

2. Review Procedure. An ELD shall be reviewed in accordance with the procedures in ORS 197.365;

3. Appeal Procedure. An appeal of an ELD shall be in accordance with the procedures in ORS 197.375. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

ARTICLE III. ZONING CLEARANCE PERMITS

17.14.110 Permit required. No building or structure or other improvement such as parking lots or paving, subject to the provisions of this title, shall be constructed, erected, reconstructed, changed in use, moved, extended, enlarged or altered without prior issuance of a zoning clearance permit by the planning commission. The zoning clearance permit is intended as a mechanism to notify the county building safety department (the agency responsible for issuing building permits) whether the proposed use or construction is in compliance with this title. The city may determine that a zone change, conditional use permit, temporary permit, or variance must be obtained prior to the issuance of a zoning clearance permit. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.120 Planning commission authority to grant zoning clearance permit. A. The planning commission shall have the authority to approve, approve with conditions, disapprove or revoke a zoning clearance permit.

B. This authority may be delegated to a three-member panel consisting of the planning commission secretary, public works director and city recorder, for minor development applications. Minor development applications, as defined in Section 17.14.140, can normally be processed over-the-counter.

C. This authority may be delegated to the planning site review committee consisting of the public works director, planning secretary, city recorder, planning and/or engineering consultants and any others as selected by the mayor and city council, for major development applications. Major development applications, as defined in Section 17.14.150, will normally require review by the planning site review committee. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.130 Conditions for granting a zoning clearance permit. The approving authority must find the following in order to grant a zoning clearance permit:

A. The proposed development is a permitted use under this title;

B. Compliance with all provisions of this title;

C. All buildings, facilities, access points, parking and loading facilities, signs, lighting, and walls or fences are so arranged that traffic congestion is avoided and pedestrian and vehicular traffic safety and welfare are protected;

D. No building or structure shall be located in proposed street rights-of-way as provided by the official street map of the city as adopted by the council;

E. Applicant has granted utility, access or right-of-way easements as required or requested by the city that may be caused or needed as a result of the requested development or improvement. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.140 Minor development. Minor development includes single-family dwellings, including manufactured housing used as a single-family dwelling, and accessory structures thereto such as garages and carports, decks and porches, sheds and fences within the single-family residential district. Additions to these types of developments are also included under minor development. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.150 Major development. Development which requires planning site review committee review and includes the following:

A. All commercial development, both new structures and additions;

B. All multi-family development, including duplexes;

C. Any combination of uses and zoning districts not listed under Section 17.16.010 of this title. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.160 Application and fees. Application for a zoning clearance permit shall be made to the city, accompanied by a fee to be set by the city council. No part of the fee is refundable. A site plan of the proposed devel-

opment is also required. The site plan shall be drawn to scale and include the following information:

A. For minor development, the site plan shall include the following:

1. Dimensions and orientation of the parcel;
2. Location and number of stories of buildings and structures, both existing and proposed;
3. Other pertinent information as may be requested by the planning commission.

B. For major development, the site plan shall include the following as applicable:

1. Dimensions and orientation of the parcel;
2. Location and number of stories of buildings and structures, both existing and proposed;
3. Location and layout of off-street parking and loading facilities;
4. Location of points of entry and exit for motor vehicles and internal circulation pattern;
5. Location of walls and fences and indications of their height and materials of construction;
6. Indications of exterior lighting on the building or on independent structures;
7. Location and size of exterior signs and outdoor advertising, both building mounted and on independent structures;
8. Location, dimensions and uses for all existing and proposed easements on and/or serving the parcel;
9. Grading and slopes of the site with particular attention to controlling storm drainage;
10. Indication of proposed uses of buildings on the site;
11. Any other architectural or engineering data as may be required to permit necessary findings that the provisions of this title are complied with. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.170 Appeal. The applicant or any interested party may appeal a denial to the city council in the form prescribed by the city council. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.180 Time limit. A zoning clearance permit shall become void after one year after approval, unless within that time, the building construction, alteration,

enlargement or improvement has commenced and diligently pursued or, if no such construction, alteration or enlargement is included, the permitted activity has been regularly conducted on the premises. The planning commission may only extend the permit for one additional year. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.190 Violation of condition. The planning commission, on its own motion, may revoke any zoning clearance permit for noncompliance with any provisions set forth in this title after first holding a public hearing and giving notice of such hearing. The foregoing shall not be the exclusive remedy. It is unlawful and punishable for anyone to violate any provision of this chapter. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

ARTICLE IV. DEVELOPMENT REVIEW AND SITE PLAN REVIEW

17.14.200 Purpose. The purpose of this chapter is to:

A. Provide rules, regulations, and standards for efficient and effective administration of site development review;

B. Carry out the development pattern and plan of the city and its comprehensive plan policies;

C. Promote the public health, safety, and general welfare;

D. Lessen or avoid congestion in the streets, and secure safety from fire, flood, pollution and other dangers;

E. Provide adequate light and air, prevent overcrowding of land, and facilitate adequate provision for transportation, water supply, sewage and drainage;

F. Encourage the conservation of energy resources; and

G. Encourage efficient use of land resources, full utilization of urban services, mixed uses, transportation options, and detailed, human scaled design. (Ord. 447 §1(part), 2004: Ord. 438 §3 Exh. C (part), 2003)

17.14.210 Applicability. Development review or site plan review shall be required for all new developments and