

## **SUBCHAPTER 80: SITE DESIGN REVIEW REQUIREMENTS**

### **80.10 PURPOSE.**

The purposes and objectives of site development requirements and the site design review procedure are to:

- A. Ensure that site development plans are designed in a manner, which ensures proper functioning of the site, encourages originality, flexibility and innovation, and maintains a high quality visual environment;
- B. Conserve the city's natural beauty and historic and visual character by giving proper attention to the exterior appearance of structures and improvements and by insuring that structures and improvements are properly related to their sites, to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping;
- C. Protect and enhance the city's visual appeal and thus stimulate and stabilize commercial and industrial activity;
- D. Stabilize and improve property values, prevent blighted areas and, thus, increase tax revenues;
- E. Ensure that adequate public facilities are available to serve development as it occurs and that proper attention is given to site planning and development so as to not adversely impact the orderly, efficient and economic provision of public facilities and services.
- F. Achieve the benefit of pleasant environments for living and working on behavioral patterns and, thus, decrease the cost of governmental services and reduce opportunities for crime through careful consideration of physical design and site layout;
- G. Sustain the comfort, health, tranquility and contentment of residents and attract new residents by reason of the city's favorable environment and, thus, promote and protect the peace, health and welfare of the city.

### **80.20 PROCEDURE**

- A. Site Development Review shall be applicable to all new developments, major remodeling of existing developments except:
  - 1. Single-family detached dwellings.
  - 2. A duplex.

3. Any one-time commercial or industrial remodel or expansion that does not exceed 25% of the total square footage of an existing structure. Multiple remodels or expansions that cumulatively increase the square footage of an existing structure by 25% or more of its original square footage shall require Site Development Review. In addition, any expansion of a building that would add more than 8,000 square feet to a structure shall also require Site Development Review.
  4. Any new development, change of occupancy, or commercial or industrial remodel, that does not intensify the use of the property by increasing the number of customers, vehicle and pedestrian traffic to the site, parking requirements, etc.
- B. All of the provisions and regulations of the underlying zone shall apply unless modified by other Sections of this Code.
  - C. No development or building permit shall be issued for any development within the city until the plans, drawings, sketches and other documents required under Section 80.30.005 have been reviewed and approved by the City in conformity with the criteria specified in this subchapter.
  - D. For purposes of this section the term "development" shall mean land use, limited land use building permit, or permit applications of any kind, or the erection, construction or exterior remodeling of buildings, structures, parking lots, streets and roads, and signs in all zones, except as noted in Section 80.20(A).
  - E. The provisions of this chapter shall apply to all accessory buildings, structures, exterior signs and other site features, however related to the major buildings or structures.
  - F. Site design review approval is valid for two years from the date of notice of the final decision. All building, land use and utility permits must be secured within the two-year time frame.
  - G. Site design authority may be extended for up to five years for phased developments. The requested phases must be applied for and approved in the original site design review application. Phased developments not completed within five years must reapply for site design review.
  - H. Development in Accord with Plans. Construction, site development and landscaping shall be carried out in substantial accord with the plans, drawings, sketches and other documents approved by the city, unless altered with city approval. Nothing in this subsection shall be construed to prevent ordinary repair, maintenance and replacement of any part of the building or landscaping which does not involve a substantial change from the goals and objectives of this subchapter. Proposed substantial changes

shall be submitted to the city for approval and shall be subject to the procedures and requirements for new site design review proposals.

80.20.010 Application of Other Requirements. The requirements of this subchapter are in addition to all other requirements, including but not limited to the Independence City Code, Zoning and Development Ordinance, and Comprehensive Plan.

80.20.015 Application Process. Except as provided in Section 80.20.020, site design review applications shall be processed as Type I actions as described in Subchapter 11. The City may deny a development permit for failure to adequately address or comply with the standards set forth in Subsection 80.40.

80.20.020 Review of Large-Scale Commercial/Industrial Developments. Site design review applications for commercial/industrial developments with more than 40,000 square feet of gross floor area shall be processed as Type II actions as described in Subchapter 11.

### 80.30 SITE DESIGN REVIEW APPLICATION REQUIREMENTS

80.30.005 Submission of documents. An applicant for a building or other permit who is subject to site design review shall submit to the City, in addition to the requirements of Subsection 90.40 of the Independence City Code, the information listed below. The applicant shall submit three copies each of the required site analysis diagram, site development plan and landscape plan unless authorized by the City to combine the required information into one plan. When a public hearing is required, one additional set shall be submitted which is of a size that is conveniently reproducible, not to exceed 11 inches by 17 inches.

A. Site Analysis Diagram - drawn to scale, indicating the following information:

1. Adjacent land-uses (i.e., whether vacant, or occupied by a 2-story apartment building, grocery store, etc.). If there is a residence within 50 feet of the subject site, indicate the specific location of the building, its size and distance from the subject property boundary.
2. Location of trees greater than four inches in diameter when measured five feet above the ground; indicate if evergreen or deciduous. Where the site is heavily wooded, only those trees that will be affected by the proposed development need to be sited accurately. The remainder of trees may be shown on the map in the general area of their distribution.
3. Topography.
4. Natural drainage; and arrows indicating the direction of the natural drainage.

5. Lot dimensions and total area of the lot.
- B. Site Development Plan – drawn to scale, indicating the following information:
1. Legal description of the lot;
  2. Dimensions and total area of the lot;
  3. Location of all existing and proposed structures, including minimum distances from all structures to all lot lines;
  4. The total area in terms of percentages, devoted to the following:
    - a. Structures
    - b. Parking
    - c. Landscaping
    - d. Transportation facilities
  5. Rights-of-way of all abutting streets or paths whether public or private, and access to the site;
  6. Parking plan showing location, size and number of all parking spaces, driveways and access points.
  7. Locations and dimensions of all easements and nature of the easements;
  8. Location of any non-access strips;
  9. Other site elements which will assist in the evaluation of site development; including (1) existing and proposed water, sewer and storm drain connections to the existing public utility system, (2) final building, parking area, and lot corner elevations, (3) drainage patterns.
  10. Exterior lighting; the type, height and areas of illumination.
  11. Service areas for uses such as mail delivery and trash disposal, and bicycle facilities consistent with subchapter 73 and the City's Comprehensive Master Bicycle Plan.
  12. Location, size, materials, color and method of illumination of all signs.
  13. Utility Plan. A preliminary utility plan showing existing and proposed on and off-site utilities in sufficient detail to evaluate the intent and feasibility of

the proposed method of service and to determine its impact on the public utility systems.

14. Locations and sizes of existing and proposed fire service lines, hydrants, and other fire suppression facilities within and adjacent to the development.

15. Final building, parking area, lot grading elevations and lot drainage patterns;

16. Additional data to be provided for multiple-family residential developments or dwelling structures which contain three or more units:

- a. Outdoor play area, if any.
- b. Locations and dimensions of all recreation areas, equipment, recreation and service buildings, and areas of recreation space in square feet.

C. Landscape Plan – drawn to scale, indicating the following information:

1. Lot dimensions, outline of structure(s), scaled location of windows and doors;

2. The size, species (identifying both botanical and common names) and location of plant material and other landscaping materials; those to be retained on the site and those newly planted and landscaping materials and methods of construction;

3. The dimensions, location, and area (in square feet) for each landscape area intended to fulfill the requirements of Subchapter 54.

4. The size and location of all storm water facilities intended to fulfill the requirements of the Independence Public Works Design Standards.

5. Locations and types of fences, walls, berms, and landscaped areas intended to fulfill requirements for perimeter screening.

6. Tree staking details;

7. The city may require a solar access analysis to determine the shading characteristics of the proposed buildings and trees (at mature heights) on December 21st between 9:00 A.M. and 3:00 P.M.

D. Architectural Drawings – including floor plans and elevations.

E. Irrigation Specifications – Automatic underground irrigation systems are to be indicated on the landscape plan unless a licensed landscape architect certifies that the landscaping will likely survive without irrigation.

F. Traffic Impact Analysis – A traffic impact analysis report, prepared by an Oregon professional traffic engineer or an Oregon registered Professional Engineer with expertise in traffic engineering, shall be required for all development permits and land use applications which generate a net increase of 200 or more vehicle trips per day or are likely to increase the V/C ratio or decrease the safety of a State transportation facility. Traffic impact analysis reports shall include:

1. The total estimated vehicular, pedestrian, bicycle and other transit service trips to be generated from the proposed development;
2. The impact of the total estimated vehicular, pedestrian, bicycle and other transit service trips on the existing street, sidewalk, bicycle and other transit systems within the City; and
3. Identification of improvement necessary to mitigate the total impact from the proposed development as identified in item 2.

G. A non-refundable application fee as set by the city council.

H. Any other information reasonably required to achieve the intent of this subchapter, the city zoning regulations and the comprehensive plan.

### 80.35 REVIEW CRITERIA AND STANDARDS FOR DEVELOPMENTS WITH RESIDENTIAL USES

The following standards shall be utilized in reviewing the plans, drawings, sketches and other documents for all developments that include at least one residential unit and require Site Design Review.

A. Zoning Considerations. The application shall comply with the requirements of the underlying zone.

B. Traffic, Parking and Circulation Considerations

1. Right-of-Way Dedication. The applicant shall be required to dedicate right-of-way and expand the roadway when a street adjacent to the development does not comply with the widths specified in the Independence Transportation System Plan. Provided that, where a roadway expansion is not considered to be proportionate to the impact of the development, the City Manager may waive this standard and require a waiver of remonstrance in lieu of the improvement.

2. Traffic impacts. Right-of-way improvements shall be required if increased vehicular traffic generated by the development will cause streets within the City of Independence to exceed their V/C standards, as shown in the following two tables:

<b>Maximum Volume to Capacity Ratios for City-owned Streets</b>	
City-owned streets bounded by B Street to E Street and 2 <sup>nd</sup> Street to Main Street	.95
City-owned streets outside of the area bounded by B Street to E Street and 2 <sup>nd</sup> Street to Main Street	.80

<b>Maximum Volume to Capacity Ratios for State-owned Streets</b>				
Highway Category	STAs	Outside of STAs where posted speed <=35 mph, or a Designated UBA	Outside of STAs where speed >35 mph	Outside of STAs where speed limit >=45 mph
District/Local Interest Roads	.95	.90	.85	.80

3. Pedestrian Improvements.

- a. Sidewalks shall be provided along all public streets and be designed in accordance with the Independence Public Works Design Standards.
- b. Trail easements shall be required in locations shown in the Independence Transportation System Plan. Where the trail location would provide a direct connection to an existing trail or is expected to make the connection to a trail within the following 10 years, a trail may also be required. Provided that this standard may be waived if the City Manager determines that the improvement is disproportionate to the impact of the development.

C. Landscaping Considerations

1. The proposal shall comply with IDC 54: Buffering, Screening, Landscape and Ash Creek Setback Requirements.
2. Any street trees proposed for the site shall be on the City approved street tree list.

D. Stormwater and Public Utilities

1. Stormwater and public utilities proposed for the site shall comply with the Independence Public Works Design Standards.

**80.40 REVIEW CRITERIA AND STANDARDS FOR NON-RESIDENTIAL DEVELOPMENT**

The following standards shall be utilized in reviewing the plans, drawings, sketches and other documents for all developments required by this subchapter that do not include at least one residential unit. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the city. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation.

A. Preservation of landscape and significant wildlife habitat. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree, wetland and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

B. Environmental design considerations. Proposed structures shall be located and designed to insure harmony with the natural environment, including protection of steep slopes, vegetation and other naturally sensitive areas for wildlife habitat and shall provide proper buffering from less intensive uses. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, street access or relationships to natural features such as vegetation or topography.

C. Traffic, parking and circulation considerations. With respect to vehicular, bicycle, and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to the arrangement and relationships of buildings in terms of pedestrian accessibility, location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties. Based on the anticipated bicycle and pedestrian traffic generated, consideration may need to be given to improvements to the right-of-way such as installation of lighting, signalization, turn lanes, paving, curbs, sidewalks, bikeways and other facilities required because of the increased bicyclist and pedestrian traffic generated by the development. Right-of-way improvements shall be required if increased vehicular traffic generated by the development will cause streets within the City of Independence to exceed their V/C standards, as shown in the following two tables:

Maximum Volume to Capacity Ratios for City-owned Streets	
City-owned streets bounded by B Street to E Street and 2 <sup>nd</sup> Street to Main Street	.95



City-owned streets outside of the area bounded by B Street to E Street and 2 <sup>nd</sup> Street to Main Street	.80
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**Maximum Volume to Capacity Ratios for State-owned Streets**

Highway Category	STAs	Outside of STAs where posted speed <=35 mph, or a Designated UBA	Outside of STAs where speed >35 mph	Outside of STAs where speed limit >=45 mph
District/Local Interest Roads	.95	.90	.85	.80

New streets built as a part of developments must be designed to meet the V/C standards in the tables above.

D. Landscaping considerations. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose of this section. The City Manager or designee will have the authority to deny an application for failure to comply with any or all of these conditions:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon. Noise reduction shall be considered by planting dense vegetation or berming when residential structures are located adjacent to a street of at least arterial street status.
2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
4. The development and use of islands and plantings therein to break up parking areas.
5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer and ailanthus.
6. The requirements of Subchapter 54.

E. Crime prevention considerations. Criminal activity may be reduced by paying specific attention to landscaping, parking areas, walkways, lighting, entries and exits and visibility and by having laundry areas and shared recreational

facilities, such as pools or recreational facilities, located in a common area with visibility from individual units. Addresses of the buildings should be clearly visible from the adjacent public street.

F. Surface Water Drainage. Special attention shall be given to proper grading and contouring of the site, on-site surface drainage and on-site storage of surface water facilities, when necessary, so that removal of surface waters will not adversely affect neighboring properties, public rights-of-way or the public storm drainage system. All storm water facilities shall comply with the requirements of the Independence Public Works Design Standards.

G. Utility Service. Any utility installation above ground shall be located so as to have an harmonious relation to neighboring properties and site. The proposed method of sanitary sewage disposal from all buildings shall be indicated.

H. Advertising Features. In addition to the requirements of the city's sign regulations, the size, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features shall be compatible with and shall not detract from the design of proposed buildings and structures and the surrounding properties.

I. Special Features. Exposed storage areas, garbage collection areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be required to prevent their being incongruous with the existing or contemplated environment and its surrounding properties. For multiple-family residential developments, consideration shall be given to outdoor storage facilities for articles such as barbecues, outdoor furniture and bicycles.

J. Energy Conservation. Special consideration shall be given to measures designed to promote energy conservation which is promoted by one or all of the following measures:

1. Use of evergreen plantings so that the trees at maturity will buffer against winter winds.
2. Use of windbreaks and avoidance of large areas of window glass and entry doors on extreme weather-exposed sides of a structure.
3. Design and orientation of buildings and windows to enhance unobstructed solar access and passive solar collection while using architectural shading devices to reduce summer heat gain.

## 80.60 PERFORMANCE STANDARDS FOR INDUSTRIAL DEVELOPMENT

The discharge into the environment of solids, liquids or gases in such quantities as to be detrimental to the public health, safety and welfare, to cause injury to human, plant or animal life or to property, or to violate air, water, soil or wetlands standards promulgated by local, State or Federal law is prohibited. In any industrial zone, no land or structure shall be used or occupied unless there is continuing compliance with the following standards:

- A. Heat, glare and light.
  - 1. Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building; such heat and glare shall not be discernible at or beyond the property line;
  - 2. Exterior lighting shall be directed away from and shall not reflect on adjacent properties.
- B. Noise. Noise shall be muffled and shall not be objectionable due to intermittence, frequency or shrillness and shall not exceed standards established by local, State or Federal law.
- C. Sewage. Adequate provisions shall be made for the disposal of sewage and waste, which provisions shall meet the requirements established by local, State or Federal law.
- D. Vibration. No vibration, other than that caused by highway vehicles and trains shall be permitted if such vibration will endanger the health, welfare or safety of the public or constitute a public nuisance.
- E. General Standards. No activity shall be conducted in any industrial zone which will cause the emission of noise, vibration, residue, discharge or odor which is offensive to the community.

## 80.70 ADDITIONAL REQUIREMENTS FOR NON-RESIDENTIAL DEVELOPMENT

80.70.005 To the extent necessary to meet the criteria for site design review contained in this subchapter for non-residential development, the City may impose the following additional requirements on a development subject to advising the applicant of the reason in writing.

- A. Establish the suitability of the landscape plan by having it prepared by a licensed landscape architect.

- B. Obtain approval of a grading and drainage plan for the collection, treatment and transmission of storm or ground water, from an engineer licensed to practice in the State of Oregon.
- C. Establish vehicle, bicycle, and pedestrian access facilities with due consideration to size, location and grade, safety and convenience.
- D. Dedicate and improve public street rights-of-way, a pedestrian way, bikeway or bike path, or an easement for utilities, a waterway or slope protection.
- E. In the case of commercial or industrial development, provide access by a frontage road having limited and controlled access onto an arterial street by means of traffic signals, traffic control islands or other means that will preserve the traffic-carrying capacity and safety of the arterial street and will avoid the cumulative effect of individual access points directly onto the arterial street.
- F. Provide access to a street that intersects an arterial street instead of taking access directly from the arterial street in order to preserve the traffic-carrying capacity and safety of the arterial street and avoid the cumulative effect of individual access points directly onto the arterial street.
- G. Limit hours of operation to reduce conflicts with other uses in the surrounding area.