area shall be adequate to contain all proposed structures within the required yard setbacks
Minimum Yard Setback Requirements, except as provided for Accessory Structures under Chapter 17.96:	
Front yard	Lots less than 5,000 square feet: 10 feet Lots 5,000-10,000 square feet: 15 feet, except 10 feet for uncovered porches and covered but

	<p>unenclosed porches not more than one story high</p> <p>Lots greater than 10,000 square feet: 20 feet, except 15 feet for uncovered porches and covered but unenclosed porches not more than one story high</p> <p>All lots: 20 feet for a garage or carport opening when facing street</p>
Rear yard	<p>Lots less than 5,000 square feet: 10 feet</p> <p>Lots equal to or greater than 5,000 square feet: 15 feet</p>
Side yard (interior)	<p>Lots less than 5,000 square feet: 3 feet, except 0 feet for adjoining townhouses</p> <p>Lots 5,000-10,000 square feet: 5 feet</p> <p>Lots greater than 10,000 square feet: 7 feet</p>
Side yard (adjacent to street)	<p>20 feet, except 15 feet for uncovered porches and covered but unenclosed porches not more than one story high</p> <p>Same as Front Yard</p>
Minimum lot width at building line	<p>40 feet for interior lot and 50 feet for corner lot, except 24 feet for interior lot with attached dwelling</p> <p>20 feet for townhouse dwelling, except 24 feet for corner lots</p> <p>30 feet for single-family and duplex dwelling</p> <p>50 feet for multi-family dwelling and cottage cluster</p>
Maximum structure height	35 feet
Maximum Lot Coverage	80 percent, provided, all landscaping and open space requirements must be met

17.28.050 Development standards.

All development in the R-3 district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Accessory Structures. Accessory structures as provided for in Chapter 17.96.
- B. Off-street Parking. Parking shall be as specified in Chapter 17.68.
- C. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Chapters 17.172 through 17.176, as applicable.
- ~~D. Lot Coverage. The following standards are applied to parcel area or lot area, as applicable:~~
 - ~~1. Maximum building coverage by buildings: forty (40) percent;~~
 - ~~2. Maximum lot coverage by impervious surfaces, including pavement and roofed areas not considered buildings: thirty (30) percent;~~

~~3. Combined maximum lot coverage: seventy (70) percent.~~

DE. Multi-family **residential uses and townhouse dwellings** (three or more units) **and cottage clusters** shall be subject to the Site Design Review procedures of Chapter 17.156.

~~F. Landscaping. Multi-family dwelling developments shall provide a minimum landscaped area equal to twenty five (25) percent of the gross site area. Landscaping improvements shall be installed and maintained in accordance with Chapter 17.84.~~

EG. Signs. Signs shall conform to the requirements of Chapter 17.80.

FH. Driveways. Driveways shall conform to the standards 17.68.060.

GI. Landscaping and Screening. **Minimum landscaped area requirements of Section 17.84.050 shall be met, including landscaping requirements for** all front and street side yards ~~shall be landscaped pursuant to Section 17.84.050.~~ Other landscaping, fencing or other screening may be required pursuant to land division approval or other land use approval. All landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.

~~J. The minimum landscape area standard of twenty five (25) percent for multifamily development may be reduced to ten (10) percent where the development plan dedicates one-quarter (¼) acre or more land for a neighborhood park, consistent with an adopted city parks plan.~~

HK. Building and Site Design. All residential structures shall conform to the design standards of Chapter 17.106.

1. Single-family dwellings shall comply with the garage or carport standards in Section 17.106.025.

Chapter 17.30 DOWNTOWN (D) DISTRICT

17.30.010 Purpose and applicability.

- A. Chapter 17.30 establishes land use and design standards for downtown Carlton. The Downtown (D) district is the historic, commercial and civic core of Carlton. It is also a major wine-processing center for the region. As such, it offers a unique opportunity to combine local commercial services, wine making, tourism-oriented services, and public amenities in an attractive, walkable, mixed-use environment. Chapter 17.30 is intended to guide land use, development, redevelopment, and historic restoration consistent with the Comprehensive Plan and the objectives described above.
- B. Chapter 17.30 applies to properties designated Downtown (D) district on the City of Carlton Zoning Map. Within the Downtown district, the provisions of this Chapter apply to three distinct subareas or "sub-districts," **the Historic Main Street (D-MS), Winery Gallery (D-WG), and Railroad (D-RR) sub-districts**, as indicated in Figure 1.

1. Main Street Sub-district (D-MS)

2. Winery Gallery Sub-district (D-WG)

3. Railroad Sub-district (D-RR)

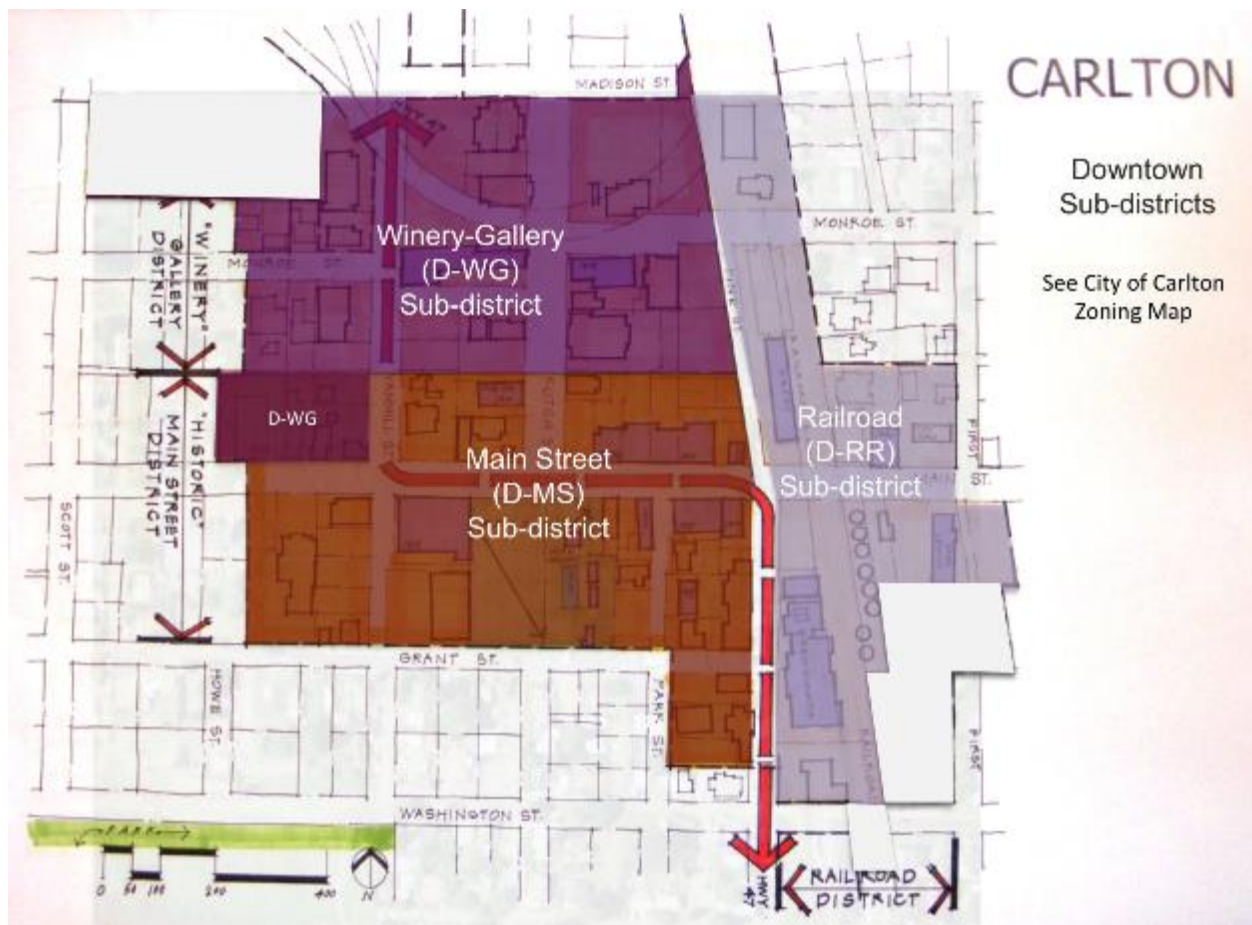


Figure 1 - Downtown Sub-districts

17.30.020 Permitted uses.

The following uses are permitted in the Downtown district subject to the Site **Design** Review (Chapter 17.156), provided such uses are primarily conducted indoors, do not include drive-through facilities, and are not otherwise subject to conditional use permit approval (Section 17.30.030).

- A. Art galleries and artist studios.
- B. Banks and similar financial institutions.
- C. Commercial services, including retail sales and personal and professional services.
- D. Bed and breakfast inn.
- E. Dwellings, provided dwelling units within one hundred (100) feet of Main Street shall be located on the second story, or above, in a building meeting the design standards of this chapter.
- F. Eating and drinking establishments (not including food carts or drive-through facilities).
- G. Offices, including professional, administrative, medical, governmental, and similar office uses.
- H. Outdoor (unenclosed) uses subject to the limitations of Section 17.30.040.
- I. Overnight accommodations, including hotels, motels, inn, and similar lodging uses.
- J. Parks, plazas, outdoor dining areas, sidewalk café seating and sales (permit required), and similar outdoor uses, subject to the limitations of Section 17.30.040.
- K. Public and/or institutional uses, including public parking; and new on-premise parking subject to a public shared parking agreement.
- L. Retail sales and commercial services.
- M. Theaters, including movie theaters, subject to a public shared parking agreement when on premise parking is provided.
- N. Manufacturing and/or processing of food, beverages, arts, crafts, and/or similar goods, including wineries, subject to the limitations of Section 17.30.040.

O. Child care centers and family child care homes.

P. Residential care facilities.

- QQ.** Other uses the **city planning official** **City Manager** or Planning Commission, as applicable, determines to be similar to those uses listed above.

17.30.030 Conditional uses.

The following uses and uses determined by the city to be similar to those listed are allowed with a conditional use permit, except such uses located within one hundred (100) feet of Main Street are limited to those lawfully existing as of February 9, 2011; such lawfully created nonconforming uses are allowed to continue pursuant to Chapter 17.164.

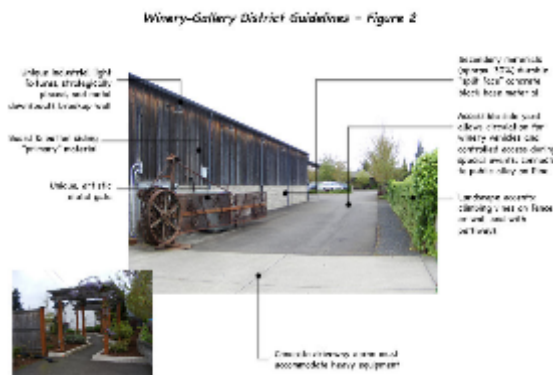
- A. Veterinary clinics and animal boarding facilities.
- B. Drive-through facility, including but not limited to drive-up windows (e.g., restaurants, banks, and pharmacies), automatic teller machines and similar facilities. Electric fueling stations for plug-in electric vehicles do not require a conditional use permit but are subject to site review.

- C. Manufacturing and/or processing uses that meet any one of the following criteria require a conditional use permit:
 - 1. Uses with shift(s) arriving or departing earlier than 7:00 a.m. or later than 9:00 p.m. on thirty (30) or more days during a calendar year.
 - 2. Processing or packaging of meat, fish, dairy, or other animal products.
 - 3. Taxidermy.
 - 4. Uses the **city planning official** **City Manager** or Planning Commission, as applicable, determines to be similar to those listed in subsections 1—3, above.
- D. Food carts, subject to the provisions in Chapter 17.126.

17.30.040 Prohibited uses and uses permitted with limitations.

- A. Prohibited Uses.
 - 1. Self-storage units, including mini-storage warehouses, portable storage units and similar facilities are prohibited, except temporary storage facilities that are accessory to a primary permitted use are permitted when setback at least one hundred (100) feet from Main Street and screened from all public rights-of-way.
 - 2. Commercial parking facilities on surface parking lots when not subject to a public shared parking agreement.
 - 3. Unenclosed commercial or industrial uses that do not meet the standards and limitations of this Chapter.
- B. Permitted Outdoor Display, Storage and/or Sales. Except as permitted under Section 17.30.020, or as approved with a conditional use permit under Section 17.30.030, outdoor display, storage, and/or sales of merchandise shall not exceed three (3) days in any seven (7) day period, and shall be located under cover of a projecting roof, canopy, awning, or other City-approved shelter. None of the uses permitted herein shall interfere with pedestrian, bicycle, or automobile circulation.
- C. Permitted manufacturing, processing and/or packaging and distribution activities are permitted provided such activities shall meet all of the following standards:
 - 1. Manufacturing, processing, packaging, and storage, including waste/recycling handling and storage, and similar activities must be enclosed within a building; except as approved with a conditional use permit, or as permitted for wineries under subsection 17.30.040(C)(2).
 - 2. Outdoor processing, packaging, bottling, and storage directly related to winery operations is permitted pursuant to subsection 17.30.040(D), provided such activity is not located within one hundred (100) feet of Main Street.
 - 3. Where a parcel is located within one hundred (100) feet of Main Street, manufacturing and processing uses shall comprise not more than fifty (50) percent of the total site area. The balance of the site area must contain permitted commercial, residential (e.g., upper story) public, institutional, or open space use, pursuant to subsection 17.30.040(C)(5).
 - 4. Where a parcel is located more than one hundred (100) feet from Main Street, manufacturing and processing uses shall comprise not more than eighty (80) percent of total site. The balance of the site area must be in a permitted commercial, residential (e.g., upper story), public, institutional, or open space use, pursuant to subsection 17.30.040(C)(5).

5. Shared parking and open space areas may be used to satisfy the requirements of subsections 17.30.040(C)(3) or 17.30.040(C)(4) where such areas are improved to city standards and allow public access, either through dedication to the city or through a public access easement with a maintenance agreement. Examples of open space areas include plazas, outdoor seating/dining areas, convertible plazas that may be used for parking or special events/community gatherings, and similar uses.
 6. Adequate water, sanitary sewer, and fire protection services must be available to the proposed use, as determined by the applicable local decision making body.
 7. All applicable building code, state licensing, and health and safety requirements must be met.
 8. The city decision-making body may require conditions of approval to ensure compliance with the above use requirements.
- D. Winery-Related Land Use Standards. The following requirements apply to wineries in the Downtown district. The requirements apply twenty-four (24) hours per day, seven (7) days per week, year-round.



(Delete)

1. Use of street for loading and unloading of trucks:
 - a. Not permitted within twenty (20) feet of Highway 47 right-of-way.
 - b. Position truck at least twenty (20) feet from any intersection.
 - c. Position truck so that traffic is not impeded. If needed have designated person to direct traffic around area.
 - d. Place markers and/or cones to designate loading area.
 - e. If using forklifts, have safety lights turned on.
 - f. Don't block sidewalk access.
 - g. Clean up any material left on street or sidewalks.
2. Use of street for truck mounted bottling or processing operations:
 - a. Obtain Police Department approval in advance of using street for this purpose.
 - b. Position truck at least twenty (20) feet from any intersection.
 - c. Position truck so that traffic is not impeded. If needed have designated person to direct traffic around area.

- d. Place markers and/or cones to designate loading area.
 - e. If using forklifts, have safety lights turned on.
 - f. Don't block sidewalk access.
 - g. Clean up any material left on street or sidewalks.
3. Use of street for dumpster/containers of grape pumices or other material:
- a. Obtain Police Department approval in advance of using street for this purpose.
 - b. Place container at least twenty (20) feet from any intersection. Position truck so that traffic is not impeded. If needed have designated person to direct traffic around area.
 - c. Comply with 72-hour maximum placement ordinance if on right of way.
 - d. Don't block sidewalk access.
 - e. Place markers and/or cones to alert drivers especially at night.
 - f. Use only four (4) foot or lower containers to allow better sight lines.
 - g. Insure that any runoff of liquid is contained and cleaned up so that no runoff goes into storm sewers.
 - h. If using forklifts, have safety lights turned on.
 - i. Clean up any material left on street or sidewalks.
4. Wineries may add on-site food service, subject to Site **Design** Review to ensure compliance with applicable land use requirements and building codes.

17.30.050 Dimensional standards.

The following dimensional standards **shall apply to all development in the Downtown district,** with the exception of **except for** modifications permitted under Chapter 17.132.

Table 17.30.050 - Downtown District Dimensional Standards	
Minimum Lot Area	None
Minimum Front/Street Side Yards	<p>D-MS: No front setback is allowed, except for a pedestrian plaza, landscaping, or similar purpose.</p> <p>D-WG: 5-foot minimum. Setback must be landscaped or serve as an extension of the sidewalk (e.g., outdoor café or plaza), except where access drives/alleys preclude landscaping.</p> <p>D-RR: None, except setback area provided must be landscaped or serve as an extension of the sidewalk (e.g., outdoor café or plaza), except where access drives/alleys preclude landscaping.</p>
Minimum Rear Yard	None, except 15 feet when abutting a residential district or city-owned plaza or parking lot.

Minimum Side Yard	None, except 10 feet required when abutting a residential district or city-owned plaza or parking lot, and as required for Street Side Yards (above).
Minimum and Maximum Structure Height	<p>D-MS: 21 feet minimum and 35 feet maximum building height; or 45 feet with height bonus, subject to subsection 17.30.060(H D). Minimum 14 foot first floor ceiling height.</p> <p>D-WG: 35 feet maximum building height.</p> <p>D-WG & D-RR: 21 feet minimum and 35 feet maximum building height, except existing grain elevator is permitted and may be rebuilt in current location to original height.</p>

17.30.055 Design review requirements.

- A. Purpose. **Section 17.30.060 is Downtown design standards and sub-district design guidelines are** intended to support downtown development and revitalization consistent with Carlton's historical context and its vision for the future. Because much of Carlton's historic downtown is intact, the standards and guidelines build on that historic integrity while allowing contemporary interpretations of building forms and styles scaled to specific downtown sub-districts.
- B. Applicability.
 - 1. The **design** standards of Section 17.30.060, **general design guidelines of Section 17.30.065, and sub-district design guidelines of Section 17.30.070** apply to all new structures and exterior remodels of structures in the Downtown district that are subject to Site **Design** Review **per Chapter 17.156**. Site **Design** Review is required only for that portion of a structure or development that is proposed to change.
 - 2. The regulations related to building materials and colors under subsection 17.30.060(**J F**) apply to all exterior building projects **regardless of whether the project is subject to Site Review for all new development and alternation of existing buildings.**
- C. Adjustments. The Planning Commission may adjust the **design** standards of Section 17.30.060, without the need for a variance, upon finding that the proposed design is not expressly prohibited by this Chapter, is consistent with the purpose in subsection **17.30.060(A) 17.30.055(A)** and the **general design** guidelines in **subsection 17.30.060(D) Section 17.30.065**, and meets the intent of the standard for which the adjustment is requested.

17.30.060 Development and Downtown design standards.

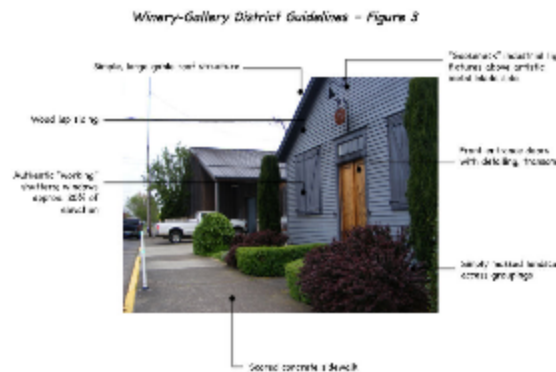
- ~~A. Purpose. Section 17.30.060 is intended to support downtown development and revitalization consistent with Carlton's historical context and its vision for the future. Because much of Carlton's historic downtown is intact, the standards build on that historic integrity while allowing contemporary interpretations of building forms and styles scaled to specific downtown sub-districts.~~
- ~~B. Applicability. The standards of Section 17.30.060 apply to all new structures and exterior remodels of structures in the Downtown district that are subject to Site Review. Site Review is required only for that portion of a structure or development that is proposed to change. The regulations related~~

to building materials and colors under subsection 17.30.060(J) apply to all exterior building projects, regardless of whether the project is subject to Site Review.

C.—Adjustments. The Planning Commission may adjust the standards of Section 17.30.060, without the need for a variance, upon finding that the proposed design is not expressly prohibited by this Chapter, is consistent with the Purpose in subsection 17.30.060(A) and the Guidelines in subsection 17.30.060(D), and meets the intent of the standard for which the adjustment is requested.



(Delete)

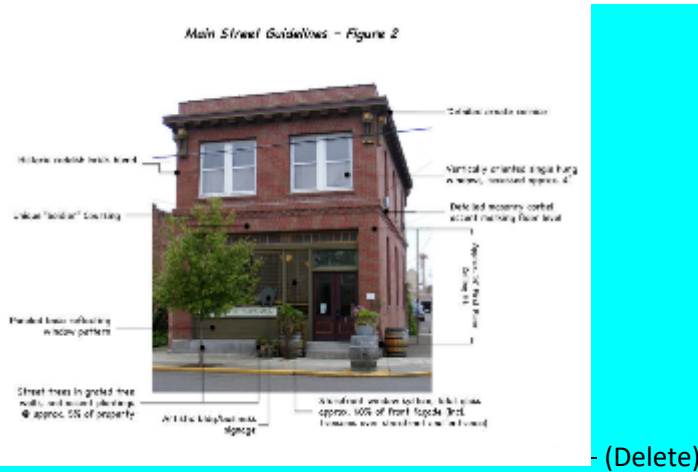


(Delete)

D.—Design Guidelines. For the purpose of this Chapter, Design Guidelines describe and illustrate the standards contained in Section 17.30.060 and provide examples of how a project may comply with the standards. The Planning Commission shall rely upon the guidelines below and the illustrations in Section 17.30.070 in interpreting the discretionary standards contained in this Section (Section 17.30.060 only) or in granting adjustments to Section 17.30.060. The Commission may approve an adjustment only upon making affirmative findings on each of the following guidelines, as it deems applicable. The illustrations in Section 17.30.060 are provided for reference only. Please see the complete set of guideline illustrations in Section 17.30.070.

1.—Does the proposal contribute to the attributes that make the subject downtown sub-district (D-MS, D-WG, and/or D-RR) distinct? For example, does the proposal respond to the building forms, scale, setbacks, orientation, architectural style, materials, detailing, color, signage, parking, and/or other elements that distinguish the sub-district without mimicking other building designs? Is the proposal compatible with existing structures that have retained their historic integrity? It is not the City's intent to create an architectural theme, but rather to ensure that new buildings and alterations fit the historic context.

2. If the proposal involves remodeling a building listed on a local, state, or national historical register, is the remodel consistent with the guidelines for altering such historic resources?
3. Does the proposal enhance the streetscape or other public spaces with appropriate building placement, orientation, height, architectural detailing and landscaping?
4. If located at the intersection of Main Street/Pine Street, Main Street/Yamhill Street, or Pine Street/Grant Street, does the design enhance the "gateway" location with a corner plaza or vertical building elements (e.g., increased height) at the corner?



5. Does the structure have a compatible building scale relationship with adjacent residences? For example, does the structure step-down in height adjacent to single family dwellings?
6. Does the building design address all four sides of the building with a unified design? For example, are the materials, textures and colors on each elevation coordinated?
7. Where a zero-setback is proposed, does the side elevation facilitate common wall development in the future?
8. Where the proposal includes an adjustment to the window transparency standards or other detailing standards, does the proposed design adequately break up the building elevation (avoid creating a blank wall) and express storefront character in other ways?
9. Does the building contain openings (doors or windows) adjacent public spaces or parking areas, including those that may also serve as plazas or community gathering places during special events?
10. Do the facade and roofline have a rhythm that is consistent with adjacent buildings, or appropriately transition from one building to another?
11. Does the proposal contain adequate sidewalks? Sidewalks must contain a sufficient pedestrian through zone (clearance) and Americans with Disabilities Act accessibility. Sidewalks within the MS sub-district must also contain a furnishing zone, per Section 17.30.070.
12. If located adjacent to a plazas or area with curb extension or widened sidewalk, does the proposal include benches, café seating, or public art, per Section 17.30.070?

~~13. If the proposal adjusts the lot coverage standard or contains on-premise parking, does it manage storm water drainage more effectively than would be possible under a conventional design? Does it utilize on-site retention with water quality features?~~

~~14. Does the proposal promote water conservation, for example, through drought tolerant plantings or capturing rainwater for use in landscape irrigation?~~

~~15. If the proposal leaves a gap between buildings (non-common wall development), does it provide landscaping (e.g., courtyard garden), or a plaza, with seating in that area?~~

The following design standards apply to development in the Downtown District.

E. A. Building Orientation, Parking, and Entrance Standards. The following standards are intended to facilitate safe, direct, and convenient pedestrian access to buildings and uses, enhance the appearance of the downtown, and facilitate redevelopment without compromising the historic integrity of the downtown. All of the standards below must be met, or adjustments approved, as applicable, for Site **Design** Review approval:



(Delete)

1. Comply with the dimensional standards in subsection 17.30.050.
2. Provide at least one primary building entrance facing an abutting street (i.e., within 45 degrees of the street property line); or if the building entrance is turned more than 45 degrees from the street (i.e., front door is on a side elevation), the primary entrance shall open onto a pedestrian plaza or courtyard and a walkway shall connect the primary entrance to the plaza and sidewalk.
3. Development abutting Main Street shall orient to Main Street. Where a development does not abut Main Street, it shall provide a primary entrance facing the street that is likely to have the most pedestrian traffic, as determined by the Planning Commission.
4. Buildings on lots abutting a plaza or a parking/plaza area shall have at least one secondary entrance oriented to such plaza or parking/plaza area.
5. Building entrances shall be recessed or otherwise covered by pedestrian shelters, consistent with subsection 17.30.060(**K G**).
6. Rear building entrances, and entrances facing a plaza or parking area that may also serve as a plaza or community gathering space during special events, shall incorporate patios with decorative landscape structures, such as garden walls, arbors, trellises, porticos, or pergolas with lighted pathways. Such patios and structures shall comprise not less than thirty (30) percent of the building frontage where it abuts the plaza/parking area.



7. Off-street parking, trash pick-up, and above ground utilities, including but not limited to utility vaults and propane tanks, shall not be placed between building entrances and the street(s) to which they are oriented, but shall be oriented internally to the block, screened, and accessed by alleys to the extent practicable.
8. Where off-street parking is provided, it shall conform to the dimensional standards and landscape standards of Chapter 17.68.
9. Street access points, including new or modified driveway approaches, shall conform to the Access Control Standards in Section 17.100. Uses and development located outside the Downtown District shall not receive vehicle access through the Downtown District, except driveway approaches lawfully established prior to **February 9, 2011** ~~Effective date of Downtown District~~ are permitted, subject to the requirements of Chapter 17.100.
10. Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to plaza, courtyard, or similar space containing pedestrian amenities. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a landscaped and lighted walkway with an approved surface not less than five (5) feet in width.
11. Buildings on corner lots shall have corner entrances or contain architectural features that emphasize the corner (e.g., chamfered/rounded edge, windows, molding, art).
12. Primary building entrances shall be at least fifty percent (50%) transparent so that two-way views, in and out of a building, are possible. This standard can be met by a door with a window, a transom window above the door, or sidelights beside the door. Where ATMs or kiosks are proposed, they shall be visible from the street for security and have a canopy, awning, or other weather protection shelter.

F. B Front Façade. Materials used on the front façade shall turn the building corners and extend for a length of at least 12-inches across each side elevations to avoid the appearance of a false front building.

G. C Building Openings. The following standards are intended to facilitate safe, direct, and convenient pedestrian access to buildings and uses, enhance the appearance of the downtown, and protect the historic integrity of the downtown. For the purposes of this Chapter, "transparent" means

allowing two-way views in and out of a building. All of the following standards must be met, or adjustments approved, as applicable:

1. Architectural detailing shall define building entrances. Detailing may include, but is not necessarily limited to, a stoop or recess behind the front plane of the building, a canopy or awning cover, an entryway plaza (e.g., with pavers and seating), planter beds, window boxes, or similar detailing.
2. The ground floor, street- or plaza-facing elevation(s) of buildings located within one hundred (100) feet of Main Street shall comprise not less than sixty (60) percent transparent windows. Building abutting Main Street shall have windowed doors and transom windows, except where historical precedence dictates otherwise.



(Delete)

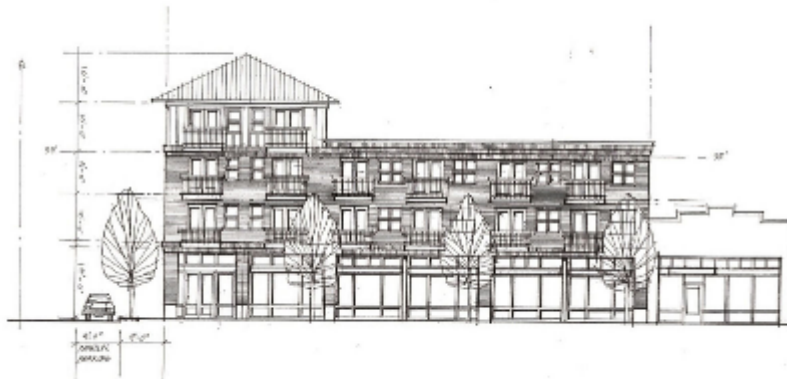
3. All ground floor building elevations located more than one hundred (100) feet from Main Street and facing a street, plaza, or courtyard shall comprise not less than thirty (30) percent transparent windows.
4. All side building elevations not otherwise subject to the provisions of subsection 2 or 3, above, shall comprise not less than twenty (20) percent transparency; except zero-lot line/common wall elevations are not required to provide windows.
5. Window coverage shall be measured along the width of the street-facing elevation, between the building base (twenty-four (24) inches above the sidewalk grade, whichever is less) and a plane seventy-two (72) inches above the sidewalk grade.
6. The Planning Commission may grant exceptions (no adjustment required) to the window transparency standards for buildings containing industrial processing uses, provided the subject elevation contains detailing (e.g., false windows, offsets, projections, bays, changes in materials and/or texturing, or similar details) that break up the wall into smaller components.
7. Windows shall contain trim, reveals or recesses of not less than four (4) inches in width or depth as applicable. The use of sills and decorative detailing and ornamentation around windows (e.g., patterning, corbels, medallions, pediments, shutters, or similar features), as appropriate for the sub-district, is required. This provision also applies to false windows.
8. Windows in the D-MS Sub-district. In the D-MS sub-district, upper story windows shall be vertically oriented, their height greater than their width. Upper story windows shall follow the vertical lines of the lower level piers and the horizontal definition of spandrels and any

cornices. Paired or grouped windows that, together, are wider than they are tall, shall be visually divided to express the vertical orientation of individual windows. Except for transom windows and bay windows, windows and display cases shall not break the front plane of the building; projecting display boxes and bay windows are not allowed on elevations facing Main Street. For reasons of durability and historic compatibility, display cases, when provided, shall be flush with the building façade (not affixed to the exterior) and integrated into the building design with trim or other detailing. Window flower boxes are allowed provided they do not encroach into the pedestrian through-zone.

9. Decorative wall-mounted lighting, consistent with the architectural of the building, shall be provided for signage and at primary entrances.
10. The Planning Commission may require security lighting at rear entries.
11. The Planning Commission may grant an exception to the window transparency requirement for parking garages, provided the building design shall incorporate openings, screening, or other detailing, subject to Site **Design** Review.

H.D. Building Height Bonus (Option). The following standards are intended to support the urban design objectives for downtown and facilitate mixed-use development through increased building height, while protecting the historic integrity of downtown buildings. All of the standards below must be met, or adjustments approved, as applicable, for approval of a building height bonus:

1. The maximum allowable height may be increased from thirty-five (35) feet to forty-five (45) feet on corner lots located within one hundred (100) feet of the following intersections, pursuant to subsections 2 and 3, below: Main Street/Pine Street, Main Street/Kutch Street, Main Street/Yamhill Street, and Pine Street/Grant Street.
2. The portion of the building exceeding thirty-five (35) feet shall cover not more than thirty (30) percent of the building floor plate, as defined by the building foundation perimeter except the height increase may be extended to up to one hundred (100) percent of the floor plate for a mixed-use building where the upper story incorporates multifamily dwelling units or overnight accommodations (e.g., hotel) and civic space is provided pursuant to subsection 17.30.060(L).
3. The portion of the building exceeding thirty-five (35) feet in height shall step-back from (recess behind) the building plane of the ground floor by at least four (4) feet.



~~(Delete)~~

E. Building Line and Rhythm.

1. Horizontal Rhythm. Buildings facing a street or plaza must incorporate rhythmic divisions that relate to historic building patterns. Front elevations should be articulated (e.g., offset, recess, projection, or similar "break" in the wall plane) not less than once every twenty-five (25) feet. (This standard does not apply to building elevations that are less than fifty (50) feet in width.) Articulation should be subtle. For example, slight offsets in a building elevation, roofline and/or the rhythmic placement of windows, pilasters, awnings/canopies, trim, art/medallions, or other detailing and ornamentation can satisfy the standard. Changes in paint color do not satisfy this standard. Side and rear elevations may be articulated less frequently but should complement the overall building design. The Planning Commission may allow alternative detailing, such as a mural or landscape trellis where other detailing is impractical, such as on a zero-lot line elevation to reduce the apparent scale and avoid blank walls (i.e., until an abutting property develops). See examples in Section 17.30.070.



(Delete)

2. Horizontal Lines. Building elevations within one hundred (100) feet of Main Street shall follow prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage. Examples of such horizontal lines include but are not ~~necessary~~ **necessarily** limited to the base below a series of storefront windows; an existing awning or canopy line; a belt course between building stories; and/or an existing cornice or parapet line. See examples in Section 17.30.070. Exceptions: Where adjacent buildings do not provide a historically appropriate reference, the development may establish new horizontal lines consistent with historical precedence. See examples in Section 17.30.070.
3. Ground Floor/Upper Floor Division. Building elevations within one hundred (100) feet of Main Street shall maintain clear visual division between the ground level floor and upper floors; this is accomplished, for example, through the use of a belt course, transom, awnings or canopies in the D-MS sub-district, and through the use of wood trim and other detailing in the D-WG and D-RR sub-districts, consistent with historical precedence.
4. Vertical Rhythm. Buildings shall reflect a vertical orientation, through either actual volume, roof form, and/or the use of surface detail; for example, the use of vertically oriented sash windows and masonry trim in the D-MS sub-district, and pitched roofs and/or board and batten siding and corrugated metal detailing in the D-WG and D-RR sub-districts. See examples in Section 17.30.070.
5. Roof Form.
 - a. D-MS: Predominate roof form shall be a flat roof with appropriately scaled cornice or stepped parapet top.

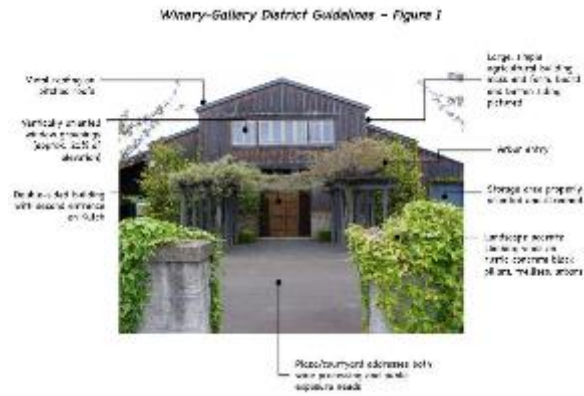
- b. D-WG: Predominate roof form shall be pitched (4:12 minimum); gabled, hipped, modified pitched roof forms are allowed.
- c. D-RR: No restriction on roof form provided the form reflects historic precedence (e.g., depot, ranch/farm buildings, silos/granary tower, historic main street, etc.) and is not an artificial or applied roof form.

J. F. Materials and Color. ~~City approval of proposed exterior materials and colors is required for all exterior remodels and alterations regardless of whether Site Review is required. The Planning Commission may approve adjustments to the following standards pursuant to Section 17.20.070.~~

1. Exterior Cladding.

- a. D-MS: Except as permitted under subsection 'd', below, exterior cladding on new buildings shall predominately consist of durable reddish brick blends, as generally illustrated in Section 17.30.070; brick veneer is also permitted, except as otherwise required for designated historic buildings.
- b. D-WG: Except as permitted under subsection 'd', below, exterior cladding of buildings shall predominately consist of wood or fiber cement (lap, panel, board and batten, shingle or similar siding), stucco, stone, textured concrete, split-face concrete block, and/or similar masonry. Corrugated metal may be used as a secondary material only; vinyl siding and faux/cultured stone are not permitted.
- c. D-RR: ~~There is no restriction on exterior cladding, provided the design reflects historic precedence of the sub-district (e.g., wood lap, panel, board and batten, shingle, stucco, stone, split-face concrete block, corrugated or sheet metal, etc.) and does not include vinyl siding.~~ **Except as permitted under subsection 'd', below, exterior cladding of buildings shall predominately consist of wood or fiber cement (lap, panel, board and batten, shingle or similar siding), stucco, stone, split-face concrete block, brick, corrugated or sheet metal. Vinyl siding and faux/cultured stone are not permitted.**
- d. Building Additions: Building additions shall conform to the above standards or contain cladding similar to the original cladding of the structure. For purposes of this subsection, "original" means the cladding (material and detailing) used when the building was first constructed.
- e. Secondary Cladding. Any material permitted above may be used as secondary exterior cladding in the respective sub-district. Metals such as copper, steel, iron, bronze and similar appearance metals may be used as trims or accents (e.g., flashing, wainscoting, weather protection features, ornamentation, etc.) when non-reflective and consistent with historic precedence. In addition, rough-hewn wood, and timbers may be used as accents in the D-WG and D-RR sub-districts.

- 2. Four Sides of Building. New buildings shall be designed so that all four sides contain complementary exteriors. Changes in material, texture or detailing (e.g., use of two or more different types of material) shall break up otherwise blank walls and define a building's base, middle and top. Side and rear elevations that do not face a street, plaza, patio, or pedestrian access way need not have two or more types of material where changes in texture or detailing break up the wall, consistent with the overall composition of the building.



(Delete)

3. Roofs.
 - a. Where pitched roofs are proposed, roof surfaces shall be wood, slate, cement tile, asphalt shingles, flat metal, or standing rib seam sheet metal.
 - b. Metal roofing shall have a non-glare (e.g., matte finish).
 - c. Where flat roofs are proposed, cornices and parapets shall incorporate materials that are consistent with historic precedence, as applicable, or otherwise consistent with the overall composition of the building.
 - d. Roofs must be non-reflective and light in color (e.g., light gray or ash, brown, or other earth-tone), and not clash with exterior cladding.
4. Windows and Doors. All windows and doors must have wood or vinyl-coated wood trim, or masonry trim and sills. See also, Pedestrian Shelter requirements under subsection 17.30.060(K).
5. Substitute Materials. The Planning Commission may approve an adjustment allowing substitute materials that are equal in appearance and durability to those listed above, provided such materials are historically appropriate. The applicant will be required to provide specifications from the manufacturer.
6. Color. Paint **and materials** colors shall be consistent with the historic color palette **as generally illustrated in Section 17.30.070 and** on file at Carlton City Hall. **Painting Color** schemes shall be simple and coordinated over the entire building to establish a sense of overall composition. Reflective, luminescent, sparkling, and "day-glow" colors and finishes, and clashing paint colors or patterns are prohibited. Metals shall be matte finish, earth-tone color, or burnished/non-reflective (e.g., metal that has a non-reflective finish is allowed in the RR sub-district).

K. G. Pedestrian Shelters. Within the D-MS sub-district, awnings, canopies, recesses or similar pedestrian shelters shall be provided along at least sixty (60) percent of a building's ground floor elevation(s) where the building abuts a sidewalk or civic space (e.g., plaza). Within the D-WG and D-RR sub-districts, the minimum pedestrian shelter requirement is forty (40) percent.

1. Pedestrian shelters used to meet the above standard shall extend at least five (5) feet over the pedestrian area, be proportionate to the building in its dimensions, and not obscure the building's architectural details.
2. Pedestrian shelters shall align with one another to the extent practical.

3. Shelters shall not conflict with mezzanine or transom windows.
4. Colored canvas (not plastic) awnings and metal or plexi-glass canopies, when consistent with historical styles, are allowed.

Exceptions: Pedestrian shelters are not required where historical precedence dictates otherwise. In addition, the Planning Commission may reduce the minimum shelter depth upon finding that existing right-of-way, easements, or building code requirements preclude a standard shelter.

L. H. Civic Space and Pedestrian Amenities.

1. Purpose. The City encourages the provision of civic space in new development through regulatory incentives. Civic space such as plazas, courtyards, patios, and expanded sidewalks/outdoor seating areas should be provided along street frontages and where gaps between buildings occur. Civic spaces can make the downtown more attractive and inviting while providing informal gathering places for rest and socialization.



(Delete)

2. Applicability. The following applies to Site **Design** Review proposals involving: (a) a height bonus pursuant to subsection 17.30.060(H); (b) an adjustment to a code standard under site review; or (c) where the applicant voluntarily provides civic space.
3. Civic Space Standards. At least three (3) percent, or not less than three hundred (300) square feet, of the site should be designated and improved as civic space (plaza, landscaped courtyard, sidewalk extension, or similar space). Such areas should be accessible to the general public, with the highest priority locations being those areas with the highest pedestrian activity. Civic spaces should be connected to a public right-of-way by a sidewalk or pedestrian access way. All civic spaces shall have dimensions that allow for reasonable pedestrian access. For example, a small site may provide a 4-foot wide strip adjoining and adding on to the sidewalk for a small café seating area, whereas a larger site at a street corner may provide a plaza adjacent to a building entrance. Civic spaces shall include pedestrian amenities, per subsection 4, below. See also, Chapter 17.84 Site and Landscaping Design.
4. Pedestrian Amenities Standards. Where street frontage improvements are required to comply with the Transportation System Plan, or where **of** civic space is required under subsection 17.30.060(**L H**), street frontages shall be improved with pedestrian amenities such as benches, public art, pedestrian-scale lighting, shade structures, way finding signs, or similar pedestrian facilities in an amount equal to or greater than one-half of one percent (0.5%) of the estimated construction cost of the proposed building(s), subject to review and approval by the Planning Commission. Where a civic space adjoins a building entrance, the cost of providing a weather protection canopy, awning, arcade, overhanging eave, arbor, portico, or similar feature, consistent subsection 17.30.060(K), may be credited toward the one-half of one percent (0.5%) requirement. Pedestrian amenities such as seating, planters, public art

and pedestrian lighting (e.g., street lamps or pathway bollard lights) at street corners or paved mid-block pedestrian access ways between buildings may also be counted toward the one-half of one percent (0.5%) requirement. The cost of a proposed public-private parking facility may be subtracted from building costs used in the assessment of civic space improvements. A licensed architect, landscape architect, or other qualified professional, shall prepare cost estimates for civic space improvements, which shall be subject to review and approval by the Planning Commission.

M. I. Signs. In addition to complying with requirements of Chapter 17.80 Signs, conformance to following standards is required in the Downtown district:

1. Building designs shall incorporate a sign band or otherwise provide for blade signs, awning signs, marquees, or other compatible sign types.
2. Pole signs are prohibited.
3. Monument signs shall not exceed six (6) feet in height and forty-eight (48) square feet of sign face for each side of a two-sided sign. A minimum of fifty (50) feet of street frontage is required for one monument sign.
4. On multitenant buildings, signs shall be designed to accommodate multiple tenants.



(Delete)

N. J. Landscaping. In addition to complying with requirements of Chapter 17.84 Site and Landscaping Design, conformance to following standards is required in the Downtown district:

1. All Downtown Sub-districts: Landscape designs must be compatible with the downtown, where buildings are generally placed closer together than in other districts. Designs take into consideration exposure to sun and wind, opportunities for pedestrian safety and comfort (e.g., buffering vehicle areas, summer shade, etc.), maintenance requirements, and downtown beautification objectives. These factors are to be balanced so that the resulting design is functional, attractive, and cost-effective. For example, landscaping must define pedestrian pathways, buffer parking lots from outdoor seating areas, break up large blank walls, and add color and interest to streetscapes, parking lots, and plaza areas.
2. D-MS: Zero (0) percent, minimum, except for required street trees (twenty-five (25) square feet per tree planting area), required civic space, and any required screening, as applicable, subject to site review.
3. D-WG and D-RR: Ten (10) percent, minimum; may include required street trees (twenty-five (25) square feet per tree), planter beds, plant containers or window boxes, arbors, trellises, and climbing vines on garden walls and fences, as applicable. Where landscape structures

such as arbors are proposed, the Planning Commission may count the total surface area to be covered by plants within two (2) years of planting.

4. Maintenance: All landscape and civic space areas shall be maintained and, as necessary, replaced by the property owner to ensure plant survival and upkeep of street furnishings, paving, and other built features. The use of water-conserving features, such small parking lot perimeter swales, and rain gardens fed by cisterns or roof drains is encouraged.

O. K. Mechanical Equipment.

1. Building Walls. Mechanical equipment shall not be mounted on any building where it will be visible within one hundred (100) feet of Main Street. When mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, must be installed on a rooftop or adjacent to a building wall, it shall be screened from view. Where such equipment is installed on a side or rear building elevation and is adjacent to a plaza, pathway, or other public space, it shall be screened in accordance with Chapter 17.84. Standpipes, meters, vaults and similar incidental equipment need not be screened but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed low on a side or rear elevation to the extent practical.
2. Rooftops. Except as provided below, rooftop mechanical units shall not be visible from the street or any alley, pedestrian access way or civic space. Such units should be screened behind a parapet wall or painted with muted, earth-tone colors that make them visually subordinate to their backgrounds. Exception: Equipment for small-scale renewable energy (e.g., mini-wind turbines, solar panels, and similar features) is allowed subject to site review; the Planning Commission may exempt such a facility from the screening standard upon finding that the screening would interfere with its operation, and the facility does not adversely impact any buildings of local historic significance.
3. Ground-Mounted Mechanical Equipment. Ground-mounted equipment (e.g., generators and air compressors) shall be limited to side or rear yards and screened in accordance with Chapter 17.84. The **City Planning Commission** may require additional setbacks and/or noise attenuating equipment to promote compatibility with adjacent uses.
4. Plazas and Open Spaces. Mechanical equipment and garbage storage areas are not permitted within plazas or other public open spaces, except as approved with an **conditional use permit Adjustment**. Where such facilities are allowed, the Planning Commission may require that such facilities be screened completely from view and set back from a civic space for aesthetic reasons and to minimize odors or noise.

P. L. Historic Building Alterations. In addition to complying with requirements of Chapter 17.104 Historic Sites, conformance to following standards is required **for** historic building alterations in the Downtown district:

1. Restoration, rehabilitation or remodeling projects shall incorporate, whenever possible, original design elements that have been removed, changed, or covered over.
2. Scale, proportion and materials used in alteration or additions to existing structures, such as the size and relationship of new windows, doors, entrances and other building features, shall be visually compatible with the original architecture on buildings of local historical significance.

M. Off-Street Parking. Parking shall conform to the standards in Chapter 17.68. Exemptions apply to properties within the Downtown Parking District, subject to the provisions of Section 17.68.120.

17.30.065 General design guidelines for downtown design standards.

A. ~~Design Guidelines. Purpose. For the purpose of this Chapter, Design Guidelines~~ **The general design guidelines contained in this section** describe and illustrate the standards contained in Section 17.30.060 and provide examples of how a project may comply with the standards. The Planning Commission shall rely upon the guidelines below and the illustrations in Section 17.30.070 **in order to:**

- 1.** ~~in interpreting~~ **Interpret** the discretionary standards contained in ~~this Section~~ (Section 17.30.060 ~~only~~); or
- 2.** ~~in granting~~ **Grant** adjustments to Section 17.30.060. The Commission may approve an adjustment only upon making affirmative findings on each of the following guidelines, as it deems applicable.

~~The illustrations in Section 17.30.060 are provided for reference only. Please see the complete set of guideline illustrations in Section 17.30.070.~~

B. General Design Guidelines.

1. Does the proposal contribute to the attributes that make the subject downtown sub-district (D-MS, D-WG, and/or D-RR) distinct? For example, does the proposal respond to the building forms, scale, setbacks, orientation, architectural style, materials, detailing, color, signage, parking, and/or other elements that distinguish the sub-district without mimicking other building designs? Is the proposal compatible with existing structures that have retained their historic integrity? It is not the City's intent to create an architectural theme, but rather to ensure that new buildings and alterations fit the historic context.
2. If the proposal involves remodeling a building listed on a local state, or national historical register, is the remodel consistent with the guidelines for altering such historic resources?
3. Does the proposal enhance the streetscape or other public spaces with appropriate building placement, orientation, height, architectural detailing and landscaping?
4. If located at the intersection of Main Street/Pine Street, Main Street/Yamhill Street, or Pine Street/Grant Street, does the design enhance the "gateway" location with a corner plaza or vertical building elements (e.g., increased height) at the corner? **(See Main Street Guidelines – Figure 2 in Section 17.30.070.)**

17.30.070 Subdistrict design guidelines.

The following design guidelines apply to development within each of the downtown sub-districts, in addition to the design standards on Section 17.30.060.

~~Design Guidelines—Downtown Context~~



(Delete)



(Delete)

- 3.** Brick masonry predominant material, except as historic precedence dictates; note brick detailing and "patterns."
- 4.** Flat roof with cornice or parapet on Main Street; secondary shed okay; gable okay on other streets if gable faces front and side setback is met.
- 5.** Canvas awnings or flat & shed painted metal canopies, except where historic buildings have no awning or canopy.
- 6.** Storefront windows with transom, with standards based on historic height, detailing, orientation, proportions, and percentages of glass. Upper story windows: vertical orientation, detailing & proportions.
- 7.** Sidewalk: Scored concrete (8'—12') with option for paver inlay.
- 8.** Furnishing area with benches, lighting (bollards or lamps), planters/baskets.
- 9.** Street trees in cutouts with grates; provide list of acceptable trees & grates **trees to be selected from the adopted approved street tree list.**
- 10.** Curb extensions at intersections and at mid-block pedestrian crossings.

~~New development exempt from off-street parking standard; pay in lieu fee to go toward public parking reserve.~~

~~Historically appropriate color palette.~~

11. No pole signs or internally-lit signs; ~~allow historically appropriate wall mounted light fixtures;~~ building-mounted metal or blade signs.

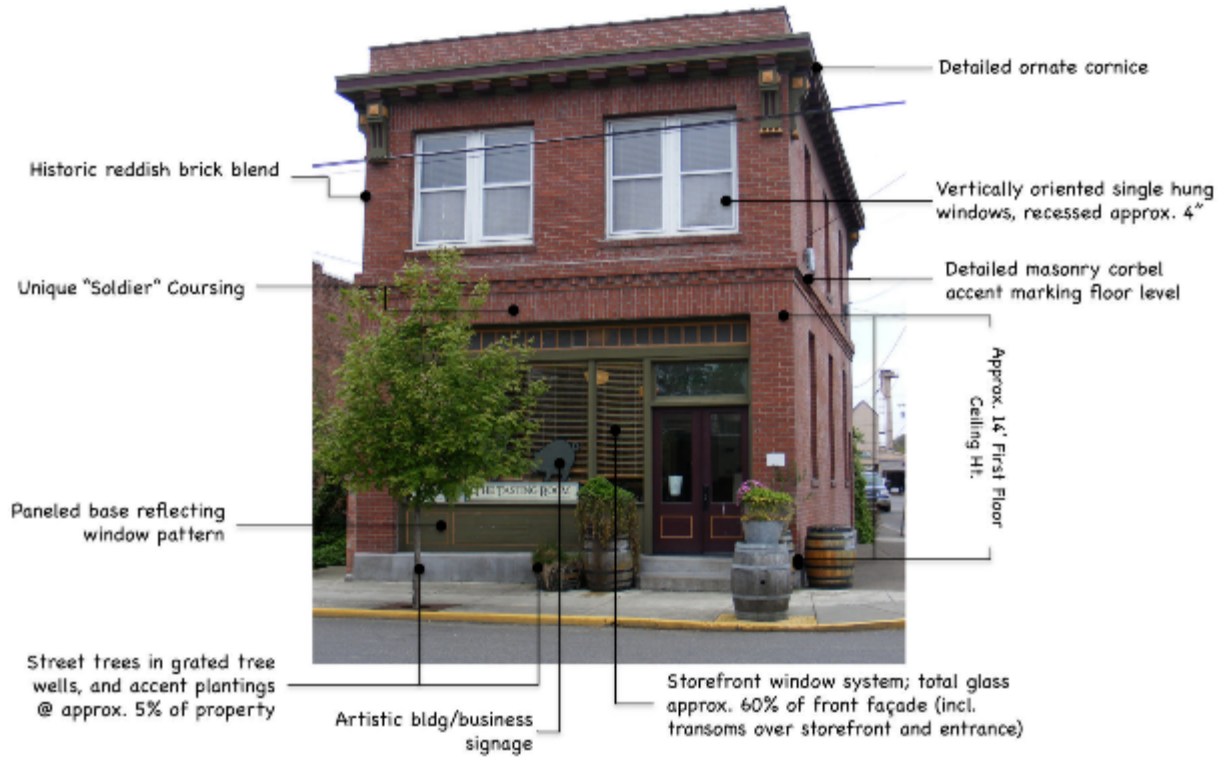
12. Allow historically appropriate wall mounted light fixtures.

~~Allow flexibility for special opportunity sites through Design Review (e.g., performance standards or adjustments).~~

Main Street Guidelines - Figure 1



Main Street Guidelines – Figure 2



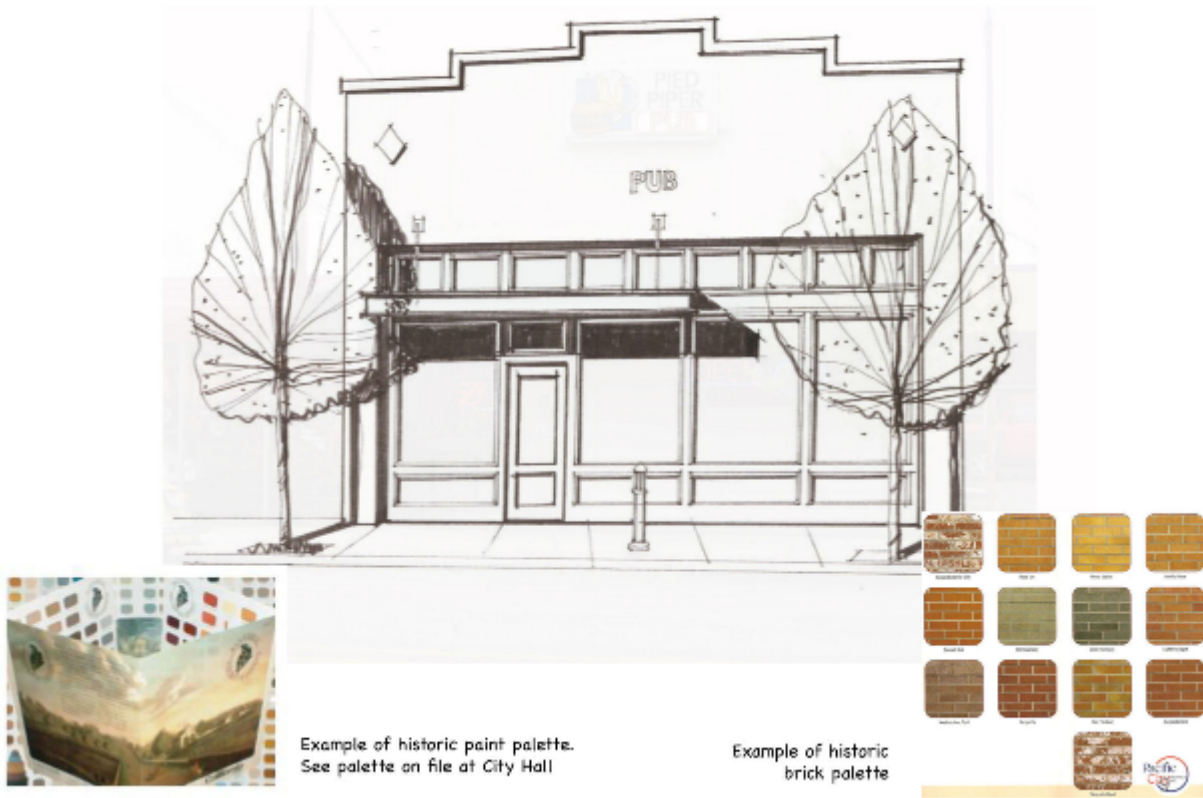
Main Street Guidelines - Figure 3



Main Street Guidelines - Figure 4



Main Street Guidelines – Figure 5 (Remodel Example)



Example of historic paint palette.
See palette on file at City Hall

Example of historic
brick palette

Main Street Guidelines – Figure 6 (Infill Building Example)



Main Street Guidelines - Figure 7 (Corner Building Example)



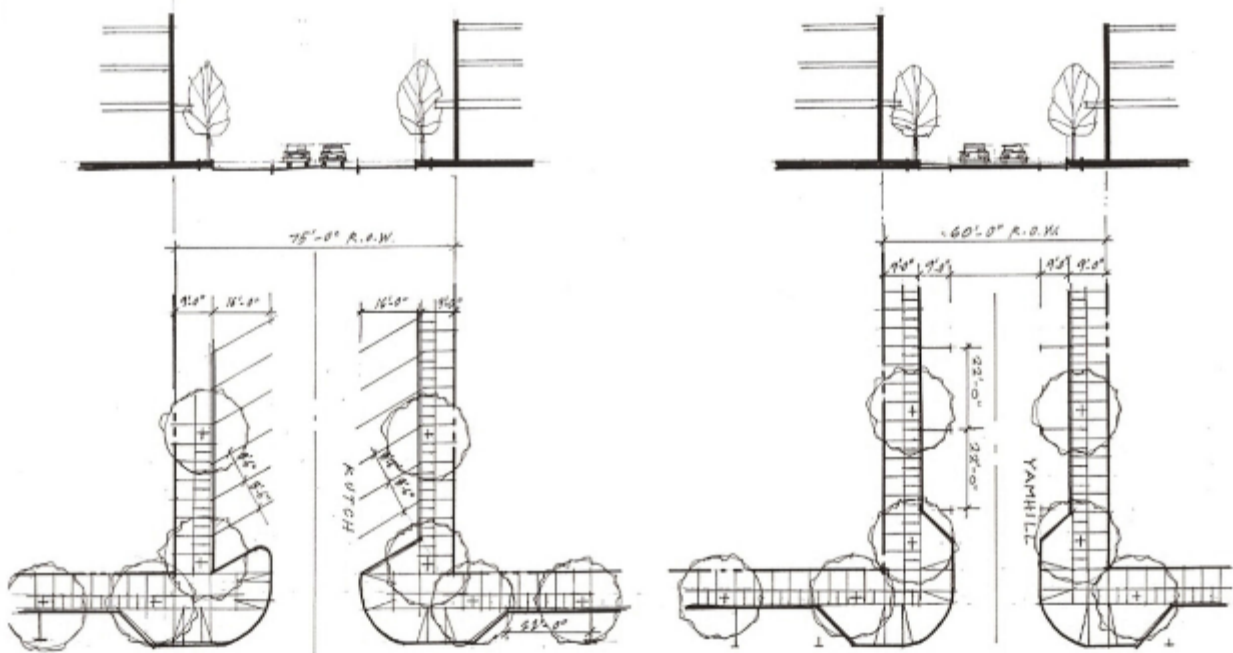
Main Street Guidelines - Figure 8



Main Street Guidelines - Figure 9 (Corner Gateway/Height Bonus Example)



*Downtown Streetscapes Standards
Main Street Intersections and Typical Cross-Street Sections*



B. Winery-Gallery Sub-District Guidelines

- 1.** Balances "public/tourism" exposure with "production" exposure needs.
- 2.** Larger, simpler building forms; predominately agricultural building materials **(no vinyl)**; uses artistic building elements as accents, "iconic" forms.



(Delete)

- 3.** Buildings orient to plaza; buildings fronting Kutch **Street** or Pine **Street** should also orient to respective street with entrance or detailing and connecting pathway.
- 4.** Repeat forms found on existing buildings in the district; includes flat roof, gable roof and shed roof buildings; does not include mansard or Quonset building forms in this district.
- 5.** Roof materials to include selected metal colors, composition (dark), flat roof materials; do not include tile or wood shake or shingle roofs.
- 6.** Windows: ~~At least two wall elevations contain % windows;~~ windows may include storefronts (vertical or square); garage doors with glass ~~on at least % of doors;~~ fixed windows; single or double hung windows.
- 7.** Materials: Minimum of at least two materials **permitted in subsection 17.30.060(F)(1)(b)** each covering **a minimum of 30 percent** % of exterior: ~~metal siding, wood board batten, wood shingle siding, stucco, masonry, concrete block (split faced or stone ground), cementitious siding. No vinyl siding.~~ **No chain link fences abutting streets or plazas.**
Landscaping required as nominal % of site; allow planters, beds, climbing gardens/green fences, water gardens (e.g., drain roof water into planters).

Off-street parking may be met on-site, or by a combination of on- and off-site lots (e.g., employee parking), or pay in lieu fee to go toward public parking reserves.

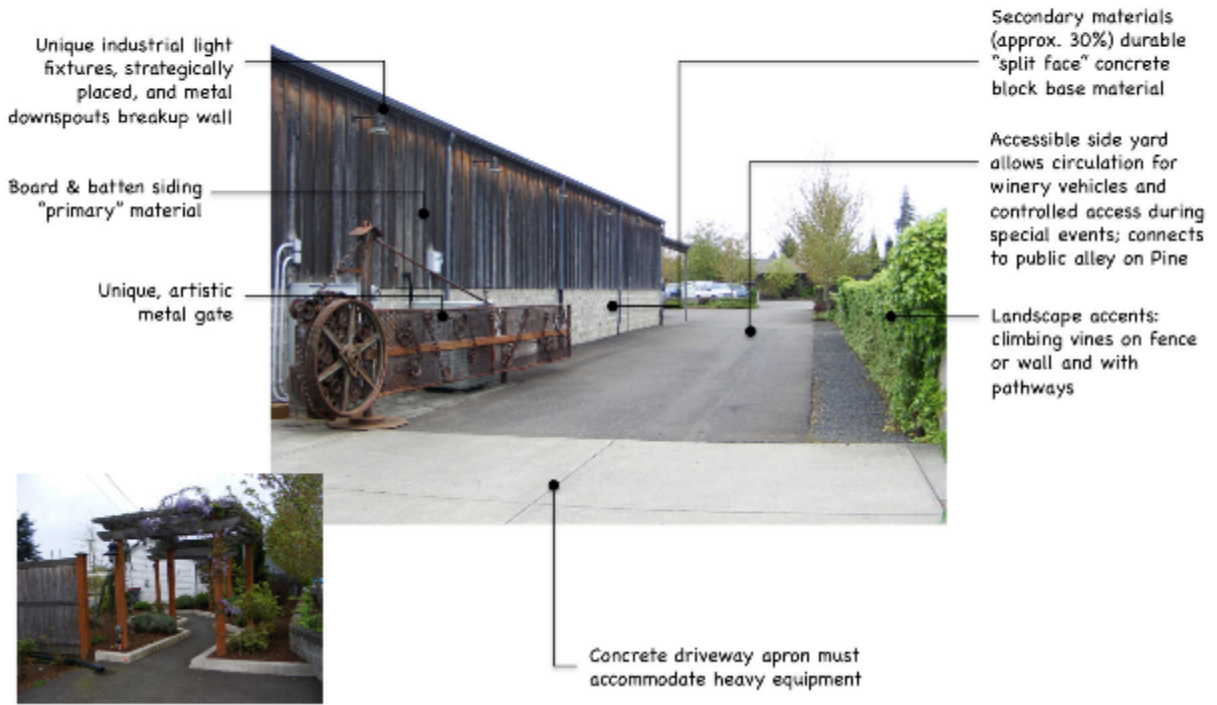
Colors should be based on existing/historic palette or natural materials.

Allow flexibility for special opportunity sites through Design Review (e.g., performance standards or adjustments).

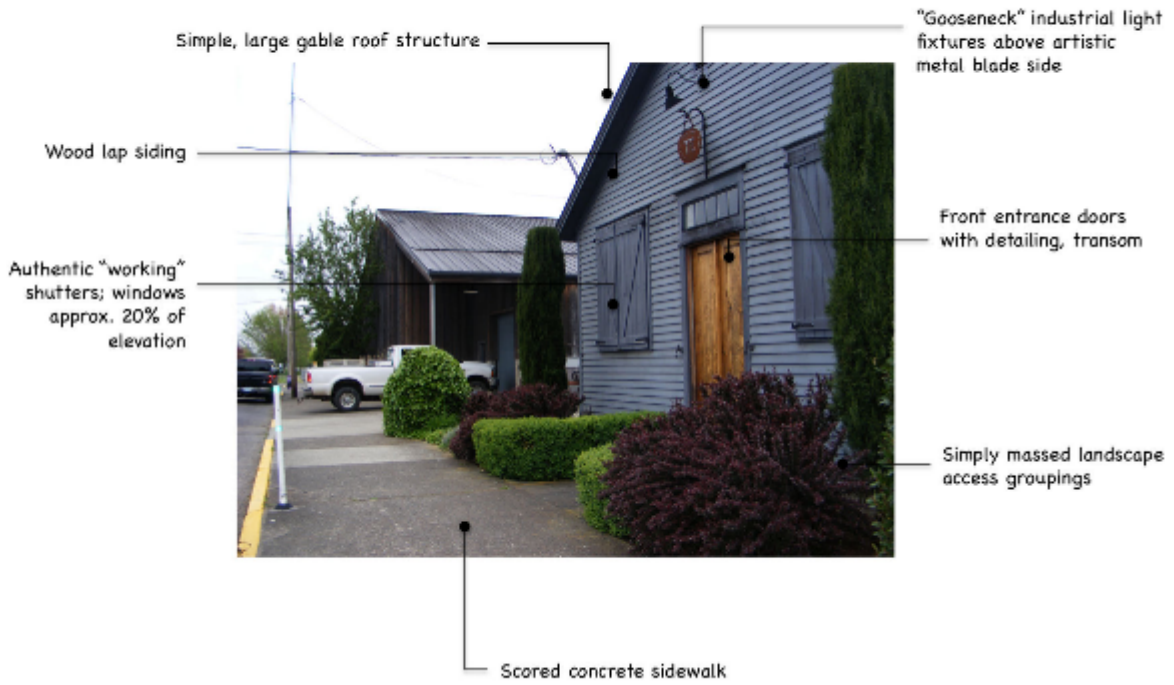
Winery-Gallery District Guidelines – Figure 1



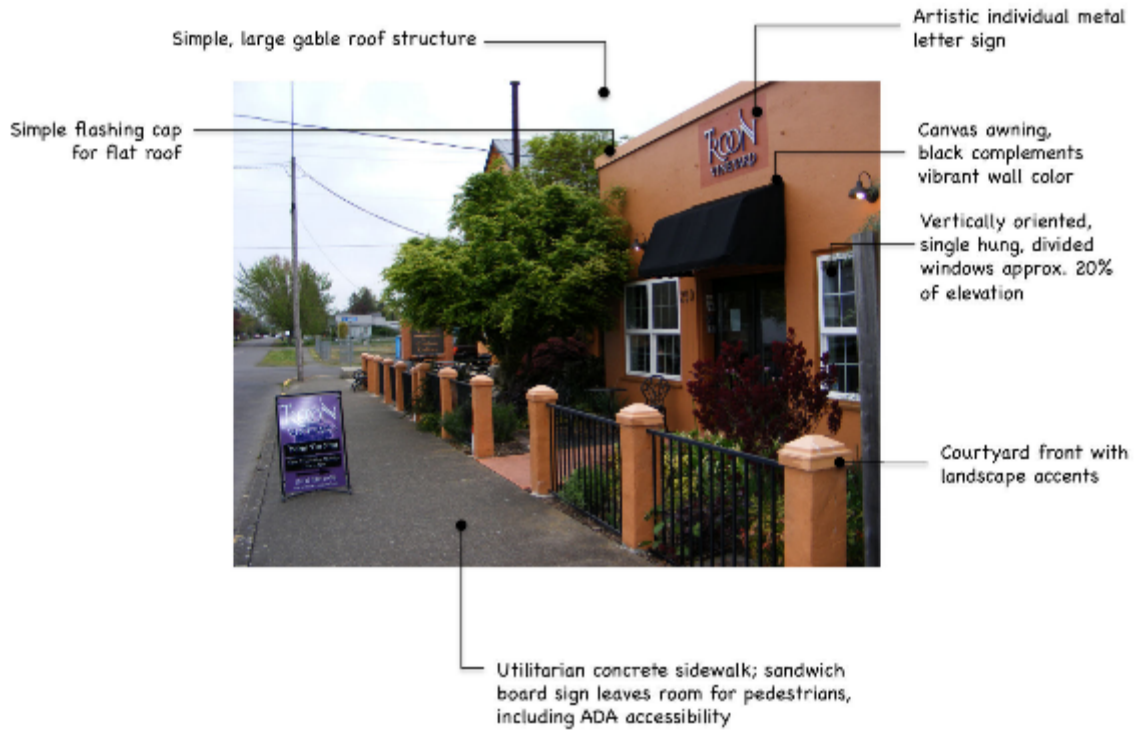
Winery-Gallery District Guidelines – Figure 2



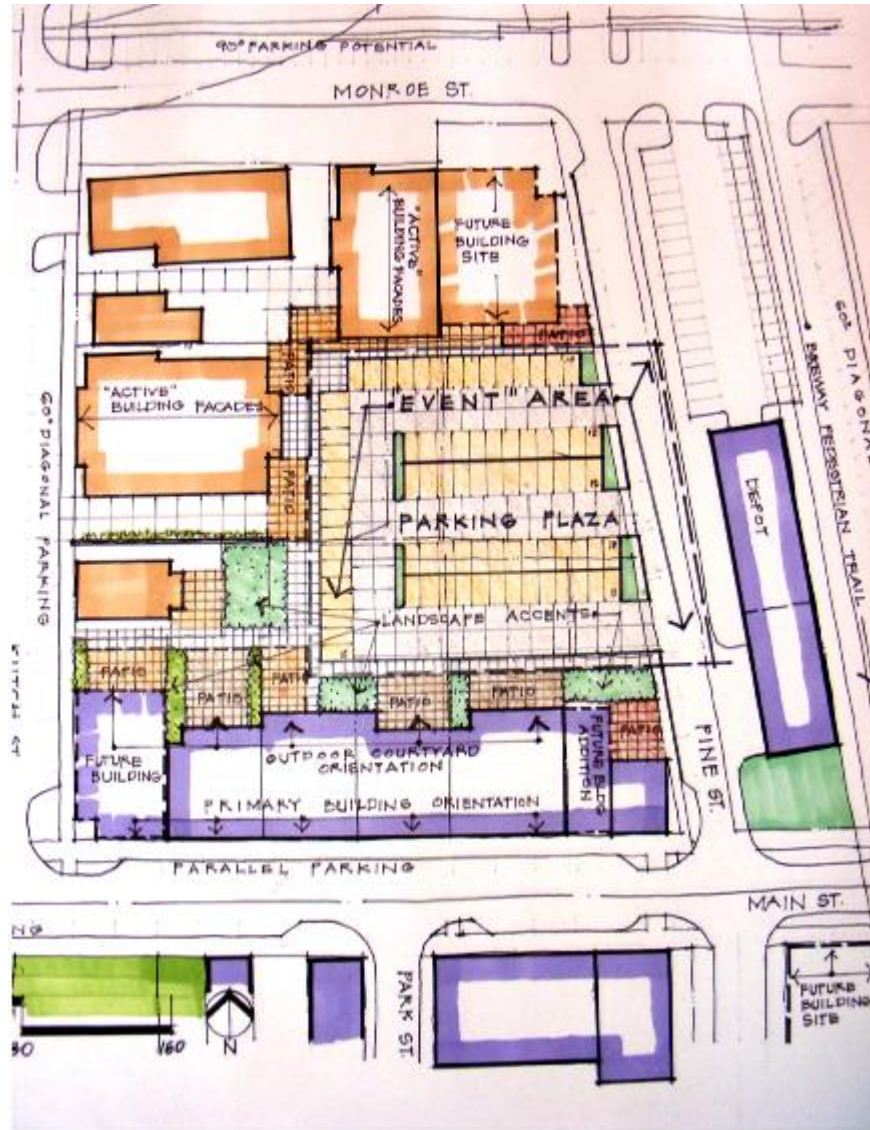
Winery-Gallery District Guidelines - Figure 3



Winery-Gallery District Guidelines - Figure 4



Winery-Gallery Guidelines - Figure 5 Special Events Plaza-Convertible Parking Area Framework



C. Railroad Sub-District Guidelines

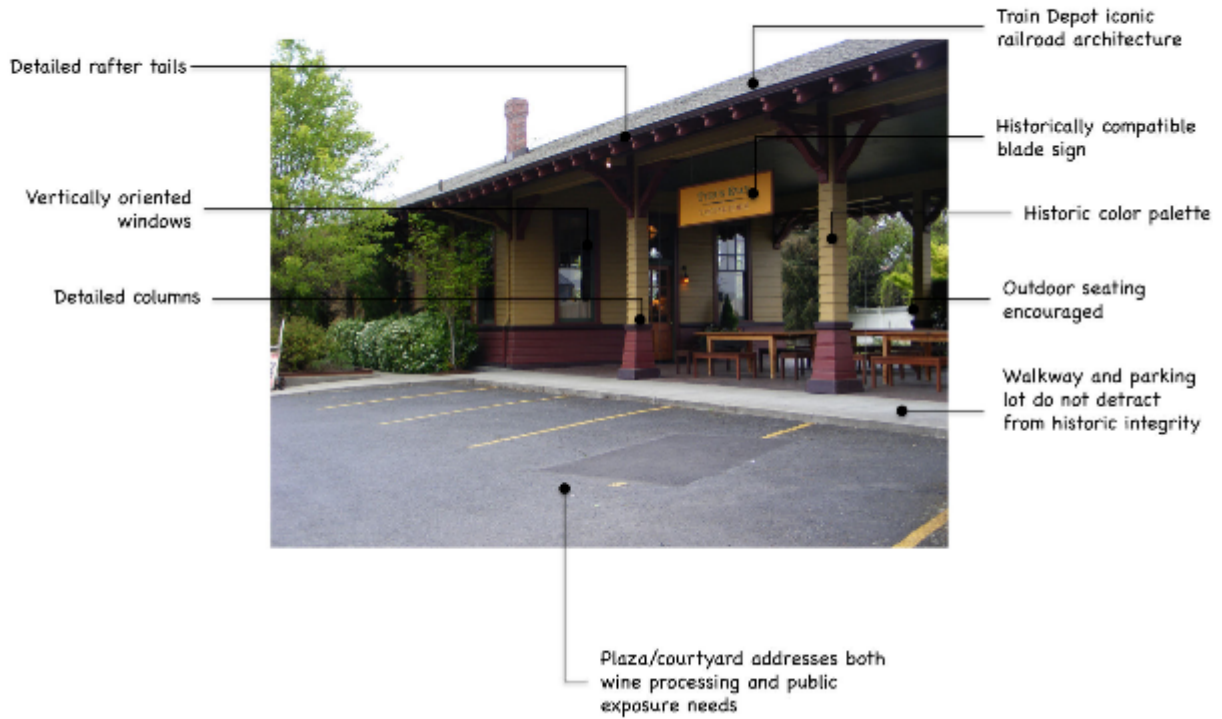
1. Iconic forms (grain elevator, depot, Quonset, grain silos); asymmetrical, agricultural.
2. Repeat or adapt forms found on existing buildings from railroad era.



(Delete)

- 3.** Repeat building materials found on existing RR district buildings: ~~Metal siding, brick, wood and composite siding. No vinyl siding, cultured stone or wood panel siding except board-batten~~ **using materials permitted in subsection 17.30.060(F)(1)(c).** No chain link fences abutting streets.
- 4.** Roof materials: Historic metal finish or painted metal, composition (dark). No wood shakes or shingle roofs. No tile roofs.
- 5.** Windows: ~~Ground floor min % windows;~~ Windows may vertical or square proportions; fixed windows; single or double hung windows.
~~Awnings or Canopies: Over primary entrance and min % of building frontage at street or plaza; may be canvas, metal (flat and shed).~~
~~Height: 21' minimum and 35' maximum, except existing grain elevator.~~
- 6.** Sidewalks scored concrete (6'—8').
~~Landscaping required as nominal % of site; allow planters, beds, climbing gardens/green fences, water gardens (e.g., drain roof water into planters).~~
~~Off-street parking may be met on-site, or by a combination of on- and off-site lots (e.g., employee parking), or pay in lieu fee to go toward public parking reserves.~~
~~Colors shall be based on existing/historic palette.~~
~~Allow flexibility for special opportunity sites through Design Review (e.g., performance standards or adjustments).~~

Railroad District Guidelines - Figure 1



Railroad District Guidelines – Figure 2



Chapter 17.32 COMMERCIAL BUSINESS (CB) DISTRICT

17.32.010 Purpose.

The commercial business (CB) district provides an area for commercial uses outside Downtown Carlton. It provides a broad range of commercial uses appropriate within a shopping district, and a visual attraction for visitors.

17.32.020 Permitted uses.

The following uses are permitted outright in the commercial business district, subject to **the** Site Design Review in accordance with Chapter 17.156:

- A. Residences that are located on the second story above a permitted use commercial building.
- B. Business offices including, but not limited to, insurance, real estate and title insurance; credit agencies, brokerages, loan companies, and investment companies; and, miscellaneous offices such as detective agencies, drafting services or contractors offices.
- C. Professional offices including, but not limited to, medical, dental, engineering and legal services.
- D. Art gallery, artisan's or craftsperson's studio, photographic studio, picture framing.
- E. Banks and other financial institutions.
- F. Retail sales outlet including, but not limited to, food stores, pharmacy, furniture store, hobby or photography store, florist, liquor store, hardware store, appliance or stereo equipment store, pet shop, sporting goods, department store, jewelry, gift, and other types retail activities.
- G. Eating and drinking establishment, such as a restaurant, delicatessen, tavern, or snack shop, but not including drive-through facility or food cart.
- H. Bakery, butcher shop, candy manufacturing when retail sales are provided on the premises.
- I. Retail and service related stores such as TV and radio sales and service, bicycle shop, gunsmith, equipment rental, upholstery shop or other similar activities where a service department is customarily a secondary activity to the retail use.
- J. Service related businesses such as barber shops, beauty shops, advertising agencies, printing or photocopying, dancing or music school, health and fitness club, or other activities where the primary activity is the providing of a service to retail customers.
- K. Bed and breakfast.
- L. Place of worship, club lodge, or fraternal organizations.
- M. **A single family** Vacation rental dwelling unit, when such dwelling is a legal nonconforming use and obtains a vacation rental dwelling permit in accordance with the vacation rental dwelling conditional use standards and procedures set forth in **, subject to the provisions of** Chapter 17.125.

N. Child care centers.

O. Family child care homes in a dwelling that is a legal nonconforming use.

17.32.030 Conditional uses.

The following conditional uses are allowed in the commercial business district subject to obtaining a conditional use permit per Chapter 17.152 and completing a Site Design Review in accordance with Chapter 17.156:

- A. Automobile, truck, motorcycle, trailer, recreational vehicle and boat sales or repair, except retail and service uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020
- B. Retail tire sales, service and repair; tire recapping, service and repair, paint and body shop.
- C. Automobile service station, including towing services and vehicle washing and polishing facilities, and services.
- D. Parts and accessory sales for automobiles, trucks, motorcycles, trailers, recreational vehicles and boats, except retail and service uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020.
- E. Lumberyard and contracting supplies for lumber, stone, masonry or metal (sales only).
- F. Special trade contracting facilities such as floor laying, building equipment, masonry and stone, plumbing, electrical, metal work or painting, except showrooms and similar office or retail uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020.
- G. Welding shop and blacksmith where activities are conducted wholly within a building.
- H. Newspaper, periodical, publishing and printing, except such uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020.
- I. Tractor and farm equipment, logging equipment sales and service.
- J. Veterinary clinics, except such uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020.
- K. Drive-through facility.
- L. Cabinet manufacturing shop, except such uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020.
- M. Tent and awning shop, except such uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020.
- N. Public utility buildings and structures, including community centers, except such uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020.
- O. Theaters, including movie theaters, except such uses entirely enclosed in a building and setback one hundred (100) feet or more from a residential zone are permitted under Section 17.32.020.
- P. Commercial (private) automobile parking facilities, except as accessory to a primary permitted use, as specified in Chapter 17.68.
- Q. Wineries, and wine sales and tasting rooms operated in conjunction with a winery.

- R. Food carts, subject to the provisions in Chapter 17.126.
- S. Medical marijuana dispensary subject to the conditional use criteria listed in Section 17.152.035.
- R. Commercial retail marijuana facility subject to the conditional use criteria listed in Section 17.152.035.

17.32.040 Limitations on use.

- A. All business, services, processing, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
 - 1. Off-street parking or loading;
 - 2. Drive-through facility;
 - 3. Temporary display and sales of merchandise, not exceeding three (3) days in any seven (7) day period, provided it is under cover of a projecting roof and does not interfere with pedestrian, bicycle, or automobile circulation;
 - 4. Businesses, which, in all cases, require outdoor storage of merchandise, e.g., automobile, RV sales lots, or gas stations.
 - 5. Outdoor **entertainment and outdoor** events, such as weddings, music concerts, religious gatherings, public gatherings, sporting events, and similar uses and activities, when not accessory to a permitted use, require approval of a special event permit. Special event permits are staff-level approvals; except that use of a public right-of-way requires City Council approval.
- B. Not more than fifty (50) percent of the floor area of the building and not more than twenty-five (25) percent of the lot area of the commercial enterprise shall be used in the manufacturing, processing, or compounding of products.

17.32.050 Dimensional standards.

The following minimum dimensional standards **apply to development in the CB district**, with the exception of modifications permitted under Chapter 17.132.

Minimum Lot Area	None
Minimum Yard Setbacks, except as provided for Accessory Structures under Chapter 17.96	
Front yard	No front yard setback permitted except: A setback from the street front lot line may be permitted subject to design review for a pedestrian plaza, landscaping, or similar purpose. No outside storage, driveways, loading or parking shall be allowed within the front yard setback.
Rear yard	
Adjoining a nonresidential district	None
Adjoining a residential district	15 feet
Side yard	

Adjoining a street	No side yard setback permitted except: A setback from the street front lot line may be permitted subject to design review for a pedestrian plaza, landscaping, or similar purpose. No outside storage, driveways, loading or parking shall be allowed within the side yard setback
Adjoining a nonresidential district	None
Adjoining a residential district	10 feet
Maximum structure height	35 feet

17.32.060 Development standards.

All developments in the CB district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Off-Street Parking. Off-street parking, if provided, shall be located at the rear of the property in accordance with Chapter 17.68.
- B. Signs. Signs in the CB district shall be subject to the provisions of Chapter 17.80.
- C. Subdivisions and Partitions. All land divisions shall be reviewed in accordance with the provisions of Chapters 17.172 through 17.176, as applicable.
- D. Site Design Review. New development and expansion of existing structures or uses may be subject to Site Design Review. See Chapter 17.156 for requirements.
- E. Landscaping. Landscaping improvements shall be installed and maintained in all yard areas accordance with Chapter 17.84. Additionally, screening shall be required for the following:
 - 1. All outdoor storage areas shall be screened by a six-foot (6 ft.) sight-obscuring fence or wall;
 - 2. Where a commercial use abuts a residential zone, a six-foot (6 ft.) sight-obscuring fence or wall shall be installed along the full length of the property line. This requirement shall not cause the placement of a fence or wall in the vision clearance area **required by Section 17.92.070**.

Where landscaping, fencing or other screening is required pursuant to site design review approval or other land use approval, all such landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.

- F. Standards for Wineries, Outdoor Entertainment, and Outdoor ~~Events~~ **Gatherings**. In addition to the requirements set forth in Chapter 17.152 Conditional Use Permits, an application for a winery, winery-related use, or outdoor ~~event~~ **entertainment**/outdoor gathering shall include an analysis of projected attendance or occupancy of the venue/site, access and egress in compliance with applicable fire code requirements, projected parking demand during peak periods of use, sanitary facilities, evidence of compliance with Oregon Health Department requirements, as applicable, and information on existing and projected noise levels above ambient noise levels. The above information shall be provided at a sufficient level of detail so that the Planning Commission can make findings of compliance with Chapter 17.152. At a minimum, the following standards shall apply:

1. Off-street parking shall be sufficient so that public ways are not obstructed and vehicles are not required to back onto a public way. Off-street parking facilities need not be paved or striped, but at a minimum shall have a gravel or crushed rock surface conforming to the city's public works design standards.
2. A minimum buffer yard of twenty (20) feet shall be provided between all parking areas and adjacent residential districts. The buffer yard shall provide a partially sight-obscuring screen of shrubs, trees, and ground cover plantings. The buffer yard may be reduced to ten (10) feet where a fully sight-obscuring fence is also provided around the perimeter of the parking area.
3. A minimum buffer yard of twenty (20) feet shall be provided between all outdoor entertainment/gathering areas and adjacent residential districts. The buffer yard shall provide a partially sight-obscuring screen of shrubs, trees, and ground cover plantings. The buffer yard may be reduced to ten (10) feet where a fully sight-obscuring fence is also provided around the perimeter of the parking area.
4. Uses that are expected to sustain noise levels exceeds 60 dBA beyond the subject property for more than three (3) hours cumulatively in any twenty-four (24) hour period may be limited to specific daytime hours. The Planning Commission shall consider the proximity of residential districts and public testimony in establishing conditions, which may include monitoring of noise levels.
5. Sanitary facilities shall be sufficient for projected usage and all State licensing requirements shall be met.
6. The Planning Commission may modify the off-street parking and/or buffer yard requirements in subsections F.1.—3., above, where it finds that additional or less mitigation is required for the use to comply with the conditional use criteria of Chapter 17.152.

Chapter 17.36 COMMERCIAL INDUSTRIAL (CI) DISTRICT

17.36.010 Purpose.

The commercial industrial (CI) district provides areas for a range of commercial light manufacturing, wholesale, transportation, and service uses. To assure compatibility between these uses and adjacent residential and industrial uses, special design standards are specified.

17.36.020 Permitted uses.

The following uses are permitted in the CI district, subject to a Site Design Review in accordance with Chapter 17.156:

- A. All uses permitted in the CB district, Section 17.32.020.
- B. All conditional uses in the CB district (except food carts) and without the CB district standards for residential district setbacks or building enclosure, Section 17.32.030.
- C. Warehouses including mini-warehouse storage; assembly, including light manufacturing, processing, packaging, treatment, fabrication of goods or merchandise; laboratories, offices, bottling and distribution centers, light repair facilities, wholesale businesses, and similar uses. These uses must be located and arranged according to a plan providing for aesthetic and other conditions in harmony with the neighborhood, and not be offensive or obnoxious by reason of emission of odor, dust, smoke, gas, light, noise or vibration. All such uses must first be approved by the Planning Commission.
- D. Commercial retail marijuana facility subject to the conditional use criteria listed in Section 17.152.035.

17.36.030 Conditional uses.

The following conditional uses are allowed in the Commercial Industrial district subject to obtaining a conditional use permit per Chapter 17.152 and completing a Site Design Review in accordance with Chapter 17.156:

- A. Public utility structures, such as pump stations, reservoirs, and electric substations.
- B. Food carts, subject to the provisions in Chapter 17.126.
- C. Medical marijuana dispensary subject to the conditional use criteria listed in Section 17.152.035.

17.36.040 Limitations on use.

All business, services, processing, or merchandise displays shall be conducted wholly within an enclosed building except for the following:

- A. Off-street parking or loading;
- B. Drive-through windows or service stations;
- C. Temporary display and sales of merchandise provided it is under cover of a projecting roof and does not interfere with pedestrian, bicycle, or automobile circulation;

- D. Businesses, which, in all cases, require outdoor storage of merchandise, e.g., automobile, RV sales lots, or gas stations.

17.36.050 Dimensional standards.

The following minimum dimensional standards **apply to development in the CI district**, with the exception of modifications permitted under Chapter 17.132.

Minimum Lot Area	None
Minimum Yard Setbacks, except as provided for Accessory Structures under Chapter 17.96	
Front yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Rear yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Side yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Maximum structure height	45 feet

17.36.060 Development standards.

All developments in the CI district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Off-Street Parking. Off-street parking shall be as specified in Chapter 17.68.
- B. Signs. Signs shall be subject to the provisions of Chapter 17.80.
- C. Subdivisions and Partitions. All land divisions shall be reviewed in accordance with the provisions of Chapters 17.172 through 17.176, as applicable.
- D. Site Design Review. New development and expansion of an existing structures or uses may be subject to Site Design Review. See Chapter 17.156 for requirements.
- E. Landscaping. Landscaping improvements shall be installed and maintained in all yard areas accordance with Chapter 17.84. Additionally, screening shall be required for the following:
 - 1. All outdoor storage areas shall be screened by a six-foot (6 ft.) sight-obscuring fence or wall;
 - 2. Where a commercial use abuts a residential zone, a six-foot (6 ft.) sight-obscuring fence or wall shall be installed along the full length of the property line. This requirement shall not cause the placement of a fence or wall in the vision clearance area.

Where landscaping, fencing or other screening is required pursuant to Site Design Review approval or other land use approval, all such landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.

- F. Standards for Wineries, Outdoor Entertainment, and Outdoor ~~Events~~ **Gatherings**. In addition to the requirements set forth in Chapter 17.152 Conditional Use Permits, an application for a winery, winery-related use, or outdoor ~~event~~ **entertainment**/outdoor gathering shall include an analysis of projected attendance or occupancy of the venue/site, access and egress in compliance with applicable fire code requirements, projected parking demand during peak periods of use, need for sanitary facilities, evidence of compliance with Oregon Health Department requirements, as applicable, and information on existing and projected noise levels above ambient noise levels. The above information shall be provided at a sufficient level of detail so that the Planning Commission can make findings of compliance with Chapter 17.152. At a minimum, the following standards shall apply:
1. Off-street parking shall be sufficient so that public ways are not obstructed and vehicles are not required to back onto a public way. Off-street parking facilities need not be paved or striped, but at a minimum shall have a gravel or crushed rock surface conforming to the city's public works design standards.
 2. A minimum buffer yard of twenty (20) feet shall be provided between all parking areas and adjacent residential districts. The buffer yard shall provide a partially sight-obscuring screen of shrubs, trees, and ground cover plantings. The buffer yard may be reduced to ten (10) feet where a fully sight-obscuring fence is also provided around the perimeter of the parking area.
 3. A minimum buffer yard of twenty (20) feet shall be provided between all outdoor entertainment/gathering areas and adjacent residential districts. The buffer yard shall provide a partially sight-obscuring screen of shrubs, trees, and ground cover plantings. The buffer yard may be reduced to ten (10) feet where a fully sight-obscuring fence is also provided around the perimeter of the parking area.
 4. Uses that are expected to sustain noise levels exceeds 60 dBA beyond the subject property for more than three (3) hours cumulatively in any twenty-four (24) hour period may be limited to specific daytime hours. The planning commission shall consider the proximity of residential districts and public testimony in establishing conditions, which may include monitoring of noise levels.
 5. Sanitary facilities shall be sufficient for projected usage and all State licensing requirements shall be met.
 6. The Planning Commission may modify the off-street parking and/or buffer yard requirements in subsections F.1.—3., above, where it finds that additional or less mitigation is required for the use to comply with the conditional use criteria of Chapter 17.152.

Chapter 17.40 GENERAL INDUSTRIAL (~~IG-GI~~) DISTRICT

17.40.010 Purpose.

The General Industrial (~~IG-GI~~) district provides land for and to encourage the grouping together of warehousing, manufacturing, and other industrial uses which, because of their normal characteristics, would be relatively objectionable when operated in close proximity to business commercial and residential uses.

17.40.020 Permitted uses.

The following uses are permitted in the GI district, subject to Site Design Review in accordance with Chapter 17.156:

- A. Public utility and public service installations, including repair and storage facilities and personal wireless service facilities.
- B. Warehouses including mini-warehouse storage; assembly, including light manufacturing, processing, packaging, treatment, fabrication of goods or merchandise; laboratories, offices, bottling and distribution centers, light repair facilities, wholesale businesses, and similar uses. These uses must be located and arranged according to a plan providing for aesthetic and other conditions in harmony with the neighborhood, and not be offensive or obnoxious by reason of emission of odor, dust, smoke, gas, light, noise or vibration. ~~All such uses must first be approved by the Planning Commission.~~

17.40.030 Conditional uses.

The following uses may be allowed in ~~an IG~~ **the GI** district subject to obtaining a conditional use permit per Chapter 17.152:

- A. Junk yard.
- B. Bulk storage of flammable liquids or gases.
- C. Concrete or asphalt batch plants.
- D. Chemical, fertilizer, insecticide, or paint product manufacturing.
- E. Extraction and processing of minerals, rocks, sand, gravel, or other earth products.
- F. Food carts, subject to the provisions in Chapter 17.126.
- G. Medical marijuana dispensary subject to the conditional use criteria listed in Section 17.152.035.
- H. Commercial retail marijuana facility subject to the conditional use criteria listed in Section 17.152.035.

17.40.040 Prohibited uses.

- A. Rendering plants.
- B. Any other use which is or can be operated in such a manner as to create a dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust,

dirt, or other forms of air pollution; electrical or other disturbance; glare; or other substance, condition or element in such amount as to adversely affect the surrounding area or premises.

17.40.050 Limitations on use.

The following special development limitations shall apply:

- A. Outside storage abutting or facing a residential or commercial zone shall be enclosed by a fully sight-obscuring fence or wall.
- B. Requirements.
 - 1. The fence or wall shall fully obstruct the storage from view on the sides of the property abutting or facing these zones and shall be at least six (6) feet in height or the maximum height of the stored materials, whichever is greater;
 - 2. The fence or wall shall be of such material and design that it will reduce noise emanating from the site; and have an appearance and be maintained so as not to detract from the adjacent residences or commercial activities;
 - 3. The fence or wall shall be free of advertising, graffiti or extraneous markings.
- C. Outside storage in a required yard shall not exceed eight (8) feet in height.

17.40.060 Dimensional standards.

The following **are** minimum dimensional standards **apply to development in the General Industrial district**, with the exception of modifications permitted under Chapter 17.132:

Minimum Lot Size	None
Setback Requirements, except as provided for Accessory Structures under Chapter 17.96	
Front yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Side yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Rear yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Maximum building height	Shall not exceed 45 feet except a greater height may be approved as part of a conditional use permit

17.40.070 Development standards.

All development in the General Industrial district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Off-Street Parking. Off-street parking shall conform to the standards of Chapter 17.68.

- B. Signs. Signs shall conform to the provisions of Chapter 17.80.
- C. Site Design Review. New development or expansion of existing structures or uses may be subject to Site Design Review. See Chapter 17.156 for requirements.
- D. Subdivisions and Partitions. All land divisions shall be reviewed in accordance with the provisions of Chapters 17.172 through 17.176, as applicable.
- E. Landscaping. Landscaping improvements shall be installed and maintained in all yard areas accordance with Chapter 17.84. Where landscaping, fencing or other screening is required pursuant to site design review approval or other land use approval, all such landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.

Chapter 17.44 PUBLIC FACILITY (PF) DISTRICT

17.44.010 Purpose.

The Public Facility (PF) district provides for the location of large public and semi-public lands, buildings, facilities and uses in a manner that will not unreasonably disrupt or alter areas of the community.

17.44.020 Permitted uses.

The following uses are permitted in the PF district and subject to ~~a~~ Site Design Review, **in accordance with Chapter 17.156:**

- A. Publicly owned buildings and facilities such as city halls, community centers, libraries, schools, fire stations and police stations.
- B. Public outdoor recreation facilities such as parks, swimming pools, golf courses and playgrounds.
- C. Public utility structures and buildings, such as pump stations, communication or transmission towers, reservoirs, electric substations, water and sewage treatment facilities and necessary right-of-way for identified public utilities; including office or administrative buildings.
- D. Lands designated for public open space such as nature preserves or scenic areas.
- E. Uses clearly accessory and subordinate to the above.

17.44.030 Reserved.

17.44.040 Reserved.

17.44.050 Dimensional standards.

The following dimensional standards, with the exception of modifications allowed under Chapter 17.132, shall be required for all development in the Public Facility district:

Minimum Lot Area	None
Minimum Yard Setbacks, except as provided for Accessory Structures under Chapter 17.96	
Front yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Side yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Rear yard	
Adjoining a nonresidential district	None
Adjoining a residential district	20 feet
Maximum building height	45 feet

17.44.060 Development standards.

All development in the Public Facility district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Off-street Parking. Off-street parking shall conform to the standards of Chapter 17.68.
- B. Signs. Signs shall conform to the provisions of Chapter 17.80.
- C. **Site** Design Review. All new development or expansion of existing structure or use shall be subject to the Site Design Review procedures of Chapter 17.156.
- D. Subdivisions and Partitions. All land divisions shall be reviewed in accordance with the provisions of Chapters 17.172 through 17.176, as applicable.
- E. Landscaping. Landscaping improvements shall be installed and maintained in all yard areas accordance with Chapter 17.84. Where landscaping, fencing or other screening is required pursuant to site design review approval or other land use approval, all such landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.

Chapter 17.48 AGRICULTURAL HOLDING (AH) DISTRICT

17.48.010 Purpose.

The Agricultural Holding (AH) district allows an orderly phasing of urban development of land. It is a holding district that allows agricultural uses to continue until such time that the agricultural lands are needed for urban uses and public facilities and services are available. **Conversion of AH property to a non-agricultural use requires a zone change in accordance with Chapter 17.180.**

17.48.020 Permitted uses.

No building, structure, or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

- A. Raising or harvesting crops; for the feeding, breeding, and management of livestock; for dairy; or for any other agricultural or horticultural use or any combination thereof. Includes the preparation of the products raised thereon for man's use and disposal by marketing or otherwise.
- B. Wineries, and wine sales and tasting rooms when operated in conjunction with a winery.
- C. One single-family dwelling, **a prefabricated structure,** or a single-family manufactured home **subject to Chapter 17.116** for owners, operators, or help required to carry out a use specified in subsection A of this section, **on a lot lawfully created prior to (effective date of Ordinance),** contingent upon the availability of **public** sewer and water services.
- D. Accessory buildings as are needed and normally required in connections with a use specified in subsection A of this section.

17.48.030 Conditional uses.

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Chapter 17.152:

- A. The establishment of more than one dwelling in conjunction with farm use.
- B. Utility facility including utility rights-of-way.

17.48.040 Limitations on use.

- A. The term "livestock", as used in this district, shall not include swine.
- B. No livestock shall be kept on parcels of less than three (3) acres.
- C. Poultry or bees shall not be kept on parcels of less than one acre.
- D. The total livestock permitted per parcel shall be limited to the square footage of the parcel divided by the minimum area required for each animal listed as follows:
 1. Livestock: twenty-five thousand (25,000) square feet per animal over six (6) months of age;
 2. Poultry: five hundred (500) square feet per animal;
 3. Bees: one thousand (1,000) square feet per colony.

- E. If a residence is located on a parcel described in subsection D of this section, the lot area per animal shall be in addition to a seven thousand five hundred (7,500) square foot per residence requirement.
- F. Animal shelters shall not be located closer than seventy (70) feet to an abutting street or non-agricultural district.

17.48.050 Dimensional standards.

The following minimum dimensional standards, with the exception of modifications permitted under Chapter 17.132, shall be required for all development in the agricultural holding district:

Minimum Lot Area	7,500 square feet 3 acres
Minimum Yard Setbacks, except as provided for Accessory Structures under Chapter 17.96	
Front yard	20 feet
Rear yard	15 feet
Side yard (interior)	5 feet
Side yard (adjacent to street)	20 feet
Maximum structure height	45 feet

17.48.060 Development standards.

All developments in the AH district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:

- A. Accessory Structures. Accessory structures as provided for in Chapter 17.96.
- B. Off-Street Parking. Off-street parking, as specified in Chapter 17.68.
- C. Signs. Signs shall be subject to the provisions of Chapter 17.80.
- D. ~~Partitions. Land divisions shall be reviewed in accordance with the provisions of Chapter 17.172.~~ **Land divisions shall be prohibited in the AH district.**
- E. **Rezoning. A zone change in accordance with Chapter 17.180 shall be required prior to land division or conversion of AH property to non-agricultural use.**

Chapter 17.52 MIXED DENSITY RESIDENTIAL (MX) DISTRICT

17.52.010 Purpose.

- A. ~~The City of Carlton recognizes that land is a precious, non-renewable resource, and that conventional zoning tends to foster a pattern of development that excessively separates land uses and results in the requirement of extensive vehicular travel.~~ The Mixed Density Residential (MX) zone is intended ~~primarily as residential area with supporting and complementary commercial and public uses~~ **to support a mix of residential uses.** ~~The purpose of the Mixed Density Residential (MX) zone is to provide the development option of a subdivision that will promote:~~
1. The physical and social integration of citizens diverse in age, lifestyle and economic status;
 2. An adequate supply of housing that is affordable by households at all income levels;
 3. ~~A greater diversity than found in other Carlton neighborhoods of~~ **Diverse** types of housing;
 4. An alternative means of developing land and otherwise promote public health, safety and welfare that fosters a strong sense of neighborhood identity based on a shared, coherent, functionally efficient physical environment; and
 5. The distinctive, small-town character of Carlton.
- B. The MX zone is designed to provide a coordinated and attractive living environment that responds to local conditions and emphasizes a range of good circulation opportunities for walking, bicycling, and driving personal vehicles. Essential development characteristics within the MX zone are:
1. A mixing of residential housing types including ~~detached single-family dwellings, apartments, and townhouses~~ **and multi-family options, in both attached and detached configurations;**
 2. ~~Studio apartment units in the same structure with single family dwellings or their detached garage;~~
 3. Generally regular geometric network of streets, alleys and blocks arranged to provide easy orientation and alternative routes for each destination;
 4. ~~A hierarchy of streets, including narrow streets convenient for a balanced mix of pedestrians and automobiles, and wider streets to carry greater traffic;~~
 5. ~~Well configured squares, gardens, and~~ **Common and private** open spaces woven into street and block patterns and dedicated to collective social activity, recreation and visual enjoyment.

17.52.020 Residential density and variety.

To achieve balance and integration of a range of housing types, sizes, and densities, the ~~mixed density residential (MX) zone relies on three (3) criteria~~ **the following standards apply.**

- A. ~~The intent of the MX zone is to achieve an overall density of nine (9) dwelling units per net acre of residential land.~~ **The minimum net density shall be 8 dwelling units per net acre.**
- B. The maximum net density shall be 20 dwelling units per net acre.**
- B.C.** ~~To reflect the demand for rental and higher density housing within the region, at least twenty five (25) percent of the units must be either in multi-family or attached single-family~~

~~structures, e.g., townhomes or duplexes.~~ **No single residential dwelling type may account for more than 75 percent of the units in a proposed development.**

~~C. To meet the continuing demand for single-family housing while reducing land costs, the majority of residential land in each neighborhood should be for higher density single family housing, either detached (generally between six (6) to nine (9) dwellings per net acre) or attached (generally between nine (9) to twelve (12) dwellings per net acre).~~

17.52.030 Permitted uses.

~~Within any MX zone, no structure shall be used, constructed, erected, or altered, and no lot shall be used or occupied for any purposes except the following:~~ **The following uses are permitted in the Mixed Density Residential District:**

A. ~~Residential dwellings, including single family, manufactured homes, and multifamily structures.~~ **Single-family dwelling, including a manufactured home or a prefabricated structure.**

B. Accessory dwelling, subject to Section 17.20.070.

C. Duplex dwelling.

D. Townhouse dwelling.

E. Multi-family dwelling.

F. Cottage cluster subject to the provisions of Section 17.106.040.

~~B G.~~ Open space uses.

~~C H.~~ Licensed residential care homes and facilities as defined by ORS 197.660. All residential care homes and residential care facilities shall be duly licensed by the State of Oregon prior to occupancy. **Residential homes and residential care facilities.**

~~D I.~~ Child care facilities, as defined by this title, with ORS 657A.030 and 657A.250 to 657A.450. **Family child care homes.**

J. Home occupation, subject to the provisions of Chapter 17.124.

~~E K.~~ A single-family vacation rental dwelling unit, when such dwelling obtains a vacation rental dwelling permit in accordance with the vacation rental dwelling conditional use standards and procedures set forth in **subject to the provisions of** Chapter 17.125.

17.52.040 Conditional uses.

If authorized under the procedures provided for conditional uses in this title, the following uses will be permitted in the MX zone:

A. Manufactured dwelling park, in accordance with the provisions of Chapter 17.120.

~~B. A two-family vacation rental dwelling when such dwelling obtains a vacation rental permit for both units, unless one of the units is owner-occupied, in accordance with the vacation rental dwelling standards set forth in Section 17.125.010.~~

17.52.050 Building setbacks.

A minimum of five (5) foot setback is required from all alleys. For residential uses, a minimum of ten (10) foot setback is required for a front yard (street side) setback, **except 20 feet for a garage or carport opening when facing street**. Open covered and uncovered porches may extend within the front setback to within five (5) feet of the front property line. Except as may otherwise be required with the MX zone, there shall be no other minimum building setbacks.

17.52.060 Lot requirements.

A. ~~There are no minimum lot size requirements, except as lot size is controlled by overall MX zone density and lot coverage requirements.~~ **Minimum lot size requirements for the MX District are:**

- 1. Single-family and duplex dwelling: 4,000 square feet.**
- 2. Townhouse dwelling: 2,000 square feet and 2,400 square feet for corner lots.**
- 3. Cottage cluster: 8,000 square feet.**
- 3. All other lots: 5,000 square feet.**

The minimum lot size requirements shall apply in conjunction with the maximum density standard; the more restrictive standard shall control.

B. Lot Frontage. Lots within the MX zone shall have the following street frontage requirements:

	Maximum	Minimum
Single-Family Residential, Duplex, Cottage Cluster	100 feet	25 24 feet
Townhouse	40 feet	20 feet except 24 feet for corner lots
Multi-family Residential	30 feet/unit	6 feet/unit, min. 24 40 feet

C. Lot Coverage ~~in the MX Zone~~. The total lot coverage ~~including area covered by buildings, roofed structures, and impervious paved surfaces,~~ shall not exceed seventy-five (75) percent.

17.52.070 Building height.

No building height shall exceed three (3) stories or thirty-five (35) feet in height.

17.52.080 ~~Building and site design~~ Development standards.

~~All residential structures shall conform to the design standards of Chapter 17.106.~~ **All development in the MX district shall comply with the applicable provisions of Chapters 17.128 through 17.140. In addition, the following specific standards shall apply:**

- A. Accessory Structures. Accessory structures as provided for in Chapter 17.96.**
- B. Off-street Parking. Parking shall be as specified in Chapter 17.68.**
- C. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Chapters 17.172 through 17.176, as applicable.**
- D. Multi-family and townhouse dwellings (three or more units) and cottage clusters shall be subject to the Site Design Review procedures of Chapter 17.156.**

E. Signs. Signs shall conform to the requirements of Chapter 17.80.

F. Driveways. Driveways shall conform to the standards 17.68.060.

G. Landscaping and Screening. Minimum landscaped area requirements of Section 17.84.050 shall be met, including landscaping requirements for all front and street side yards. Other landscaping, fencing or other screening may be required pursuant to land division approval or other land use approval. All landscaping shall be installed in accordance with Chapter 17.84 and approved plans prior to issuance of building occupancy permits.

H. Building and Site Design. All residential structures shall conform to the design standards of Chapter 17.106.

1. Single-family dwellings shall comply with the garage or carport standards in Section 17.106.025.

17.52.090 Reserved.

Editor's note(s)—Ord. No. 693, § 1(Exh. A), adopted Dec. 12, 2011, repealed § 17.52.090, which pertained to architectural guidelines and standards and derived from Ord. No. 642, § 1, adopted 2005.

17.52.100 Reserved.

Editor's note(s)—Ord. No. 693, § 1(Exh. A), adopted Dec. 12, 2011, repealed § 17.52.100, which pertained to special standards for certain uses and derived from Ord. No. 642, § 1, adopted 2005.

Chapter 17.56 FLOODPLAIN MANAGEMENT (FP) OVERLAY ZONE

17.56.010 Purpose.

The purpose of the floodplain management overlay zone is to:

- A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities.
- B. Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction.
- C. Control the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel flood waters.
- D. Control filling, grading, dredging and other development that may be subject to or increase flood damage.
- E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

17.56.015 Definitions.

For the purpose of this overlay zone, the following terms shall mean:

- A. "Appeal" means a request for a review of the interpretation of any provision of this chapter or a request for a variance.
- B. "Area of Shallow Flooding" means a designated AO, or AH Zone on the flood insurance rate map (FIRM). The base flood depths range from one (1) to three (3) feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.
- C. "Area of Special Flood Hazard" means the land in the flood plain within a community subject to a one (1) percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.
- D. "Base Flood" means the flood having a one (1) percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letters A or V.
- E. "Basement" means any area of the building having its floor subgrade (below ground level) on all sides.
- F. "Below-Grade Crawl Space" means an enclosed area below the base flood elevation in which the interior grade is not more than two (2) feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the top of the crawlspace foundation, does not exceed four (4) feet at any point.
- G. "Critical Facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

- H. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.
- I. "Elevated Building" means for insurance purposes, a nonbasement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.
- J. "Existing Manufactured Home Park or Subdivision" means a manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.
- K. "Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- L. "Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1. The overflow of inland or tidal waters, and/or
 - 2. The unusual and rapid accumulation of runoff of surface waters from any source.
- M. "Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- N. "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.
- O. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
- P. "Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter found at Subsection 17.56.060 A.2.
- Q. "Manufactured Home" means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
- R. "Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

- S. "Mean Sea Level (MSL)" means, for purposes of the National Flood Insurance Program, the North American Vertical Datum of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.
- T. "New Construction" means structures for which the "start of construction" commenced on or after the effective date of this chapter.
- U. "New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.
- V. "Recreational Vehicle" means a vehicle which is:
 - 1. Built on a single chassis;
 - 2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
 - 3. Designed to be self-propelled or permanently towable by a light duty truck; and
 - 4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- W. "Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- X. "State Building Code" means the combined specialty codes adopted by the State of Oregon.
- Y. "Structure" means a walled and roofed building including a gas or liquid storage tank that is principally above ground.
- Z. "Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.
- AA. "Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:
 - 1. Before the improvement or repair is started; or

2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
 2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
- AB. "Water Dependent" means a structure for commerce or industry, which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

17.56.020 Applicability.

- A. **Lands To Which This Chapter Applies.** This chapter shall apply to all areas of special flood hazards within the jurisdiction of the City of Carlton, Yamhill County, Oregon.
- B. **Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Yamhill County, Oregon and Incorporated Areas, dated March 2, 2010," with accompanying flood insurance map (FIRM) is hereby adopted by reference and declared to be part of this chapter. The flood insurance study and the FIRM are on file at the City Hall. The best available information for flood hazard area identification as outlined in Subsection 17.56.070 A. shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized under Subsection 17.56.070 A.

17.56.030 Warning and disclaimer.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City of Carlton, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

17.56.040 Development procedures.

- A. **Floodplain** Development Permit Required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Subsection 17.56.020 B.
- B. **Review Procedure.** A **floodplain** development permit required by this chapter shall be reviewed as a Type **II** action in accordance with the application procedures found in Section ~~17.188.010~~

17.188.020. ~~If staff finds that the facts of the particular application require interpretation, then a public hearing before the Planning Commission shall be scheduled and notice given in accordance with the procedures for Type II actions.~~

C. Application for **Floodplain** Development Permit. Application for a **floodplain** development permit shall ~~be made on forms furnished by the city manager and may~~ include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
2. Elevation in relation to mean sea level of floodproofing in any structure;
3. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Subsection 17.56.060 B.; and
4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

5. Calculations showing that there will be no net cut or fill in the area of special flood hazard.

6. Site plan showing: the location and elevation of the area of special flood hazard, existing site contours, proposed site contours, location of proposed improvements, existing site features.

7. FIRM map of the area of the proposed development.

8. Written document addressing the standards as set forth in 17.56.050 and 17.56.060.

17.56.045 Local administrator.

The City Manager ~~or designee~~ is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

- A. Duties and responsibilities of the local administrator shall include, but not be limited to:
1. Review all **floodplain** development permits to determine that the permit requirements and conditions of this chapter have been satisfied.
 2. Review all **floodplain** development permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.
 3. Review all **floodplain** development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Subsection 17.56.060 E.1. are met.
- B. Information to be Obtained and Maintained.
1. From the developer of the property, obtain and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basements and below-grade crawlspaces) of all new or substantially improved structures, and whether or not the structure contains a basement.

2. For all new or substantially improved floodproofed structures where elevation data is provided through the flood insurance study, FIRM, or as required in Subsection 17.56.070 A.:
 - a. Verify and record the actual elevation as furnished by the developer (in relation to mean sea level) to which the structure was floodproofed, and
 - b. Maintain the floodproofing certifications required in Subsection 17.56.040 C.3.
3. Maintain for public inspection all records pertaining to the provision of this chapter.

17.56.050 General standards.

In all areas of special flood hazards, the following standards are required:

- A. Anchoring. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- B. Construction Materials and Methods.
 1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
 2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage;
 3. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- C. Utilities.
 1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
 2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into floodwaters; and
 3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. Grading.

- 1. Grading shall be accomplished such that there is no net cut or fill within the area of special flood hazard.**
- 2. Grading shall be accomplished such that flow paths are not interrupted.**
- 3. Grading and improvements shall be accomplished such that the floodplain elevation is not impacted.**

~~D-E.~~ Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage;

2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
4. Base flood elevation data shall be provided for subdivision and planned unit development proposals.

E.F. Review of Building Permits. Where elevation data is not available, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

17.56.060 Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided the following provisions are required:

- A. Residential Construction.
 1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation.
 2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - a. A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one (1) foot above grade.
 - c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- B. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
 1. Be floodproofed so that below the base flood level the structure walls shall be substantially impermeable to the passage of water;
 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this chapter based on their development and/or review of the

structural design, specifications and plans. Such certification shall be provided to the official as set forth in Subsection 17.56.045 B.

4. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in Subsection A.2.
5. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one (1) foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one (1) foot below the base flood level).

C. Manufactured Homes.

1. All manufactured homes to be placed or substantially improved on sites:
 - a. Outside of a manufactured home park or subdivision;
 - b. In a new manufactured home park or subdivision;
 - c. In an expansion to an existing manufactured home park or subdivision; or
 - d. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;

shall be elevated on a permanent foundation such that the finished floor of the manufactured home is elevated a minimum of eighteen (18) inches (forty-six (46) cm) above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

2. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions of subsection 1. above, be elevated so that either:
 - a. The finished floor of the manufactured home is eighteen (18) inches (forty-six (46) cm) above the base flood elevation, or
 - b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

D. Recreational Vehicles. Recreational vehicles placed on sites are required to either:

1. Be on the site for fewer than one hundred eighty (180) consecutive days;
2. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
3. Meet the requirements of Subsection C. above and the elevation and anchoring requirements for manufactured homes.

E. Floodways. Located within areas of special flood hazard are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris, potential projectiles and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development, **unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge;**
2. If Subsection E.1. of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section and Section 17.56.050;
3. Prohibit the placement of any manufactured housing, except in an existing mobile home park or existing mobile home subdivision.

17.56.070 Other considerations.

- A. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 17.56.020, the local administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer this chapter.
- B. Alteration of Watercourses.
 1. Adjacent affected communities, the State Department of Land Conservation and Development and other appropriate state and federal agencies shall be notified prior to any alteration or relocation of a watercourse, and evidence of such notification shall be submitted to the Federal Insurance Administration.
 2. Maintenance shall be required within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
- C. Interpretation of FIRM Boundaries. Interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program (44 CFR).