



NOTICE OF ADOPTED AMENDMENT

September 28, 2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Angela Houck, Plan Amendment Program Specialist

SUBJECT: City of Hubbard Plan Amendment
DLCD File Number 001-10



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, October 12, 2010

This amendment was submitted to DLCD for review with less than the required 45-day notice because the jurisdiction determined that emergency circumstances required expedited review. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

cc: Suzanne Dufner, City of Hubbard
Steve Oulman, DLCD Regional Representative
Gloria Gardiner, DLCD Urban Planning Specialist

<paa> YA



In person electronic mailed



FORM 2

DLCD

Notice of Adoption

DEPT OF

SEP 21 2010

LAND CONSERVATION AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Hubbard**

Local file number: **LA 2010-01**

Date of Adoption: **9/14/10**

Date Mailed: **9/20/10**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **7/2/10**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The proposed amendments: allow longer land use approval periods; clarify property line adjustment procedures; reconcile conflicting vision clearance area requirements; clarify setback requirements and expand the list of permitted uses to include religious and fraternal organizations in Industrial zones.

Does the Adoption differ from proposal? **Yes**

The adopted amendments exempt small property line adjustments from city review and approval, and allow religious and fraternal organizations as outright permitted uses rather than conditional uses in the city's industrial zones.

Plan Map Changed from: **N/A**

to:

Zone Map Changed from: **N/A**

to:

Location: **N/A**

Acres Involved: **N/A**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 001-10 (18391) [16336]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Suzanne Dufner, City Planner**

Phone: (503) 540-1616 Extension:

Address: **105 High St SE**

Fax Number: **503-588-6094**

City: **Salem**

Zip: **97301-3667**

E-mail Address: **sdufner@mwvcog.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE 311-2010

AN ORDINANCE AMENDING THE HUBBARD DEVELOPMENT CODE AND DECLARING AN EMERGENCY

WHEREAS, the City of Hubbard deemed it necessary to amend the Hubbard Development Code; and

WHEREAS, on August 17, 2010, the Planning Commission held a public hearing at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, on September 14, 2010, the City Council held a public hearing at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, notice of the said public hearing was duly given to the public;

NOW THEREFORE THE CITY OF HUBBARD ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Hubbard does hereby amend the Hubbard Development Code as set forth in Exhibit "A".

Section 2. The City Council for the City of Hubbard deems and desires it necessary for the preservation of the health, peace and safety of the City of Hubbard that this Ordinance takes effect at once, and therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.


PASSED and adopted by the City Council of the City of Hubbard on this 14th day of September 2010, by the following votes:

AYES: 4

NAYS: 0

[Faint, illegible text at the bottom of the page, likely bleed-through from the reverse side.]

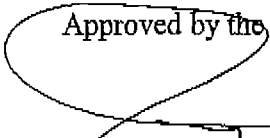
Approved by the Mayor on this 14th day of September, 2010.



James Yonally
Mayor

Attest:


Vickie Nogle, City Recorder

Approved by the City Attorney:


Robert L. Engle, City Attorney

Proposed Amendments to the Hubbard Development Code

Note: Language proposed for deletion is shown in ~~strike through~~. New language is shown in **bold underline**.

AMENDMENTS TO EXTEND LAND USE APPROVALS

3.103 CONDITIONAL USE PERMITS

3.103.04 Expiration of Approval--Standards for Extension of Time

- A. Conditional use permit approval shall be effective for a period of **two (2) one-years** from the date of approval. If the conditional use has not begun within the **two (2) one-year** period, the approval shall expire.
- B. Conditional use permit approval shall be voided immediately if the use established on site does not substantially conform to the approval granted by the Planning Commission.

~~C. The City Recorder, shall, upon request by the applicant and payment of the required fee, grant an extension of the approval for a period not to exceed six (6) months. Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.~~

D. C. The Planning Commission may, upon written request by the applicant and payment of the required fee, grant one (1) additional extension for a period not to exceed one (1) year provided that:

- 1. No substantive changes are made to the approved application;**
- 2. The applicant explains specifically why an extension is needed;**
- 3. There have been no changes in the facts or applicable policies or ordinance provisions on which the original approval was based; and**
- 4. The applicant can show intent to establish the conditional use on the site within the one (1) year extension period.**

If approved, property owners within 100 feet of the subject property shall be notified of the extension by mail. Those so noticed may obtain a public hearing on the extension by filing a request in

writing within twenty (20) days of the notice date. The public hearing shall follow the notice requirements and procedures for Type II actions. The cost of notification and any required public hearing shall be borne by the applicant.

Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.

3.104 VARIANCES

3.104.05 Expiration of Approval--Standards for Extension of Time

- A. Variance approval shall be effective for a period of **two (2)** ~~one (1)~~ years from the date of approval. If the variance request has not been implemented within the **two (2)** ~~one (1)~~ year period, the approval shall expire.
- B. Variance approval shall be voided immediately if the use established on site does not substantially conform to the approval granted by the Planning Commission.
- C. ~~The City Recorder, shall, upon request by the applicant and payment of the required fee, grant an extension of the approval for a period not to exceed six (6) months. Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.~~
- D. C. The Planning Commission may, upon written request by the applicant and payment of the required fee, grant one (1) additional extension for a period not to exceed one (1) year provided that:**
- 1. No substantive changes are made to the approved application;**
 - 2. The applicant explains specifically why an extension is needed;**
 - 3. There have been no changes in the facts or applicable policies or ordinance provisions on which the original approval was based; and**
 - 4. The applicant can show intent to implement the approved variance within the one (1) year extension period.**

If approved, property owners within 100 feet of the subject property shall be notified of the extension by mail. Those so noticed may obtain a public hearing on the extension by filing a request in

writing within twenty (20) days of the notice date. The public hearing shall follow the notice requirements and procedures for Type II actions. The cost of notification and any required public hearing shall be borne by the applicant.

Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.

3.105 SITE DEVELOPMENT REVIEW

3.105.07 Expiration of Approval--Standards for Extension of Time

- A. Site Development Review approval shall be effective for a period of **two (2) ~~one (1)~~ years** from the date of approval. If substantial construction of the approved plan has not begun within the **two (2) ~~one~~ year** period, the approval shall expire.
- B. Site Development Review approval shall be voided immediately if construction on the site is a departure from the approved plan.
- ~~C. The City Recorder, shall upon written request by the applicant and payment of the required fee, grant an extension of the approval for a period not to exceed six months provided that:~~
- ~~1. No changes are made to the approved Site Development Plan;~~
 - ~~2. The applicant can show intent to initiate construction on the site within the six month extension period; and~~
 - ~~3. There have been no changes in the facts or applicable policies or ordinance provisions on which the original approval was based.~~
- C. The Planning Commission may, upon written request by the applicant and payment of the required fee, grant one (1) additional extension for a period not to exceed one (1) year provided that:**
- 1. No substantive changes are made to the approved application;**
 - 2. The applicant explains specifically why an extension is needed;**
 - 3. There have been no changes in the facts or applicable policies or ordinance provisions on which the original approval was based; and**

4. The applicant can show intent to initiate construction on the site within the one (1) year extension period.

If approved, property owners within 100 feet of the subject property shall be notified of the extension by mail. Those so notified may obtain a public hearing on the extension by filing a request in writing within twenty (20) days of the notice date. The public hearing shall follow the notice requirements and procedures for Type II actions. The cost of notification and any required public hearing shall be borne by the applicant.

Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.

3.106 PARTITIONS

3.106.06 Process for Final Plat Approval

A. **Survey Submitted:** Within 180 days **two (2) years** of the final decision approving a preliminary plat, four copies of a final survey of the approved plat shall be submitted to the City for review. The applicant shall be responsible for all recording fees. If the final survey is not submitted within **two (2) years**, the preliminary approval shall lapse. The City Recorder may extend the approval period for any partition for a period of not more than 180 additional days. ~~Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period accompanied by payment of the required fee.~~ **The Planning Commission may, upon written request by the applicant and payment of the required fee, grant one (1) additional extension for a period not to exceed one (1) year provided that:**

- 1. No substantive changes are made to the approved preliminary plat;**
- 2. The applicant explains specifically why an extension is needed;**
- 3. There have been no changes in the facts or applicable policies or ordinance provisions on which the original approval was based; and**
- 4. The applicant can show intent to record the final plat within the one (1) year extension period.**

If approved, property owners within 100 feet of the subject property shall be notified of the extension by mail. Those so noticed may obtain a public hearing on the extension by filing a request in writing within twenty (20) days of the notice date. The public hearing shall follow the notice requirements and procedures for Type II actions. The cost of notification and any required public hearing shall be borne by the applicant. Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.

3.107 SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS

3.107.02 Submittal Requirements

- A. The following submittal requirements shall apply to all ~~major partition applications and to~~ Preliminary Plan applications for subdivisions and PUDs.
1. All applications shall be submitted on forms provided by the City to the City Recorder along with the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Section.
 2. In addition to the information listed in Subsection 3.106.03 of this Ordinance, applicants for subdivisions and planned unit developments shall submit the following:
 - a. the name, address and phone number of the applicant engineer, land surveyor or person preparing the application;
 - b. name of the PUD or subdivision;
 - c. date the drawing was made;
 - d. vicinity sketch showing location of the proposed land division;
 - e. identification of each lot or parcel and block by number;
 - f. gross acreage of property being subdivided ~~or partitioned~~;
 - g. direction of drainage and approximate grade of abutting streets;
 - h. streets proposed and their names, approximate grade, and radius of curves;

- i. any other legal access to the subdivision, or PUD ~~or partition~~ other than a public street;
- j. contour lines at two foot intervals if 10% slope or less, five foot intervals if exceeding 10% slope, and a statement of the source of contour information; and
- k. all areas to be offered for public dedication.

3.107.03 Review Procedures

- A. All Preliminary Plans for subdivisions and PUDs shall be heard by the Planning Commission pursuant to the procedures set forth in Section 3.203.
- B. Approvals of any preliminary plans for a ~~major partition~~, subdivision or PUD shall be valid for two (2)~~one~~ years after the date of the written decision. A Final Plat for a ~~major partition~~ or a Final Plat for a subdivision shall be recorded within this time period or the approvals shall lapse. PUDs which do not involve the subdivision of property shall show substantial progress toward the construction of the project within the two (2)~~one~~ year period or the approval shall lapse.
- C. The Planning Commission, ~~after holding a hearing~~ may extend the approval period for any ~~major partition~~, subdivision or PUD for not more than one (1) additional year at a time. Requests for extension of approval time shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.
- D. If the approval period is allowed to lapse, the applicant must resubmit the proposal, including all applicable fees, for public hearing before the Planning Commission. The applicant will be subject to all applicable standards currently in effect.

3.107.05 Final Plat Review of Subdivisions

- A. Within two (2)~~1~~ years of the final decision approving a preliminary plat, a final plat shall be recorded. If the final plat is not submitted within two (2)~~1~~ years, the preliminary approval shall lapse.
- ~~B. The City Recorder shall upon written request by the applicant and payment of the required fee, grant an extension of the approval for a period not to exceed six months provided that:~~
 - ~~1. No changes are made to the approved preliminary plat;~~
 - ~~—and~~

~~2. There have been no changes in existing conditions, facts, or applicable policies or ordinance provisions on which the original approval was based.~~

B. The Planning Commission may, upon written request by the applicant and payment of the required fee, grant an additional extension for a period not to exceed one (1) year provided that:

- 1. No substantive changes are made to the approved preliminary plat;**
- 2. The applicant explains specifically why an extension is needed;**
- 3. There have been no changes in the facts or applicable policies or ordinance provisions on which the original approval was based; and**
- 4. The applicant can show intent to record the final plat within the one (1) year extension period.**

If approved, property owners within 100 feet of the subject property shall be notified of the extension by mail. Those so noticed may obtain a public hearing on the extension by filing a request in writing within twenty (20) days of the notice date. The public hearing shall follow the notice requirements and procedures for Type II actions. The cost of notification and any required public hearing shall be borne by the applicant.

Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.

AMENDMENTS TO LOT LINE ADJUSTMENT PROCEDURES

1.200 DEFINITIONS

~~Lot (Property) Line Adjustment: See Property Line Adjustment. An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit(s) of land reconfigured by the adjustment complies with all requirements of this Ordinance. A property line adjustment shall act to vacate and replace the existing property line(s) between adjacent properties.~~

~~Lot (Property) Line Adjustment:~~ An adjustment of a property line by the relocation or elimination of a common boundary property line between abutting properties where an additional unit of land is not created and where the existing unit(s) of land reconfigured by the adjustment complies with all requirements of this Ordinance. A property line adjustment shall act to vacate and replace the existing property line(s) between adjacent properties.

3.101 SUMMARY OF APPLICATION TYPES AND REVIEW

3.101.01 Type I Action, Level 1 and Level 2

A Type I, Level 1, action is a ministerial review process without a public hearing in which City staff apply clear and objective standards that do not allow much discretion. Public notice is provided as required for a Type I Action, Section 3.201.01. Appeal is to the Planning Commission. The following action is processed under the Type I procedure:

A. ~~Lot~~ Property Line Adjustment;

3.111 LOT PROPERTY LINE ADJUSTMENTS

3.111.01 Area of Application

A ~~lot~~ property line adjustment is required for any relocation or elimination of a common property line between ~~two~~ abutting properties. The procedures and requirements in this section apply to the relocation or elimination of a common property line between ~~two~~ abutting properties.

3.111.02 Process

A. A ~~lot~~ property line adjustment application may be submitted by the property owner, contract purchaser or an authorized agent of the owner or contract purchaser.

- B. A lot **property** line adjustment application is processed as a Type I procedure pursuant to Section 3.101.01, **except the adjustment of a property line of ten (10) percent or less by mutual consent of property owners does not require city approval provided the adjustment in no way increases the degree of non-conformity of any parcel and the lots have not had conditions previously imposed upon them by the City of Hubbard.**

3.111.03 Submittal Requirements

- A. In addition to the completed application form, the applicant shall also submit:
1. A map that shows the configuration of each parcel before the proposed adjustment.
 2. A map that shows the configuration of each parcel after the proposed adjustment.

3.111.04 Evaluation Criteria

- A. Approval of the lot **property** line adjustment shall not be granted unless each of the following criteria are met:
1. The number of lots or parcels as large as the minimum lot size in the affected zone is at least the same after the adjustment as before the adjustment.
 2. The number of lots or parcels resulting from the adjustment is the same or less than the number of lots or parcels existing prior to the adjustment.
 3. If a lot or parcel will be split-zoned after the adjustment, each portion of the lot or parcel that is in a separate zone shall meet the minimum lot size for that zone.
 4. All lots or parcels having access to a public or private street before the adjustment must retain access after the adjustment.
 5. The adjustment shall not reduce the street access for any lots or parcels to a size or dimension that does not meet the minimum standards required by the Hubbard Development Code.
 6. The lot **property** line adjustment shall not reduce any required development feature or standard, such as parking, landscaping, or

building setbacks, to a size or dimension that does not meet the minimum standards of the Hubbard Development Code.

3.111.05 Final Survey

A. In order to finalize the lot **property** line adjustment process, Oregon Revised Statutes (ORS), Section 92.060(7) requires that the adjustment of a common boundary shall be surveyed and monumented, and a survey, complying with ORS 209.250, shall be filed with the County Surveyor. **Prior to recording the final survey, the survey shall be submitted to the City for review. The City Recorder, or the City Recorder's designee, shall approve the final survey provided that:**

- 1. The final survey substantially conforms to the approved property line adjustment application; and**
- 2. All conditions of approval for the property line adjustment have been satisfied.**

B. The survey shall be recorded with Marion County within ~~two (2)~~ **one (1)** year(s) of the written approval or the decision shall be null and void, with the following exceptions:

1. The survey requirement shall not apply to ~~the relocation of a common boundary of a lot in a subdivision or a parcel in a partition when the adjusted property line is a distance of even width along the common boundary (a line is adjusted parallel to its current location with no change in its length)~~ **a property line adjustment when the abutting properties are each greater than 10 acres;** or
2. The survey requirement shall not apply to the sale or grant by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highways, county roads, city streets, or other right of way purposes when the sale or grant is part of a property line adjustment incorporating the excess right of way into adjacent property.

B.C. The applicant shall submit a copy of the recorded lot **property** line adjustment survey map to the City within 15 days of recording and prior to issuance of any building permits on the re-configured lots.

D. The Planning Commission may, upon written request by the applicant and payment of the required fee, grant one (1) additional extension for a period not to exceed one (1) year provided that:

1. No substantive changes are made to the approved property line adjustment;
2. The applicant explains specifically why an extension is needed;
3. There have been no changes in the facts or applicable policies or ordinance provisions on which the original approval was based;
and
4. The applicant can show intent to complete the property line adjustment within the one (1) year extension period.

Requests for extension of approval shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.

AMENDMENTS TO VISION CLEARANCE AREA REQUIREMENTS:

2.202 STREET STANDARDS

2.202.03 General Provisions

The following provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of Hubbard. These provisions are intended to provide a general overview of typical minimum design standards. All streets shall be designed in conformance of the specific requirements of the most current Public Works Standards and the Transportation System Plan of the City of Hubbard.

K. Clear Vision Areas. Clear vision areas shall be maintained on corner lots at the intersection of all public streets and at the intersections of a public street with a private street, alley or drive which serves more than three parcels. No structure or planting shall be permitted within a clear vision area which would impede visibility between a height of ~~3630~~ inches and ~~940~~ feet above the curb grade of the intersecting streets.

Clear vision areas are as defined in Section 1.200 (definitions), 2.203.07(~~4K~~) and 2.209.07.

2.203 OFF-STREET PARKING AND LOADING

2.203.07 Parking and Loading Area Development Requirements

All parking and loading areas shall be developed and maintained as follows:

K. Clear Vision Areas. Clear vision areas shall be maintained on corner lots at the intersection of all public streets and at the intersections of a public street with a private street, alley, or driveway that serves more than three parcels. No structure, object, or planting shall be permitted within a clear vision area that would impede visibility between a height of ~~3630~~ inches and ~~940~~ feet above the curb grade or the intersecting streets. Clear vision areas shall extend a set distance in accordance with Section 2.209.07 of the Code.

2.209 YARD AND LOT STANDARDS

2.209.07 Vision Clearance

A. Vision clearance for corner lots shall be a minimum of 20 feet.

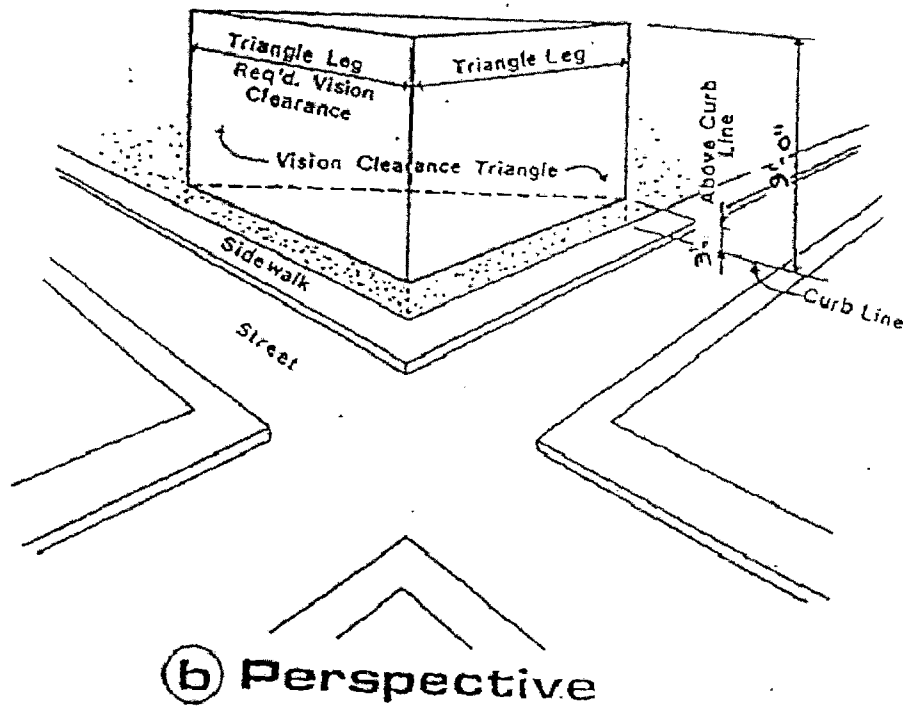
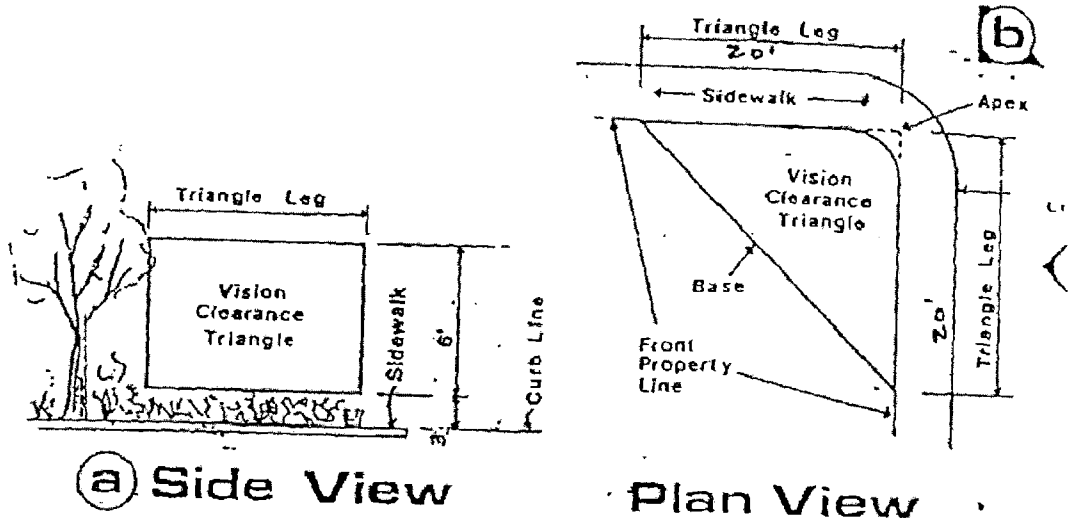
B. Vision clearance for street-alley intersections shall be a minimum of ten (10) feet.

C. Vision clearance for driveway approaches shall be a minimum of ten (10) feet.

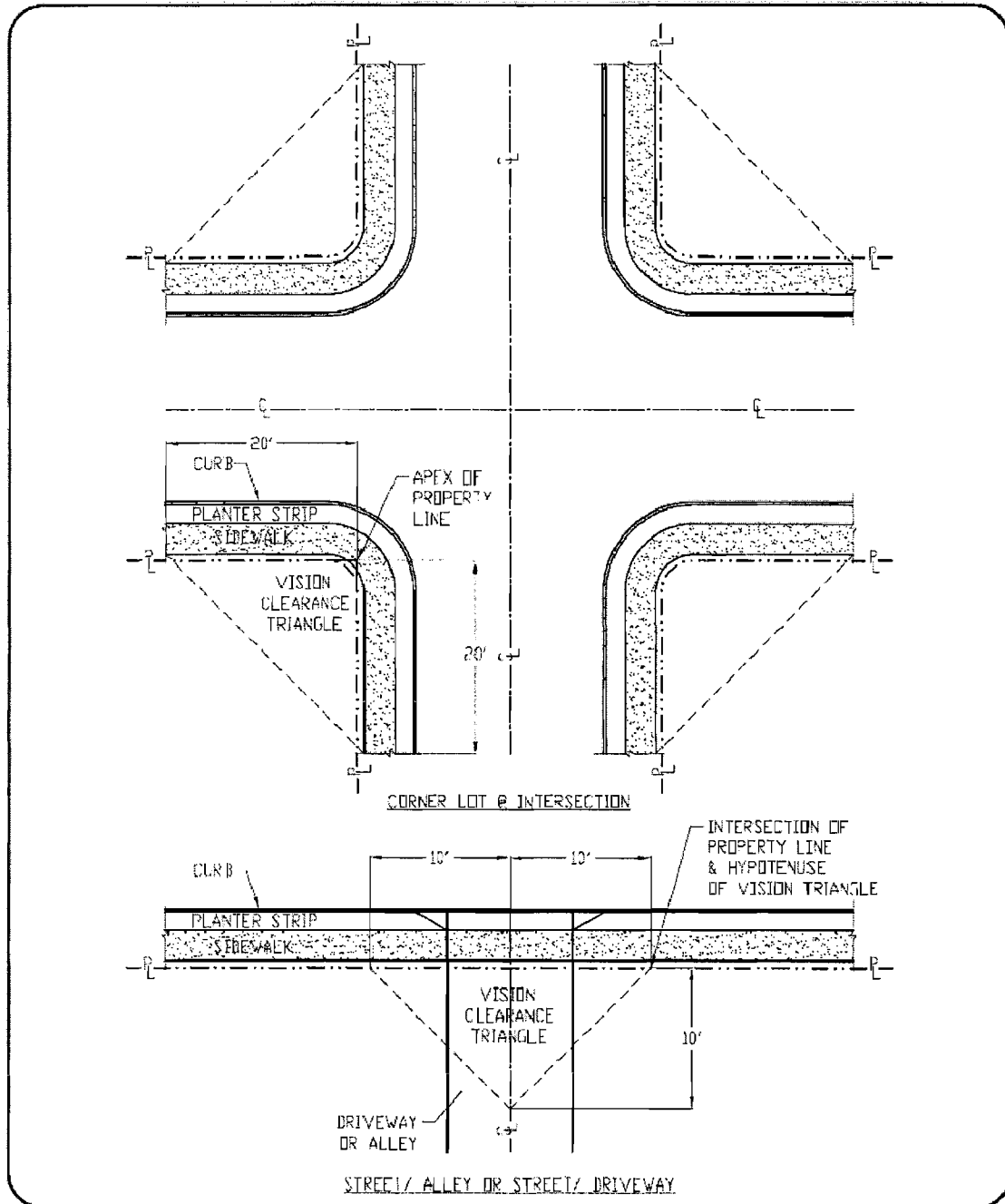
Vision clearance, as defined in this ordinance, shall be provided in accordance with the following diagram:


(see attached diagram)

Hubbard Development Code 2.209.07
Vision Clearance Diagram



Public Works Vision Clearance Standard Detail 314



<p>CITY OF HUBBARD</p> 	STANDARD DETAIL DRAWING	
	VISION CLEARANCES	
DRAWN: K.L.C.	DATE: 9-16-08	
APPROVED: W.I.P.	NO. 314	

AMENDMENTS TO RESIDENTIAL SETBACK REQUIREMENTS:

2.101 LOW DENSITY RESIDENTIAL DISTRICT (R-1)

2.101.04 Dimensional Standards

The following minimum dimensional standards shall be required for all development in the R-1 District except for modifications permitted under Section 2.402, General Exceptions.

B. Minimum Yard Setbacks

1. **Except as specified for detached accessory structures under Section 2.101.04.B.2 below, All dwellings structures** shall maintain the following minimum yard setbacks:

- a. Front Yard 15 feet
-- Setback to garage 20 feet
- b. Rear Yard 20 feet
- c. Side Yard (interior) 5 feet
-- Setback for homes 1½ or 2 stories in height 7 feet
-- Setback for homes 2½ or 3 stories in height 9 feet
-- Setback for townhouses 8 feet on one side of dwelling unit with zero setback (0 ft) on opposite side
- d. Side Yard (adjacent to street – including townhouses) 15 feet
-- Setback to garage 20 feet

2. All detached accessory structures shall maintain the following minimum side and rear yard setbacks:

- a. Rear Yard 5 feet
- b. Side Yard (interior) 5 feet
Side Yard (adjacent to a street) 15 feet

2.102 MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)

2.102.04 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the R-2 District except for modifications permitted under Section 2.402, General Exceptions.

B. Minimum Yard Setback Requirements

1. **Except as specified for detached accessory structures under Section 2.102.04.B.2 below, All dwellings structures** shall maintain the following minimum yard setbacks:

- a. Front Yard 15 feet
-- Setback to garage 20 feet
- b. Rear Yard 15 feet
- c. Side Yard (interior) 5 feet
-- Setback for homes 1½ or 2 stories in height 7 feet
-- Setback for homes 2 ½ or 3 stories in height 9 feet
-- Setback for townhouses 8 feet on one side of dwelling unit with zero setback (0 ft) on opposite side
- d. Side Yard (adjacent to street – including townhouses) 15 feet
-- Setback to garage 20 feet

2. All detached accessory structures shall maintain the following minimum side and rear yard setbacks:

- a. Rear Yard 5 feet
- b. Side Yard (interior) 5 feet
Side Yard (adjacent to a street) 15 feet

AMENDMENTS TO INDUSTRIAL USES

2.107 INDUSTRIAL DISTRICT (I)

2.107.01 Purpose

The purpose of the Industrial District is to provide areas for general industrial activities which do not produce excessive smoke, dust, noise, vibration, smell or harmful substance to meet the economic needs of the City of Hubbard. The Industrial District is consistent with the Industrial Comprehensive Plan designation.

2.107.02 Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the Industrial District:

- A. Establishments engaged in manufacturing, processing, packing, assembly, distribution, repair, finishing or refinishing, testing, fabrication, research and development, warehousing and servicing activities. Examples of uses that would be appropriate include: aircraft or auto parts, bottling plants, bakery products, communication equipment, drugs, fabricated textile products, office machines, building materials, recycling centers, and motor freight terminals; and
- B. Warehouse and outdoor storage activities
- C. Automotive repair
- D. Manufactured home sales
- E. Place of worship, club lodge, or fraternal organizations.**

2.107.03 Conditional Uses

The following uses may be permitted in the Industrial District when authorized by the Planning Commission pursuant to Section 3.103.

- A. Extraction and processing of minerals, rock, or other earth products
- B. Automotive dismantling, wrecking and salvage yard
- C. Fuel oil distribution
- D. Manufacturing, processing or storage of explosive, flammable or toxic products

- E. Welding operations
- F. Public and private utility buildings and structures such as electric substations, telephone exchanges, and communications towers and/or antennas.
- G. Caretaker residence subject to the following requirements:
 - 1. Establishment of caretaker residence shall be subject to the Site Development Review requirements of Section 3.105.
 - 2. Only one residence is allowed per tract of land.
 - 3. The residence is limited to a manufactured or mobile home or a park trailer or recreational park trailer as defined by this ordinance or the residence is incorporated into the building design for an associated business on the property.
 - 4. Installation of a park trailer or a recreational park trailer shall comply with the requirements of Oregon Administrative Rules Chapter 918, Division 530 and shall be connected to public utilities.
 - 5. No variance shall be granted for any of the requirements in this section.
- H. Large-scale amusement facilities, such as a gymnasium, skating rink, pool or race track.
- I. Other uses determined by the Planning Commission to be of similar character to those specified above.

1.200

DEFINITIONS

Place of Worship: A Church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place used for activities customarily associated with the practices of the religious activity, including worship services, religion classes, weddings, funerals, child care and meal programs.

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MID - WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

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