

CHAPTER 2
ZONING

2.300 SUPPLEMENTAL STANDARDS FOR SPECIAL USES

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2.301 GENERAL PROVISIONS

2.301.01 Applicability of Special Use Standards

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

2.301.02 Process

The status of a special use as a permitted or conditional use is set forth in the underlying Zoning District.

Conditional uses shall be processed in accordance with the criteria and procedures specified in Section 3.103. Permitted uses shall be reviewed for compliance with the standards of Section 2.200 in the manner specified in the particular special use section.

- A. Conditional Uses and Special Uses: Special uses which are conditional uses in the underlying Zoning District shall be reviewed for compliance with the standards of Section 2.200 during the review of the Conditional Use Permit. In addition to any specific requirements under the special use, the following information shall be included with the application submittal:
1. A description of the proposed use and specific reason for the request.
 2. A vicinity map indicating the relationship of the proposed use to the surrounding area.
 3. A site plan of the property, including existing and proposed improvements, and other information necessary to address the requirements and conditions associated with the use.
 4. A building profile of proposed new or remodeled structures, as applicable.
 5. Information addressing the criteria set forth under Section 3.103.

2.302 PLANNED UNIT DEVELOPMENT (P.U.D.)

2.302.01 Purpose

- A. To produce a development which will be better than one resulting from traditional subdivision development.
- B. To allow flexibility which will encourage a more creative approach in the development of land, and will result in a more efficient, aesthetic and desirable use of open space and outdoor recreation area, while maintaining about the same population density and area coverage permitted in the district.
- C. To allow flexibility in design, placement of buildings, use of open spaces and outdoor recreation area, circulation facilities, off-street parking areas, and to best utilize the site's potential characterized by special features of geography, topography, size and shape.

2.302.02 Area of Application

Planned Unit Developments may be established in the Low Density Residential District (R-1) and Medium Density Residential District (R-2) on one or more parcels or lots whose total area is at least five (5) acres.

2.302.03 Applicant for Planned Unit Development Projects

The application form for a Planned Unit Development shall be signed by the owner(s) of all the property proposed for the Planned Unit Development, or a representative of the owner(s) provided the owner(s) designates the representative by name in writing to sign the application and the designation is submitted with the application form.

2.302.04 Uses Permitted

- A. The following uses are permitted:
 - 1. Residential Uses.
 - 2. Recreational facilities including, but not limited to, tennis courts, swimming pools and playgrounds.
 - 3. Open space and outdoor recreation area.
 - 4. Schools, libraries, community halls, and churches.

5. Offices, buildings and facilities required for the operation, administration and maintenance of any Planned Unit Development and for recreation purposes such as golf courses and recreation rooms, and vehicle storage areas.
6. Convenience establishments of a commercial and service nature, including stores, laundry, and dry-cleaning establishments, beauty shops and barber shops, but excluding gas stations and repair garages, provided:
 - a. Such convenience establishments are an integral part of the general plan of development for the Planned Unit Development and provide facilities related to the needs of the prospective residents.
 - b. Such convenience establishments and their parking areas will not collectively occupy more than one (1) acre per one hundred (100) dwelling units.
 - c. Such convenience establishments will be located, designed and operated to efficiently serve frequent trade and to serve the needs of persons residing in the Planned Unit Developments.
 - d. Such convenience establishments will not, by reason of their location, construction or operation, have adverse effects on residential uses within or adjoining the district, or create traffic congestion or hazards to vehicular or pedestrian traffic.

2.302.05 Development Requirements

Planned Unit Developments shall comply with the applicable development standards of Section 2.200, General Development Standards, and the following:

- A. Site Adaptation: To the extent practicable, the plan and design of the development shall preserve natural or unique features of the land and environment.
- B. Lot Arrangement: All lots within the development shall be designed and arranged to have direct access to, or frontage on, open space or outdoor recreation areas.
- C. Density of Development: The permitted maximum number of dwelling units shall be determined in accordance with the following:
 1. Determine total gross site area (G.S.A.)

2. Multiply the G.S.A. by .85 to determine the Net Site Area (N.S.A.).
 3. Deduct from the N.S.A. any land of 20 percent or greater slope or other unbuildable areas to determine the Net Buildable Site Area (N.B.S.A.).
 4. To determine the maximum number of dwelling units allowed for the site, multiply the N.B.S.A. by:
 - a. R-1 Zone: Multiply N.B.S.A. by 5 units per acre.
 - b. R-2 Zone Multiply N.B.S.A. by 15 units per acre.
- D. Amount of Open Space and Outdoor Recreation Area: At least twenty (20) percent of the gross site area shall be open space and outdoor recreation area and at least 50% of the 20% open space area (10% of the gross site area) shall be outdoor recreation area. The open space and outdoor recreation area shall not include any land in the Restricted Development Overlay District. The open space and outdoor recreation area may include school access routes, bicycle trails, natural or landscaped buffer areas, covered bus stops and the like, whenever practical or appropriate. Open space shall be permanently reserved by common ownership among the owners of a development, or dedicated to the public, or by other appropriate means committed to use for the general public.
- E. Community Option: Dedication of the proposed open space and outdoor recreation area may be requested by the decision authority when it is reasonably suited for use as a City park or for recreation purposes, taking into consideration such factors as size, shape, topography, geology, access, location, and applicable Comprehensive Plan policies, when such dedication is consistent with the ability of the City to maintain such parks.
- F. Structure Setback Provisions: Structures shall meet the setback requirements of the underlying zone.
- G. Circulation:
1. Streets within a PUD shall comply with the applicable standards of Section 2.202, Transportation and Access Standards.
 2. Roads, pedestrian and bikeway paths shall be an integrated system designed to provide efficient and safe circulation to all users. Developments should be designed to minimize the length of roadway.
 3. Pedestrian/bikeways shall be clearly signed and have adequate crossing facilities where warranted.

H. Off-Street Parking

Off-street parking requirements shall be as specified in Section 2.203, Off-Street Parking and Loading. Parking may be provided on each lot or in clustered parking areas. Additional off-street parking for guests and recreational vehicles may be required by type of street and/or traffic volumes.

I. Utilities

In addition to other requirements set forth herein, the following shall apply:

1. All sewer and water provisions shall be approved by the City before construction of such improvements.
2. All utility services shall be placed underground.
3. Provisions shall be made for fire prevention, including service water lines, non-freeze hydrants, and free emergency access for fire fighting equipment around buildings.
4. Provision shall be made for control of site storm water drainage, as required by Section 2.204, Storm Drainage.

J. Homeowners Association

A non-profit incorporated homeowners association, or an alternative acceptable to the City Attorney, shall be required for improving, operating and maintaining common facilities, including open space, streets, drives, service and parking areas and outdoor recreation areas. The following principles shall be observed in the formation of any homeowners association and shall be reviewed by the City Attorney.

1. A homeowners association shall be set up before approval of the final plat, or any portion thereof.
2. Membership shall be mandatory for each home buyer and any successive buyer.
3. The open space restrictions shall be in perpetuity.
4. The homeowners association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.

5. Home owners shall pay their pro rata share of the cost or the assessment levied by the homeowners association and the cost or assessment shall become a lien on the property.
6. The homeowners association shall be able to adjust the assessment to meet changes needed.
7. No change in open space use or dissolution of the homeowners association shall occur without a public hearing before the Planning Commission and approval by the City Council.

K. R-1 Zoning Restrictions

1. The minimum residential lot size is 6,000 square feet. The decision authority shall determine how many lots are allowed to be as small as 6,000 square feet and what size they shall be in the range of 6,000 to 7,499 square feet.
2. The only permitted residential uses are single family, detached dwellings.

2.302.06 Process

Planned Unit Developments shall be processed in accordance with the submittal requirements and procedures established in Section 3.107, Subdivisions and PUDs. Approval shall only be granted if the requirements of this Section and all other applicable requirements of this Ordinance are met.

2.302.07 Modification of an Approved PUD

After the Tentative Plan has been approved and the appeal period has lapsed, and before the Final Plat has been signed by the City, a decrease in the number of dwelling units of up to 5% and/or an increase in the amount of open space and outdoor recreation area of up to 5% are allowed. Any other changes shall be reviewed through a new PUD application.

2.303 MANUFACTURED HOMES

2.303.01 Scope

The following general standards are applicable to all manufactured homes sited in the City of Lafayette.

2.303.02 General Standards

- A. All manufactured homes shall be subject to the following standards:
1. Type of Manufactured Home Permitted. Only those manufactured homes used as permanent residences, manufactured after June 15, 1976, which exhibit the Oregon Department of Commerce "Insignia of Compliance" that indicates conformance with Housing and Urban Development (HUD) standards shall be permitted.
 2. Manufactured homes shall only be sited in an approved manufactured home park or manufactured home subdivision or on an individual lot in accordance with Sections 2.304, Manufactured Home Parks, and 2.305, Manufactured Homes on Individual Lots.
 3. Manufactured homes shall be placed upon a foundation or footings according to the requirements of state statutes and regulations. Plans and specifications for the foundation or footing design shall be submitted to the City and a building permit obtained.
 4. Manufactured skirting shall be installed around the perimeter of manufactured home units except where a unit is placed on a permanent foundation.
 5. Any extension of or attachment to the manufactured home which is not part of the original factory manufactured home and which is intended for use either as part of the dwelling unit or for storage purposes shall not occur unless indicated as a part of the application and is part of the approval. This application shall include plans for review and approval to insure the extension or attachment proposed is compatible and of similar design and character to the existing manufactured home. A City building permit shall be obtained for such extensions or additions to manufactured homes if so required by the appropriate state statutes and regulations.
 6. The applicant must obtain an installation/set-up permit for the manufactured home from the City.

2.303.03 Process

Compliance with the standards of this Section shall be reviewed administratively by the City Building Inspector during the review of applicable building permits and set-up permits.

2.304 MANUFACTURED HOME PARKS

2.304.01 Scope

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

2.304.02 Processing Procedure

Manufactured home parks shall be subject to the Site Development Review procedures of Section 3.105. Submittal requirements and review procedures shall be as specified in that Section. Approval shall not be granted unless all provisions of this Section and other applicable requirements of this ordinance are met.

2.304.03 General Standards

- A. Any lot or site used for a manufactured home park and any modifications to an existing park shall comply with the provisions of ORS 446.002 to ORS 446.210 and Mobile Home Park Standards, adopted as Oregon Administrative Rule, Chapter 814, Subdivision 3, Mobile Home Parks, Sections 28.010 to 18.170, inclusive.
- B. Minimum Park Size. All parks shall require a minimum of five acres.
- C. Density. The maximum density of a mobile home park shall not exceed six units per gross acre.
- D. Minimum Area. The minimum area to be contained on a mobile space by a mobile home and its accessory structures shall be 3,500 square feet.
- E. Setbacks. The following setback standards shall apply:
 - 1. General park development: Setbacks for structures other than a manufactured homes, carports and related accessory buildings shall comply with the minimum residential setbacks in the underlying zone.
 - 2. Manufactured homes:
 - a. Front: 5 feet minimum to the sidewalk; 8 feet minimum to the curb
 - b. Side and rear: 10 feet minimum to any adjacent manufactured home; 6 feet minimum to any adjacent non-residential structure

- c. Manufactured homes on the periphery of a manufactured home park shall maintain the same setbacks as required for the rear yard in the underlying zone.
- 3. Accessory structures:
 - a. Front: 5 feet minimum to the sidewalk; 8 feet minimum to the curb
 - b. Side and rear: 6 feet minimum to any adjacent manufactured home, or, adjacent non-residential structure
- 4. Carports:
 - a. Front: 20 feet minimum to the sidewalk
 - b. Side and rear: Carports attached to, or within 3 feet of, the manufactured home shall comply with the setbacks for the manufactured home. Otherwise, the setback provisions for accessory structures shall apply.
- F. Minimum Width. No mobile home space shall be less than 40 feet in width at its driveway frontage.
- G. Boundaries of Space. The boundaries of each mobile home space shall be clearly marked by a fence, landscaping or by permanent markers.
- H. Parking. A minimum of two off-street parking spaces shall be provided for each unit.
- I. Home Occupations. Home occupations shall not be permitted in the mobile home park.
- J. Commercial Facilities. Convenience commercial activities designed to serve the needs of the park residents shall be permitted including, but not limited to food stores and laundry facilities. Such uses shall not occupy more than 5% of the gross site area and shall conform with the parking and loading of this Code.
- K. Patio. Each mobile home space shall have a slab or patio or concrete, asphalt or flagstone or similar substance not less than 20 feet in length and 10 feet in width adjacent to each mobile home parking site.
- L. Mobile Home Space Coverage. Not more than 50% of a mobile home space may be occupied by a mobile home and its accessory structures, whether or not it is attached to the mobile home.

- M. Signs. All signs shall be in accordance with Section 2.206 of this ordinance.
- N. Skirting. All mobile homes shall have skirting around the exterior of the mobile home or they may be situated upon a continuous foundation meeting the approval of the city building code.
- O. Additions to Mobile Homes. Carports, cabanas, ramadas, awning and all other structures, whether defined herein or not, which are situated upon a mobile home space and are attached to the mobile home, shall conform to the requirements of the city building code. Such additions and structures shall be considered as a portion of the mobile home for determining the extent of lot coverage, setback lines and all other requirements for mobile homes, as if such additions and structures were a part of such mobile home.
- P. Truck Parking. No part of any mobile home park shall be used for the parking or storage of any heavy equipment or trucks exceeding 2 ton capacity.
- Q. Park Upkeep. A caretaker, owner or manager shall be responsible for keeping the mobile home park, its facilities and equipment in a clean, orderly and sanitary condition.
- R. Buffer Area. Landscaped buffer areas shall be developed around the perimeter of all mobile home parks. Buffering shall comply with the landscaping standards of this Code.

2.304.04 Design Standards

- A. Driveways. All driveways (a way of travel), constructed within a manufactured home park, shall be paved with an asphaltic material or concrete and shall be a minimum of 24 feet in width. In addition if parking is to be permitted along the driveway, a minimum of 30 feet is required. Non-continuous driveways shall have a turn around consistent with Section 2.202. All driveways shall be adequately designed as to permit safe, easy access by emergency vehicles.
- B. Walks. Provisions shall be made for a walk from each mobile home to each driveway. All walks must be hard surfaced, well drained and not less than 36 inches in width.
- C. Recreation Area. A minimum of at least 10% of the gross land area shall be designate for a common recreation area (indoor recreational facilities may be included in computing the total area). The recreation area shall be clearly designated as such. No vehicle parking or equipment storage shall be permitted thereon.

- D. Utilities. All utility services shall be underground. The applicant shall furnish the city with proper easements for reading the meters and for inspecting water and sewer lines. All meters and water and sewer lines shall be maintained by the park owners to city standards.
- E. Water, Sewer and Surface Drainage. Adequate provisions shall be made for an ample supply of safe and potable water and adequate provisions shall be made for sewage disposal and surface drainage and plans for such must have prior approval of the health department and the city engineer before a mobile home park is approved. All mobile home spaces shall have individual water meters. All meters, sewer and water lines shall be inspected while being installed and the installation shall meet normal city standards.
- F. Lighting. Common driveways and walkways must be adequately lighted.
- G. Refuse Areas. Common refuse areas shall be provided to serve the site. All refuse areas must be sized and located to accommodate the disposal service. Refuse areas must be screened.

2.305 MANUFACTURED HOMES ON INDIVIDUAL LOTS

2.305.01 Scope

The provisions of this Section are applicable to all manufactured homes sited on individual lots and parcels in the City of Lafayette. Manufactured homes sited in approved mobile/manufactured home parks or manufactured home subdivisions are not affected by the provisions of this Section.

2.305.02 General Standards

Manufactured homes are permitted on individual lots in all residential districts, in accordance with the following general standards, and the placement permit and design compatibility standards set forth in Subsections 2.305.03. and 2.305.04. The minimum lot area, setback, and height standards of the subject zone shall also apply to manufactured homes sited on individual lots.

- A. Size. The manufactured home shall be multi-sectional and have at least 1,000 square feet of gross floor area.
- B. Performance Standards. The exterior thermal envelope must meet the standards specified by state law for single family dwellings, as defined in ORS 455.010.
- C. Removal of Towing Equipment. All towing hitches, wheels, running lights, and other towing related equipment shall be removed within thirty (30) days after installation of the manufactured home.
- D. Foundations. The manufactured home shall be placed on an excavated and back filled foundation with no more than 12 inches of inclosing material exposed above grade. Where the building site has a sloped grade, no more than 12 inches of the inclosing material shall be exposed on the uphill side of the home. If the home is placed on a basement, the twelve (12) inch limitation shall not apply. Furthermore, the twelve (12) inch limitation shall not apply if the requirements of the Flood Hazard District mandate that the home be elevated more than twelve (12) inches above grade.

The foundation shall meet building code and Flood Hazard Area (if applicable) standards. The base of the manufactured home shall be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or a combination thereof.

- E. Design Compatibility. The siting of the manufactured home on an individual lot shall be reviewed by the City Administrator or his designate for design compatibility. The criteria for design compatibility shall be based upon a review of the following design elements:

1. Roofing. The manufactured home must have a composition asphalt, fiberglass, shake, or tile roof with a nominal pitch of three (3) feet in height for each twelve (12) feet in width.
 2. Exterior Siding. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings.
 3. Garage/Carport. A garage or carport of like material and color of the manufactured home is required. If a carport is used, than a minimum 50 square foot storage area shall be provided. The carport or garage shall be at least 240 square feet in size and shall meet building code requirements.
- F. Utilities. The manufactured home shall be provided with storm drainage, sanitary sewer, electric, telephone, and potable water utility services with easements dedicated where necessary to provide such services. All such utilities shall be located underground unless waived by the City Building Official where underground service would require an exception to local prevalent conditions.

Manufactured homes shall not be used for living purposes unless connected to local water, sewer, and electrical systems.

2.305.03 Placement Permit

- A. Application Requirements. Prior to the location or relocation of any manufactured home on an individual lot, the homeowner or authorized representative shall secure a placement permit from the City. An application for the placement permit shall include the following information:
1. A plot plan which, at a minimum, describes elevations or all sides of the manufactured home, exterior dimensions, siding and trim materials, roof materials and pitch, and foundation support system and design.
 2. A copy of the manufacturer's approved instructions which will be used for installation.
 3. Flood plain elevation or slope grade, if relevant.
- B. Issuance of the Permit. After receipt of the information required for the Placement Permit, the City Recorder or his designate shall review the application for compliance with the general standards set forth in subsection II. and design compatibility criteria set forth in subsection III. Appeal of the decision shall be to the Planning Commission.

- C. Additional Action Necessary. If the City Recorder finds that siting and/or design changes are needed, a conditional approval of the Placement Permit may be issued. The conditions which must be met prior to occupancy shall be clearly stated in writing. If the applicant agrees in writing to the conditions, approval is given and the applicant proceeds to the building permit stage. If the applicant does not accept the conditions, the Placement Permit is denied with reasons stated in writing.

2.305.04 Building Permit

- A. Building Permit Required. After the Placement Permit is approved, the homeowner shall secure a building permit.
- B. Building Official Inspections. The Building Official shall inspect the manufactured home placement and set-up in accordance with the standard building permit procedures. The Building Official may provide referrals to other local officials for technical determinations, as appropriate, of conformance with conditions of the Placement Permit. If the applicant has complied with all of the required conditions, standards and inspections, final approval shall be issued and occupancy of the manufactured home permitted.
- C. Denial of Occupancy. If any of the conditions or standards have not been met, the final approval shall not be issued and manufactured home shall not be occupied until such conditions or standards have been met.

2.305.05 Replacement Homes

The following optional requirements shall be permitted for those lots or parcels containing existing non-conforming manufactured homes.

- A. A property owner may replace an existing manufactured home with a newer model which does not meet the standards in Section 2.305.02., subject to the following provisions:
 - 1. The replacement home shall comply with the requirements in Section 2.303.02.A.1., and shall be no greater than seven years of age at the time of replacement.
 - 2. The replacement home shall meet or exceed the square footage of the existing home.
 - 3. If one does not exist, a garage or carport shall be constructed consistent with the requirements in Section 2.305.02.E.3.

4. The manufactured home shall be re-inspected by the City Building Official, or other Building Official certified to inspect in the State of Oregon, prior to locating the manufactured home in Lafayette. The homeowner shall pay for the re-inspection costs.
- B. The replacement home shall otherwise comply with all applicable development standards of the underlying zone.

2.306 HOME OCCUPATION

2.306.01 Standards

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

- A. Participation: No person shall be employed other than a member of the family residing on the premises
- B. Character: The character and primary use function of the residence and premises shall not be changed by the use of colors, materials design, construction, lighting, landscaping or lack of landscaping.
- C. Traffic: A home occupation located on a local street, or privately maintained road serving three or more residences, shall not generate more than twenty (20) vehicle trips in one day. A "trip" is a vehicle traveling in one direction to or from a source. Twenty (20) trips is equivalent to ten (10) round trips.
- D. Noise: A home occupation shall not create noise of a type, duration or intensity which, measured at the property line, exceeds 60 DBA between the hours of 7:00 a.m. and 6:00 p.m. No noise shall be created by the home occupation between the hours of 6:00 p.m. and 7:00 a.m. that is detectable to normal sensory perception, off the premises of the home occupation.
- E. Equipment and Process Restrictions: No home occupation conducted within a single-family detached residence or an accessory structure shall create vibration, glare, fumes, odors, or electrical interference detectable to the normal sensory perception, off the property. No home occupation conducted in a residence other than a single family detached residence shall create vibration, glare, fumes, odors, or electrical interference detectable to normal sensory perception outside the dwelling unit. In the case of electrical interference, nothing shall be used which creates visual or auditory interference in any radio or television off the premises.
- F. Hazards: No equipment, process or material shall be used which will change the fire rating or structure separation, fire wall, or ventilation requirements for the structure in which the home occupation is located. No hazardous materials shall be used or stored on the property on which a home occupation located in quantities not typical of those customarily used in conjunction with activities or primary uses allowed in the zoning district.
- G. Signs: Signing shall be as provided in Section 2.206.
- H. On-Premise Client Contact: Customer and client contact shall be primarily by telephone or mail, and not on the premises of the home occupation,

except those home occupations, such as tutoring, counseling or personal services, which cannot be conducted except by personal contact. Services or sales conducted on the premises shall be by appointment only, and shall not be oriented toward, or attract, off-the-street customer or client traffic.

- I. Prohibited businesses: The repair or maintenance of vehicles shall be prohibited. This prohibition includes the repair and/or maintenance of automobiles, trucks, recreational vehicles, trailers, motorcycles, farm equipment, boats, and, lawn mowers and other small engine equipment.
- J. Deliveries and Large Vehicle Storage: Delivery of materials to and from the premises shall not involve the use of vehicles over two (2) ton capacity, except parcel post or private parcel delivery trucks. Vehicles over one (1) ton capacity and used in conjunction with a home occupation shall be stored within an enclosed structure on the property. Regardless of capacity, storage of vehicles within the public right-of-way shall be prohibited.
- K. Parking: Parking spaces needed for the conduct of a home occupation shall be provided off the street, in defined areas which are appropriately designed and surfaced for that purpose, and not located within the side or rear yard setbacks of the district. No more than two (2) home occupation-related vehicles shall be located on the property at one time. If access to the property is from an arterial or collector street, adequate maneuvering room shall be provided on-site to allow vehicles to leave the property front-end first.
- L. Storage and Use of Yard Areas: Storage of tools, equipment and materials, and display of merchandise and all other activities associated with a home occupation, except as provided above for parking, shall be contained and conducted wholly within covered and enclosed structures and shall not be visible from the exterior of the containing structure(s). Home occupations which involve the care of children by a baby sitter, as defined in Section 1.200, may use yard areas for playground equipment.
- M. Day care facilities with 12 or fewer children shall not be subject to the provisions in this Section.

2.306.02 Process

Home occupations are allowed as an accessory use to any residential use in the City of Lafayette, subject to the Type I approval process listed in Subsection 3.201.01. The standards of this Section shall govern all home occupations.

2.306.03 Non-Compliance

Any home occupation which does not comply with the requirement of this Section and the provisions of the underlying district shall be a violation of this Ordinance and shall be subject to the penalties and remedies of Subsection 1.102.03.

2.307 SMALL-SCALE MANUFACTURING IN A COMMERCIAL ZONE

2.307.01 Standards

A small-scale manufacturing operation may be permitted in the Commercial-Core (C-1) District as a conditional use provided that:

- A. The area involved in the manufacturing of the product does not involve more than 4,000 square feet of floor area, and all storage of materials is enclosed.
- B. The building and site plan are compatible with the character of the commercial area.
- C. All sign requirements of Section 2.206 are met.
- D. All height requirements of the C-1 District are met.
- E. Off-street parking shall be provided for all customers and employees of the manufacturing business consistent with the provisions of Section 2.203.
- F. The use shall not be objectionable in relationship to surrounding residential or commercial uses because of odor, dust, smoke, cinders, fumes, noise, glare, heat or vibration.

2.307.02 Process

- A. Small-scale manufacturing uses in the Commercial Zone shall be reviewed in accordance with the Conditional Use Permit criteria and procedures as specified in Section 3.103; and
- B. Small-scale manufacturing uses in the Commercial Zone shall be subject to the criteria and procedures of Site Development Review process as set forth in Section 3.105.

The above reviews shall include consideration of the standards of this Section. Approval shall not be granted unless all standards of this Section and other applicable provisions of this Ordinance are met.

2.308 MOBILE HOME, TRAILER, AND VEHICULAR SALES, SERVICE AND RELATED USES

2.308.01 Scope

The provisions of this Section shall apply to the following uses:

- A. Automobile service stations;
- B. Automobile, truck, mobile home, recreation vehicle or trailer sales;
- C. Boat and marine accessory sales;
- D. Motorcycle sales;
- E. Retail tire shop, sales, service and repair;
- F. Towing service.

2.308.02 Standards

In addition to other development standards established elsewhere in this Ordinance, the following standards shall apply to the development of the uses listed in Subsection 2.308.01, above.

- A. All parking areas, loading areas or areas used for storage of boats, automobiles, mobile homes, recreational vehicles, trucks, trailers, motorcycles or other vehicles shall be paved with a concrete or asphalt surface.
- B. The lot shall be screened from adjoining residentially zoned properties in accordance with the provisions of Section 2.209.
- C. When not displayed for public sale, all merchandise and supplies, other than vehicles, manufactured homes and trailers, shall be stored within a building.

2.308.03 Process

The uses listed in this subsection shall be reviewed for compliance with the standards of this subsection pursuant to the Site Development Review process set forth in Section 3.105.

2.309 RECREATIONAL VEHICLE PARKS

2.309.01 Purpose

To provide for the development of RV parks. RV parks are permitted in the C-1 district and conditionally permitted in the R-3 district.

2.309.02 Size and Density Standards

- A. Minimum Size: RV parks shall be at least three (3) acres in size.
- B. Density: The maximum density shall not exceed 18 RV park spaces per acre.
- C. Space Size: Each RV park space shall be at least 1,500 square feet in size.

2.309.03 Design Standards

- A. Required Separation. Recreational vehicle stands shall be separated from each other and from park structures by at least ten feet.
- B. Setbacks. No recreational vehicle stand or park structure shall be located within 25 feet of a public right-of-way or within 20 feet of the property line.
- C. Roadways. Roadways shall be paved with asphalt, concrete, or a similar hard surface material and shall be designed to permit easy access to each recreational vehicle space. Roadway widths shall be as follows:
 - 1. A one-way road shall be a minimum of 12 feet in width, plus eight feet for each lane of parallel parking which is provided.
 - 2. A two-way road shall be a minimum of 24 feet in width plus seven feet for each lane of parallel parking which is provided.
- D. Parking. At least one (1) RV parking space (12 feet by 50 feet minimum) shall be provided at each campsite. In addition, at least one automobile parking space shall be provided at each campsite. Minimum parking space improvements shall be a graveled surface with a base of four inches of crushed rock.
- E. Clear Vision Areas. A clear vision area shall be maintained at the entrance and exit to the recreational vehicle park.
- F. Common Use Recreation Areas. A minimum of eight (8) percent of the gross site area for recreational vehicle parks shall be set aside and developed as common use areas for recreational facilities or recreational open spaces.

- G. Common Facilities. For each fifteen recreational vehicle spaces or fraction thereof the park shall provide toilets, lavatories, and showers for each gender in the following ratios: one toilet, one urinal, one lavatory, and one shower for men; and one toilet, one lavatory, and one shower for women. The toilets and showers shall afford privacy and the showers shall be provided with private dressing rooms.
- H. Space Landscaping. A minimum of 40% of the RV space shall be landscaped with lawn.
- I. Perimeter Treatment. Except as required for vision clearance, the perimeter of each park shall be improved with:
1. A sight-obscuring fence or wall not less than six feet nor more than seven feet in height; or
 2. Maintained evergreen landscaping that will mature within three years, and reach at least six feet in height at maturity; or
 3. A combination of a and b above.
- J. Drainage. Each recreational vehicle space or campsite and each park street shall be designed to facilitate water run-off, in accordance with Section 2.204.
- K. Refuse Disposal. Durable, water-tight, easily cleanable refuse containers shall be provided at the rate of eight cubic feet (60 gallons) for each five campsites or recreational vehicle spaces. Refuse containers shall be located in such a manner that at least one readily accessible refuse container is within 150 feet of any recreational vehicle space or campsite.
- L. Water Supply.
1. The water supply shall meet the requirements of the State of Oregon Health Division and shall be connected to the City water system.
 2. Where individual water connections are not provided to recreational vehicle spaces or campsites, common use water faucets shall be conveniently accessible and located no more that 150 feet from any campsite or recreational vehicle space.
 3. A water station for filling recreational vehicle water storage tanks shall be provided.

M. Sewage Disposal.

1. The sewage disposal system shall meet the requirements of the State of Oregon Health Division and shall be connected to the City sanitary sewer system.
2. If a sanitary waste pump station is provided, it shall meet the standards of the State of Oregon Health Division and shall be screened from recreational vehicle spaces, campsites, and adjacent property. Screening shall be achieved with:
 - a. A sight-obscuring fence or wall not less than six feet nor more than seven feet in height; or
 - b. Maintained evergreen landscaping which will mature within five years, and reach at least six feet in height at maturity; or
 - c. A combination of a and b above.

2.309.04 Maximum Occupancy Period

No individual or group shall be permitted to occupy a space within an RV park or camp ground facility for a consecutive period of more than 14 days. Movement to another space or movement from the park for a period of less than three days shall not be construed as renewing this 14 day maximum occupancy period.

2.309.05 Process

RV parks shall be reviewed for compliance with the standards of this subsection pursuant to the Site Development Review process set forth in Section 3.105.

2.310 TEMPORARY USES

2.310.01 Purpose

To provide for the temporary occupancy of a mobile home or RV parked on a private residential property, when certain health and safety standards are met. The temporary use section is not intended to circumvent the building code or the Zoning and Development Ordinance.

2.310.02 Occupancy Unlawful

No individual may sleep in a mobile home or RV unless the vehicle is parked in a designated RV park, the home or vehicle has been sited pursuant to a duly issued building permit, or the individual has obtained a Temporary Occupancy Permit from the City Administrator.

2.310.03 Temporary Occupancy Permit

The City Administrator is authorized to issue a Temporary Occupancy Permit for up to four weeks, allowing an individual(s) to occupy and sleep in a mobile home or RV temporarily parked in the yard of a residence, in which the individual(s) has access to sanitation and kitchen facilities. The City Administrator shall issue no more than two Temporary Occupancy Permits within a 12 month period for the same residence.

2.311 HISTORIC BUILDINGS AND SITES

2.311.01 Purpose

This section is established for the purpose of promoting the historic, educational, cultural, economic and general welfare of the public through the preservation, restoration, and protection of buildings, structures, sites, places and elements of historic interest within the City.

2.311.02 Establishment of an Historical Landmarks Committee:

There is hereby created the Lafayette Historical Landmark Committee (HLC). The HLC shall consist of five members, each entitled to one vote, as follows: one member from the Lafayette Planning Commission; one member from the Yamhill County Historical Society; two members from the citizens at large and the mayor or his designee ex-officio. All members of the committee shall serve without compensation and, other than the mayor ex-officio, shall be designated by the mayor, with confirmation by the City Council. All members shall serve for a term of three years. Any vacancy occurring in a position for any reason shall be filled by appointment by the mayor for the remainder of the term.

2.311.03 Powers of the Commission

- A. The powers, duties, and responsibilities of the HLC shall be as follows:
1. To make recommendations to the Planning Commission and City Council regarding matters concerning the preservation of historical buildings and sites in connection with zone change, conditional use permit, variance, and site design review applications;
 2. To inventory buildings, structures and sites of significant historical value and interest, and to designate these resources as historic landmarks;
 3. To draft and recommend ordinances, design standards and other measures designed to protect and foster interest in the improvement of designated historic landmarks;
 4. To review applications for building permits for new construction, additions and other exterior alterations affecting the appearance or historic character of designated historic landmarks;
 5. To review applications for demolition permits involving historic structures and to delay the issuance of such permits for a period of up to six months.

2.311.04 Designation of Historical Landmarks

A. Institution of Proceedings:

1. The HLC, Planning Commission, City Council, property owner or any interested person may initiate proceedings for the designation of an Historical Landmark as follows:

a. The City Council, Planning Commission or HLC may initiate designation proceedings by sending written notice to the City Recorder or planning consultant.

b. A property owner or interested person may begin designation proceedings by making written application on forms available from the City Recorder. The application shall contain the following minimum information:

- 1) The applicant's name and address;
- 2) The owner's name and address, if different from the applicant;
- 3) Assessor's map number and tax lot number of property proposed for designation;
- 4) A statement explaining the following:
 - a) The reason why the proposed landmark should be designated;
 - b) The positive and negative effects, if any, which designation of the proposed landmark would have on the residents or other property owners of the area.

C. Process - The HLC shall hold a public hearing pursuant to the procedures and notification requirements of Section 5 of Article 3. The decision of the HLC shall be final unless an appeal to the City Council is filed pursuant to Section 7 of Article 3.

D. Designation Criteria

1. The HLC may designate a building, structure or site as an Historical Landmark upon findings that the proposed Historical Landmark is of architectural, historical, or cultural significance to the City of Lafayette. The age of the proposed Landmark, alone, shall not be sufficient grounds for designation.

2.311.05 Review of Alterations and Construction

- A. Except as provided in 1.050(B) below, no Historical Landmark shall be altered in such a manner as to affect its exterior appearance, nor may any new structure be constructed upon a site designated as an Historical Landmark or upon a site containing an Historical Landmark, unless such alteration or construction has first been approved by the HLC pursuant to this subsection.
- B. Nothing in this subsection shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature which does not involve a change in design, material or the outward appearance of such feature, or which the Building Inspector shall certify is required for the public safety because of its unsafe or dangerous condition.
- C. Application Requirements
 - 1. The applicant shall make application, in accordance with the provisions of Article 3, upon forms obtainable from the City Recorder.
 - 2. The application shall include floor plans, building elevations, material samples and such other information as is necessary to explain the nature of the proposed alteration or construction.
- D. Process - The HLC shall hold a public hearing pursuant to the procedures and notification requirements of Section 5 of Article 3. The decision of the HLC shall be final unless an appeal to the City Council is filed pursuant to Section 7 of Article 3.
- E. The HLC shall determine the appropriateness of the proposed alteration or construction and may approve the request upon findings that the alteration or construction:
 - 1. Does not significantly reduce the historical or architectural character of the Landmark; and
 - 2. Is in keeping with the style, scale and general design of the Landmark.

2.311.06 Demolition Controls

- A. If an application is made for a building permit to demolish all or part of a structure which has been designated as an Historic Landmark, or a structure which is located upon a site designated as an Historic Landmark, the Building Inspector shall within seven (7) days transmit to the HLC a copy of said application.

- B. The HLC shall hold a public hearing within 45 days of application, pursuant to the procedures outlines in Article 3.
- C. In determining the appropriateness of the demolition as proposed in an application for building permit, the HLC shall consider the following:
 - 1. All plans, drawings, and photographs as may be submitted by the applicant;
 - 2. Information presented at the public hearing held concerning the proposed demolition;
 - 3. The Lafayette Comprehensive Plan;
 - 4. The criteria used in the original designation of the Landmark;
 - 5. The historical and architectural style, the general design, arrangement, materials, and general condition of the structure in question or its appurtenant fixtures; and
 - 6. Whether denial of the permit will involve substantial hardship to the applicant, and whether issuance of the permit would act to the substantial detriment of the public welfare and would be contrary to the intent and purposes of this section of this ordinance.
- D. The HLC may approve the demolition request and authorize the Building Inspector to issue the permit after considering the criteria contained in 1.060 (C) of this Article. Action by the HLC shall be final unless an appeal to the City Council is filed pursuant to the provisions of Section 7 of Article 3.
- E. The HLC may reject the application for permit if it determines that in the interest of preserving historical or architectural values, the structure should not be demolished. In that event, issuance of the permit shall be suspended for a period fixed by the HLC as follows:
 - 1. The HLC may invoke a stay of demolition for a period not exceeding thirty (30) days from the date of the decision on the requested demolition.
 - 2. The HLC may extend the suspension period if it determines that there is a program or project underway which could result in public or private acquisition of such structure or site, and that there is reasonable grounds to believe that such program or project may be successful. The suspension period may be extended in thirty (30) day increments for an additional period not exceeding more than one hundred and twenty (120) days from the date of the initial application;

3. An action by the HLC suspending the issuance of a permit for any demolition may be appealed to the City Council by the applicant for the permit by filing an appeal with the City Recorder, pursuant to the provisions of Section 7 of Article 3.
- F. Nothing in this subsection shall be construed to prevent the issuance of a permit for the demolition of a structure which the Building Inspector shall certify constitutes a hazard to public safety because of its unsafe or dangerous condition.