

Chapter 17.80
DESIGN REVIEW*

Sections:

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- 17.80.021 Applicability.
- 17.80.061 Submittal requirements.
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* Prior history:

- 17.80.010 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1254 §1, 1998.
- 17.80.020 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1254 §1, 1998.
- 17.80.020 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1254 §1, 1998.
- 17.80.030 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1254 §1, 1998.
- 17.80.031 **History:** Ord. 1254 §2, 1998; Repealed by Ord. 1323 §1, 2002.
- 17.80.040 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1254 §1, 1998.
- 17.80.041 **History:** Ord. 1254 §2, 1998; Repealed by Ord. 1323 §1, 2002.
- 17.80.050 **History:** Ord. 1131 §2, 1990; Repealed by Ord. 1254 §1, 1998.
- 17.80.051 **History:** Ord. 1254 §2, 1998; Repealed by Ord. 1323 §1, 2002.
- 17.80.070 **History:** Ord. 1254 §2, 1998; Repealed by Ord. 1323 §1, 2002.

17.80.011 Objectives.

The following objectives of the regulations in this chapter are as follows:

- (1) To preserve the natural environment and protect and enhance the visual character of the city, and to ensure compliance with the goals, objectives and policies of the Gladstone Comprehensive Plan, zoning and subdivision ordinances.
- (2) To encourage orderly development and to assure that structures, signs and other improvements are appropriately related to their site, and to surrounding sites and structures. Due regard shall be given to the aesthetic qualities of the terrain and landscaping, and proper attention given to exterior appearance of structures, signs, energy conservation and other improvements.
- (3) To ensure significant site development will be compatible with land use on adjacent properties.
- (4) To protect neighboring owners and users by assuring that reasonable provisions have been made for such matters as surface water drainage, the preservation of views, light, air and solar access and those effects on neighboring land uses.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1254 §2, 1998.

17.80.021 Applicability.

(1) This chapter shall apply to new structures; additions to existing structures; site development, such as grading, parking lot construction or commercial/industrial use of an undeveloped property; change of use; and major remodeling, with the following exceptions:

- (a) Single-~~family~~Household dwellings and their allowed accessory uses;
- ~~(b) Duplexes, and their allowed accessory uses in the R 7.2, and R 5, and MR zoning districts;~~
- ~~(eb)~~ Utility lines and equipment cabinets, not including towers or substations, provided such equipment cabinets are no greater than one hundred twenty (120) square feet in area and ten feet (10') in height;
- ~~(de)~~ Fences unless associated with a primary, accessory or conditional use in the Office Park District or unless design review is required to grant an exception to the maximum fence height standard of the zoning district;
- ~~(ed)~~ Fabric-covered awnings;
- ~~(fe)~~ Playground equipment;
- ~~(ef)~~ Grading that does not require a permit under the Clackamas County Excavation and Grading Code;
- ~~(eg)~~ Signs reviewed by the City Administrator or designee pursuant to GMC Chapter 17.52 (signs);
- ~~(eh)~~ Vehicular or pedestrian right-of-way improvements provided such improvements are not associated with additional development that is subject to design review;
- ~~(ei)~~ Changes of use where:
 - (A) The proposed change is not from a residential, commercial/industrial or institutional use to a use in a different one of these categories;
 - (B) The new use is not required by this title to have a greater number of off-street parking spaces than the previous use or at least the minimum number of off-street parking spaces required by this title for the new use currently exists. However, where applicable parking requirements are not identified in Table 1 of GMC Section 17.48.030 (standards for developments subject to design review) or where on-street parking is proposed to fulfill a portion of the minimum off-street parking requirement, design review shall be required;
- ~~(ej)~~ Normal maintenance of structures and premises provided there are no significant use or structural alterations. Normal maintenance may include painting, roofing, siding, interior remodeling, electrical work, plumbing work, re-paving of access roads and parking/loading areas, replacement of landscaping elements or other similar tasks. Normal maintenance does not include increasing the number of dwelling units, constructing new structures or constructing additions to existing structures except to the extent that an addition is necessary to render a structure accessible to the disabled. Normal maintenance performed shall be consistent with previous design review approvals for the site.

(2) If a design review application is required, no building, sign, grading or blasting permit shall be issued until design review approval has been granted.

(3) An application for design review shall be reviewed pursuant to GMC Division VII (administrative procedures) and shall be reviewed for compliance with standards of the underlying zoning district and GMC Division IV (development standards).

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1254 §2, 1998; Ord. 1289 §1, 2000; Ord. 1323§1, 2002.

17.80.061 Submittal requirements.

(1) An application for design review shall include a minimum of twelve (12) copies of the following plans drawn to scale. A project summary shall accompany the application when necessary to describe special circumstances such as a request for a minor exception pursuant to GMC Section 17.80.090 (minor exceptions).

(a) Vicinity Map: The vicinity map shall show the location of the subject property relative to well-known landmarks in all directions and shall be at least four inches (4”) by four inches (4”) in size.

(b) Site Plan: The site plan shall include the following:

(A) The applicant’s entire property and the surrounding area to a distance sufficient to determine the relationship between the applicant’s property and proposed development and adjacent property and development;

(B) Lot lines, dimensions and area of the subject property;

(C) Complete names, addresses and telephone numbers of the property owner, applicant and project designer;

(D) Natural features including, but not limited to, individual trees greater than six inches (6”) in diameter at five feet (5’) above the ground (identify the species), wooded areas, wildlife habitat areas, streams and stream corridors, marsh and wetland areas, underground springs, surface features such as earth mounds and large rock outcroppings, significant views, natural drainage on the subject property and adjacent properties, areas of special flood hazard and potential geologic hazards such as areas of mass movement and soil hazards. Identify proposed alterations to natural features;

(E) Location, dimensions and names of all proposed rights-of-way and all existing rights-of-way within or adjacent to the subject property. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;

(F) Location and dimensions of existing and proposed easements, to which property they are conveyed and for what purpose(s). Include easements on the subject property and off-site easements conveyed to the subject property;

(G) Identification of existing uses of the subject property, including the location and exterior dimensions of existing structures. Identify whether existing structures will remain on the property or be removed;

(H) Location of proposed and existing utilities on the subject property and the location of adjacent off-site utilities to which on-site utilities will connect. Include water, sanitary sewer, storm drainage, gas, electric (including power poles) and other utilities;

(I) Location and exterior dimensions of all proposed structures;

(J) Relation of the subject property to nearby transit stops;

(K) Location and dimensions of individual parking spaces, parking lot access aisles, driveways and pedestrian and bicycle circulation;

(L) Lighting (include type);

(M) Service areas for trash disposal, recycling, loading and delivery and bicycle parking;

(N) Location of potential noise sources in the proposed development;

(O) Information about significant climatic variables including, but not limited to, solar potential, wind direction and wind velocity.

(c) Grading Plan: The preliminary grading plan shall indicate where and to what extent grading will occur and shall include approximate proposed contour lines, slope ratios, slope stabilization proposals and natural resources protection proposals. Existing contour lines shall also be shown. Proposed and existing contour lines shall be shown at maximum intervals of two feet (2') for slopes less than ten percent (10%), five feet (5') for slopes between ten (10) and twenty percent (20%) and ten feet (10') for slopes exceeding twenty percent (20%). A slope analysis shall be provided showing portions of the site according to the following slope ranges: less than ten percent (10%), ten (10) to less than twenty percent (20%), twenty (20) to less than thirty-five percent (35%), thirty five percent (35%) to less than fifty percent (50%) and fifty percent (50%) or greater. Approximate area calculations shall be provided for each of these slope ranges.

(d) Architectural Drawings:

(A) Building elevations and sections;

(B) Building materials, including color and type;

(C) Sufficient architectural details pertaining to exterior building materials, including samples and views from roads and other properties, as determined by the City Administrator or designee, to assure compliance with 17.44.020(4);

(D) Floor plans.

(e) Landscape Plan: The landscape plan shall be at the same scale as the site plan and shall include:

(A) Lot lines and adjacent rights-of-way;

(B) Proposed structures and existing structures to remain;

(C) Parking and loading areas and driveways;

(D) Locations of proposed plants and existing plants to remain, keyed to a legend identifying botanical names, common names, sizes at planting and numbers;

(E) Description of soil conditions and plans for soil treatment such as stockpiling of topsoil. Include plant selection requirements relating to soil conditions;

(F) Erosion controls, including plant materials and soil stabilization, if any;

(G) Irrigation systems;

(H) Landscape-related structures such as fences, terraces, decks, patios, shelters, play areas, etc.;

(I) Boundaries of open space, recreation or reserved areas to remain, access to open space and any alterations proposed;

(J) Locations of pedestrian and bikeway circulation within landscaped areas;

(K) Method of planting and maintenance.

(f) Signs:

(A) Freestanding signs:

(i) Location on-site plan;

(ii) Elevation drawing (indicate size, total height, height between bottom of sign and ground, color, materials and means of illumination).

(B) On-building signs:

- (i) Building elevation with location of sign (indicate size, color, materials and means of illumination);
 - (ii) Site plan showing location of on-building sign in relation to adjoining property.
- (2) A transportation impact analysis shall be submitted if deemed necessary by the City Administrator or designee to assess the impacts of the proposed development.
- (3) The City Administrator or designee may waive any submittal requirements of this chapter if they are deemed not necessary or not applicable due to the scale or nature of the development proposal.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1254 §2 (pan), 1998, Ord. 1395 2007.

17.80.080 Maintenance.

All approved on-site improvements shall be the ongoing responsibility of the property owner or occupant.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1254 §2, 1998.

17.80.090 Minor Exceptions.

(1) Authority. In conjunction with the design review plan approval, the Planning Commission may grant minor exceptions from the following requirements:

- (a) Dimensional standards for yards required in the primary district;
- (b) Dimensional standards for off-street parking as required in GMC Chapter 17.48 (Off-Street Parking and Loading);
- (c) Minimum and maximum number of off-street parking spaces required in GMC Chapter 17.48 (Off-Street Parking and Loading).

(2) Limitations. No minor exceptions shall be greater than twenty-five percent (25%) of the requirement from which the exception is requested. Requests greater than twenty-five percent (25%) shall be subject to variance procedures.

(a) In the case of a minor yard exception for landscaping, the Planning Commission shall find that approval will result in:

- (i) More efficient use of the site;
- (ii) Preservation of natural features, where appropriate;
- (iii) Adequate provision of light, air and privacy to adjoining properties;
- (iv) Energy conservation; and

(v) Adequate emergency access.

(b) In the case of a minor exception to the dimensional standards for off-street parking spaces or the minimum required number of off-street parking spaces, the Planning Commission shall find that approval will provide adequate off-street parking in relation to user demands. The following factors may be considered in granting such an exception:

- (i) Special characteristics of users which indicate low demand for off-street parking (e.g. low income, elderly);
- (ii) Opportunities for joint use of nearby off-street parking facilities;

(iii) Availability of public transit; and

(iv) Natural features of the site (topography, vegetation and drainage) which would be adversely affected by application of required parking standards.

(c) In the case of a minor exception to the maximum allowed number of off-street parking spaces, the Planning Commission shall find that approval will not result in excessive off-street parking relative to the user demand. The following factors shall be considered in granting such an exception:

(i) Special characteristics of users that indicate high demand for off-street parking. Characteristics generally attributable to the use classification upon which the maximum parking ratio is based shall not be considered “special characteristics” for purposes of this provision.

(ii) Lack of sufficient available on-street parking, public off-street parking or shared parking within one-quarter (1/4) mile walking distance of the subject site.

(iii) A study of parking demand, submitted by the applicant, for a use substantially similar to the one proposed.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1254 §2, 1998; Ord. 1289 §1, 2000.

17.80.100 Compliance.

(1) Approval of design review shall expire if construction has not begun within two years of the date of the final decision. Upon request and in accordance with GMC Section 17.66.015(4)(a), the two-year period may be renewed once by the City Administrator or designee for not more than one year.

(2) Prior to issuance of a final certificate of occupancy, the development site shall be checked by the City Administrator or designee to insure compliance with the approved design review plans. Approval of a final certificate of occupancy shall not be granted until all conditions of design review approval are met.

(3) Any departure from the approved design review plans may be cause for revocation of the building permit or denial of a final certificate of occupancy. Any changes in the approved design review plans shall be submitted to the City Administrator or designee for review and approval prior to execution. Changes to the substance of an approval or the substance of conditions of approval shall require the submittal of a new design review application.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1254 §2, 1998; Ord. 1323 §1, 2002; Ord. 1498 §1 (Exh. A), 2019.