

Article 3 - Community Design Standards

Chapter 3.1 - Design Standards Administration

- 3.1.010 Purpose
- 3.1.020 Applicability

Chapter 3.2 - Building Orientation and Design

- 3.2.010 Purpose
- 3.2.020 Applicability
- 3.2.030 Residential Buildings
- 3.2.040 Non-Residential Buildings

Chapter 3.3 - Access and Circulation

- 3.3.010 Purpose
- 3.3.020 Applicability
- 3.3.030 Vehicular Access and Circulation
- 3.3.040 Pedestrian Access and Circulation

Chapter 3.4 - Landscaping, Fences and Walls, Outdoor Lighting, Tree Removal

- 3.4.010 Purpose
- 3.4.020 Applicability
- 3.4.030 Landscaping and Screening
- 3.4.040 Fences and Walls
- 3.4.050 Outdoor Lighting
- 3.4.060 Removal and Trimming of Trees; Heritage Trees

Chapter 3.5 - Parking and Loading

- 3.5.010 Purpose
- 3.5.020 Applicability and General Regulations
- 3.5.030 Automobile Parking
- 3.5.040 Bicycle Parking
- 3.5.050 Loading Areas

Chapter 3.6 - Public Facilities

- 3.6.010 Purpose and Applicability
- 3.6.020 Transportation Standards
- 3.6.030 Public Use Areas
- 3.6.040 Sanitary Sewer and Water Service Improvements.
- 3.6.050 Storm Drainage / Surface Water Management Facilities
- 3.6.060 Utilities
- 3.6.070 Easements
- 3.6.080 Construction Plan Approval
- 3.6.090 Facility Installation
- 3.6.100 Performance Guarantee and Warranty

Chapter 3.7 Sign Regulations

- 3.7.010 Purpose
- 3.7.020 Applicability, Sign Permits Required
- 3.7.030 Application
- 3.7.040 Guidelines and Standards
- 3.7.050 Exempt Signs - No Permit Required
- 3.7.060 Temporary Signs
- 3.7.065 Portable Signs - Sandwich Board or Pedestal Signs
- 3.7.070 Prohibited Signs
- 3.7.080 Residential Zones
- 3.7.090 Historic Core Zones
- 3.7.100 General Commercial Zones
- 3.7.110 Nonconforming Signs
- 3.7.120 Termination of Signs by Abandonment
- 3.7.130 Adjustments and Variances

Article 3 - Community Design Standards

Chapters:

- 3.1 Design Standards Administration
- 3.2 Building Orientation and Design
- 3.3 Access and Circulation
- 3.4 Landscaping, Street Trees, Tree Removal and Screening
- 3.5 Parking and Loading
- 3.6 Public Facilities
- 3.7 Sign Regulations

Chapter 3.1 - Design Standards Administration

Sections:

- 3.1.010 Purpose
- 3.1.020 Applicability

3.1.010 Purpose

Article 3 contains design standards intended to protect the public health, safety and welfare through the provision of parking, landscaping, adequate public facilities and appropriate signage. Preservation of historic resources within Jacksonville within its landmark district is essential to the nature and character of the city.

3.1.020 Applicability

The provisions Article 3 apply to permits and approvals granted under this Code, and other City actions, as summarized in Table 3.1.020.

Table 3.1.020 Applicability of Design Standards to Approvals and Permits						
Approvals*	3.2 Building Design	3.3 Access Circulation	3.4 Landscapes & Screening	3.5 Parking & Loading	3.6 Public Facilities	3.7 Signs
Zoning Checklist Review Clearance Sheet	Review and determine whether land use application is required.					
Access/Approach Permit	N	Y	N	Y	Y	N
Adjustment and Variance	Individual chapters may apply, depending on the adjustment request.					
Annexation	N	N	N	N	Y	N
Building Permit	The City reviews building plan proposals through a Type I (Zoning Checklist) procedure and determines which standards apply.					
Code Interpretation	Standards are subject to City interpretation under Chapter 1.5.					
Code Text Amendment	Chapters apply where amendment affects design standards.					
Comprehensive Plan Map	N	N	N	N	Y	N

Amendment						
Conditional Use Permit	Y	Y	Y	Y	Y	Y
Home Occupation	N	N	N	N	N	Y
Legal Lot Determination	N	Y	N	N	Y	N
Master Planned Development	Y	Y	Y	Y	Y	Y
Modification to Approval or Condition of Approval	Individual chapters may apply, depending on the modification request.					
Non-Conforming Use or Structure, Expansion of	Y	Y	Y	Y	Y	Y
Partition or Re-plat of 2-3 lots (See also, Chapter 4.3)	Y (if bldg exists)	Y	Y (for flag lot)	Y (if use exists)	Y	N
Property Line Adjustments, including Lot Consolidations (See also, Chapter 4.3)	Y (if bldg exists)	Y	Y (for flag lot)	Y (if use exists)	Y	N
Site Design Review (See also, Chapter 4.2)	Y	Y	Y	Y	Y	Y
Subdivision or Replat of >3 lots (See also, Chapter 4.3)	Y (if bldg exists)	Y	Y (for flag lot)	Y (if use exists)	Y	N
Zoning District Map Change	N	N	N	N	Y	N

* The applicant may be required to comply with the design standards of other agencies, such as a road authority or natural resource regulatory agency. The City’s failure to notify the applicant of any requirement or procedure of another agency shall not invalidate a permit or other decision made by the City under this Code.

Chapter 3.2 – Building Orientation and Design

Sections:

- 3.2.010 Purpose
- 3.2.020 Applicability
- 3.2.030 Residential Buildings
- 3.2.040 Non-Residential Buildings
- 3.2.050 Public Space and Pedestrian Amenities

3.2.010 Purpose

Chapter 3.2 regulates the placement, orientation, and design of buildings. The regulations are intended to protect public health, safety, and welfare through clear and objective standards that promote land use compatibility and livability, while protecting property values and ensuring predictability in the development process. This Chapter should create a sense of place that is consistent with the character of the community, including historical development patterns and community vision.

3.2.020 Applicability

Chapter 3.2 applies to all new buildings and construction, as well as exterior alterations to existing buildings.

3.2.025 Adjustments and Variances

The Planning Commission or the Historic Preservation Commission (HPC), through a Type III procedure, may grant adjustments to Chapter 3.2, pursuant to the criteria of Chapter 4.7 Adjustments and Variances. HPC shall review Adjustments and Variances for projects only within their jurisdiction set forth in Article 5.

3.2.030 Residential Buildings

A. Purpose. The following requirements are intended to create and maintain a pedestrian friendly and human-scale environment through design, while maintaining the historic integrity / architectural character of the community. The architectural design standards require variation in architectural plans to avoid monotony in new developments. The standards support the creation of architecturally varied neighborhoods, whether a neighborhood develops all at once or one lot at a time, avoiding homogeneous street frontages that detract from the community's appearance.

B. Building Orientation. Residential buildings that are subject to the provisions of this Chapter, pursuant to Section 3.2.020, shall conform to all of the following standards:

- I. Building Orientation to Street.** Except as provided below, dwelling units shall orient toward a street, have a primary entrance opening toward the street, and be connected to the right-of-way with an approved walkway or residential front yard.
 - a. A dwelling may have its primary entrance oriented to a yard other than the front/street yard where the only permitted access to the property is from a shared driveway or flag lot drive (See Chapter 4.3) and orienting the dwelling entrance to the street is not practical due to the layout of the lot and driveway.
 - b. If it is not practical to orient a dwelling to an adjacent street due to lot layout, topographic, or other characteristics of the site, the dwelling may orient to a walkway, open space/common area, lobby, breezeway (e.g., for multiple family buildings).
- 2. Limitation on Parking Between Primary Entrance and Street.** Off-street parking is not allowed between a primary building entrance (front yard or street frontage) and the street to which it is oriented, except that assisted living facilities, group care facilities, and similar institutional-residential uses serving clients with disabilities may have one driveway located between the primary building entrance and an adjacent street as required to serve as a drop-off/loading zone, provided the primary building entrance shall connect to an adjacent street by a pedestrian walkway that conforms to the standards of Section 3.3.030. The intent of this exception is to provide for one drop-off/loading zone while maintaining a direct, convenient and safe pedestrian access to a primary building entrance.

C. Garages and Parking Areas. The following standards apply to all types of vehicle storage, including but not limited to buildings, carports, canopies, and other permanent and temporary structures. The standards therefore promote pedestrian safety and visibility of public ways, while addressing aesthetic concerns associated with street-facing garages.

Insert the graphics pages that apply, and add text references to graphics. If your city chooses not to regulate single-family dwelling design, exclude the single family dwelling graphics.

1. **Shared Drives.** Where a dwelling abuts a shared driveway, including flag lot drives, the garage or carport opening(s) for that dwelling shall orient to the shared drive, as applicable, and not a street.
2. **Setback for Garage Opening Facing Street.** No garage or carport opening shall be placed closer than twenty (20) feet to a street right-of-way.
3. **Width of Garage Openings Facing Street.** **Where one or more garage openings face a street** Where one or more garage openings access a street, the total width of all garage openings on that building elevation shall not exceed fifty (50) percent of the width of that elevation; except this standard does not apply where the garage opening is offset behind the front elevation of the dwelling by not less than 5 feet for its entire width.
4. **Three-Car and Wider Garages.** *Where three (3) or more contiguous garage parking bays are proposed facing the same street, the garage opening closest to a side property line shall be recessed at least four(4) feet behind the adjacent opening(s) to break up the street-facing elevation and diminish the appearance of the garage from the street. Side-loaded garages, i.e., where the garage openings are turned away from the street, are exempt from this requirement.*

D. Architecture. New townhome and multifamily dwellings will be reviewed through the Site Design Review process. New single-family dwellings and new duplex dwellings will be reviewed through the Zoning Clearance Sheet (Type I) process prior to issuance of building permits. In addition to the following requirements, duplexes, townhomes, and multifamily projects shall conform to the special use standards of Chapter 2.3. Projects which are on the Landmark List or within the Downtown Historic District (DHD) are subject to additional design standards. The City, upon the applicant's request, may approve a subdivision or site design review application with house plans pre-designated for specific lots, thus avoiding the need for future design review for those lots.

1. **Design Elements.** Dwelling designs shall incorporate not fewer than 4 architectural features per dwelling unit from a-f below.
 - a. Covered front porch: not less than 6 feet in depth and not less than 30 percent of the width of dwelling, excluding the landing for dwelling entrance.
 - b. Dormers: minimum of 2 required for each single-family dwelling and one each for other dwellings; must be a functional part of the structure, for example, providing light into a living space.
 - c. Recessed entrance: not less than 3 feet deep.
 - d. Windows: not less than 30 percent of surface area of all street-facing elevation(s).
 - e. Window trim: minimum 4-inch width (all elevations).
 - f. Eaves: overhang of not less than 12 inches.

- g. Offset: offset in facade or roof (see subsection 2, “Articulation”).
- h. Bay window: projects from front elevation by 12 inches.
- i. Balcony: one per dwelling unit facing street.
- j. Decorative top (e.g., cornice or pediment with flat roof or brackets with pitched roof).
- k. Facade: The facade must be in proportion, materials and volume similar to the facades on nearby structures. The front facades should be varied, articulated, and vertical, i.e., higher than they are wide. In no case shall the facade of a building consist of an unarticulated blank wall or an unbroken series of garage doors.
- l. Exposed Foundation: Exposed foundation walls shall be a maximum of four (4') feet in height and be compatible with the style of the building. Brick, wood skirting, poured concrete with a stucco wash, and true stone are examples of appropriate materials and are allowed.

2. Articulation

The following standards are intended to break up large building walls and promote human-scale design. Choose from the two options below and adapt to your community. Option A is simply, as it breaks up elevations by requiring at least one “break” for every 30-40 feet of horizontal building dimension. Option B provides more flexibility for design but may be more time-consuming to administer. Option B avoids large uninterrupted building planes, whether oriented horizontally or vertically, by requiring breaks for every 500-600 square feet of surface area. Insert the graphics pages that apply, and add text references to graphics.

Plans for residential buildings shall incorporate design features such as varying rooflines, offsets, balconies, projections (e.g., overhangs, porches, or similar features), recessed or covered entrances, window reveals, or similar elements that break up otherwise long, uninterrupted elevations. Such elements shall occur at a minimum interval of 30 feet, and each floor shall contain at least two elements meeting the following criteria:

- a. Recess (e.g., porch, courtyard, entrance balcony, or similar feature) that has a minimum depth of 4 feet;
- b. Extension (e.g., floor area, porch, entrance, balcony, overhang, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
- c. Offsets or breaks in roof elevation of 2 feet or greater in height.

3. House Plan Variety. No two directly adjacent dwelling units in a single-family development, or buildings in a multifamily development, may possess the same front or street-facing elevation. This standard is met when front or street-facing elevations differ from one another by not less than 4 of the elements listed in a-f below. Where facades repeat on the same block face, they must have at least 3 intervening lots between them that meet the above standard.

- a. **Materials** – The plans specify different exterior cladding materials, a different combination of materials, or different dimensions, spacing or arrangement of the same materials. This criterion does not require or prohibit any combination of materials; it only requires that plans not repeat or mirror one another. Materials used on the front facade must turn the corner and extend at least 2 feet deep onto the side elevations.
- b. **Articulation** – The plans have different offsets, recesses, or projections; or the front building elevations break in different places. For example, a plan that has a stoop entry (recess) varies from one that has an entry under a front porch (projection). For this criterion to apply a recess must have a minimum depth of 4 feet and a projection or offset must be at least 4 feet in depth.
- c. **Form and Variation in Roof Styles** – The plans have different roof forms (e.g., gable versus gambrel or hip), different roof height (by at least 10 percent), different orientation (e.g., front-facing versus side-facing gable), or different roof projections (e.g., with and without dormer or shed, or different

type of dormer or shed).

- d. Entry/Porch – The plans have different configuration or detailing of the front porch or covered entrance.
- e. Fenestration – The plans have different placement, shape, or orientation of windows or different placement of doors.
- f. Height – The elevation of the primary roofline (along the axis of the longest roofline) changes by not less than 4 feet from building to building, or from dwelling unit to dwelling unit (e.g., townhome units), as applicable. Changes in grade of 8 feet or more from one lot to the adjacent lot are counted toward change in height for purposes of evaluating facade variation.

E. Additional Design Standards

- 1. Mechanical Equipment: To minimize the impact of mechanical equipment on the appearance of the building and the community, window air conditioning units or condenser elements shall not be located on visible front facades and front elevations. Antennas shall be located where they are not visible on the facade or public areas. Mechanical equipment on the ground ~~shall~~ be screened with a fence or plant materials, or housed in a structure ~~such that it is no longer visible.~~ Plumbing or heating vents attached to the side or roof of a building shall be kept as low as possible and covered or painted to blend with the background. Roof mounted heating or cooling units and ductwork must be visually screened.
- 2. Solar Energy Devices: Where solar energy is to be used as a primary or complementary source of energy, solar collection devices (shall be attached to a structure) should be located on the rear or other nonpublic side of a building which is not visible from adjacent streets or other public areas in the city.

F. Additional Standards for Historic Properties. Properties within the Downtown Historic District (DHD) and on the Landmark List shall meet the standards set forth in Article 5.

3.2.040 Non-Residential Buildings

A. Purpose and Applicability. The following requirements apply to non-residential development, including individual buildings and developments with multiple buildings such as shopping centers, office complexes, mixed-use developments, and institutional campuses.

The standards are intended to enhance / support the continued development of the city, reinforcing it as an attractive place to work, shop, and conduct business.

The standards respond to and reconcile the historical context of the city with more contemporary building practices. The standards draw on the existing architecture of the city's historic districts, while allowing a contemporary interpretation of older building forms and styles scaled to fit the community. It is not the City's intent to create an architectural theme, but rather to ensure that new buildings and exterior

alterations fit within the context of their surroundings and contribute toward the development of compact, walkable commercial and mixed-use districts. Specifically, the City desires to achieve:

- Compatibility with locally significant historic structures where applicable,
- Address differences in building scale between different zoning districts,
- Require the use of contextually appropriate materials, textures and colors, and
- Promote a storefront character (windows, pedestrian shelter, furnishings, etc.).

B. Design Standards. The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Commission may approve Adjustments to the standards as part of a Site Design Review approval, pursuant to Chapter 4.2 and Chapter 4.7, respectively.

1. Except as provided in subsections 3.2.040C(5)-(6), below, all buildings shall have at least one primary entrance (i.e., tenant entrance, lobby entrance, or breezeway/courtyard entrance) facing an abutting street (i.e., within 45 degrees of the street property line); or if the building entrance must be turned more than 45 degrees from the street (i.e., front door is on a side or rear elevation) due to the configuration of the site or similar constraints, a pedestrian walkway must connect the primary entrance to the sidewalk in conformance with Section 3.3.0340.
2. Trash storage facilities and ground-level utilities (e.g., utility vaults), and similar obstructions shall not be placed between building entrances and the street(s) to which they are oriented; except to the extent utility facilities can be located underground.
3. Off-street parking shall meet the Access and Circulation requirements of Chapter 3.3, the Landscape and Screening requirements of Chapter 3.4, and the Parking and Loading requirements of Chapter 3.5.
4. Where a development contains multiple buildings and there is insufficient street frontage to meet the above building orientation standards for all buildings on the subject site, a building's primary entrance may orient to plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting the requirements under Section 2.3.090, subject to Site Design Review approval. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a pedestrian walkway conforming to Section 3.3.0340.B.1.

C. Primary Entrances and Windows. The following standards apply to new buildings and building additions that are subject to Site Design Review. The City decision body may approve Adjustments to the standards as part of a Site Design Review approval, pursuant ~~with- to~~ Chapter 4.2 and Chapter 4.7, respectively.

1. **All Elevations of Building.** Architectural designs shall address all elevations of a building; building forms, detailing, materials, textures, and color.
 2. **Pedestrian Entrances.** Ground level entrances shall be partly transparent. This standard may be met by providing a door with a window(s), a transom window above the door, or sidelights beside the door.
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- 3. Windows – General.** Except as approved for parking structures or accessory structures, the front/street-facing elevations of buildings shall provide windows. The ground floor, street-facing elevation(s) of all buildings shall comprise at least 60 percent transparent windows, measured as a section extending the width of the street-facing elevation between the building base (or 30 inches above the sidewalk grade, whichever is less) and a plane 72 inches above the sidewalk grade.
- 4. Defined Upper Story(ies).** Building elevations shall contain detailing that visually distinguishes street level building spaces (storefronts) from upper stories. The distinction between street level and upper floors shall be established, for example, through the use of awnings, canopies, belt course, or similar detailing, materials and/or fenestration. Upper floors may have less window area than ground floors, but shall follow the vertical lines of the lower level piers and the horizontal definition of spandrels and any cornices. Upper floor window orientation shall primarily be vertical, or have a width that is no greater than height. Paired or grouped windows that, together, are wider than they are tall, shall be visually divided to express the vertical orientation of individual windows.
- 5. Buildings Not Adjacent to a Street.** Buildings that are not adjacent to a street, such as those that are setback behind another building and those that are oriented to a public space (e.g., internal plaza or court), shall meet the 60 percent transparency standard on all elevations abutting public spaces(s) and on elevations containing a primary entrance.
- 6. Side and Rear Elevation Windows.** All side and rear elevations shall provide not less than 30 percent transparency, except for zero-lot line/common wall elevations where windows are not required.

D. Articulation and Detailing. The following standards apply to new buildings and building additions subject to Site Plan Review. The City decision body may make Adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 4.2 and 4.7, respectively.

- I. Articulation.** All building elevations that orient to a street or public space must have breaks in the wall plane (articulation) of not less than one break for every 50 feet of building length or width, as applicable, as follows:
 - a. A “break” for the purposes of this subsection is a change in wall plane of not less than 24 inches in depth. Breaks may include but are not limited to an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.
 - b. The Planning Commission through Site Design Review may approve detailing that does not meet the 24-inch break-in-wall-plane standard where it finds that proposed detailing is more consistent with the architecture of historically significant or historic-contributing buildings existing in the vicinity.
 - c. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the [24]-inch break-in-wall-plane standard.

d. Building elevations that do not orient to a street or public space need not comply with the [24]-inch break-in-wall-plane standard but ~~shall~~ complement the overall building design.

2. **Change in Materials.** Elevations ~~shall~~ incorporate changes in material that define a building's base, middle and top, as applicable, and create visual interest and relief. Side and rear elevations that do not face a street, public parking area, pedestrian access way or plaza may utilize changes in texture and/or color of materials, provided that the design is consistent with the overall composition of the building.

E. Pedestrian Shelters. The following standards apply to new buildings and building additions that are subject to Site Design Review. The City decision body may approve Adjustments to the standards as part of a Site Design Review approval, pursuant to Chapter 4.2 and Chapter 4.7, respectively.

1. **Minimum Pedestrian Shelter Coverage.** Permanent awnings, canopies, recesses or similar pedestrian shelters shall be provided along the primary entrance of a building. Pedestrian shelters used to meet the above standard shall extend at least [5] feet over the pedestrian area; except that the City Planning Commission or HPC, through Site Design Review, may reduce the above standards where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters. In addition, the above standards do not apply where a building has a ground floor dwelling, as in a mixed-use development or live-work building, and the dwelling entrance has a covered entrance.

2. **Pedestrian Shelter Design.** Where applicable, pedestrian shelters shall be designed to accommodate pedestrian signage (e.g., blade signs) while maintaining required vertical clearance.

F. Mechanical Equipment

1. **Building Walls.** Mechanical equipment, such as vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, shall be limited to side or rear yards and it shall be screened pursuant ~~with~~ to Chapter 3.4. Standpipes, meters, and similar equipment need not be screened but shall not be placed on a front elevation when other practical alternatives exist.

2. **Rooftops.** Except as provided below, rooftop mechanical units shall be setback and/or screened behind a parapet wall so that they are not visible from any public right-of-way or public space. Where such placement and screening is not practicable, the City decision body may approve painting of mechanical units in lieu of screening; such painting shall be a color that makes the equipment visually subordinate.

3. **Ground-Mounted Mechanical Equipment.** Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials complementary to those on the building it serves. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided.

4. Micro-Generation Energy Facilities. Equipment for micro-generation or small-scale renewable energy (e.g., mini-wind turbines, solar panels, and similar features) are subject to the Special Use requirements of Section 2.3.200.

G. Materials and Color. Building exteriors shall conform to the following standards. The City decision body may approve Adjustments to the standards as part of a Site Design Review approval, pursuant to Chapter 4.2 and Chapter 4.7, respectively.]

- 1. Primary Materials.** Permitted exterior cladding materials include the following, and other materials found to be similar in appearance and durability, subject to Site Design Review / Exterior cladding materials not consist of:
- 3. Substitute Materials.** Substitute materials that are equal in appearance and durability to those listed in subsections 1 and 2 may be approved through Site Design Review. The applicant will be required to provide specifications from the manufacturer.
- 4. Color.** Color schemes shall conform to the adopted color palette on file at the City Hall.
- 5. Historic District, Historic Properties and Properties within National Historic District.** All such property development shall be governed by the design standards set forth in the Historic Properties Overlay, Section 2. _____

H. Large-Format Developments. Plans for new developments, or any phase thereof, with a total floor plate area (ground floor area of all buildings) greater than [25,000] square feet, including land divisions in the GC ~~and C1~~-zones, shall meet all of the following standards in subsections 1-9 below. *The City decision body may approve Adjustments to the standards as part of a Site Design Review approval, pursuant ~~with-to~~ Chapter 4.2 and Chapter 4.7, respectively.]*

The following standards are intended to address problems of transportation connectivity and pedestrian safety associated with “big box” developments and conventional strip-commercial shopping centers. Insert the graphics pages that apply, and add text references to graphics.

- 1.** The site plan or preliminary subdivision plan, as applicable, shall comply with the street connectivity standards of Section 3.6.020. The plan approval shall bind on all future phases of the development, if any, to the approved block layout;
- 2.** Except as provided by subsection 3.2.040(H)(6)-(9), below, the site shall be configured into blocks with building pads that have frontage onto improved streets meeting City standards, and shall contain interior parking courts and with interconnected pedestrian walkways;
- 3.** The build-to line standards in Table 2.2.040.D shall be met across not less than 50 percent of the site’s street frontage consistent with subsection 3.2.040(B), except the build-to standard does not apply where a railroad, expressway, water body, topographic constraint, or similar physical constraint makes it

impractical to orient buildings to a particular street or highway;

4. Walkways shall connect the street right-of-way to all primary building entrances, and shall connect all primary building entrances to one another, including required pedestrian crossings through interior parking areas, if any, in accordance with Section 3.3.030. The City decision body may condition development to provide facilities exceeding those required by Section 3.3.030, including a requirement for lighting, stairways, ramps, and midblock pedestrian access ways (e.g., to break up an otherwise long block) to ensure reasonably safe, direct, and convenient pedestrian circulation.
5. Buildings placed at a block corner shall have a primary entrance oriented to the block corner; that entrance shall be located within 40 feet of the corner and shall have a direct and convenient pedestrian walkway connecting to the corner sidewalk;
6. All buildings shall orient to a street, pursuant to subsection 3.2.040.B; except that where it is not practical to orient all buildings to streets due to existing parcel configuration or a similar site constraints, buildings may orient to a “shopping street” providing, at a minimum, on-street parking (parallel or angled parking); [8-10] foot sidewalks, which shall include a [4] foot zone for street trees and furnishings (e.g., benches), and pedestrian-scale lighting;
7. Each building that is proposed as orienting to a shopping street shall comply with the orientation standards of Section 3.2.040.B in reference to the shopping street, and shall have at least one primary entrance oriented to the shopping street;
8. Where a building fronts both a shopping street and a public street, that building shall contain at least one primary entrance oriented to each street; except that an entrance is not required where the public street is not improved with a sidewalk and the City determines that sidewalk improvements to the public street cannot required as a condition of approval.
9. All other provisions of this Code apply to large-format developments.

Chapter 3.3 - Access and Circulation

Sections:

3.3.010	Purpose
3.3.020	Applicability
3.3.020	Vehicular Access and Circulation
3.3.030	Pedestrian Access and Circulation

3.3.010 Purpose

Chapter 3.3 contains standards for vehicular and pedestrian access, circulation, and connectivity. The standards promote safe, reasonably direct, and convenient options for walking and bicycling, while accommodating vehicle access to individual properties, as needed

3.3.020 Applicability

Chapter 3.3 applies to new development and changes in land use necessitating a new or modified street or highway connection. Except where the standards of a roadway authority other than the City supersede City standards, Chapter 3.3 applies to all connections to a street or highway, and to driveways and walkways. For street improvement requirements, refer to Section 3.6.020.

3.3.030 Vehicular Access and Circulation

User’s Guide: This section implements Transportation Planning Rule requirements related to access management and is intended to be consistent with ODOT access management requirements for state highways under OAR 734-051. Insert the graphics pages that apply, and add text references to graphics.

A. Purpose and Intent. Section 3.3.030 implements the street access policies of the City of [Jacksonville](#) Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. “Safety,” for the purposes of this Chapter, extends to all modes of transportation.

B. Permit Required. Vehicular access to a public street (e.g., a new or modified driveway connection to a street or highway) requires an approach permit approved by the applicable roadway authority. [~~The City Public Works Director~~ ~~Planning Official~~ reviews permit requests for connections to City streets through a ~~Type I##~~ procedure.]

C. Traffic Study Requirements. The City in reviewing a development proposal or other action requiring an approach permit may require a traffic impact analysis, pursuant to Section 3.6.020, to determine compliance with this code.

D. Approach and Driveway Development Standards. Approaches and driveways shall conform to all of the following development standards:

1. The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street;
2. Approaches shall conform to the spacing standards of subsections ‘E’ and ‘F’, below, and shall conform to minimum sight distance and channelization standards of the roadway authority;
3. Driveways shall be paved and meet applicable construction standards. Where permeable paving surfaces are allowed or required, such surfaces shall conform to applicable Engineering Design Standards;
4. The City [~~decision body~~] ~~Public Works Director~~ may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the roadway authority requires mitigation to alleviate safety or traffic operations concerns;
5. Where the spacing standards of the roadway authority limit the number or location of connections to a street or highway, the City [~~decision body~~] may require a driveway extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The City [~~decision body~~] ~~Public Works Director~~ may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s);
6. Where applicable codes require emergency vehicle access, approaches and driveways shall be designed

and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City ~~[decision-body]~~ **Public Works Director** may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider;

7. As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements;
8. *[Except where the City ~~[decision-body]~~ **Public Works Director** and roadway authority, as applicable, permits an open access with perpendicular or angled parking (See Section 3.3.030.J), driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.*
9. Driveways shall be designed so that vehicle areas, including but not limited to drive-up and drive-through facilities and vehicle storage and service areas, do not obstruct any public right-of-way;
10. Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians.
11. As it deems necessary for pedestrian safety, the City ~~[decision-body]~~ **Public Works Director**, in consultation with the roadway authority, as applicable, may require traffic-calming features, such as speed tables, textured driveway surfaces (e.g., pavers or similar devices), curb extensions, signage or traffic control devices, or other features, be installed on or in the vicinity of a site as a condition of development approval;
12. Construction of approaches along acceleration or deceleration lanes, and along tapered (reduced width) portions of a roadway, shall be avoided; except where no reasonable alternative exists and the approach does not create safety or traffic operations concern;
13. Approaches and driveways shall be located and designed to allow for safe maneuvering in and around loading areas, while avoiding conflicts with pedestrians, parking, landscaping, and buildings;
14. Where sidewalks or walkways occur adjacent to a roadway, driveway aprons constructed of *[concrete]* shall be installed between the driveway and roadway edge. The roadway authority may require the driveway apron be installed outside the required sidewalk or walkway surface, consistent with Americans With Disabilities Act requirements, and to manage surface water runoff and protect the roadway surface;
15. Where an accessible route is required pursuant to the Americans with Disabilities Act, approaches and driveways shall meet accessibility requirements where they coincide with an accessible route;
16. The City ~~[decision-body]~~ **Public Works Director** may require changes to the proposed configuration and design of an approach, including the number of drive aisles or lanes, surfacing, traffic-calming features, allowable turning movements, and other changes or mitigation, to ensure traffic safety and operations;
17. Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The City ~~[decision-body]~~ **Public Works** may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development, in which case the city will work cooperatively with

the applicant and ODOT to avoid unnecessary delays;

18. Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.
19. Where a proposed driveway crosses a culvert or drainage ditch, the City ~~decision body~~ Public Works Director may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant to applicable *[public works / engineering]* design standards.
20. Except as otherwise required by the applicable roadway authority or waived by the *[City Engineer / Public Works Director]*, temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.
21. *Development that increases impervious surface area shall conform to the storm drainage/surface water management requirements of Section 3.6.050.*

E. Approach Separation from Street Intersections. Except as provided by Section 3.3.030.H, the following minimum distances shall be maintained between approaches and street intersections, where distance is measured from the edge of an approach surface to the edge of the roadway at its ultimate designated width:

Insert standards from local jurisdiction's transportation system plan; or where no transportation plan exists determine appropriate standards in coordination with city engineering and public works staff, and staff from other roadway authorities, as applicable. The standards should balance the need for reasonable development opportunities with traffic operations and safety for all modes of transportation. Revise the standards of Section 3.3.030.D, above, as needed.

1. On an arterial street: 100 feet, except as required by ODOT, pursuant to Oregon Administrative Rule (OAR) 734-051, for state highways;
2. On a collector street: 50 feet;
3. On a local street: 20 feet.

F. Approach Spacing. Except as provided by Section 3.3.030.H or as required to maintain street operations and safety, the following minimum distances shall be maintained between approaches, where distance is measured from the edge of one approach to the edge of another:

User's Guide: Cities should use standards from the local jurisdiction's transportation system plan; or where no transportation plan exists, determine appropriate standards based on a collaborative discussion with the city's engineering and public works staff and/or consultant. The standards should balance the need to provide for reasonable development opportunities with safety and traffic operations. As approaches occur more frequently on busy streets, the more there potential there is for conflicts between vehicles (i.e., conflicting turning movements) and between vehicles and pedestrians. The following

standards for arterials streets are based on the highway approach spacing standards in Oregon Administrative Rules (OAR) 734-051 for highway segments with speeds between 25-45 miles per hour.

1. On an arterial street: *[150-360]* feet based on speed limit or posted speed, as applicable, except as otherwise required by ODOT for a state highway, pursuant to Oregon Administrative Rules (OAR) 734-051;
2. On a collector street: *[50-100]* feet;
3. On a local street: *[20]* feet, or City *[decision body]* may approve closer spacing where necessary to provide for on-street parking (e.g., between paired approaches).

G. Vision Clearance. No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between *three (3) feet and eight (8) feet* in height shall be placed in “vision clearance areas” at street intersections as illustrated. The minimum vision clearance area may be modified by the City Planner through a Type I procedure, upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). Placement of light poles, utility poles, and tree trunks should be avoided within vision clearance areas.

-Insert Illustration-

H. Exceptions and Adjustments. The city decision body may approve adjustments to the spacing standards of subsections ‘E’ and ‘F’, above, where an existing connection to a City street does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance. The City Planning Department through a Type II procedure may also approve a deviation to the spacing standards on City streets where it finds that mitigation measures, such as consolidated access (removal of one access), joint use driveways (more than one property uses same access), directional limitations (e.g., one-way), turning restrictions (e.g., right in/out only), or other mitigation alleviate all traffic operations and safety concerns.

I. Joint Use Access Easement and Maintenance Agreement. Where the City approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of/cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the City for its records, prior to development permits but the city is not responsible for maintaining the driveway or resolving any dispute between property owners.

[J. Frontage Driveways and Street-Side Parking Bays. *The City [decision body], in consultation with the roadway authority, as applicable, may permit an open access with perpendicular or angled parking adjacent to a public street where an existing street does not contain parallel parking, and the proposed development does not warrant a street widening to provide parallel parking pursuant ~~with-to~~ Chapter 3.6. The open access area shall conform to the City’s street construction standards for paving and (storm drainage / surface water management) and the requirements of the roadway authority if different than the City. The City (decision body) may also require, based on existing and projected pedestrian activity, that a sidewalk or a walkway be installed along the full frontage of the site pursuant to Section 3.3.040.]*

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3.3.040 Pedestrian Access and Circulation

User’s Guide: This section implements Transportation Planning Rule (TPR) requirements related to pedestrian access and is intended to be consistent with the TPR provisions for multi-modal mixed-use areas. Note that the block length and perimeter standards are being consolidated in Chapter 3.6, which contains public improvement standards for subdivisions and site developments. In addition, the new building orientation and design standards of Chapter 3.2 are meant to complement the pedestrian circulation requirements of Section 3.3.040. Insert the graphics pages that apply, and add text references to graphics.

1. **Purpose and Intent.** Section 3.3.040 implements the pedestrian access and connectivity policies of City of Jacksonville Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.
2. **Standards.** Developments shall conform to all of the following standards for pedestrian access and circulation:
 - a. **Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.
 - b. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way based on all of the following criteria:
 - i. The walkway is reasonable direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel;
 - ii. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The City [decision body] may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
 - iii. The walkway network connects to all primary building entrances, consistent with the building design standards of Chapter 3.2 and, where required, Americans With Disabilities Act requirements.
3. **Vehicle/Walkway Separation.** Except as required for crosswalks, per subsection 4, below, where a walkway abuts a driveway or street it shall be raised [6] inches and curbed along the edge of the driveway/street. Alternatively, the City [decision body] may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.
4. **Crosswalks.** Where a walkway crosses a parking area or driveway (“crosswalk”), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or

similar contrast). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians. *[Painted or thermo-plastic striping and similar types of non-permanent applications are discouraged, but may be approved for lesser used crosswalks not exceeding [24] feet in length.]*

5. **Walkway Width and Surface.** Walkways, including access ways required for subdivisions pursuant ~~with~~ Chapter 4.3, shall be constructed of concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, and not less than [5-6] feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to the transportation standards of Section 3.6.020.
6. **Walkway Construction.** Walkway surfaces may be concrete, asphalt, brick/masonry pavers, or other city-approved durable surface meeting Americans With Disabilities Act requirements. Walkways shall be not less than [4] feet in width, except that concrete walkways a minimum of [6] feet in width are required in commercial developments and where access ways are required for subdivisions under Chapter 4.3.090~~—~~. The city decision body may also require [6-]foot wide, or wider, concrete sidewalks in other developments where pedestrian traffic warrants walkways wider than [4] feet.
7. **Multi-Use Pathways.** Multi-use pathways, where approved, shall be [10-12] feet wide and constructed of [asphalt / concrete,] consistent with the [applicable Engineering / Public Works Design Standards.]

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Chapter 3.4 - Landscaping, Fences and Walls, Outdoor Lighting, Tree Removal

Sections:

3.4.010	Purpose
3.4.020	Applicability
3.4.030	Landscaping and Screening
3.4.040	Fences and Walls
3.4.050	Outdoor Lighting
3.4.060	Removal and Trimming of Trees, Heritage Trees

3.4.010 Purpose

Chapter 3.4 contains standards for landscaping and screening, fences, walls, outdoor lighting and tree removal. The regulations are intended to:

- protect public health, safety and welfare by reducing development impacts, such as glare, noise, and visual impacts, on adjacent uses;
- minimizing erosion;
- buffering pedestrians from vehicle maneuvering areas;
- cooling buildings and parking lots in summer months with shade; and
- enhancing the City's appearance.

3.4.020 Applicability

- A.** Section 3.4.030 establishes design standards for landscaping and screening. Projects requiring Site Design Review ~~or Land Division~~ approval shall meet the landscape standards of the applicable zone, including the standards in Table 2.2.040 and any Special Use requirements under Chapter 2.4.
- B.** Section 3.4.040 establishes design standards for when a fence or a wall not attached to a building is to be erected, extended, or otherwise altered; it also applies to situations where this code requires screening or buffering (e.g., outdoor/unenclosed storage uses). The standards of Section 3.4.040 supplement the development standards in Table 2.2.040 and any applicable Special Use requirements under Chapter 2.4.
- C.** Section 3.4.050, Outdoor Lighting, applies to all new outdoor lighting or outdoor lighting which is part of a Site Plan Review or modification.
- D.** *[The city decision body, through a (Type II / III) procedure, may grant adjustments to Chapter 3.2,4 pursuant to the criteria of Chapter 4.7 Adjustments and Variances. (Elaborate as needed, specifying any limitation on the types of standards that may be adjusted and by how much.)]*

3.4.030 Landscaping and Screening

- A. General Landscape Standard.** All portions of a lot requiring site design review or a non-residential

[conditional use permit](#) not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped. Landscape plans shall be produced by a [licensed/certified](#) landscape architect. Landscape lighting shall be governed by the Outdoor Lighting standards set forth in 3.4.050.

B. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers may be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions, among other factors. When new vegetation is planted, soils shall be amended and irrigation shall be provided, as necessary, to allow for healthy plant growth. The selection of plants shall be based on all of the following standards and guidelines:

1. Trees shall be not less than 2-inch caliper at the time of planting.
2. Shrubs shall be planted from 5-gallon containers, minimum, where they are for required screens or buffers, and 2-gallon containers minimum elsewhere.
3. Shrubs shall be spaced in order to provide the intended screen or canopy cover within 2 years of planting.
4. All required landscaped areas that are not planted with trees and shrubs or covered with allowable non-plant material, shall have ground cover plants that are sized and spaced to achieve plant coverage of not less than 50 percent at maturity.
5. Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover not more than 25 percent of any landscape area. Non-plant ground covers cannot be a substitute for required ground cover plants.
6. Where storm water retention/detention or water quality treatment facilities are proposed, they shall be planted with water-tolerant species.
7. Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained when possible. The removal of existing trees shall be done in conformance with this Code, section 3.4.060;
8. Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment;
9. Evergreen plants shall be used where a sight-obscuring landscape screen is required;
10. Landscape plans shall use a combination of plants for seasonal variation in color and yearlong interest; and shall provide focal points within a development,
11. Landscape plans shall provide for both temporary and permanent erosion control measures, which shall include plantings, where cuts or fills, including berms, swales, storm water detention facilities, and similar grading, is proposed.

C. Street Tree Standards.

All landscape plans shall meet the standards for providing and installing street trees as set forth in 3.4.060(J).

D. Parking Lot Landscaping. All of the following standards shall be met for each parking lot or each parking area where a development contains multiple parking areas:

1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of canopy trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants from the approved list of plant materials is required. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.
2. All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 10 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than 6 feet, to ensure adequate soil, water, and space for healthy plant growth;
3. All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within 2 years of planting, not less than 75 percent of that area is covered with living plants; and
4. Wheel stops, curbs, bollards or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than 2 feet from any such barrier.
5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

E. Screening Requirements. Screening is required for outdoor storage areas, unenclosed uses, and parking lots. Landscaping shall be provided pursuant to the standards of subsections 1-3, below:

1. **Outdoor Storage and Unenclosed Uses.** All areas of a site containing or proposed to contain outdoor storage of goods, materials, equipment, and vehicles (other than required parking lots and service and delivery areas, per Site Design Review), and areas containing salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall, landscape screen, or combination of screening methods. See also Section 3.4.040 for related fence and wall standards.
2. **Parking Lots.** The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards.
3. **Other Uses Where Requiring Screening.** The City may require screening in other situations as authorized by this Code, including but not limited to outdoor storage areas, blank walls, Special Uses pursuant to Chapter 2.4, flag lots, and as mitigation where an applicant has requested an Adjustment pursuant to Chapter 4.7.

F. Maintenance. All landscaping shall be maintained in good condition, or otherwise replaced by the property owner.

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3.4.040 Fences and Walls

User’s Guide: Section 3.4.040 implements several model code provisions related to general development standards (Table 2.2.040), parking, flag lots, and special uses, among others. Code users should review those sections first and determine which if any of the following provisions are required. Insert the graphics pages that apply, and add text references to graphics.

- A. Purpose.** This section provides general development standards for fences, and walls (except not building walls, walls that are an integral part of a building) such as screening walls and retaining walls.
- B. Applicability.** Section 3.4.040 applies to all fences and walls (as described above) , including modifications to existing fences and walls. This Section supplements the development standards of Table 2.2.040.
- C. Height.**
 - 1. Residential Zones.** Fences and walls for residential uses shall not exceed the following height above grade, where grade is measured from the base of the subject fence or wall, as measured from the exterior side of fence (i.e. neighbors side of fence or street side):
 - a. Within Front or Street-Side Yard Setback: Three (3) feet; except the following additional height is allowed:
 - (1) A fence or wall may be constructed to a maximum height of six (6) feet where it is located on a street-side yard and is setback not less than five (5) feet from the street-side property line behind a landscaped area;
 - (2) One entry feature (e.g., arbor or gate) not exceeding eight (8) feet in height and six (6) feet in width is allowed within a front or street-facing yard provided it does not encroach into a required clear vision area.
 - b. Within an Interior Side or Rear Yard Setback: A fence or wall may be constructed to a maximum height of six (6) feet. Note that “side yard” starts at the corner of the building.
 - c. Any fence which may be 6 feet in height may be extended to 8 feet if it is designed by a licensed engineer and installed by a contractor, approved pursuant to a Zoning Clearance Sheet. The top two feet of the fence shall be visually clear - lattice, iron, or other similar design.
 - 2. Non-Residential Zones.** Fences and walls (except not building walls, walls that are an integral structural part of a building) for non-residential uses shall not exceed the following height above grade, where grade is measured from the base of the subject fence or wall, as measured from

the exterior side of fence (i.e. neighbors side of fence or street side):

- a. Within Front or Street-Side Yard Setback. Four (4) feet, except the following additional height is allowed for properties located within an industrial zone:
 - (1) A fence may be constructed to a maximum height of eight (8) feet where it is located on a street-side yard.
 - b. Within an Interior Side or Rear Yard Setback: Six (6) feet, except that a fence may be constructed to a maximum height of eight (8) feet within an industrial zone:
3. **All Zones.** Fences and walls shall comply with the vision clearance standards of Section 3.3.020. Other provisions of this Code, or the requirements of the roadway authority, may limit allowable height of a fence or wall below the height limits of this Section.

D. Materials.

User's Guide: The list of fence/wall materials below should be customized to meet the needs of your community. Some cities prefer to list only prohibited materials, while others specifically list those that are allowed. In either case, the code should allow flexibility, and anticipate that some "undesirable" materials, when applied artistically and in the right context, can be a positive addition to the community.

- I. Permitted fence and wall materials include weather-treated wood; untreated cedar and redwood; black, brown, or dark green chain link (factory produced), wrought iron, bricks, stone; and similar materials as determined by the Planning Official. Masonry block is an approved materials for landscape walls. Barbed wire and electric fences are prohibited. In addition, evergreen hedges are considered screening walls for the purpose of this Chapter, subject to Site Design Review approval. Any proposed fence or wall not in compliance with these provisions may be processed as a Site Design Review pursuant to Chapter 4.2.

E. Permitting. A Type I approval is required to install any fence or wall, as set forth above. The City Planning Commission or Historic Preservation Commission may require installation of walls and/or fences as a condition of approval for development, as provided by other Code sections. A building permit may be required for some fences and walls, pursuant to applicable building codes.

F. Maintenance. Fences and walls shall be maintained in good condition.

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3.4.50 Outdoor Lighting

A. Purpose. This section contains regulations requiring adequate levels of outdoor lighting while minimizing negative impacts of light pollution.

B. Applicability. All outdoor lighting shall comply with the standards of this section.

C. Standards.

1. Light poles, except as required by a roadway authority or public safety agency, shall not exceed a height of 20 feet; ~~except that p~~ Pedestal- or bollard-style lighting is the preferred method illuminating walkways. This limitation does not apply to flag poles, utility poles, and streetlights
2. Where a light standard is placed over a sidewalk or walkway, a minimum vertical clearance of eight (8) feet shall be maintained.
3. Except as provided for the lighting of flags, **free-standing signs** and permitted building-mounted signs under Chapter 3.7 (Sign Code), all outdoor light fixtures shall have shielding to minimize light spillover onto adjacent properties.
4. Lighting shall be installed where it will not obstruct public ways, driveways, or walkways.
5. Non-residential walkway lighting shall have a minimum average illumination of not less than 0.2 foot-candles.
6. Active building entrances shall have a minimum average illumination of not less than 2.0 foot-candles.
7. Surfaces of signs shall have an illumination level of not more than 2.0 foot-candles
8. Parking lots and outdoor services areas, including quick vehicle service areas, shall have a minimum illumination of not less than 0.2 foot-candles, and average illumination of approximately 0.8 foot-candles, and a uniformity ratio (maximum-to-minimum ratio) of not more than 20:1.
9. Where illumination grid lighting plans cannot be reviewed or if fixtures do not provide photometrics and bulbs are under 2,000 lumens, use the following guidelines: (a) Poles should be no greater in height than four times the distance to the property line, and maximum lumen levels should be based on fixture height.
10. Where a light standard is placed within a walkway, an unobstructed pedestrian through zone not less than 36 inches wide shall be maintained.
11. Lighting subject to this Section shall consist of materials approved for outdoor use and shall be installed according to the manufacturer's specifications.

- D. Permitting.** A Type I approval is required to install or replace outdoor lighting. The City may require lighting as a condition of approval for some projects, pursuant ~~with to~~ other Code requirements.
- E. Maintenance.** For public health and safety, outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner.
- F. Holiday Lighting.** Holiday lighting is permitted annually from the tThird Monday of November through January 15.

3.4.060 REMOVAL AND TRIMMING OF TREES; HERITAGE TREES; STREET TREES.

I. Purpose. Public entities, property owners, and developers should preserve existing trees wherever feasible.

II. Regulated Activities.

1. All tree removal and tree topping activities shall be carried out in accordance with the requirements of the Code unless specifically permitted below.
2. No person who is required to install or maintain tree protection measures pursuant to the Code shall do any development activity without properly installing or maintaining such tree protection measures.
3. Activities associated with tree trimming for safety reasons as required by a public utility and conducted by a Journeyman Arborist or Tree Trimmer in compliance with OPUC standards and regulations, do not require a Permit or ZCS.

III. Tree Removal Pursuant to Zoning Clearance Sheet Approval. The following activities require a Zoning Clearance Sheet approval but are exempt from the requirements of obtaining a Tree Removal Permit:

1. Removal of trees in single family residential zones on lots occupied only by a single family detached dwelling, except as otherwise regulated by Hillside Ordinance or Heritage Tree removal restrictions, or as otherwise regulated in this Code.
2. Tree removal activities associated with the establishment, maintenance or alteration of any public park or property, except as otherwise regulated by the Heritage Tree removal restrictions.
3. Removal of dead trees.
4. Removal of nuisance trees, as defined by the City and set forth on a Nuisance Tree List, kept on file at the City Planning Department. Nuisance trees include, but are not limited to, cottonwoods, poplars, and aspens.

5. The removal or trimming of trees damaged solely by natural weather conditions.

IV. Tree Removal Permits and Topping Permits. Any person seeking to remove a tree, not otherwise permitted for removal with a ZCS approval as set forth above, shall prior to removal first apply for and obtain a Tree Removal Permit as follows:

- I. Emergency Permit:
 - a. Hazard Tree. If the condition of a tree presents an immediate danger of collapse and represents a present hazard to persons or property, an emergency tree removal permit may be issued by the Planning Director or designated staff advisor. The Planning Director or designee may require the applicant to hire a certified arborist and to provide evidence of the immediate danger of collapse and threat to persons or property. Mitigation of a Hazard Tree shall be required.
2. Tree Removal Permit: Tree removal permits shall be required for the following activities:
 - a. Removal of trees on any private land not otherwise allowed as set forth in 3.4.060(C).
 - b. Removal of any tree on the Heritage Tree list.
3. Topping Permit: Topping is an injurious pruning practice which may damage trees. It should be avoided where a reasonable alternative exists. A topping permit may be issued for the following:
 - a. Trees under utility wires may be topped only where other pruning methods are impractical.
 - b. As authorized as part of a Tree Removal permit.

V. Plan and Approval Standards Required for Permit

- I. An application for all Tree Removal and Tree Topping Permits shall include and demonstrate:
 - a. Plans drawn to scale identifying the number, size, species and location of the trees proposed to be removed or topped on a site plan of the subject property.
 - b. The proposed date(s) of removal or topping.
 - c. A narrative statement for the reasons for removal or topping.
 - d. Information concerning any proposed new landscaping or mitigation plantings.
 - e. Evidence that trees proposed for removal or topping have been clearly identified for inspection.
 - f. A tree protection plan, in conformance with 3.4.060(I), which includes trees located on the subject site that are not proposed for removal and any off-site trees where drip

lines extend into the area to be impacted.

- g. Evidence that the tree removal or topping will not have a significant negative impact on erosion, soil stability, flow of surface water, protection of adjacent trees, diversity of tree species on the subject property or immediately adjacent properties.
 - h. Evidence that tree removal will not be materially detrimental to a significant historic site or structure in the City.
2. If a Permit affects a Heritage Tree, the applicant shall demonstrate that the tree no longer meets the standards for such Heritage Tree designation.
- a. Written findings demonstrating how the applicant has satisfied all criteria necessary for the permit.
 - b. Removal of the tree is consistent with all other provisions of the JMC.
 - c. Any further information as requested by the City.
3. **Applicant Burden.** The applicant shall have the burden of proving that the application complies with the criteria for approval of the requested permit. The applicant shall submit written findings and evidencing addressing all criteria prior to issuance of a Tree Removal Permit. Misrepresentation of any fact necessary to approve a permit shall invalidate such permit and any person removing or topping a tree pursuant to an invalid permit may be subject to penalties set forth in 3.4.060(H).
4. **Approval Process.** The Director shall process any tree removal or topping application as a Type II application and may issue a tree removal or topping permit upon demonstration of compliance with the applicable criteria; except that any Tree Removal Permit for a Heritage Tree shall be processed as a Type III application.
5. **Expiration.** Tree removal or topping permits shall be valid for one year from the date of issuance. Permits which have lapsed are void.

VI. Mitigation Required. An applicant shall be required to provide mitigation for any tree approved for removal. The mitigation requirement shall be satisfied by one or more of the following:

- 1. **Replanting on site.** The applicant shall plant either a minimum 1.5” caliper (at four foot height above ground) healthy and well-branched deciduous tree or a 4 foot tall evergreen tree for each tree removed. The tree shall be a suitable species for the site, given the existing topography, soils, other vegetation, exposure to wind and sun, nearby structures and other elements that may impact the tree’s growth and survival. The tree shall be planted and maintained according to the specifications in the City Tree Replacement (Guidelines) as approved by the City.
- 2. **Replanting off site.** If in the City’s determination there is insufficient available space on the subject property, the replanting required by this Section shall occur on other property in the applicant’s control or, or if authorized by the City, within the City, in an open space tract that is part of the same subdivision, or in a City owned or dedicated open space or park. Nothing in

this Section shall be construed as an obligation of the City to allow trees to be planted on City owned or dedicated property.

3. Payment in lieu of planting. If in the City's determination no feasible alternative exists to plant the required mitigation as set forth in this Section, the applicant shall pay into the Tree Restoration account an amount as established by resolution of the City Council.

VII. Heritage Trees.

1. Jacksonville acknowledges that specific trees within the City should be preserved and that they make an important community contribution due to distinctive form, size, age, location, species or historical significance.
2. Any person may nominate a mature tree for consideration as a Heritage Tree or request removal of the Heritage Tree designation by filing an application with the City. Any such application shall identify why it meets the description of a Heritage Tree, set forth in this section or no longer meets the Heritage Tree standards (in the case of a proposal to remove the Heritage Tree designation). All applications related to the listing or removal of a Heritage Tree designation shall be processed as a Type III application before the Planning Commission. A recommendation on the application shall be made by the City's Parks, Recreation and Visitors Services Committee or City Arborist as part of the review process.
3. Upon designation as a Heritage Tree, it shall be subject to the applicable provisions of this Chapter, including the requirement for a Tree Removal Permit prior to any removal of a Heritage Tree.
4. A list of all Heritage Trees, date of inclusion and reason for inclusion shall be maintained by the City.

VIII. Penalties and Violations.

1. Violations. Any tree removal which requires a permit but is conducted without prior permit shall be a violation of this Code and infraction as defined in JMC 8.04 and subject to the penalties in this Section. Violations shall be determined by measuring the stump of the removed tree. Prima facie evidence of a violation shall be that the measurement of the stump is such that a tree of that caliper would require a permit. The removal of the stump of a tree removed without permit prior to the determination of caliper shall be itself a violation of this Section.
2. Penalties. The owner of the property and any person who removes a tree or causes a tree to be damaged such that it is removed, including but not limited to failing to install or maintain tree protection measures, in violation of this Section shall be joint and severally liable for any penalty and / or mitigation costs.
 - a. Fine. A violation of any provision of 3.4.060, a permit issued under this Section or any condition of a permit issued under this Section shall be punishable by a fine.
 - b. Enforcement Fee. In addition to any fine set by the municipal court, the court may

impose an enforcement fee as restitution for enforcement costs incurred by the City.

c. Restoration Fee. In addition to any fine and enforcement fees, the court may impose a restoration fee as restitution to the City for restoring the tree. The fee shall be paid to the City Tree Account. The fee shall be determined by establishing the value of the removed or damaged tree as determined by a certified arborist in accordance with standards of the International Society of Arboriculture. The restoration fee, if imposed shall include the cost of any such value appraisal.

1) The court shall impose the Restoration fee in cases where the tree removed or damaged is a designated Heritage Tree, expressly protected or required to be preserved as a condition of approval of a development permit, subject to an injunction preventing removal or located in the public right of way or on property owned or controlled by the City.

2) The court shall impose the Restoration fee if either the owner of the property or the person removing the tree has committed a previous violation of this Section.

3. Cumulative Remedies. The rights, remedies and penalties provided in this Section are cumulative and are in addition to any other rights, remedies and penalties available to the City or private party under any other provision of law.

IX. Tree Protection Plan.

1. A approved Tree Protection Plan shall be required prior to conducting any development activities including but not limited to, clearing, grading, excavation or demolition work on a property or site, which requires a planning action or building permit. The Planning Director may waive this requirement if the applicant demonstrates there are no trees within the subject lot nor within 20 feet of the property line of this subject lot.
2. In order to obtain a Tree Protection Plan, an applicant shall submit a plan to the City which clearly depicts all trees to be preserved and removed from the subject property. The plan must:
 - i. Be drawn to scale,
 - ii. Identify the location, species, health and diameter of each tree on site and trees on adjacent sites which have a drip line within 10 feet of the site,
 - iii. Identify the drip line of each tree on the Plan,
 - iv. Identify existing or proposed improvements on the site, including but not limited to, roads, easements, utility services (water, sanitary sewer, storm sewer, irrigation, etc) facilities, dry wells, and structures,
 - v. Identify grade change or cut and fill during and after construction,

- vi. Identify a contact person responsible for implementing and maintaining the Protection Plan, and
 - vii. Show the location of any proposed mitigation plantings.
3. Protection measures shall comply with this section as follows:
- i. Except as otherwise approved by the City, all tree protection measures shall be implemented prior to any development activities.
 - ii.
 - iii. Fencing shall be installed at the edge of the tree protection area or dripline, whichever is greater and at the boundary of any riparian areas or conservation easements which abut the subject site.
 - iv.
 - v. Fencing shall be installed flush to the original grade.
 - vi.
 - vii. The Tree Protection area shall be signed stating that the area is not to be disturbed during the approved activity.
 - viii.
 - ix. No construction activity may occur within the Tree Protection area including but not limited to parking, staging, or the storing of materials or equipment.
 - x.
 - xi. No excavation, trenching, grading, root pruning or other activity shall occur within the Tree Protection area unless specifically approved by the City.

X. Street Trees.

- 1. Shade trees are required along all streets, except in the downtown Historic Core zone. A City approved Street Tree List governs street tree selection and replacement on each street. Species designated in the list should be consistent with the character, height, canopy and spacing of a neighborhood's original plantings, and the scale and function of the street within the City. The approved street tree list shall be used in order to determine whether a small, medium, or large tree is selected. A limited number of the same species should be planted along any single street.
- 2. Street trees shall be sized, spaced, and planted in accordance with the standards provided below and shall be located in the center of five (5') foot wide planter strips between streets and pathways (minimum ten (10') foot in length) or between two and a half (2.5') and four (4') feet from street edge pathways or impervious surfaces. Plant the largest tree that space allows for each planting location consistent with the following:
 - i. If utilities exist in the planting strip, large trees shall be planted on the side of the road without utilities and medium and small trees on the utility side of the road. It is recommended that in these situations, rather than having equal sized planting areas, the planting areas on the

- side opposite the utilities be larger than the utility side planting areas.
- ii. In general, the side of the street without overhead electric lines should be planted with trees with potential to attain a large size, if there are no obvious constraints to trees attaining mature size, like small planting areas. On the sides of streets with overhead electrical lines directly above the planting areas, only trees from the recommended street tree list designated "small" may be planted, unless there is a minimum of ten (10') feet of horizontal clearance between the bases of the street trees and electrical facilities.
 - iii. Columnar shaped trees should be used only where there are obstructions like buildings, signs, and overhead electrical lines that preclude broader canopied trees. Medium sized trees may be planted if the horizontal clearance is ten (10') feet or greater, and large trees may be planted if the horizontal clearance is twenty (20') feet or greater.
 - iv. At street corners, no tree shall be planted which branches below eight (8') feet to ensure vision clearance.
 - v. Appropriate pruning, watering, nutrient feeding, and tree protection devices are required after planting (see detail), staking only when necessary. No metal stakes may be used for tree stakes. Tree protection devices shall remain in place until the trees reach four (4") inch DBH or until the trees have been in place for two (2) years, whichever is longer.
 - vi. A secured agreement shall be provided that ensures that if planted trees are not alive and viable two (2) years after planting, replacements will be required.

Chapter 3.5 - Parking and Loading

Sections:

- 3.5.010 Purpose
- 3.5.020 Applicability General Regulations
- 3.5.030 Automobile Parking
- 3.5.040 Bicycle Parking
- 3.5.050 Loading Areas

3.5.010 Purpose

Chapter 3.5 contains requirements for automobile and bicycle parking. The code is intended to be flexible in requiring adequate parking, rather than a minimum number of parking spaces, for each use. It provides standards for the location, size, and design of parking areas to ensure such areas can be accessed safely and efficiently. The code also encourages non-motorized transportation by requiring bicycle parking for some uses.

3.5.020 Applicability and General Regulations

A. Where the Regulations Apply. The regulations of this chapter apply to all parking areas in all zones, at all times, whether parking is required by this Code or put in for the convenience of property owners or users.

B. Occupancy. All required parking areas must be developed in accordance with the requirements of this code prior to occupancy of any structure on the subject site. Where landscaping, screening or other improvements are required pursuant to this Code, all such improvements must be installed and approved by the Planning Director prior to occupancy.

C. Calculations of Amounts of Required and Allowed Parking.

1. When computing parking spaces based on floor area, parking structures and non-leasable floor spaces, such as storage closets, mechanical equipment rooms, and similar spaces, are not counted.
2. The number of parking spaces is computed based on the primary uses on the site except as stated in Paragraph C(3) below. When there are two or more separate primary uses on a site, the minimum and maximum parking for the site is the sum of the required or allowed parking for the individual primary uses.
3. When more than 20 percent of the floor area on a site is in an accessory use, the required or allowed parking is calculated separately for the accessory use. An example would be a 10,000 square foot building with a 7,000 square foot warehouse and a 3,000 square foot accessory retail area. The minimum ~~and maximum~~ parking would be computed separately for the retail and warehouse uses.

D. Use of Required Parking Spaces. Except as otherwise provided by this Section, required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking pursuant ~~with to~~ Section 3.5.030.C.

E. Proximity of Parking to Use. Required parking spaces for residential uses must be located on the site of the use or on a parcel or tract owned in common by all the owners of the properties that will use the parking area. Required parking spaces for nonresidential uses must be located on the site of the use or in a parking area that has its closest pedestrian access point within 400 feet of the site.

F. Improvement of Parking Areas. Motorized vehicle parking is allowed only on streets with an improved shoulder of sufficient width; within garages, carports, and other approved structures; and on driveways or parking lots that have been developed in conformance with this Code. For applicable design standards, see Chapter 3.2 Building Orientation and Design, Chapter 3.3 Access and Circulation, Chapter 3.4 Landscaping and Screening, and Chapter 3.6 Public Facilities.

3.5.030 Automobile Parking

A. Minimum Number of Off-Street Automobile Parking Spaces. Except as provided by subsection 3.5.030.A, or as required for Americans With Disabilities Act compliance under by subsection 3.5.030.DG, off-street parking shall be provided pursuant to one of the following three standards:

1. The standards in Table 3.5.030.A; or
2. Where the Planning Director determines that a use is not specifically listed in Table 3.5.030.A but is similar to a listed use, the parking standard for the similar use shall apply; or
3. Pursuant to subsection 3.5.030.B Exceptions, which includes a Parking Demand Analysis option.

Table 3.5.030.A – Automobile Parking Spaces by Use	
Use Categories (Chapter 5 contains examples of uses and definitions.)	Minimum Parking per Land Use (Fractions are rounded down to the closest whole number.)
Residential Categories	
Household Living	
Single Family Dwelling, including manufactured homes on lots	2 space per dwelling
Duplex	2 spaces per dwelling unit (i.e, 4 spaces per duplex)
Townhome	2 spaces per dwelling unit plus 1 space per 3 dwelling units in development
Accessory Dwelling (second dwelling on a single-family lot)	3 spaces total for primary dwelling and accessory dwelling
Multifamily	1 space per one bedroom or studio unit; 2 spaces per two or more bedrooms; plus 1 space per 3 dwelling units in development.
Group Living, such as nursing or convalescent homes, rest homes, assisted living, congregate care, and similar special needs housing	A minimum of 1 space for the use, 0.5 space per 4 bedrooms; in addition to parking required for employees or primary resident.

Table 3.5.030.A – Automobile Parking Spaces by Use	
Use Categories (Chapter 5 contains examples of uses and definitions.)	Minimum Parking per Land Use (Fractions are rounded down to the closest whole number.)
Commercial Categories	
Commercial Outdoor Recreation	per Conditional Use Permit review (Chapter 4.4)

Bed and Breakfast Inn	2 spaces per use, plus one space for each bedroom offered as lodging
Educational Services, not a school (e.g., tutoring or similar services)	1 space per 300 sq. ft. floor area related to the permitted use.
Entertainment, Major Event	per Conditional Use Permit review (Chapter 4.4)
Hotels, Motels, and similar uses	+ .75 space per guest room, plus 1 space per manager. See also, parking requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.
Offices, General	1 space per 4500 sq. ft. floor area
Offices, Medical/Dental	1 space per 2500 sq. ft. floor area, plus 1 space for every 2 employees
Outdoor Recreation, Commercial	per Conditional Use Permit review (Chapter 4.4)
Surface Parking Lot, when not accessory to a permitted use	per Conditional Use Permit review (Chapter 4.4)
Quick Vehicle Servicing or Vehicle Repair	2 spaces, excluding vehicle service/queuing area, or per Conditional Use Permit review (Chapter 4.4)
Retail Sales and Commercial Service	<u>Bank:</u> 1 space per 4300 sq. ft. floor area, plus 1 space per two employees
	<u>Retail:</u> 1 space per 400 sq. ft. floor area, except 1 space per 1,000 sq. ft. for auto sales, nurseries, lumber and construction materials, furniture, appliances, and similar uses.
	<u>Restaurants and Bars:</u> 1 space per 1200 sq. ft. floor area
	<u>Health Clubs, Gyms, Continuous Entertainment (e.g., bowling alleys):</u> 1 space per 300 sq. ft.
	<u>Theaters and Cinemas:</u> 1 per 6 seats
Self-Service Storage	2 spaces, plus adequate space for loading/unloading
Industrial Categories	
Industrial Service	1 space per 1,000 sq. ft. of floor area
Manufacturing and Production	1 space per 1,000 sq. ft. of floor area; or as required by Conditional Use Permit review (Chapter 4.4)
Storage Warehouse	Minimum of 1 space, plus with 0.5 space per 1,000 sq. ft. of floor area; or as required by Conditional Use Permit review (Chapter 4.4)

Table 3.5.030.A – Automobile Parking Spaces by Use	
Use Categories (Chapter 5 contains examples of uses and definitions.)	Minimum Parking per Land Use (Fractions are rounded down to the closest whole number.)
Institutional Categories	
Basic Utilities	Parking based on applicant's projected parking demand, subject to City approval
Community Service, including Government Offices and Services	Parking based on applicant's projected parking demand, subject to City approval, except as specifically required elsewhere in this table for individual uses (See public assembly, office, retail, housing, etc.)
Daycare	Family Daycare: 1 space, plus required parking for dwelling
	Daycare Center: 1 space per 400 sq. ft. of floor area

Medical Center/Hospital, Regional	As established by CUP approval.
Parks and Open Space	Parking based on projected parking demand for planned uses
Public Assembly	1 space per 100 sq. ft. of public assembly area; or as required by Conditional Use Permit (Chapter 4.4)
Religious Institutions and Houses of Worship	1 space per 100 sq. ft. of main assembly area; or as required by Conditional Use Permit (Chapter 4.4)
Schools	Pre-School through Middle-School: 2 spaces per classroom
	High Schools: 7 spaces per classroom
	Colleges: 1 space per 400 sq. ft. of floor area exclusive of dormitories, plus 1 space per 2 dorm rooms
Other Categories	
Accessory Uses	Parking standards for accessory uses are the same as for primary uses, but are pro-rated based on the percentage of estimated overall parking demand, subject to City review and approval.
Agriculture	None, except as required for accessory uses
Temporary Uses	Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and designs standards for temporary uses.
Transportation Facilities (operation, maintenance, preservation, and construction)	None, except for park-and-ride facilities; and where temporary parking is required for construction staging areas

B. Exceptions and Reductions to Off-Street Parking.

1. Properties in the Downtown Parking District are exempt from the off-street parking requirements provided they have paid the annual Downtown Parking District fees.
2. The applicant may propose a parking standard that is different than the standard under subsections 1 and 2, above, for review and action by the Planning Commission through a Type III procedure. The applicant's proposal shall consist of a written request, and a parking analysis prepared by a qualified professional. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. The Planning Commission may grant a reduction in parking upon finding the parking needs of the proposal will be met.
3. The number of required off-street parking spaces may be reduced through the provision of shared parking, pursuant to Section 3.5.030.C.

C. Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. Shared parking requests shall be subject to review and approval through Site Plan Review.

D. Parking Stall Design and Minimum Dimensions. Where a new off-street parking area is proposed, or an existing off-street parking areas is proposed for expansion, the entire parking area shall be improved in conformance with this Code. At a minimum the drive aisles shall be paved with asphalt, concrete, or other City-approved materials, provided the Americans With Disabilities Act requirements are met. Parking spaces may be permeable surfaces such as gravel or other City-approved materials, provided the spaces are permanently and clearly delineated and provided the Americans With Disability Act requirements are met. Parking areas shall also provide for surface water management, pursuant to Section 3.6.050. Parking space size and functionality shall be as set forth below:

Table 3.5.030.E - Parking Area Minimum Dimensions*								
PARKING ANGLE < °	CURB LENGTH	STALL DEPTH		AISLE WIDTH		BAY WIDTH		STRIPE LENGTH
		SINGLE D1	DOUBLE D2	ONE WAY A1	TWO WAY A2	ONE WAY B1	TWO WAY B2	
90°	8'-6"	18'	36'	23'	23'	59'	59'	18'
60°	10'	20'	40'	17'	18'	57'	58'	23'
45°	12'	18'-6"	37'	13'	18'	50'	55'	26'-6"
30°	17'	16'-6"	33'	12'	18'	45'	51'	32'-8"
0°	22'	8'-6"	17'	12'	18'	29'	35'	8'-6"

3.5.040 Bicycle Parking

A. Standards. Bicycle parking spaces shall be provided with new development and where a change of use occurs, at a minimum, based on the standards in Table 3.5.040.A. Where an application is subject to Conditional Use Permit approval or the applicant has requested a reduction to an automobile-parking standard, pursuant to subsection 3.5.030.B, the City may require bicycle parking spaces in addition to those in Table 3.5.040.A.

Table 3.5 .040.A	
Minimum Required Bicycle Parking Spaces	
Use	Minimum Number of Spaces
Multifamily Residential (not required for parcels with fewer than 4 dwelling units)	2 bike spaces per 4 dwelling units
Commercial	2 bike spaces per primary use or 1 per 5 vehicle spaces, whichever is greater
Industrial	2 bike spaces per primary use or 1 per 10 vehicle spaces, whichever is greater
Community Service	2 bike spaces
Parks (active recreation areas only)	4 bike spaces
Schools (all types)	2 bike spaces per classroom
Other Uses, Including Institutional Uses and Place of Worship	2 bike spaces per primary use or 1 per 10 vehicle spaces, whichever is greater

B. Design. Bicycle parking shall consist of staple-design steel racks or other City-approved racks, lockers, or storage lids providing a safe and secure means of storing a bicycle.

Bicycle parking shall have direct access between the the public right-of-way and the primary entrance of the use.

C. Exemptions. This Section does not apply to single-family and duplex housing, home occupations, uses within the Historic Core Overlay and agricultural uses. The City may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any patrons or employees arriving by bicycle.

D. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles, and shall be located so as to not conflict with the vision clearance standards of Section 3.3.020.

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3.5.050 Loading Areas

A. Purpose. The purpose of Section 3.5.050 is to provide adequate loading areas for commercial and industrial uses that do not interfere with the operation of adjacent streets.

B. Applicability. Section 3.5.050 applies to uses that are expected to have service or delivery truck visits. The Site Design Review shall approve the number, size and location of required loading areas, if any.

C. Standard. Where an off-street loading space is required, it shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. The City may restrict the use of other public rights-of-way, so applicants are advised to provide complete and accurate information about the potential need for loading spaces.

D. Placement, Setbacks, and Landscaping. Loading areas shall conform to the Building Orientation and Design standards of Chapter 3.2, the Access and Circulation standards of Chapter 3.3, and the Landscaping and Screening standards of Chapter 3.4. Where parking areas are prohibited between a building and the street, loading areas are also prohibited.

E. Exceptions and Adjustments. The City through Site Design Review, may approve a loading area adjacent to or within a street right-of-way where it finds that loading and unloading operations are short in duration (i.e., less than one hour), infrequent, do not obstruct traffic during peak traffic hours, do not interfere with emergency response services, and are acceptable to the applicable roadway authority.

Chapter 3.6 - Public Facilities

Sections:

3.6.010	Purpose and Applicability
3.6.020	Transportation Standards
3.6.030	Public Use Areas
3.6.040	Sanitary Sewer and Water Service Improvements
3.6.050	Storm Drainage/Surface Water Management Facilities
3.6.060	Utilities
3.6.070	Easements
3.6.080	Construction Plan Approval
3.6.090	Facility Installation
3.6.100	Performance Guarantee and Warranty

3.6.010 Purpose and Applicability

A. Purpose. The standards of Chapter 3.6 implement the public facility policies of the City of Jacksonville Comprehensive Plan and adopted City master plans.

B. Applicability. Chapter 3.6 applies to all new development, including projects subject to Land Division (Subdivision or Partition) approval and developments subject to Site Design Review where public facility improvements are required. All public facility improvements within the City shall occur in accordance with the standards and procedures of this Chapter. When a question arises as to the intent or application of any standard, the City Planning Commission and Council shall interpret the Code pursuant ~~with to~~ Chapter 1.5.

C. Public Works/Engineering Design Standards. All public facility improvements, including but not limited to sanitary sewer, water, transportation, surface water/storm drainage, and parks projects, whether required as a condition of development or provided voluntarily, shall conform to the City of Jacksonville engineering / public works design standards, set forth in the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated) (collectively, “Design Manual”). Sanitary sewer facilities shall conform to Rogue Valley Sewer Services (RVSS) standards. Where a conflict occurs between this Code and the Manual, the provisions of this Code shall govern.

D. Public Improvement Requirement. No building permit may be issued until all required public facility improvements are in place and approved by the Public Works Director, or otherwise bonded, in conformance with the provisions of this Code and the Manual. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development approval shall indicate how the required improvements directly related to and are roughly proportional to the impact of development.

E. Private Streets. Private streets may be approved as part of a development. Private streets shall conform to the standards of public streets set forth in this Article unless specifically approved otherwise by the Planning Commission.

3.6.020 Transportation Standards

A. General Requirements.

1. Except as provided by subsection 5, below, existing substandard streets and planned streets within or abutting a proposed development shall be improved in accordance with the standards of Chapter 3.6 as a condition of development approval.
2. All street improvements, including the extension or widening of existing streets and public access ways, shall be constructed consistent with the City of Jacksonville engineering / public works design standards, set forth in the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated).
3. All new streets shall be contained within a public right-of-way; public access ways (e.g., pedestrian ways) may be contained within a right-of-way or a public access easement, subject to review and approval of the City.

4. The purpose of this subsection is coordinate the review of land use applications with roadway authorities and to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule, which requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a Traffic Impact Analysis; and who is qualified to prepare the analysis.
 - a. When a Traffic Impact Analysis is Required. The City or other road authority with jurisdiction may require a Traffic Impact Analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:
 - (1) A change in zoning or a plan amendment designation;
 - (2) The road authority indicates in writing that the proposal may have operational or safety concerns along its facility(ies);
 - (3) An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more;
 - (4) An increase in peak hour volume of a particular movement to and from a street or highway by 20 percent or more; but no TIA will be triggered by the creation of only 2 additional ADTs; or
 - (5) An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day;
 - (6) The location of an existing or proposed approach or access connection does not meet minimum spacing or sight distance requirements or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard;
 - (7) A change in internal traffic patterns may cause safety concerns; or
 - (8) A TIA is required by ODOT pursuant to OAR 734-051.
 - b. Traffic Impact Analysis Preparation. A professional engineer registered in the State of Oregon, in accordance with the requirements of the road authority, shall prepare the Traffic Impact Analysis.
5. The City Public Works Director may waive or allow deferral of standard street improvements, including sidewalk, roadway, bicycle lane, undergrounding of utilities, and/or public right-of-way landscaping, as applicable. Where the City Public Works Director agrees to defer a street improvement, it shall do so only where the property owner agrees not to remonstrate against the formation of a local improvement district in the future. City Public Works Director may require, as part of any such deferral, the bonding for such improvements. A deferral shall not relieve a property owner from an obligation to make improvements as required by this Code or land use approval.

B. Street Location, Alignment, Extension, and Grades.

1. All new streets, to the extent practicable, shall connect to the existing street network and allow for the continuation of an interconnected street network, consistent with adopted public facility plans set forth in the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated).
2. Specific street locations and alignments shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets.
3. Grades of streets shall conform as closely as practicable to the original (pre-development) topography to minimize grading.
4. New streets and street extensions shall not exceed a grade of fifteen (15) percent over a distance more than two hundred (200) feet.
5. Where the locations of planned streets are shown on the Transportation Plan, the development shall implement the street(s) as generally shown on the Plan (the TSP does not establish exact locations of streets but only general locations and connectivity).
6. Where required local street connections are not shown on an adopted City street plan, or the adopted street plan does not designate future streets with sufficient specificity, the development shall provide for the reasonable continuation and connection of existing streets to adjacent developable properties, conforming to the standards of this Code.
7. Existing street-ends that abut a proposed development site shall be extended with the development, unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code; in such situations, the applicant must provide evidence that the environmental or topographic constraint precludes reasonable street connection.
8. Proposed streets and any street extensions required pursuant to this Section shall be located, designed and constructed to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands.

C. Rights-of-Way and Street Section Widths. Street location, width, and design shall be designed in conformance with engineering / public works design standards, set forth in the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated); to accommodate expected vehicle, pedestrian and bicycle traffic; to afford satisfactory access to law enforcement, fire protection, sanitation, and road maintenance equipment; and to provide a convenient and accessible network of streets, avoiding undue hardships to adjoining properties. The Public Works Director shall determine requirements based on following factors:

1. Street classification, and requirements of the roadway authority if different than the City;
2. Existing and projected street operations relative to applicable standards;
3. Safety of motorists, pedestrians, bicyclists, including consideration of accident history;

4. Convenience and comfort for pedestrians and bicyclists[;];
5. Provision of on-street parking;
6. Placement of utilities;
7. Street lighting;
8. Slope stability and erosion control (minimize cuts and fills);
9. Surface water management/storm drainage requirements;
10. Emergency vehicles/apparatus and emergency access/egress, including evacuation needs;
11. Transitions between varying street widths (i.e., existing streets and new streets); and
12. Other factors related to public health, safety, and welfare.

D. Transportation Connectivity and Future Street Plans. Street design and location shall conform with the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated)

E. Engineering Design Standards. Street design shall conform to the standards of the applicable roadway authority; for City streets that is the engineering / public works design standards, set forth in the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated).

F. Fire Code Standards. Where Fire Code standards conflict with City standards, the City shall consult with the Fire Chief in determining appropriate requirements; the City shall have the final determination regarding applicable standards.

G. Substandard Existing Right-of-Way. Where an existing right-of-way adjacent to a proposed development is less than the standard width, the Planning Commission may require the dedication of additional rights-of-way at the time of Subdivision, Partition, or Site Plan Review, pursuant to the standards in Table 3.6.020.C.

H. Traffic Calming. The City may require the installation of traffic calming features such as traffic circles, curb extensions, reduced street width (parking on one side), medians with pedestrian crossing refuges, speed tables or speed humps, and/or special paving to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

I. Sidewalks. Except where the City approval grants a deferral of public improvements or the improvements are bonded (or a suitable letter of credit is established) for, pursuant to Chapter 4.2 or Chapter 4.3, sidewalks and related street improvements required in that zone, shall be installed concurrent with development and/or widening of new streets, pursuant to the requirements of this Chapter. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

~~**J. Streets Adjacent to Railroad Right-of-Way.** When a transportation improvement is proposed within 300 feet of a railroad crossing, or a modification is proposed to an existing railroad crossing, the Oregon Department of Transportation and the rail service provider shall be notified and given an opportunity to comment, in conformance with the provisions of Article 4. Private crossing improvements are subject to review and licensing by the rail service provider.~~

K. Street Names. No new street name shall be used which will duplicate or be confused with the names of existing streets in Jackson County.

L. Survey Monuments. Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments have been reestablished and protected.

M. Street Signs. The city, county, or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

N. Streetlight Standards. Streetlights shall be relocated or new lights installed, as applicable, with street improvement projects. Streetlights shall conform to City standards, or the requirements of the roadway authority, if different than the City.

O. Mail Boxes. Mailboxes shall conform to the requirements of the United States Postal Service and shall be clustered where possible.

3.6.030 Public Use Areas

A. Dedication of Public Use Areas.

1. Where a proposed park, playground, or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City may require the dedication or reservation of this area on the final plat for the subdivision, provided that the impact of the development on the City park system is roughly proportionate to the dedication or reservation being made.
2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision that are suitable for the development of parks and other public uses; however, the City is under no obligation to accept such areas offered for dedication or sale.

B. System Development Charge Credit. Dedication of land to the City for public use areas, voluntary or otherwise, shall be eligible as a credit toward any required system development charge for parks.

3.6.040 Sanitary Sewer and Water Service Improvements.

A. Sewers and Water Mains Required. All new development is required to connect to approved water and sanitary sewer systems. Sanitary sewer and water system improvements shall be installed to serve each new development and to connect developments to existing mains in accordance with the adopted facility master plans and applicable engineering / public works design standards, set forth in the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated). Where streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements, and other utilities, shall also be stubbed with the streets, except as may be waived by the City, where alternate alignment(s) are provided.

B. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the City Engineer or Public Works Director has approved all sanitary sewer and water plans in conformance with City standards. Public Works Director will obtain approval of sanitary sewer plans to Rogue Valley Sanitary Services (RVSS) prior to permitting.

C. Over-Sizing. The City may require as a condition of development approval that sewer and water lines serving new development be sized to accommodate future development within the area as projected by the applicable facility master plans; and the City may authorize other cost-recovery or cost-sharing methods as provided under State law.

D. Inadequate Facilities. Development permits may be restricted or rationed by the Planning Commission where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. The City may require water booster pumps, sanitary sewer lift stations, and other critical facilities be installed with backup power as conditions of any use approval.

3.6.050 Storm Drainage / Surface Water Management Facilities

A. General Provisions. The City shall issue a development permit only where adequate provisions for storm water runoff have been made in conformance the Storm Drain Master Plan and the Water System Master Plan (as periodically updated).

B. Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Engineer.

C. Effect on Downstream Drainage. There shall be no increase in runoff resulting from the development to adjacent properties unless such increased runoff is fully mitigated, as approved by the Public Works Director, as a condition of approval.

D. Over-Sizing. The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable facility master plan, provided that the city may grant the developer credit toward any required system development charge for the same pursuant ~~with~~ to the System Development Charge.

3.6.060 Utilities

The following standards apply to new development where extension of electric power or communication lines is required:

A. General Provision. Developers of property are responsible for coordinating their development plans with the applicable utility providers and paying for the extension/installation of utilities not otherwise available to the subject property.

B. Underground Utilities.

1. General Requirement. The requirements of the utility service provider shall be met. All utility lines in new a development, including but not limited to those required for electric, communication, and lighting, and related facilities, shall be placed underground, except where the design approval finds that placing utilities underground would adversely impact adjacent land uses. The approving body may require screening and buffering of above ground facilities to protect the public health, safety or welfare.

2. Subdivisions. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

- a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic, per Chapter 3.3 Access and Circulation;
- b. The City reserves the right to approve the location of all surface-mounted facilities;
- c. All underground utilities installed in public utility easements and must be constructed and approved by the applicable utility provider prior to the surfacing of the streets; and
- d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

C. Exception to Undergrounding Requirement. The City Public Works Director may administratively grant a modification to the undergrounding standard where existing physical constraints, such as geologic conditions, streams, or existing development conditions make underground placement impractical.

3.6.070 Public Utility Easements

A. Provision. The developer shall make arrangements with the City and applicable utility providers for each utility franchise for the provision and dedication of utility easements necessary to provide full services

to the development in a form approved by the City.

B. Standard. Utility easements shall conform to the requirements of the utility service provider. All other easements shall conform to the adopted engineering / public works design standards, set forth in the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated).

C. Recordation. All easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other utilities shall be recorded and referenced on a survey or final plat, as applicable. See Chapter 4.2 Site Design Review, and Chapter 4.3, Land Divisions.

3.6.080 Construction Plan Approval

No development, including sanitary sewers, water, streets, parking areas, buildings, or other development, shall be undertaken without plans having been approved by the City of Jacksonville, permit fees paid, and permits issued. Permit fees are required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. Permit fees are as set by City Council Resolution.

3.6.090 Facility Installation

A. Conformance Required. Improvements installed by the developer either as a requirement of these regulations or at the developer's option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.

B. Adopted Installation Standards. The City Jacksonville has adopted engineering / public works design standards, set forth in the Transportation System Plan, Storm Drain Master Plan and the Water System Master Plan (as periodically updated), for public improvements and private utility installation within the public right-of-way.

C. Commencement. Work in a public right-of-way shall not begin until all applicable agency permits have been approved and issued.

D. Resumption. If work is discontinued for more than 6 months, it shall not be resumed until the Public Works Director is notified in writing and grants approval of an extension.

E. City Inspection. Improvements shall be constructed under the inspection of the Public Works

Director. The Public Works Director may approve minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest, except that substantive changes to the approved design shall be subject to review under Chapter 4.6, Modifications to Approved Plans and Conditions of Approval. Any survey monuments that are disturbed before all improvements are completed by the developer or subdivider shall be replaced prior to final acceptance of the improvements.

F. Engineer's Certification ~~for~~ Record Drawing. A registered civil engineer shall provide written documentation in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City's acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide two sets of "as-built" plans for permanent filing with the City. If required by the City, the developer or subdivider shall provide a warranty bond or suitable letter of credit, pursuant to Section 3.6.100.

3.6.100 Performance Guarantee and Warranty

A. Performance Guarantee Required. The City at its discretion may approve a final plat or building permit when it determines that there is substantial completion, as determined by the Public Works Director, of the public improvements required for the site development or land division, or phase thereof, are complete and the applicant has an acceptable assurance for the balance of said improvements. The applicant shall provide a bond issued by a surety authorized to do business in the State of Oregon, irrevocable letter of credit from a surety or financial institution acceptable to the City, cash, or other form of security acceptable to the City.

B. Determination of Sum. The assurance of performance shall be for a sum determined by the City Engineer as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses, plus reasonable inflationary costs. The assurance shall not be less than 110 percent of the estimated improvement costs.

C. Itemized Improvement Estimate. The subdivider/developer shall furnish to the City an itemized improvement estimate, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.

D. Agreement. A written agreement between the City and subdivider/developer shall be signed and recorded. The agreement shall contain, at a minimum, all of the following:

1. The period within which all required improvements and repairs shall be completed;
2. A provision that if work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the applicant;
3. The improvement fees and deposits that are required;

E. When Subdivider/Developer Fails to Perform. In the event the subdivider/developer fails to carry out all provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call in the bond, cash deposit or letter of credit for reimbursement.

F. Termination of Performance Guarantee. The subdivider/developer shall not cause termination of nor allow expiration of the guarantee without first securing written authorization from the City.

G. Warranty Bond. A warranty bond may be required on all public improvements and landscaping when installed in the public right-of-way for a period determined by the City but not longer than three years. The warranty bond, if required, shall equal 15 percent of the total cost of improvements and begin upon acceptance of said improvements by the City.

Chapter 3.7 Sign Regulations

- 3.7.010 Purpose
- 3.7.020 Applicability, Sign Permits Required
- 3.7.030 Application
- 3.7.040 Guidelines and Standards
- 3.7.050 Exempt Signs - No Permit Required
- 3.7.060 Temporary Signs
- [3.7.065 Portable Signs - Sandwich Board or Portable Signs](#)
- 3.7.070 Prohibited Signs
- 3.7.080 Residential ~~Districts~~Zone
- 3.7.090 Historic Core ~~District~~Zone
- 3.7.100 General Commercial ~~District~~Zone
- 3.7.110 Nonconforming Signs
- 3.7.120 Termination of Signs by Abandonment
- 3.7.130 Adjustments and Variances

3.7.010 Purpose

Sign guidelines and criteria can enhance and contribute to the visual quality of the city. Well-designed signs attract the eye, complement each other and draw attention to the buildings containing the businesses for which they are intended to advertise. Signs are necessary to communicate information about places, goods, services and amenities. As such, they have a useful function, they should not confuse; they should inform with clarity. Signs are a part of the town's streetscape. Signage, in a collective sense, has a civic obligation to be in character with the rest of the streetscape. A sign on a building should be compatible with the architecture of the building.

3.7.020 Applicability, Sign Permits Required

Permitting. A permit, approved and issued as set forth below, is required prior to installation of any sign.

- A.** No person shall place on, or apply to, the surface of any building, any painted sign, or erect, construct, place or install any other sign, unless a sign permit has been issued by the City for such sign. The relocation or alteration of any sign subject to this Chapter shall require a permit. Application for a sign permit shall be made in accordance with this Chapter.

- B.** The City Planning Commission or Historic Preservation Commission may require installation of signs as a condition of a development, as provided by other Code sections.

- C.** Signage to be placed within the Downtown Historic District shall meet the standards of 5.6.040.

3.7.030 Application

Application. The application for a sign permit (both modification of an existing sign and proposed signs) shall be accompanied by a filing fee in an amount established by the City.

The applicant shall submit the following:

1. An accurate in-scale rendering of the sign fully indicating its colors, lettering, symbols, logos, materials, size, area, etc.
2. An elevation and plot plan drawn to scale indicating where the proposed sign will be located on the structure or lot, method of illumination, if any.
3. One completed copy of the city sign application and stated fee.
4. Other materials reasonably necessary to demonstrate compliance with the standards of this chapter as requested by the Planning Department.

3.7.040 General Standards

The following standards apply to all signs within the City, except those exempt signs specifically listed in this Code:

1. Signs shall be metal, or wood or other materials (such as sign foam) if the exterior appearance of the other proposed materials resembles wood. Sign stanchions shall be wood or metal. Permanent approved signage shall not be fabric. Temporary signage allowed under 3.7.060 may be made of other materials customarily used for temporary lawn signs, banners or flags. Portable signs shall be made of approved materials as set forth below.

2. The colors used on signs shall conform to approved sign colors, as designated by the City Council. Fluorescent and neon colors ~~are will be prohibited in the approved colors~~. Examples of approved colors are available at City Hall.

3. Any projecting sign shall be located no less than eight (8') feet above the sidewalk as measured from the bottom edge of the sign.

4. When lighting is used for signs, only indirect incandescent lighting is allowed. Sign lighting shall also be subject to the Code provisions for outdoor illumination set forth in 3.4.050.
5. The placement of any sign shall not obstruct any fire escape, standpipe or human exit from a window located above the first floor of a building; obstruct any door or exit from a building; obstruct any required light or ventilation, and shall provide adequate vision clearance.
6. All signage, unless expressly otherwise allowed under the Code, shall be placed only upon the same parcel as the business operation related to the sign and shall not be placed within the public right-of-way.
7. Signage square footage calculations are to be made using the physical outline of the signage, from point to point (the entire signage must be within the area calculated, as if a box is drawn squarely around the proposed signage). Approved signage may be painted and displayed, front and back.

3.7.050 Exempt Signs - No Permit Required

The following signs and devices shall not be subject to the provisions of this chapter:

- A.** Bunting or Flags of national, state or local government, provided they are displayed or draped so as to not obstruct or hinder traffic or pedestrian access, or cause a safety hazard.
- B.** Small non-illuminated informational signs related to the operation of a business. Examples of such signs are "open/closed" signs, credit card signs, rating or professional association signs, name plates indicating the name, address or profession of the occupant and signs of a similar nature. Only one of each type of sign, not to exceed one (1) square foot in area per sign, and no more than four (4) such signs on any parcel of property.
- C.** Signs placed by state or federal governments for the purpose of construction, maintenance or identification of roads or other public agencies for the direction of traffic, and designed to fulfill the requirements of state and federal funding agencies.
- D.** Signs within a building provided the same are not primarily directed to persons outside the building.
- E.** The standardized signs included as part of the City's Historic Walkway or Historic Building System are permitted if constructed and installed according to the City Council's approved specifications and located in accordance with the overall plan.
- F.** "No trespassing", "no dumping", "no parking", "private", signs identifying essential public needs (e.g., restrooms, entrance, exit, telephone, etc.) and other informational warning signs, which shall not exceed three square feet in surface area.
- G.** Window treatment that is non-promotional event specific but is for the display of art or generically related to a season or holiday shall be exempt. Such display shall be up no more than 60 days.

H. Banners spanning California Street promoting seasonal events of general interest, [approved and installed](#) ~~and approved~~ by the City and any other applicable regulatory entity.

3.7.060 Temporary signs

The following signs and devices are allowed temporary relief from the provisions of this Chapter:

- A. Political Signs.** Temporary political signs not exceeding four (4') square feet, provided the signs are erected no more than thirty (30) days prior to, and removed within seven (7) days following, the election for which they are intended.
- B. Real Estate and Construction.** One temporary, non-illuminated real estate, open house/directional or construction sign may be placed upon any one parcel not exceeding six (6') square feet, provided said signs are removed within fifteen (15) days after sale, lease or rental of the property, or the completion of the project.
 - 1. No sign authorized under this subsection shall be permitted in a public right-of-way.
 - 2. Open house signs may be displayed only for the period of the open house event, up to a total three (3) consecutive days.
- C. New Business.** Temporary signs, not exceeding the size of signage allowed for the subject site, announcing the opening of a new business are allowed for no more than 30 days total.
- D. Public Meetings.** Temporary paper signs that serve as notice of a public meeting when removed promptly after such meeting is held.
- E. Promotional Event.** Temporary signs may be placed upon the premises related to the signage only and shall not be larger than twenty square feet. Said signs shall not be posted or attached to telephone poles, power poles or other public utility facilities. Such signs may be displayed the day prior to the event and must be removed within 24 hours of the event's conclusion. No event's promotional signage shall be displayed for longer than one week regardless of the duration of the event. The property owner on which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code. Searchlights are prohibited. Balloons may be included as part of a promotional event signage and shall not be included in the calculations of signage. Banners are permitted only as a promotional event signage.

3.7.065 Portable Signs - Sandwich Board or Pedestal Signs.

Each lot with an approved commercial use may have a maximum of one portable sign. A portable sign is not permanently attached to the ground or other permanent structure, such as a sandwich board, pedestal sign or mannequin. Regardless of how many businesses are located within any one lot, only one portable sign shall be allowed per lot. These signs are subject to the following conditions:

1. A Sign Permit is required by the city prior to displaying a portable sign. This permit shall include acknowledgement of these sign requirements, list of materials used, and rendering of the sign, including the dimensions. Failure to obtain a permit prior to display of a portable sign may result in removal and destruction of the sign.
2. Size.
 - a. Sandwich Board Sign. The area of the sign shall not exceed six (6) square feet per side in size and shall not exceed three feet in any dimension. Maximum height shall be three feet. A sandwich board sign shall not extend more than three (3) feet above the ground on which it is placed.
 - b. Pedestal or other display. The height of a pedestal or other display permitted by this section shall be no greater than six feet tall
3. Material and Maintenance Standards. Signs shall be constructed out of materials able to withstand typical northwest weather. Such materials may be metal, finished wood, chalkboard, whiteboard or plastic; signs and copy shall be of professional quality. Sign shall not be illuminated or contain any electronic component. Owners of sandwich board signs shall be required to keep their signs in a legible, intact, and well maintained manner.
4. Display Time. Signs may be displayed only during business hours. Portable signs are prohibited while the business is closed.
5. Location. Signs shall be located on the same lot as the business and no farther than twelve feet from the main entrance to the business. Such signs shall not be placed in a location which is within the vision triangle or any location which will impede vehicular traffic. Further, such signs shall not be placed in a manner which will block or otherwise obstruct the safe use of sidewalks, building entrances, stairs or general use by pedestrians, including pedestrians who are visually impaired or otherwise handicapped. Signs shall be anchored, supported or designed to prevent tipping over in order to prevent them from becoming a hazard to public health and safety.
6. Signs failing to conform with the standards of this subsection may be removed by the City and may be retained or destroyed by the City in addition to any other fine or enforcement proceeding authorized by the Jacksonville Municipal Code.

3.7.068 Three Dimensional Sign. A three-dimensional device or image affixed to a building or site, such as barber poles shall be treated as a sign (size, color, location).

- A. There may be one three dimensional sign per lot, no greater than three cubic feet in size and no one dimension shall be greater than three feet.
- B. A three dimensional sign may not be plastic.
- C. A three dimensional sign shall be in lieu of three square feet of signage otherwise allowed for that lot.

3.7.070 Prohibited Signs

The following signs are prohibited except to the extent expressly allowed in an approved sign permit:

1. Signs attached to a utility pole or placed within any public right-of-way (including sidewalks or planter strips within the public right-of-way),
2. Fluorescent and/or neon lighting, except as specifically conditionally allowed in 3.7.100.
3. Any sign which contains any flashing lights, strobe light, blinking or moving letters, characters or other elements, or rotating or otherwise movable, or audible.
4. Internally illuminated signs.
5. Billboards or off-premises advertising signs. Sign spinners (people spinning, waving or otherwise holding signs advertising) are prohibited.
6. Any unofficial sign which purports to be, is in imitation of or resembles an official traffic light/sign or a portion thereof, or which hides from view any official traffic sign or signal, is prohibited.
7. Painted Signs on Buildings: New signs painted directly upon the facade of the building shall be prohibited. Historically significant painted signs, as on the Redmen's Hall building, Wade and Morgan Building, and the Butcher Shop building (110 S. Oregon St.) are allowed, and may be restored.

3.7.080 Residential Zones

In addition to the general provisions applying to signs set forth in this chapter, signs in residential zones shall be permitted as follows:

- A. Neighborhood Identification.** One (1) sign shall be permitted at each entry point to developments, with more than ten (10) lots and/or units, not exceeding an area of eight (8') square feet per sign, nor five (5') feet in height above grade.
- B. Multiple-Family Residential.** One (1) sign of not more than four (4') square feet, either attached to the building or freestanding, shall be permitted for multiple-family dwellings, containing four (4) or more dwelling units and conditional uses. If freestanding, the sign shall be mounted in a planter or landscaped area and shall not exceed five (5') feet in height, nor shall it be located within five (5') feet of any property line.

3.7.090 Historic Core (HC) Zone

In addition to the general provisions applying to signs set forth in this chapter, signs in historic core zones shall be permitted as follows:

- A. Policy.** The Jacksonville historic core zone has a sense of time and place dating from the 1880's. By 1884 all of the primary historic commercial buildings located on California and Oregon Streets were erected. Signage at that time was pedestrian-oriented. The size, lettering and placement of signs were for the most part, designed to attract the attention of foot and slower-moving horse traffic. During the 1880's the greatest number of signs on Jacksonville's two main commercial streets were placed at right angles to the building facade and located under sidewalk marquees, or wall signs placed on the parapet or uppermost portion of the building facade. Projecting signs were relatively small, usually rectangular in shape and constructed of wood. In comparison, parapet signs were much larger. Symbolic three-dimensional signs (such as barbershop poles and a mortar and pestle) sometimes took the place of flat lettered signs.
- B. Number and area of signs.** The total aggregate area for all signs, excluding parapet and marquee signs, on a building in the HC zone shall not be greater than one (1') square foot for each lineal foot of building frontage. In the case of more than one (1) frontage, the frontage having an entrance/exit open to the general public shall be used to determine building frontage. The number of any particular type of signs may be limited as set forth in this Article.
- C. Permitted Signs.** In addition to signage otherwise generally permitted, the following types of signs are permitted within the HC zone:
1. **Projecting Signs:** Projecting signs (those signs placed perpendicular to the building facade) may be either attached to the wall surface or hung from the underside of a marquee or balcony.
 - a. No sign projecting over the public right-of-way shall be less than eight (8') feet from the ground level.
 - b. No sign shall project more than six (6') feet from the vertical surface of a building facade, provided it is no closer than two (2') feet to the face of the curb or edge of pavement.
 2. **Wall Signs:** Wall signs are those signs attached and parallel to the building facade, and which extend no more than six (6") inches from the surface of the wall. (Parapet signs are a type of wall sign, but are treated separately).
 - a. **Placement:** A wall sign shall be placed no higher than the top of the ground floor window or door openings.
 3. **Parapet and Lintel Signs:** Parapet signs are a distinctive type of wall sign located between the lintels of the upper story windows and the top edge of the parapet (or false front).
 - a. **Placement:** Parapet signs shall not extend above the upper edge of the parapet wall. A parapet sign shall not extend any nearer than one (1') foot to either edge of the building. Recessed sign panels located in building parapets should be used when possible.
 4. **Window and Door Signs:** Window and door signs are those which are painted, displayed or placed on an interior translucent or transparent surface.
 - a. **Placement:** In all cases, window graphics shall be limited to the first and second story windows.
 - b. ~~In no event shall window signs cover more than 50% of a businesses window surface.~~

5. **Balcony or Marquee Signs:** Balcony or marquee signs are those signs that are attached to the fascia of the balcony or marquee and are parallel to the street and building facade.
 - a. **Placement:** The attached balcony or marquee sign shall be centered in the middle of the balcony or marquee fascia. A balcony or marquee sign shall not extend any nearer than one (1') foot to either edge of the balcony or marquee. The signs shall not project above the marquee roof line or balcony floor line, or below the bottom edge of the balcony or marquee fascia.

D. Required Street Address. All commercial buildings shall have street address numbers which shall be near the front entrance. These numbers shall not be more than four (4") inches high

3.7.100 General Commercial and Artisan Zone

A. Purpose. North Fifth Street, also known as the Jacksonville Highway #238, is primarily a vehicular-accessed rather than pedestrian-accessed area and is viewed differently from the Historic Core (HC) District because of this. North Fifth Street is composed of a mixture of historic and non-historic structures, it generally represents a later period of history in the development of a small western town.

B. Permitted Signs. In addition to the general provisions applying to signs set forth in this chapter, signs in the General Commercial and Artisan zones shall be permitted as follows:

1. The total aggregate area of all signs shall not exceed the following:
The total area of signs shall not exceed two (2') square feet for each lineal foot of building frontage.
2. **Freestanding Signs:** Signs may be placed freestanding, provided that only one (1) such sign shall be permitted for each parcel using the formula of the linear street frontage times (x) .15, which equals the square footage allowable. The total sign maximum area is thirty-six square feet (36') and a minimum of six square feet (6'), not to exceed ten (10') feet in height above the grade it is placed upon.
3. **Wall Signs:** Wall signs are permitted as those signs attached and parallel to the building facade, and which extend no more than eighteen (18") inches from the surface of the wall. On a side of a building facing a street, the area of signs shall not exceed one (1') square foot for each lineal foot of building frontage, plus one-half (.5') square foot for each foot the building is set back from the street.
4. **Marquee Signs:** Marquee signs are permitted as those signs that are attached to the front or bottom surface of a marquee, and extending no more than six (6") inches past the edge of the marquee.
5. **Window and Door Signs-** Window and door signs are permitted as those which are painted, displayed or placed on an interior translucent or transparent surface. In all cases, window graphics will be limited to the first and second story windows.
6. **LED or Neon Signs.** LED or neon illuminated informational signs will be allowed in the GC district, but

only informational (non-product) signs are allowed. One (1) sign per business and four (4') square foot maximum size.

7. Sign Lighting. Lighting for signs shall not be directed so as to create a traffic safety hazard or nuisance on an abutting or adjoining street. Sign lighting shall also comply with the provisions of this Code for outdoor lighting set forth in 3.4.050.

3.7.110 Nonconforming Signs

A. Nonconformance. All signs existing on the effective date of the ordinance codified in this title and not conforming to the provisions of this chapter are deemed nonconforming signs.

1. No nonconforming sign shall be changed, expanded or altered in any manner which would increase the degree of its nonconformity, or be structurally altered to prolong its useful life, or be moved in whole or in part to any other location where it would remain nonconforming.

B. Termination of Nonconforming Signs. Termination of the nonconformity shall consist of removal of the sign or its alteration (subject to permit) to eliminate all non-conforming features.

1. Termination for Discontinuance of Business or Product. Nonconforming signs which advertise a business no longer conducted or a product no longer sold on the premises where such sign is located shall be removed immediately, except as otherwise expressly permitted by this Section.
2. ~~Termination by Change of Business Ownership or Control. Any nonconforming sign advertising or relating to a business shall be removed upon any change in the ownership or control of such business.~~
3. Termination by Damage or Destruction. Any nonconforming sign damaged or destroyed, by any means, to the extent more than 50% of the sign is damaged or destroyed, shall not be restored.

3.7.120 Termination of Signs by Abandonment

Any sign advertising or relating to a business, which business is discontinued for a period of thirty (30) consecutive days, regardless of any intent to resume or not to abandon such use, shall be presumed to be abandoned and all such signage, whether conforming or nonconforming to the provisions of this Code, shall be removed within thirty (30) days of discontinuation. Any period of such non-continuance caused by government actions, strikes, materials shortages or acts of God, and without any contributing fault by the business or user, shall not be considered in calculating the length of discontinuance for purposes of this subsection.

3.7.130 Adjustments and Variances

The Planning Commission or the Historic Preservation Commission (HPC), through a Type III procedure,

may grant adjustments to Chapter 3.7, pursuant to the criteria of Chapter 4.7. The HPC shall review requests for Adjustments and Variances related to this Article 3.7 for properties subject to HPC's jurisdiction established in Article 5.