

## **Chapter 16.175 Design Review**

### **16.175.000 Purpose**

The purpose of Design Review Approval is to insure compliance with the objectives and provisions of this ordinance and the Comprehensive Plan; to mitigate the impacts where development may cause a conflict between uses in the same or adjoining zones, to reduce and eliminate unsightly, unhealthful or unsafe conditions, which adversely affect the public health, safety, and general welfare.

This section is designed to address the location and design of a use that is allowed within the zone. In considering the design review requirements, the City shall take into account the impact of the proposed development on nearby properties, the capacity and circulation of the street system, the capacity of the utility and service systems, and the appearance of the street and the community.

### **16.175.005 Design Review Approval Requirements**

A building, grading, parking, or development permit, as specified in this chapter shall not be issued for a use subject to this section, nor shall such uses be commenced, enlarged, altered, changed or moved until a design review application is approved by the City.

### **16.175.010 Design Review Approval Procedures**

Design review is required for all new developments and modifications of existing developments described below. Regular maintenance, repair and replacement of existing materials (e.g. roof, siding, awnings, etc.), parking resurfacing and similar maintenance and repair shall be exempt from review.

**A. Limited Land Use Design Review – Type II.** A Type II Land Use Design Review application is conducted by the City without a public hearing and in accordance with this chapter. This procedure shall be used when the City finds that the applicable standards are primarily clear and objective but may require a limited exercise of discretion. This procedure is for changes in land use and developments that do not require a conditional use permit or comprehensive design review approval. A limited land use review ensures compliance with the basic land use and development standards of the land use district, such as lot area, building setbacks, and orientation, lot coverage, building height, landscaping, parking and other development standards

A Limited Land Use review is required for the types of changes in land use and development proposals listed below. Land uses and development exceeding the thresholds below require a Type III Design Review application.

1. A change in occupancy from one type of land use to a different land use;
2. A development proposal that increases lot coverage by no more than 10%;
3. Non-residential building additions up to 500 square feet or 20% of an existing structure, whichever is greater.
4. Minor modifications to development approvals that require one or more discretionary approval standards.
5. Minor alterations to a development that has a valid conditional use permit that require one or more discretionary approval standards, and as determined by Chapter 16.51;
6. Non-residential Accessory structures and accessory parking;
7. Having a condition for major public improvements where a specific plan was not considered (e.g., transportation facilities and improvements, parks, trails and similar improvements as determined by the City).

A Type II Limited Land Use Design Review shall be conducted prior to issuance of building permits, occupancy permit, business license or public improvement permits as determined by the City and an application shall be approved only upon meeting all of the following criteria:

1. The proposed land use or development is permitted by and meets the intent of the underlying land use district;
2. Adequate findings can be shown to address discretionary application criteria, and
3. When new development is proposed, the proposal is found to comply with the applicable sections of this chapter apply.

**B. Type III Design Review.** Type III design review applications are reviewed by the Planning Commission including a public hearing in accordance with this chapter. It applies to all development in the City, except those specifically listed or similar to those under “A.” above and the standards of this chapter.

#### **16.175.115 Filing Procedure**

Design Review Applications shall be filed on a Planning Department form as provided by the City and shall be accompanied by such drawings, sketches, and descriptions as the City deems necessary to describe the proposed development. An application shall not be deemed complete unless all information requested is provided.

**16.175.020 Pre-Application Conference**

If required, the applicant shall schedule a pre-application conference prior to filing a Design Review Application.

**16.175.025 Application**

Following the pre-application conference, the applicant shall submit the formal application to the City accompanied by the appropriate fee and application materials, along with a site development plan and other information in accordance with the pre-application meeting and the requirements of this chapter.

**16.175.030 Filing**

A design review application must be filed for any of the following uses, except for single family or duplex construction and accessory structures and unless determined to be a Type II limited land use review pursuant to 16.175.010(A).

- A. New buildings or structures.
- B. Building alterations substantially affecting the exterior design and/or dimensions of an existing structure.
- C. Any exterior alteration to an existing nonresidential use, which has not previously been subject to design review, except for painting, the replacement of roofing and siding material.
- D. Any exterior alteration to an existing nonresidential use which has been subject to design review.
- E. Any alteration of site improvements, such as the landscaping in conjunction with an existing nonresidential use which has been subject to design review.
- F. Any new permitted land use on undeveloped property, such as parking lots, concession stands, storage yards, etc.
- G. Site grading of property affecting or altering the on-site or off-site drainage.
- H. A change of use within a zone unless the use change will not affect parking, exit requirements, and other standards of this ordinance.
- I. The removal of a substantial portion of mature trees existing on-site.

## 16.175.035 Design Review Plan - Submittal Requirements

- A. **Information Requirements.** Information provided on the design review plan shall conform to the following:
1. Drawings depicting the proposal shall be presented on sheets not larger than twenty-four inches by thirty-six inches in the number of copies directed by the city;
  2. Drawings shall be at a scale sufficiently large enough to enable all features of the design to be clearly discerned;
  3. An electronic copy of the drawings shall be submitted in Adobe Acrobat (.pdf) or other software format designated by the City.
- B. **Site Analysis Diagram.** This element of the design review plan, which may be in a freehand form to scale, shall indicate the following site characteristics:
1. Location and species of trees greater than six inches in diameter when measured four and one-half feet above the natural grade, and an indication of which trees are to be removed;
  2. On sites that contain steep slopes, potential geologic hazard or unique natural features that may affect the proposed development, the city may require contours mapped at two-foot intervals;
  3. Natural drainage ways and other significant natural features;
  4. All buildings, roads, retaining walls, curb-cuts and other manmade features;
  5. Natural features, including trees and structures on adjoining property having a visual or other significant relationship with the site.
- C. **Site Photographs.** Photographs depicting the site and its relationship to adjoining sites may also be provided.
- D. **Site Development Plan.** This element of the design review plan shall indicate the following:
1. Legal description of the lot;
  2. Boundary dimensions and area of the site;

3. Location of all new structures and existing structures proposed to be retained, including their distances from the property line;
4. Area of the site covered by the structures described in subdivision 3 of this subsection and their percentage of the site;
5. All external dimensions of proposed buildings and structures;
6. The location of a building's windows, doors, entrances and exits;
7. Parking and circulation areas, including their dimensions;
8. Service areas for such uses as the loading and delivery of goods;
9. Locations, descriptions and dimensions of easements;
10. Grading and drainage plans, including spot elevations and contours at close enough intervals to easily convey their meaning;
11. Location of areas to be landscaped;
12. Private and shared outdoor recreation areas;
13. Pedestrian circulation;
14. The location of mechanical equipment, garbage disposal areas, utility appurtenances and similar structures;
15. Exterior lighting on the proposed building(s), including the type, intensity and area to be illuminated;
16. Location, size and method of illumination of signs;
17. Provisions for handicapped persons;
18. Other site elements which will assist in the evaluation of site development;
19. The location and names of all existing streets within or on the boundary of the proposed development;
20. A written summary showing the following:
  - a) For commercial and nonresidential development:

- i. The square footage contained in the area proposed to be developed,
  - ii. The percentage of the lot covered by structures,
  - iii. The percentage of the lot covered by parking areas and the total number of parking spaces,
  - iv. The total square footage for all landscaped areas including the percentage consisting of natural materials and the percentage consisting of hard-surfaced areas such as courtyard,
- b) For residential development:
- i. The total square footage in the development,
  - ii. The number of dwelling units in the development (include the units by the number of bedrooms in each unit, e.g., ten one-bedroom, twenty-five two-bedroom, etc.),
  - iii. Percentage of the lot covered by:
    - 1) Structures
    - 2) Parking areas
    - 3) Recreation areas,
    - 4) Landscaping

E. **Landscape Plan.** Development proposals with a total project cost exceeding two hundred fifty thousand dollars may be required to ~~shall~~ have the landscape plan prepared by a licensed landscape architect. This element of the design review plan should indicate the following:

1. The size, species and locations of plant materials to be retained or placed on the site;
2. The layout of proposed irrigation facilities;
3. The location and design details of walkways, plaza, courtyards and similar seating areas, including related street furniture and permanent outdoor equipment including sculpture;
4. The location, type and intensity of lighting proposed to illuminate outdoor areas;
5. The location and design details of proposed fencing, retaining walls and trash collection areas; and

6. For commercial projects with a total project cost exceeding two hundred fifty thousand dollars, a rendering showing the proposed landscape plan in perspective. Such renderings shall be prepared for each of the project's main elevations.

F. **Architectural Drawings.** This element of the design review plan shall indicate the following:

1. A plot plan specifying the building footprint and dimensions, including all points of access. Floor plans of interior spaces to the extent required to clarify access functions. Such floor plans shall be provided for all building floors and shall include appropriate dimensions;
2. Exterior elevations showing finish materials, windows, doors, light fixtures, stairways, balconies, decks and architectural details. These elevations shall be provided for every exterior wall surface, including those which are completely or partially concealed from view by overlapping portions of the structure. Existing and finished grades at the center of all walls shall be shown with elevations of floors indicated and a dimension showing compliance with height limitations;
3. The color and texture of finish materials shall be described on the drawings and samples shall be submitted of the materials and color ranges of siding, roofing and trim;
4. Location and type of exterior light fixtures including the lamp types and levels of illumination that they provide;
5. A comprehensive graphic plan showing the location, size, material and method of illumination of all exterior signs, subject to the other applicable requirements of the Zoning and Development Ordinance. At the applicant's option, this plan may be submitted for approval at any time prior to the issuance of occupancy permits.

G. **Architectural Model.**

1. Architectural models may be required for:
  - a. All new construction, other than duplexes or triplexes,
  - b. Alterations to existing structures other than duplexes or triplexes where the proposed alteration involves the addition of one thousand square feet of gross floor area or more;

2. The model shall be to scale and represent the proposed development and adjoining buildings within fifty feet of applicant's property lines;
3. The model need only be a massing model sufficient to illustrate the relationship of the proposed structure(s) to the site and surrounding properties.

H. **Property Survey.**

1. A survey of the property by a licensed land surveyor clearly delineating property boundaries. The city may waive this requirement where there is a recent survey which can be used to establish the applicant's property boundaries;
2. Prior to the Planning Commission meeting, the applicant will have clearly marked the corners of proposed buildings and other significant features proposed for the site.

**16.175.040 Engineer's Assessment**

Prior to the development of lots containing unstable soils as defined by this ordinance, the City shall require a registered engineer's assessment of the design and structural techniques needed to mitigate potential hazards. In the event there are inadequate mitigation measures, the City shall prohibit development.

**16.175.045 Documentation**

All documentation and completed plans required by the Planning Commission shall be submitted and approved prior to obtaining any required permits or licenses.

**16.175.050 Type III Design Review Criteria**

Approval of a Type III Design Review application shall be based on the following criteria:

A. **Relation of Site Plan Elements to the Environment**

1. The elements of the site plan shall be compatible with the natural environment and existing buildings and structures having a visual relationship with the site.
2. The elements of the site plan should promote energy conservation, and provide protection from adverse climatic conditions, noise and air pollution.

3. Each element of the site plan shall effectively, efficiently and attractively serve its function. The elements shall be on a human scale, interrelated, and shall provide spatial variety and order.
4. In commercial and industrial zones adjacent to State or Federal highways, and/or lying in County jurisdiction within urban growth boundaries, a coordinated circulation and access plan shall be submitted for the site and all properties in the immediate vicinity (no more than 1/4 mile to each site) to assure the public's safety in entering or leaving the site, as well as when traveling through the area. This requirement may be waived by the Planning Staff if adequate access control and efficient and safe circulation can be obtained without the development and approval of a coordinated circulation and access plan.
5. Safety and Privacy. The site plan should be designed to provide a safe environment while offering appropriate opportunities for privacy and transitions from public to private spaces.
6. Preservation of Natural Landscape. The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve the applicant's functions. Preserved trees and shrubs shall be protected during construction.
7. Pedestrian and Vehicular Circulation and Parking. The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and arrangement of parking areas in relation to building and structures, shall be harmonious with proposed and neighboring buildings and structures.
8. Drainage. Surface drainage systems shall be designed so as to not adversely affect neighboring properties, streets and/or surface and subsurface water quality. All surface water shall be contained on-site.
9. Buffering and Screening. Areas, structures, and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered, or screened to minimize adverse impact on the site and neighboring properties.
10. Utilities. All utility installations above ground, if such are allowed, shall be located so as to minimize adverse impacts on the site and neighboring properties.
11. For any access within the Light Industrial (M-1) zone, the access shall be spaced a minimum of 200 feet from the nearest access on the same side of

the street; this is to be coordinated between O.D.O.T., Washington County and the City of North Plains.

**B. Required Landscaping**

Areas Subject to Landscape Requirements: All use types as allowed in the particular zoning district, and subject to Design Review shall meet the provisions of this section.

1. Multi-family Residential. 15% landscaping of the gross lot area required. All areas subject to the final site plan and not otherwise improved shall be landscaped.
2. Community Commercial. 5% landscaping of the gross lot area required. All areas subject to the final site plan and not otherwise improved shall be landscaped.
3. General Commercial. 5% landscaping of the gross lot area required. All areas subject to the final site plan and not otherwise improved shall be landscaped. Screening by tall trees between highway commercial and adjacent residential zones, on side of highway commercial zone from highway to which it relates, such that the trees provide an attractive backdrop to elevated signage and adjacent residential uses.
4. Light Industrial. 5% landscaping of the gross lot area required. All areas subject to final site plan and not otherwise improved shall be landscaped.
5. Landscape Management. Natural vegetation is acceptable if maintained in a neat and fire safe manner.
6. Other Landscape Areas. All areas utilized for subsurface sewage disposal land treatment, except for single-family residences are required to be landscaped and maintained.

**C. Landscaping in Parking and Loading Areas**

In addition to the above provisions, the following landscape requirements apply to parking and loading areas.

1. A parking or loading area shall be separated from any lot line adjacent to a roadway by a landscaped strip at least 5 feet in width.
2. A landscaped strip separating a parking or loading area from a street shall contain:

- a) Street trees spaced as appropriate to the species, not to exceed 50 feet apart, on the average; and
  - b) Low shrubs, not to reach a height greater than 3'0", spaced no more than 8 feet apart, on the average; and
3. Vegetative ground cover if required.
  4. Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.
  5. The landscaping in a parking area shall have a width of not less than three feet.

**D. Irrigation**

Provisions shall be made for watering planting areas where such care is required. Underground sprinklers may be required.

**E. Maintenance**

Required landscaping shall be continuously maintained.

**F. Special Requirements**

The Planning Commission may require the following, in addition to the minimum requirements and standards of this ordinance, as a condition of Design Review Approval.

1. An increase in building separation, to afford improvement in light reception or air circulation or to afford greater fire resistance, based on building structural and fire flow requirements.
2. Additional off-street parking, according to specific requirements for the type of development.
3. Screening of the proposed use by a fence, or landscaping.
4. Limitations on the size, location, intensity and number of exterior lights.
5. Limitations on the number, and location of curb cuts.
6. Improvement or enlargement of utilities serving the proposed use, where existing facilities will be burdened by the proposed use.
7. Landscaping, or increases in landscaping requirements for the site.

8. Limitations on the number and size of signs.
9. Review of and adjustments in design for conformance with the historic architectural design theme.
10. Any other limitations or conditions it considers necessary to achieve the purposes of this ordinance and the Comprehensive Plan.

**16.175.155 Design Review - Specific Use Standards**

The following specific uses shall comply with the standards of the zone in which they are located and with the additional standards and conditions set forth in this section.

**A. Churches, or Other Religious Institutions or Hospitals**

In residential districts, all buildings shall be setback a minimum of 30 feet from a side or rear lot line, no sign exceeding 10 square feet in area, nor internally illuminated, off-street parking screened from abutting residential property.

**B. Medical Clinics, Clubs, Lodges, Community Centers, Golf Courses, Grounds and Buildings for Games or Sports, Country Clubs, Swimming Clubs, Tennis Clubs, Government Structures and Land Uses, Parks, Playgrounds**

The Planning Commission may authorize these uses if it determines that the following will be provided:

1. Access from principal streets subject to City Public Works Standards.
2. Building and site design provisions, including landscaping, that will effectively screen neighboring uses from noise and glare.
3. Subject to site plan review if the use is located in a residential district, all such uses shall be located with off-street parking screened from abutting residential property. No sign exceeding 10 square feet in area, nor internally illuminated, shall be permitted. All buildings shall be set back a minimum of 30 feet from side or rear lot lines. There shall be no external evidence of any incidental commercial activities taking place within the building. If located in a residential district design of a type that conforms with the type of allowed residential use adjacent to it is required.

**C. Schools**

Nursery schools shall have a minimum site size of 10,000 square feet, and provide and maintain at least 100 square feet of outdoor play area per child. a

sight-obscuring fence at least four feet but not more than six feet high shall separate the play area from adjoining lots.

**D. Multi-Family Dwelling(s)**

A multi-family dwelling and a multi-family dwelling complex shall comply with the following provisions:

1. The maximum number of dwelling units permitted by the applicable zone per gross acreage of a site (e.g., 24 dwelling units per acre in R-2.5) shall be based on the total surface area measured horizontally within the lot lines of the lot. The actual achievable density on the site may be less than the maximum allowable density due to site constraints such as easements, rights-of-way and environmental constraints. The maximum density may be increased as follows:
  - a. If dedicated open space which is developed and landscaped equals 50% or more of the total area of the site, a maximum of 10% increase in the number of units may be granted.
  - b. If in addition to open space as provided in (a) above, a maintained playground area with approved equipment such as goal posts, swings, slides, etc., is provided, the number of units permitted may be increased an additional 5%.
  - c. If in addition to open space and playgrounds as provided in (a) and (b) above, an approved recreational community building is provided, an additional 10% increase of units may be granted.
2. The maximum total increase in dwelling units made possible by development of open space, playgrounds and recreational facilities shall be 25% of the number of units otherwise allowed.
3. There shall be no outdoor storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the complex.
4. For a multi-family dwelling complex with five or more dwelling units, a minimum of at least 2,500 square feet plus 150 square feet per dwelling unit shall be provided for a recreational play area, group or community activities or common open space. Such area shall be improved with grass, plantings, surfaces, equipment or buildings suitable for recreational use. The Planning Commission may require recreational areas to be screened from streets, parking areas or other uses by a sight-obscuring fence. No play area is required if more than 70% of the area is preserved as open space and is improved and landscaped for recreational enjoyment.

5. All roadways and parking areas shall be paved and roadways shall conform to City Public Works Standards.
6. A sight obscuring fence or hedge may be required by the Planning Commission when, in its judgment, such screening is necessary to preserve the values of nearby properties, protect the aesthetic character of the neighborhood or vicinity, and to provide security for occupants of the subject complex.
7. All structures associated with such a complex shall be set back 30 feet from the property line of an abutting single family residential lot or use unless approved otherwise by the Planning Commission.
8. Sidewalks or other approved surfaced pedestrian walkways within the complex shall be provided.
9. Bicycle parking facilities shall be provided.
10. Public Park. The developer shall set aside and dedicate to the public for park and recreational purposes not less than 8% of the gross area of said development, if the land to be dedicated is suitable and adaptable for such purposes and is generally located in an area planned for parks.

The City shall determine whether or not said land is, in fact, suitable for park purposes. Provided, further, that any such approval shall be subject to the condition that the City Council accept the deed dedicating such land.

In the event there is no suitable park or recreation area or site in the proposed area to be developed or adjacent thereto, then the developer shall, in lieu of setting aside land, pay into a park acquisition and development fund a sum of money equal to the fair market value of the land that would have been donated under the above conditions. For the purpose of determining the fair market value, an appraisal performed by a state certified appraiser, or the latest value of the land as un-platted and without improvements as shown on the Washington County Assessor's tax roll shall be used. The sum so contributed shall be used for acquisition of suitable area of park and recreation purposes or for the development of recreational facilities. Such expenditures shall be made for neighborhood or community facilities within the area of the community that will reasonably benefit the contributing development.

Funds contributed in lieu of park land shall be credited to a park acquisition and development fund and shall be deposited with the City. Such funds may be expended only on order of the City Council for the purpose of acquiring or developing land for park or recreation purposes.

11. All such complexes shall provide adequate access.

12. If the complex or any unit thereof is more than 500 feet from a public fire hydrant, such shall be provided at appropriate locations on a vehicular way and shall conform in design and capacity to the public hydrants in the City.

**E. Recreational Vehicle Park**

A recreational vehicle park shall conform to state standards in effect at the time of construction and the following provisions:

**1. Use Standards.**

Management headquarters, recreational facilities, toilets, dumping stations, showers, coin-operated laundry facilities, and other uses and structures customarily incidental to operation of a recreational vehicle park and campground are permitted as accessory uses to the park.

**2. Design Standards**

- a. The maximum density of an RV park shall be 15 units per acre.
- b. The pad provided for each recreational vehicle shall be not less than 700 square feet exclusive of any space used for common areas such as roadways, general use structures, walkways, parking spaces for vehicles other than recreational vehicles and landscaped areas.
- c. Roadways shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or not less than 20 feet in width if parking is not permitted on the edge of the roadway and shall be paved with asphalt, concrete or similar impervious surface and designed to permit easy access to each recreational vehicle space.
- d. A space provided for a recreational vehicle shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide for the control of runoff or surface water. The part of the space which is not occupied by the recreational vehicle and not intended as an access way to the recreational vehicle or part of an outdoor patio need not be paved or covered with gravel provided the area is landscaped or otherwise treated to prevent dust or mud.
- e. A recreational vehicle space shall be provided with piped potable water and sewage disposal service. A recreational vehicle staying in the park shall be connected to the water and sewage service provided by the park if the vehicle has equipment needing such service, and proper back-flow prevention devices are installed per City Public Works Standards.

- f. A recreational vehicle space shall be provided with electrical service.
- g. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of guests of the park and located in such number and of such capacity that there is no uncovered accumulation of trash at any time.
- h. No recreational vehicle shall remain in the park for more than 3 months in any 6 month period.
- i. No recreational vehicle or any other camping unit shall be used as a permanent place of abode, dwelling, or business or for indefinite periods of time. Occupancy and/or placement extending beyond three months in any six months shall be presumed to be permanent occupancy. Any action toward removal of wheels of a recreational vehicle except for temporary purposes of repair is hereby prohibited. Camping units other than recreational vehicles shall be limited to 30 days in any 60 day.
- j. The total number of parking spaces in the park, except for the parking provided for the exclusive use of the manager or employees of the park, shall be equal to one space per recreational vehicle space. Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete or similar material.
- k. Entrance driveways shall be located not closer than 150 feet from the intersection of public streets.
- l. The park shall provide toilets, lavatories and showers for each sex as required by the State Building Agency Administrative Rules, Chapter 918. Such facilities shall be lighted at all times of night and day, shall be ventilated, and shall be provided with adequate floor drains to permit easy cleaning.
- m. 12. Recreational vehicles or other camping units shall be separated from each other and from other structures by at least 10 feet. Any accessory structure such as attached awnings, carports, or individual storage facilities shall, for purposes of this separation requirement, be considered to be part of the recreational vehicle.
- n. The recreational vehicle park shall be enclosed by a fence, wall, landscape screening, earth mounds, or by other designs approved by the Planning Commission which will complement the landscape and assure compatibility with the adjacent environment.

- o. Each recreational vehicle park shall set aside along the perimeter of the recreational vehicle park a minimum 10' strip which shall be site obscuring landscaping and used for no other purpose. Additional area for landscaping may be required through the design review process.

**F. Bed and Breakfast Inn**

A Bed and Breakfast Inn shall comply with all applicable state laws and the following conditions:

1. No more than three (3) sleeping rooms shall be available for the accommodation of inn visitors.
2. No more than six (6) guests shall be accommodated at any one time.
3. One daily meal shall be provided to inn guests.
4. The exterior of the building shall maintain a residential appearance.
5. No materials or commodities shall be delivered to or from the residence in a bulk or quantity that will create congestion.
6. The bed and breakfast inn shall be operated in a way that will prevent unreasonable disturbance to area residents.
7. One off-street parking space shall be provided for each guest room in addition to parking required for the residence.

**G. Commercial Use or Accessory Use Not Wholly Enclosed Within a Building, on a Lot Adjoining or Across a Street From a Lot in a Residential Zone**

These uses may be permitted conditionally subject to the following standards:

1. A sight-obscuring fence or evergreen hedge may be required by the Planning Commission when they find such a fence or hedge or combination thereof is necessary to preserve the values of nearby properties or to protect the aesthetic character of the neighborhood or vicinity.
2. In addition to the requirements of the applicable zone, the Planning Commission may further regulate the placement and design of signs and lights in order to preserve the values of nearby properties, to protect them from glare, noise, or other distractions or to protect the aesthetic character of the neighborhood or vicinity.
3. In order to avoid unnecessary traffic congestion and hazards, the Planning Commission may limit access to the property.

## H. **Amusement Enterprise**

An amusement enterprise may be authorized after consideration of the following factors:

1. Adequacy of access from principal streets together with the probable effect of traffic volumes on adjoining and nearby streets.
2. Adequacy of building and site design provisions to maintain a reasonable minimum of noise and glare from the building and site.

## I. **Radio, Television Tower, Utility Station or Substation**

1. In a residential zone, all equipment storage on the site may be required to be within an enclosed building.
2. The use may be required to be fenced and landscaped.
3. The minimum lot size for a public utility facility may be waived on finding that the waiver will not result in noise or other detrimental effect to adjacent property.
4. Transmission towers, posts, overhead wires, pumping stations, and similar installations shall be located, designed and installed to minimize conflicts with scenic values.

### **16.175.060 Violation**

Failure to comply with an approved Design Review and Site Plan and any conditions of approval shall be a zoning violation, subject to the requirements of this chapter.