



**CITY OF JACKSONVILLE**  
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**Office Hours:**  
 Mon - Tues - Thurs – Fri - 8:30am – 2:00pm  
**Wednesday:** Closed to the public all day

**PERFORMANCE REVIEW**

*(Pre-Application Conference Required)*

Hearing Fee: **\$360.00**  
 Administrative Fee: **\$120.00**  
 Receipt#: \_\_\_\_\_

**PROJECT PROPERTY ADDRESS** \_\_\_\_\_

**APPLICANT (OWNER)** \_\_\_\_\_

**MAILING ADDRESS** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_ **E-MAIL:** \_\_\_\_\_

**A 200 FT. VICINITY MAP AND MAILING LABELS MUST BE SUBMITTED FOR ALL APPLICATIONS REQUIRING A HEARING:** Contact a local Title company and request 2 sets of labels OR go to the Jackson County website at: <http://www.co.jackson.or.us>. and follow the instructions on the “Intro & Tips” tab.

**TOWNSHIP** 37 **RANGE** 2W **SECTION** \_\_\_\_\_ **TAX LOT** \_\_\_\_\_

**ZONING** \_\_\_\_\_

**HISTORIC LANDMARK DESIGNATED PROPERTY?** YES  NO

**NATURE OF PROJECT (Please explain what you propose to do):**

\_\_\_\_\_  
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**IF PROPERTY IS LOCATED IN THE GENERAL COMMERCIAL ZONE, PLEASE ADDRESS **\*\*17.32.040 PERFORMANCE STANDARDS** (see attached) AND TURN IN WITH APPLICATION**

**IF PROPERTY IS LOCATED IN THE HISTORIC CORE ZONE, PLEASE ADDRESS **\*\*17.36.040 PERFORMANCE STANDARDS** (see attached) AND TURN IN WITH APPLICATION**

**APPLICANT NAME (please print):** \_\_\_\_\_

**APPLICANT SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**\*\*PLEASE NOTE: A SIGN APPLICATION IS REQUIRED TO BE FILED AND REVIEWED BY THE HISTORICAL AND ARCHITECTURAL REVIEW COMMISSION (HARC)**

## CHAPTER 17.32: GENERAL COMMERCIAL (GC) DISTRICT

### § 17.32.040 PERFORMANCE STANDARDS.

The above-listed uses may be permitted subject to a review and a determination of compliance with the following performance standards:

(A) The proposed use shall preserve the historic integrity of and provide affirmative maintenance for structures and sites included on the Jacksonville Landmark List. For changes in all structures and sites which are on the list, a finding of compatibility must be made in accordance with the requirements of Title 18, Historic Protection Regulations.

(B) All objectionable odors associated with the use shall be confined to the lot upon which the use is located, to the greatest extent feasible. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities. Odors which are in violation of this standard include but are not limited to the following:

- (a) Odors from fermenting food products.
- (b) Odors from decaying organic substances or human or animal wastes.

The use shall comply with all requirements of the Oregon Department of Environmental Quality.

(C) All business, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining entertainment or recreation areas, nurseries, garden shops, Christmas tree sales lots, and bus stations.

(D) All subdivision and development proposals shall be consistent with the planned function, capacity, and level of service of any transportation facility that they may affect as identified in the TSP. Conditions may be applied by the decision-making body in order to minimize impacts and protect transportation facilities, corridors, and site improvements.

(E) There shall be no area or width requirements except as may be required to adequately satisfy the above Unified Development Code standards.

(F) Site Plan and Historical & Architectural Review Commission review shall be required as provided in Title 18.

The applicant must submit a development proposal to substantiate conformance with the above performance standards. The applicant shall submit the following elements, as applicable to the proposal: (Applicability shall be determined by the City Planner).

Pedestrian Plan:

A pedestrian circulation plan must provide adequate pedestrian access in the vicinity and within the project. The plan must provide compacted, safely lighted walkways and entrances suitable for use by the handicapped.

Traffic Plan:

A traffic plan must provide adequate vehicle circulation in the vicinity of and within the project. The traffic plan must coordinate internal and external transportation networks, including bikeways and mass transit to extent possible. Traffic noise must be minimized.

Loading Plan:

A plan for loading dock or space must provide adequate room for safe truck backing and turning movements.

Open Space Plan:

A plan must assure that alterations and additions to existing buildings, and new construction, are compatible with neighboring uses in terms of the relative proportion of impervious/covered area

to open space. Any landscape alterations for commercial, educational, or professional uses shall be made in accordance with the standards contained in Section 18.18.030.

Parking Plan:

Off-street parking shall be provided in accordance with Chapter 18.17.

Public Safety Plan:

A plan must minimize the likelihood of criminal activity by eliminating areas considered to be neither clearly private nor clearly public and by using landscaping that allows maximum observation while providing desired aesthetics.

Perimeter Plan:

A plan for the perimeter of the project to protect adjacent properties from noise, visual incompatibility, light glare, heat pumps, fans, or other potential nuisances. This may be accomplished through screening, setbacks, site review, or other means.

A determination of compliance may be made subject to certain conditions. In permitting a use, the Planning Commission may impose, in addition to regulations and standards expressly specified in the Unified Development Code, other conditions found necessary to protect the best interests of the surrounding property or neighborhood, or the city as a whole. These conditions may include, but not be limited to, the following:

1. Development of a Preservation Plan for historic sites and structures.
2. Requiring fences, walls or landscape screening and/or buffering where necessary to reduce noise, glare and maintain the property in a character in keeping with the surrounding area.
3. Requiring landscaping and maintenance.
4. Increasing street widths, controlling the location and number of vehicular access points to the property for ingress/egress.
5. Requiring means of pedestrian/bicycle access pathways to serve the property.
6. Increasing the number of off-street parking and loading spaces required. Surfacing and proper drainage of parking areas.
7. Limiting size, location and number of signs.
8. Limiting the location, coverage or height of buildings because of obstructions to view and reduction of light and air to adjacent property.
9. Limiting or prohibiting openings in sides of buildings or structures.
10. Enclosure of storage areas and limitation of outside display and/or storage of merchandise.
11. Requiring maintenance of grounds.
12. Regulation of noise, vibration, odors, etc.
13. Regulation of time for certain activities.
14. Establishing a time period within which the proposed use shall be developed.
15. The requirement of a bond for removal of such use within a specified period of time.
16. Requirements under which any future enlargement or alteration of the use shall be reviewed by the Planning Commission and new conditions imposed.
17. Increasing required lot size, yard dimensions, open spaces or buffer areas.
18. And such other conditions as will make possible the development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this chapter.

If a business at previously-reviewed location is changing to a business of similar or lesser intensity (and there are no outstanding code violations on the property), any subsequent review processes may be handled administratively. Staff may refer any application that it deems necessary to the Planning Commission. (ORD. 547, passed 5-17-2005)

**§ 17.32.050 MAXIMUM BUILDING HEIGHT.**

The height of all structures shall be measured vertically from the lowest data point to the uppermost point of the roof edge or peak, wall, parapet, mansard, or other feature perpendicular to that point. In order to determine the lowest data point: the lowest exposed portion of the foundation shall be the determinant if the lowest exposed portion of the foundation is below existing natural grade; existing natural grade at the lowest exposed portion of

the foundation shall be the determinant if the lowest exposed portion of the foundation is at or above existing natural grade. Maximum building height shall be thirty five (35') feet. A data point shall be set at the lowest point of exposed foundation which shall be used to verify all building height requirements prior to alterations of natural grade. In the case of an addition or a remodel, only the new or modified portions of the structure shall be required to comply with the incremental setback requirements associated with height calculations. This shall not be construed to waive any solar setback requirements. (ORD. 547, passed 5-17-2005)

**§ 17.32.060 SIGNS.**

Signs may be permitted in accordance with the provisions of Chapter 18.15.

**§ 17.32.070 OTHER REQUIRED CONDITIONS.**

(A) Where a site adjoins or is located across an alley from a residential district, a solid wall or fence, vine-covered open fence or compact evergreen hedge six (6') feet in height shall be located on the property line, common to such districts, except in a required front yard area.

(B) Design review and approval are required as provided in Title 18. Reference Chapters 17.92 and 17.96 of the Jacksonville Land Development Regulations for further requirements regarding special uses and interpretations.

(C) All uses are subject to the requirements that 1) mechanical equipment be either enclosed in a structure or fully screened and buffered and 2) the applicant acknowledge having read and understood the applicability of the noise provisions of Section 8.04.150 of the Jacksonville Municipal Code to the proposed use.

(D) Buildings shall be oriented to face streetscape and pedestrian facilities to the maximum extent possible. Internal pedestrian circulation in new developments shall be provided through clustering of buildings, construction of pedestrian ways, and similar techniques.

(E) The following criteria will be used to ensure that the prevailing development pattern described in the purpose is maintained.

1. Setbacks will be varied in relation to adjacent properties.
2. Parking must be in the rear or on the side, unless otherwise impractical.
3. If rear parking is not feasible, a landscaping plan to shield parking from street view will be required. A landscape plan would be subject to Planning Commission approval.

(F) Development proposals shall comply with all specific Master Planning requirements found in Chapter 17.48 that are relevant to the property or properties upon which that development proposal is located or to the off-site facilities and services which are affected by that proposal.

(G) Bicycle Parking shall be provided in accordance with Chapter 18.17, along with pedestrian linkage to other common destinations and attractors. Secure bicycle parking shall be located in relation to key entrances so as to be no less convenient than vehicle parking.

(H) All proposals shall be encouraged to maximize passive or active solar usage, conserve water, and provide any other means of conserving energy.

If a business at a previously-reviewed location is changing to a business of similar or lesser intensity (and there are no outstanding code violations on the property), any subsequent review processes may be handled administratively. Staff may refer any application that it deems necessary to the Planning Commission.

(Ord. 584, passed 12-2-2008)

## CHAPTER 17.36: HISTORICAL CORE (HC) DISTRICT

### § 17.36.040 PERFORMANCE USE STANDARDS.

Except in the Historic Commercial District sub-area, single-family residential uses are permitted outright without review, unless structural or site design changes are proposed. If such changes are proposed then the proposal shall be reviewed for a determination of compliance with the following performance standards.

Commercial, educational, professional, and multi-family uses (and single-family residential uses in the Historic Commercial District sub-area) may be permitted subject to a review and a determination of compliance with the following performance standards:

(A) The proposed use shall preserve the historic integrity of and provide affirmative maintenance for structures and sites included on the Jacksonville Landmark List. For changes in all structures and sites which are in the district, a finding of compatibility must be made in accordance with the requirements of Title 18, Historic Protection Regulations.

(B) Uses with a precedent in Jacksonville's Historic Context (after the date of City's incorporation, October 11, 1860) shall be encouraged. For uses without such a precedent, a finding of compatibility with the Jacksonville Historic Context Statement must be made by HARC.

(C) No use shall be permitted and no process, equipment or materials shall be used which are found by the planning commission to be harmful or a public nuisance to persons living or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt refuse, water-carried waste, noise, vibration, illumination, glare or unsightliness, or to involve any hazard of fire or explosion.

(D) All business, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas; gasoline service stations; outdoor dining, entertainment, or recreation areas; nurseries; garden shops; Christmas tree sales lots; and bus stations.

(E) Participation in the downtown parking district for both automobiles and bicycles shall be required for all commercial and professional enterprises and operations in accordance with the rules set forth by the City's Parking Commission.

(F) All commercial operations, activities, and enterprises shall emphasize pedestrian or bicycle access and in the downtown parking district and shall not generate more than an average of fifteen (15) vehicle trips per day to the actual site. Trips to facilities provided through the downtown parking district shall not be included in this determination.  
(Am. ORD 579, 3-4-08)

(G) Instead of prescriptive setbacks, adequate fire access routes and clearances must be demonstrated and maintained. Adequacy shall be determined by the Fire Chief in accordance with the most recent edition of the Uniform Fire Code. Adequate vision clearance for traffic safety shall also be provided.

(H) The maximum lot coverage allowable on a lot shall be fifty percent (50%) and shall be subject to the additional impervious surface requirements of Chapter 18.21.

(I) Site Plan and Historical & Architectural Review Commission review shall be required as provided in Title 18.

For commercial, professional, and multi-family proposals, the applicant must submit a development proposal to substantiate conformance with the above performance standards. The applicant shall submit the following elements, as applicable to the proposal: (Applicability shall be determined by the City Planner).

#### Pedestrian Plan:

A pedestrian circulation plan must provide adequate pedestrian access in the vicinity and within the project. The plan must provide compacted, safely lit walkways and entrances suitable for use by the handicapped.

Traffic Plan:

A traffic plan must provide adequate vehicle circulation in the vicinity of and within the project. The traffic plan must coordinate internal and external transportation networks, including bikeways and mass transit to extent possible. Traffic noise must be minimized.

Loading Plan:

A plan for loading dock or space must provide adequate room for safe truck backing and turning movements.

Open Space Plan:

Plans must assure that alterations and additions to existing buildings, and new construction, are compatible with neighboring historic resources in terms of the relative proportion of impervious/covered area to open space. Any landscape alterations for commercial, educational, or professional uses shall be made in accordance with the standards contained in Section 18.18.030. A significant feature of the Historic Core area between First-and-Fifth Streets and Main-and-'C' Street was the open space areas.

Parking Plan:

A parking plan must describe the impact upon the City's off-site parking pod program for both automobiles and bicycles, and acknowledging agreement to participate in the City's Parking District, unless adequate on-site parking can be provided without damaging the historic integrity of the property.

Public Safety Plan:

A plan must minimize the likelihood of criminal activity by eliminating areas that are neither clearly private nor clearly public and by using landscaping that allows maximum observation while providing desired aesthetics.

Perimeter Plan:

A plan for the perimeter of the project must protect adjacent properties from noise, visual incompatibility, light glare, heat pumps, fans, or other potential nuisances. This may be accomplished through screening, setbacks, site review, or other means.

A determination of compliance may be made subject to certain conditions. In permitting a use, the Planning Commission may impose, in addition to regulations and standards expressly specified in the Unified Development Code, other conditions found necessary to protect the best interests of the surrounding property or neighborhood, or the city as a whole. These conditions may include, but not be limited to, the following:

1. Development of a Preservation Plan for historic sites and structures.
2. Requiring fences, walls or landscape screening and/or buffering where necessary to reduce noise, glare and maintain the property in a character in keeping with the surrounding area.
3. Requiring landscaping and maintenance.
4. Increasing street widths, controlling the location and number of vehicular access points to the property for ingress/egress.
5. Requiring means of pedestrian/bicycle access pathways to serve the property.
6. Increasing the number of off-street parking and loading spaces required. Surfacing and proper drainage of parking areas.
7. Limiting size, location and number of signs.
8. Limiting the location, coverage or height of buildings because of obstructions to view and reduction of light and air to adjacent property.
9. Limiting or prohibiting openings in sides of buildings or structures.
10. Enclosure of storage areas and limitation of outside display and/or storage of merchandise.
11. Requiring maintenance of grounds.
12. Regulation of noise, vibration, odors, etc.
13. Regulation of time for certain activities.
14. Establishing a time period within which the proposed use shall be developed.
15. The requirement of a bond for removal of such use within a specified period of time.

16. Requirements under which any future enlargement or alteration of the use shall be reviewed by the Planning Commission and new conditions imposed.
17. Increasing required lot size, yard dimensions, opens spaces or buffer areas.
18. And such other conditions as will make possible the development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this chapter.

If a business at a previously-reviewed location is changing to a business of similar or lesser intensity (and there are no outstanding code violations on the property), any subsequent review processes may be handled administratively. Staff may refer any application that it deems necessary to the Planning Commission. (ORD. 547, passed 5-17-2005)

#### **§ 17.36.050 MAXIMUM BUILDING HEIGHT.**

The height of all structures shall be measured vertically from the lowest exposed data point to the uppermost point of the roof edge or peak, wall, parapet, mansard, or other feature perpendicular to that point. In order to determine the lowest data point: the lowest exposed portion of the foundation shall be the determinant if the lowest exposed portion of the foundation is at or above existing natural grade. Maximum building height shall be thirty five (35') feet. A data point shall be set at the lowest point of exposed foundation which shall be used to verify all building height requirements prior to alterations of natural grade. This does not apply to agricultural buildings. In case of an addition or a remodel, only the new or modified portions of the structure shall be required to comply with the incremental setback requirements associated with height calculations. This shall not be construed to waive any solar setback requirements. (ORD. 547, passed 5-17-2005)

#### **§ 17.36.060 SIGNS.**

Signs may be permitted in accordance with the provisions of Title 18.15.

#### **§ 17.36.070 OTHER REQUIRED CONDITIONS.**

(A) There shall be no area or width requirements except as may be required to adequately satisfy the above performance standards. Design review and approval are required as provided in Title 18. Reference Chapters 17.92 and 17.96 of the Jacksonville Land Development Regulations for further requirements regarding special uses and interpretations.

(B) Where a site adjoins or is located across an alley from an existing residence, a solid wall or fence, vine-covered open fence or compact evergreen hedge six (6') feet in height shall be located on the property line, except in a required front yard area.

(C) Buildings shall be oriented to face streetscape and pedestrian facilities to the maximum extent possible. Internal pedestrian circulation in new developments shall be provided through clustering of buildings, construction of pedestrian ways, and similar techniques.

(D) Development proposals shall comply with all specific Master Planning requirements found in Chapter 17.48 that are relevant to the property or properties upon which that development proposal is located or to the off-site facilities and services which are affected by that proposal.

(E) Within the constraints of Chapter 17.92, the non-commercial keeping of domesticated animals under one hundred (100) pounds that do not pose a danger or threat to the community is allowed provided that all animals are confined to the property, and any compound, pen, run, shed, or fenced area of confinement is not located closer than ten (10') feet to any property line and thirty (30') feet to a dwelling on any contiguous property. The weight limitation shall not apply to dogs.

All proposals shall be encouraged to maximize passive or active solar usage, conserve water, and provide any other means of conserving energy.