ARTICLE 5 GENERAL DEVELOPMENT STANDARDS

SECTION 5.010 DEVELOPMENT STANDARDS

In addition to the development standards specified for each zoning district, there are many standards that apply in more than one zone. The following Sections specify development standards applicable within any zoning district in the City of Adair Village.

The City may adjust the development standards contained in **Article 5** to provide an efficient land division or a more efficient utilization of a property when submitted for approval under the City's review and approval procedures.

SECTION 5.020 PLAN CONFORMANCE

All developments within the City shall conform to any approved development plan adopted by the City such as a Planned Development, PD. Developments located within an area that has an approved plan shall comply with the design and construction standards of that approved plan in addition to those contained in this Code. In cases of conflict, the approved plan shall control.

SECTION 5.110 HEIGHT STANDARDS

Building height standards are specified in **Item (4) of each Zoning District**.

SECTION 5.111 BUILDING HEIGHT EXCEPTIONS

Vertical projections such as chimneys, spires, domes, elevator shaft housings, decorative towers antenna, flagpoles, and similar objects not used for human occupancy shall not exceed the building height limitations of this Code by more than ten (10) feet unless approved by the City.

SECTION 5.112 BUILDING PROJECTION EXCEPTIONS

Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys and flues shall not project more than 30 inches into a required yard unless approved by the City.

SECTION 5.113 LOT SIZE

Lot size standards are specified in **Item (4) of each Zoning District**.

SECTION 5.114 LOT SIZE EXCEPTIONS

If a lot as recorded in the office of the County Assessor at the time of passage of this Code, has an area or dimension which does not meet the lot size requirements of the zone in which the property is located, the holdings may be occupied by a use permitted in the zone subject to the other requirements of the zone. If there is an area deficiency, residential use shall be limited to a single-family dwelling or to the number of dwelling units consistent with the lot-area-per-dwelling-unit requirement of the zone.

SECTION 5.115 YARD SETBACKS

Yard setback standards are specified in **Item (4) of each Zoning District**.

SECTION 5.116 YARD SETBACK EXCEPTIONS

The following exceptions to the yard requirements are authorized for a lot in any zone:

(1) In a residential zone, the minimum front yard setback for a part of the building may be reduced by not more than 5 feet provided the average front yard depth shall not be less than 15 feet. Garage and carport setbacks shall not be reduced below 20 feet.

(2) No building shall be erected on a lot that abuts a street having only a portion of its required right-of-way (ROW) dedicated, unless, the yard setbacks are increased to accommodate the required ROW plus the required yard setback.

(3) The Planning Commission may require additional setbacks, street right-of-way dedications, utility easements and street improvements for development projects that are required to be submitted for review and approval.

(4) The Planning Commission may reduce the required yard setbacks for special and unusual site conditions in conformance with **Section 2.600, Variances** where compliance with the setback provisions of this Code would create an undue or unnecessary hardship.

SECTION 5.117 DRAINAGEWAY SETBACKS

All drainageways and watercourses shall have a minimum building setback of 20 feet from the top of bank of the drainageway. Floodplain or wetland areas extending beyond the 20 feet shall increase the setback to the limits of the floodplain or wetland.

SECTION 5.118 MINIMUM SETBACK

In commercial or industrial zones where an interior yard is not required and a structure is not to be erected at the property line, it shall be set back at least 5 feet from the property line to permit access to the building.

SECTION 5.119 SERVICE STATIONS SETBACK EXCEPTIONS

In zones where automobile service stations are permitted, freestanding gasoline pumps and pump stands may occupy a required exterior yard, provided they are a minimum of 15 feet from the property line.

SECTION 5.120 PARKING

For each new structure or use, and for each structure increased in area, and for each change or increase in the use of an existing structure there shall be provided and maintained off-street parking areas in conformance with the provisions of this section.

(1) **Design and Improvement Requirements for Parking Lots:**

(a) All parking areas and driveway approaches shall be surfaced with a minimum of two inches asphaltic concrete, or four inches Portland Cement Concrete, over an approved base unless approved by the City Administrator. All parking areas, except those in conjunction with a single family or two-family dwelling, shall be graded so as not to drain storm water over the sidewalk or onto any abutting property. Under approved conditions the City may defer paving and permit gravel as a temporary use.

(b) Service drives and parking spaces on surfaced parking lots shall be clearly and permanently marked. Handicapped Parking must comply with the Oregon International Building Code Standards.

(c) Parking areas for other than single-family and two-family dwellings shall be served by a service driveway so that no backing movements or other maneuvering within a street other than an alley shall be required. Design for parking lots shall conform to the **Parking Diagram** contained in **Section 10.300, Diagram DSD-1.** Two-way driveways shall have a minimum width of 20 feet and a maximum width of 30 feet. One-way driveways shall have a minimum width of 12 feet and a maximum width of 16 feet.

(d) A Parking space shall conform to the **Parking Diagram** contained in **Section 10.300, Diagram DSD-1.**

(e) The outer boundary and all landscaped islands of a parking area shall be contained by a 6" high curb for protection of landscaping, pedestrian walkways and to contain rainwater runoff. No motor vehicle shall project over a property line.

(f) All parking areas, except those in conjunction with a single family or two-family dwelling, shall have adequate drainage to dispose of the run-off generated by the impervious surface area of the parking area. On-site collection of drainage water shall not allow sheet flow of water onto sidewalks, public right-of-ways or abutting property and shall detain out-flow velocities to that of undeveloped land. All drainage systems must be approved by the City Administrator.

(g) Service driveways to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrian and vehicular traffic on the site. The number and location of service driveways shall be approved by the City and limited to the minimum that will allow the property to accommodate and service the traffic anticipated.

(h) All off-street parking areas within or abutting residential districts or uses shall be provided with a sight-obscuring fence, wall or hedge as approved by the City to minimize disturbances to adjacent residents.

(2) **Location Standards for Parking Lots:**

(a) Required off-street parking shall be provided on the development site unless a Variance is approved by the City.

(b) Off-street parking areas may be located in a required yard setback provided a 5 foot wide landscaped buffer and screening, as required in **Section 5.134**, is maintained at the property line.

(3) Required parking spaces shall be available for the parking of operable motor vehicles for residents, customers, patrons and employees only and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or for repair or servicing.

(4) Provisions for and maintenance of off-street parking spaces are continuing obligations of the property owner. No building permit or other approvals shall be

issued until plans are presented that show the complete parking layout. The subsequent use of property for which approval is granted shall be conditional upon the unqualified continuance and availability of the amount of parking space required by this Code.

(5) Should the owner or occupant of a lot or building change the use of the property to a use which increases the off-street parking requirements, it shall be unlawful and a violation of this Code to begin to maintain such altered use until the required increase in off-street parking is provided.

(6) In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.

(7) Owners of two or more uses, structures or properties may agree to use the same parking spaces jointly provided the off-street parking is the sum of the requirements of the several uses. If the hours of operation do not overlap, the parking requirement shall be for the highest use. An agreement shall be submitted and approved by the City for the cooperative use of the parking facilities.

(8) A plan, drawn to scale, indicating how the off-street parking requirements are to be fulfilled, shall accompany all requests for City approval or a Building Permit.

(9) Parking lots shall be provided with landscaping as provided in **Section 5.134 (4)** and other suitable devices in order to divide the parking lot into sub-units to provide for pedestrian safety, traffic control, and to improve the appearance of the parking lot.

(10) Off-street parking spaces shall be required as defined in **Section 5.121**. Fractional space requirements shall be counted as a whole space. When square feet are utilized to determine the required parking spaces, the area measured shall be the gross floor area of the building primary to the use but may exclude any area within a building used for off-street parking, loading, or service functions not primary to the use. When the requirements are based on the number of employees, the number counted shall be those working on the premises during the largest shift at peak season.

SECTION 5.121 OFF-STREET PARKING REQUIREMENTS

USE	SPACE REQUIREMENT
(1) **Residential**	
(a) One and two family dwelling	Two spaces per dwelling unit
(b) Multiple family dwelling	Studio .75 space/unit 1 Bedroom 1.00 space/unit 2 Bedroom 1.50 space/unit 3 Bedroom or more 2.00 space/unit
(c) Rooming or boarding house	Spaces equal to 80% of the number of guest accommodations plus one additional space for the manager or owner
(2) **Commercial Residential**	
(a) Hotel	One space per two guest rooms plus one space per two employees
(b) Motel	One space per guest room or suite plus one additional space for the owner or manager
(3) **Institutional**	
(a) Convalescent hospital, nursing home, sanitarium rest home, home for the aged	One space per four beds for patients or residents
(4) **Place of Public Assembly**	
(a) Church not containing fixed seats	One space per four seats or eight feet of bench length in the main auditorium, or one space for each 35 sq. ft. of floor area of main auditorium
(b) Library, reading room	One space per 400 sq. ft. of floor area plus one space per two employees
(c) Pre-school nursery, kindergarten	Two spaces per teacher
(d) Elementary, junior high high school	One space per classroom plus one or space per administrative employee

		One space per four seats in the auditorium or assembly room, whichever is greater
	USE	**SPACE REQUIREMENT**
(4)	**Place of Public Assembly**	
	(e) Other public assembly or meeting rooms	One space per six seats or eight feet of bench length, or one space for each 35 s/f of floor area for assembly room not containing fixed seats
(5)	**Commercial Amusement**	
	(a) Stadium, arena, theater	One space per four seats or eight ft of bench length
	(b) Bowling alley	Five spaces per alley plus one space per two employees
	(c) Dance hall, skating	One space per 100 s/ft. of floor area, plus one space per two employees
(6)	**Commercial**	
	(a) Retail store except as provided in subsection b of this subsection	One space per 300 s/ft. of floor area designated for retail sales
	(b) Service or repair shop, retail store exclusively handling bulky merch-andise such as auto-mobiles and furniture.	One space per 400 s/ft. of floor area
	(c) Bank, office (except medical and dental)	One space per 400 s/ft. of floor area
	(d) Medical and dental clinic	One space per 300 s/ft. of floor area plus one space per two employees
	(e) Eating or drinking establishment	One space per 100 s/ft. of patron serving area
	(f) Mortuary	One space per six seats or eight ft. of bench length
(7)	**Industrial**	
	(a) Storage warehouse, manu-facturing establishment, rail or trucking freight terminal	One space per employee

(b) Wholesale establishment	One space per employee plus one space per 700 square feet of patron serving area

USE	SPACE REQUIREMENT
(8) **Unspecified Uses**	Any use not specifically listed in this section shall have the parking requirement determined by the Planning Commission, based on the parking space requirements for comparable uses listed in this section.

SECTION 5.122 ACCESS AND CLEAR VISION AREAS

(1) Access: Every property shall abut a street other than an alley, for a minimum width of 25 feet, except where the City has approved an easement for access or where the easement existed prior to the adoption of this Code.

(2) The following access alternatives to Flag Properties may be approved by the City for partitions or, in some circumstances, small subdivisions:

(a) Approval of a single access road easement to serve all of the proposed parcels with a provision for conversion to a dedicated public road right-of-way when requested by the City. The easement shall have the same width as a required right-of-way.

(b) Approval of a road right-of-way without providing the road improvements until the lots or parcels are developed. The land developer shall pay into the City's Street Fund an amount equal to the cost of providing the street improvements. The land developer may recover the cost as part of the lot sales and the City will provide the street improvements.

(c) Approval of a private road that does not have to meet all of the standards for public streets. This approach should only be used for isolated short streets serving a limited number of sites and where future City street alignments will not be needed.

(d) All access drives locations shall be approved by the City with County or State approval where their jurisdiction applies.

(e) Access drives for corner or through properties shall take their access from the lowest traffic classification of street.

(f) Common access drives located at the property line is encouraged and may be required in some locations to limit the number access locations.

(3) **Clear Vision Areas**: In all districts a clear vision area shall be maintained at the corners of all property located at the intersection of two streets, a street-alley or a

street-railroad. A clear vision area shall also be maintained at all driveways intersecting a street. See **Section 10.300, Diagram DSD-2**.

(a) All properties shall maintain a clear triangular area at street intersections, railroad-street intersections, alley-street intersections and driveway-street intersections for safety vision purposes.

The two sides of the triangular area shall be 15 feet in length along the edge of roadway at all street intersections and 10 feet in length at all alley-street intersections and driveway-street intersections. Where streets intersect at less than 30 degrees, the triangular sides shall be increased to 25 feet in length. The third side of the triangle shall be a line connecting the two exterior sides.

(b) A clear vision area shall contain no plantings, fences, walls, structures, or temporary or permanent obstruction exceeding 2-1/2 feet in height, measured from the top of the curb, or, where no curb exists, from the established street centerline grade. Trees exceeding this height may be located in this area, provided all branches or foliage are removed to a height of 8 feet above grade.

SECTION 5.123 STREETS

(1) The location, width and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. The arrangement of streets shall provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

(2) Street design shall conform to the design standards of the City of Corvallis adopted by the City of Adair Village. Streets design shall include curb, gutters, sidewalks and utility easements unless specifically exempted by the City.

(3) Right-of-way and roadway widths. The width of streets and roadways shall be adequate to fulfill city specifications as provided for in **Article 8** of this Code.

Where conditions, particularly topography or the size and shape of the tract, make it impractical to otherwise provide buildable sites, narrower right-of-ways may be accepted, if necessary, and replaced with slope, sidewalk or utility easements dedicated on both sides of the right-of-way.

Where topographical conditions necessitate cuts or fills for proper grading of streets, additional right-of-ways may be required.

(4) Reserve Strips: A reserve strip is a 1 foot strip of land at the end of a right-of-way extending the full width of the right-of-way used to control access to the street. Reserve strips will not be approved unless necessary for the protection of the public welfare or of substantial property rights. The control of the land

comprising such strips shall be placed with the jurisdiction of the City by deed under conditions approved by the City. In addition, a barricade shall be constructed at the end of the street by the land divider which shall not be removed until authorized by the City. The cost shall be included in the street construction costs by the land divider.

(5) Alignment: As far as is practicable, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections are discouraged. If necessary, "T" intersections shall have a minimum distance of 260 feet between the centerlines of streets having approximately the same direction.

(6) Future Extensions of Streets: Where necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivisions or partition and the resulting dead-end streets may be approved without a turn-around. Reserve strips may be required to preserve the objectives of street extensions.

(7) Intersection Angles: Streets shall be laid out to intersect at angles as near to right angles (90 degrees) as practical except where topography require a lesser angle, but in no case shall the acute angle be less than 60 degrees unless there is a special intersection design. Intersections which contain an acute angle of less than 60 degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and sufficient right-of-way for the roadway radius to maintain a uniform width between the roadway and the right-of-way line.

(8) Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of approval of the land division or land use approval.

(9) Half Street: Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision or partition when in conformity with the other requirements of these regulations and when the City finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract to be divided, the other half of the street shall be provided within such tract. Reserve strips may be required to preserve the objectives of half streets.

(10) Cul-de-sac: A cul-de-sac street should have a maximum length of 500 feet but may be longer where unusual circumstances exist. A cul-de-sac shall terminate with a circular turn-around with a minimum right-of-way radius of 50 feet.

(11) Street Names: Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the City.

12) Streets Adjacent to Railroad Right-of-way: Wherever the proposed land division contains or is adjacent to a railroad right-of-way, provision may be required for a

street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting along the railroad right-of-way.

(13) Frontage Access Streets: Where a land division abuts or contains an existing or proposed Arterial Street, the City may require Frontage Access Streets for property access with a non-access reservation along the arterial to afford separation of through and local traffic.

(14) Private Streets: Private streets are permitted within Planned Unit Developments, Manufactured Dwelling Parks and singularly owned developments of sufficient size to warrant interior circulation on private streets. Design standards shall be the same as those required for public streets unless approved by the City. The City shall require verification of legal requirements for the continued maintenance of private streets.

(15) Railroad Crossings: Where an adjacent development results in a need to install or improve a railroad crossing, the cost for such improvements shall be born by the land divider unless an equitable means of cost distribution is approved by the City.

(16) Traffic Signals: Where a proposed intersection will result in the need for street signals, they shall be provided by the land divider and the costs shall be born by the land divider unless an equitable means of cost distribution is approved by the City.

(17) Street Signs: Street signs for identification and traffic control shall be provided by the land divider and the costs shall be born by the land divider unless an equitable means of cost distribution is approved by the City.

(18) Mail Boxes: Joint mailboxes may be provided in residential developments. Joint mailbox structures shall be placed adjacent to roadway curbs as recommended by the Post Office having jurisdiction and shall be noted on the plan. The cost shall be born by the land divider.

SECTION 5.124 SIDEWALKS

Public sidewalk improvements are required for all land divisions and property development in the City of Adair Village. Under approved conditions, the City may defer sidewalks.

(1) Sidewalks shall be constructed within the street right-of-way. Sidewalk easements shall only be accepted where the Planning Commission determines that full right-of-way acquisition is impractical.

(2) Sidewalks shall connect to and align with existing sidewalks. Sidewalks may transition to another alignment as part of the approval of the Tentative Plan.

(3) The City may approve alternate sidewalk alignments and widths to accommodate existing conditions or proposals.

(4) Sidewalks in residential areas should be a minimum of 5 feet in width and shall be installed adjacent to the curb unless a planter strip of at least 4 feet in width is approved adjacent to the curb where sufficient right-of-way is available.

(5) Sidewalks adjacent to Collector or Arterial Streets shall be a minimum of 5 feet in width separated by a planter strip of 4 feet in width adjacent to the curb where possible. Sidewalks may be approved adjacent to the curb where direct access is required. Sidewalks adjacent to the curb should be a minimum of 7 feet in width or a minimum of 10 feet in width adjacent to Commercial properties. Planter openings adjacent to the curb are encouraged within the 10-foot walks.

(6) Planter strips and the remaining right-of-way shall be landscaped and incorporated as part of the front yard of adjacent property.

(7) Maintenance of sidewalks and planters shall be the continuing obligation of the abutting property owner.

(8) Midblock Sidewalks. The City may require midblock sidewalks for long blocks or to provide access to schools, parks, shopping, public transportation stops or other community services. Midblock sidewalks shall be raised and shall be 6 feet in width.

SECTION 5.125 BIKEWAYS

(1) Developments adjoining existing or proposed bikeways shall include provisions for connection and extension of such bikeways through dedication of easements or rights-of-way. The City may include bikeway improvements as conditions of approval for developments that will benefit from bikeways. Where possible, bikeways should be separated from other modes of travel, including pedestrian-ways.

(2) Minimum width for bikeways shall be 5 feet per travel lane.

SECTION 5.126 STORM DRAINAGE

It is the obligation of the property owner to provide proper drainage and protect all runoff and drainage ways from disruption or contamination. On-site and off-site drainage improvements may be required. Property owners shall provide proper drainage and shall not direct drainage across another property except within a continuous drainageway. Maintaining proper drainage is a continuing obligation of the property owner.

(1) General Provisions. All proposed storm drainage system design plans shall be approved by the City. Surface water drainage patterns and proposed storm drainage must be shown on every development plan submitted for approval. The City will approve a development request only where adequate provisions for storm and floodwater run-off have been made as determined by the City Administrator.

(a) Urban level curb inlets, catch basins, and drainage pipe improvements are required for all land divisions and property development in the City of Adair Village. Urban storm drainage systems may be deferred by the City in lieu of a rural system of culverts and open drainageways.

(b) All storm water drainage systems shall be separate from and independent of any sanitary sewerage system.

(c) Surface water shall not drain across street intersections or allow flooding of the street.

(d) Surface water shall not drain across another property unless it is contained in a culvert or natural drainageway easement.

(e) Ditches are not allowed without City approval, except natural drainageways or swales may be approved.

(f) Site drainage design shall accommodate upstream run-off and the impacts of downstream run-off. Off-site improvements may be required for approval.

(g) Drainage controls shall be designed to regulate surface water run-off into receiving streams, drainage facilities or onto adjoining properties. Controls may include, but are not limited to:
1. Detention ponds, swales or storage cells.
2. Minimization of impervious surfaces.
3. Use of open greenway drainageways.
4. Flow controls.
5. Off-site stabilization of drainage channels.

(2) Natural Drainageways. Open natural drainageways of sufficient width and capacity to provide for flow and maintenance are permitted and encouraged. For the purposes of this Section, an open natural drainageway is defined as a natural path that has the specific function of transmitting natural stream water or storm water run-off from a point of higher elevation to a point of lower elevation.

Natural drainageways should be protected as linear open space features wherever possible within the community and shall be protected from pollutants and sediments. **Section 5.117** requires setbacks from drainageways and watercources.

(3) Easements. Where a land division is traversed by a water course, drainageway, channel or stream, there shall be provided a public storm water easement or drainage right-of-way conforming substantially with the lines of such water course and such further width as the City Administrator determines will be adequate for conveyance and maintenance. Improvements to existing drainageways may be required of the property owner. The property owner is also responsible for continuing maintenance and protection of natural drainageways.

(4) Accommodation of Upstream Drainage. A culvert or other drainage facility shall be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside of the development. The City

Administrator must review and approve the necessary size of the facility, based on sound engineering principles and assuming conditions of maximum potential watershed development permitted by the Comprehensive Plan.

(5) Effect on Downstream Drainage. Where it is anticipated by the City Administrator that the additional run-off resulting from the development will overload an existing drainage facility, the City may withhold approval of the development until mitigation measures have been approved.

(6) Drainage Management Practices. Developments within the City must employ drainage management practices approved by the City Administrator that limit the amount and rate of surface water run-off into receiving streams or drainage facilities. Stormwater runoff rates for new developments shall not exceed bare land runoff rates. Drainage management practices must include, but are not limited to one or more of the following practices:

(a) Temporary ponding or detention of water to control rapid runoff.

(b) Permanent storage basins.

(c) Minimization of impervious surfaces.

(d) Emphasis on natural drainageways.

(e) Prevention of water flowing from the development in an uncontrolled fashion.

(f) Stabilization of natural drainageways as necessary below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion.

(g) Runoff from impervious surfaces must be collected and transported to a natural drainage facility with sufficient capacity to accept the discharge.

(h) Other practices and facilities designed to transport storm water and improve water quality.

(7) Design Requirements for New Development. All new development within the City shall make provisions for the continuation or appropriate projection of existing storm sewer lines or drainageways serving surrounding areas. Drainage extensions may be required-through the interior of a property to be developed where the City Administrator determines that the extension is needed to facilitate upstream flows.

(8) NPDES Permit Required. A National Pollutant Discharge Elimination System (NPDES) permit must be obtained from the Department of Environmental Quality (DEQ) for construction activities (including clearing, grading, and excavation) requiring permitting.

SECTION 5.127 WATER

(1) Water Plan Approval. All proposed water plans and systems must be approved by the City as part of the review and approval process.

(2) Design Requirements for New Development. All new development within the City shall make provisions for the extension of public water lines to serve adjacent areas, and as provided in the Water System Master Plan.

(3) Water Line Extensions. Water distribution lines must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Administrator as necessary to accommodate likely system expansion. Water line extensions may be required through the interior of properties when necessary to provide service to other properties or to provide system looping for fire flows. All public water system line extensions shall have a minimum 8-inch diameter unless a smaller size is recommended by the City Engineer and approved by the City.

(4) All new development, including a single-family residence, must extend and connect to the public water system when service is available within 200 feet of the property. Fire hydrants, mains, and related appurtenances shall be installed by the developer as required by the Local Fire District.

(5) When public water is not available, one well serving a single property may be approved by the City if requested.

(6) Well water may be utilized for irrigation purposes. Irrigation and municipal water shall be separated and shall not be interconnected in any way. Backflow prevention devices shall be installed on all irrigation systems attached to the municipal water system.

(7) Restriction of Development. The City may limit development approvals where a deficiency exists in the water system or portion thereof that cannot be corrected as a part of the proposed development improvements.

SECTION 5.128 SANITARY SEWERS

(1) Sewer Plan Approval. All proposed sanitary sewer plans and systems must be approved by the City as part of the review and approval process.

(2) Design Requirements for New Development. All new development within the City shall make provisions for the extension of sanitary sewer lines to serve adjacent areas, or as provided in the Sanitary Sewer System Master Plan.

(3) Sewer Line Extensions. Sewer collection lines must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Administrator as necessary to accommodate likely system expansion. Line extensions may be required through the interior of a property to be developed where the City Administrator determines that the extension is needed to provide service to other properties. All public sewer system line extensions shall have a minimum 8-inch diameter unless a smaller size is recommended by the City Engineer and approved by the City.

(4) All new development, including a single-family residence, must extend and connect to the public sewer system when service is available within 200 feet of the property.

(5) When Public Sewer is not available approval of an on-site system may be approved by the City and County if requested. Lot or parcel size and configuration may require adjustments to accommodate on-site systems.

(6) Restriction of Development. The City may limit development approvals where a deficiency exists in the sewer system or portion thereof which cannot be corrected as a part of the development improvements.

SECTION 5.129 UTILITIES

(1) It is the intent of the City to place all utilities underground wherever practical except as otherwise provided herein.

(2) All utilities shall be located underground in subdivisions and partitions.

(3) All subdivided lots and partition parcels capable of further division in the future shall have a covenant requiring underground utility installations in the Covenants, Conditions and Restrictions for each lot or parcel.

(4) Exceptions. The City may permit overhead utilities as a condition of approval where the Applicant can demonstrate one of the following conditions:

(a) Underground utility locations are not feasible.

(b) The proposed lots or parcels are large rural lots where the existing properties in the vicinity have overhead utilities.

(c) Temporary or emergency installations.

(d) Major transmission facilities located within right-of-ways or easement.

(e) Industrial developments requiring large power overhead power facilities.

(f) Surface mounted structures, substations or facilities requiring above ground locations by the serving utility.

SECTION 5.130 EASEMENTS

(1) Easements granting limited use of property for any defined purpose may be approved for any lot or parcel.

(2) Access easements may be approved by the City as provided in **Section 5.122.**

(3) Utility easements shall be provided for sewers, water mains and public or private utilities necessary to provide full service to all developments. Land dividers shall show on the Tentative Plan and on the final Plat all easements and shall provide all dedications, covenants, conditions or restrictions with the Supplemental Data submitted for review. Unless otherwise specified by the City, standard exterior

utility easements adjacent to streets shall be 5 feet wide except for utility pole tieback easements that may be 10 feet in width. Minimum interior utility easements shall be 10 feet wide centered on lot or parcel lines where feasible

(4) Water Courses. If a tract is traversed by a water course such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way containing the top of bank, vegetative fringe, and such further width as will be adequate for storm or flood protection and maintenance purposes. Storm drainage and minimum setbacks are specified in **Section 5.117 & 5.126**. Culverts or other drainage facilities shall be large enough to accommodate storm and flood run-off from the entire upstream drainage area and the downstream receiving systems and shall be verified and approved by the City.

SECTION 5.131 BLOCKS

(1) General: The length, width and shape of blocks shall consider the following:

(a) The distance and alignment of existing blocks and streets in the vicinity.

(b) The need for adequate building site sizes.

(c) Street alignments and traffic needs.

(d) Topography limitations.

(2) Size: A block shall have sufficient depth to provide for two tiers of building sites unless topography or the location of adjoining streets justifies an exception. Average block sizes should be approximately 400 feet. No block shall be more than 1,200 feet in length between street corner lines unless approved by the City.

(3) Large Lot or Parcel Block Configurations: In dividing tracts into large rural lots or parcels which at some future time are likely to be re-divided, the City may require that the blocks or sites be of such size and shape to provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller urban size.

SECTION 5.132 BUILDING SITES

(1) Size and shape: The size, width, shape and orientation of building sites shall be appropriate for the location and use contemplated, and shall comply with the standards of the Zoning District and the other standards of **Article 5** specified herein.

(a) No lot or parcel shall be created or utilized unless there will exist an adequate quantity and quality of water and an adequate sewage disposal system to support the proposed use.

(b) In areas that will not be served by a public sewer minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality for sewage disposal by septic tank or other approved methods taking into consideration soil structure and water table.

(c) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

(d) Existing lots or parcels smaller than City standards may be maintained as a conforming use within the district. In accordance with **Section 4.080**, damaged buildings or structures may be restored to their previous use or destroyed buildings may be replaced in conformance with this Code.

(e) Large Lots or Parcels: Large lots or parcels which may be further divided into smaller lots in the future shall be of such size and shape that will accommodate the efficient provision of future streets and lots or parcels of smaller sizes. The land division request may be denied if the proposed lots or parcels do not provide for efficient future divisions and streets.

Large lot or parcel plans must show by dash lines future potential divisions to minimum Code standards prior to approval. Building locations must be within the proposed minimum property lines and setback standards specified herein to facilitate an orderly division and use of the property in the future. Large lot or parcel divisions shall also show future urban street alignments and easements in addition to future urban lot lines on the Tentative Plan.

(f) Flag Lots or Parcels: Flag lots or parcels are discouraged. They will only be allowed when other alternative means of access as described in **Section 5.122, Item (2)** cannot be provided. Minimum width for a flag lot access is 25 feet.

(g) Through Lots and Parcels: Through lots and parcels shall be avoided except where they are essential to the intended use.

(h) Lot and Parcel Side Lines: The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

(i) Building Lines: If special building setback lines are to be established in a land division, they shall be shown on the subdivision or partition Tentative Plan and Plat or, if temporary in nature, they shall be included in the deed restrictions.

SECTION 5.133 GRADING

General grading shall conform to the following standards unless engineered and approved by the City.

(1) Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.

(2) Fill slopes shall not exceed two feet horizontally to one foot vertically.

(3) The type and characteristics of imported fill soils shall be the same or compatible with the existing soils on the site.

(4) Fills for streets and building sites shall be engineered and approved by the City.

(5) All sites shall be graded to direct storm water to City storm sewers or to natural drainage ways.

SECTION 5.134 LANDSCAPING

All yard setbacks and parking areas shall be landscaped in accordance with the following requirements:

(1) **General Provisions.**

(a) Landscaping shall primarily consist of ground cover, trees, shrubs or other living plants with sufficient irrigation to properly maintain all vegetation. Decorative design elements such as fountains, pools, benches, sculptures, planters, fences and similar elements may be placed within the area.

Exceptions: Undeveloped properties or the undeveloped portion of large properties exceeding 4,000 square feet in area are exempt from the landscape requirements specified herein provided the lot or area is maintained so weeds and wild vegetation does not adversely affect adjacent developed properties. Removal of noxious weeds and vegetation will be enforced through the City's Nuisance Ordinance.

(b) Provisions for landscaping, screening and maintenance are a continuing obligation of the property owner. An approved means of irrigation is required unless a planting and maintenance plan is approved by the City Administrator. All required landscaped areas shall be cleared of unwanted vegetation and weeds at least once a year prior to July. Dead landscape plantings shall be replaced by April of the following year.

(c) Site plans indicating landscape improvements shall be included with the plans submitted to the City for approval. Applications for Building Permits shall include landscape plans and improvement specifications that shall be installed before issuance of a Certificate of Occupancy unless a seasonal delay is approved by the City Administrator. Existing trees, plantings and special site features shall be included on all submitted plans and shall clearly indicate items proposed to be removed and those intended to be preserved.

(d) Existing trees, plantings and special site features shall be preserved, protected and maintained within the City to the fullest extent possible. Trees shall not be removed without approval of the City for projects requiring review and approval. Trees exceeding 6 inches in diameter shall not be removed from properties within the City without approval of the City Administrator unless the tree poses an immediate danger. Building Permit Applications shall include identified tree removals and be approved by the City Administrator.

(2) **Yards and Open Space.**

(a) All required yards in each zone and the entire open space of all commercial and multiple-family dwelling sites exclusive of walks, drives, parking areas and buildings shall be landscaped and permanently maintained. All other site areas and unused property shall be maintained in suitable ground cover or kept in a clean, weed-free manner.

(b) Exterior yard setbacks adjacent to a street shall include:

1. One 8-foot high tree for each 40 feet of street frontage.
2. The equivalent of one accent shrub, 1-gallon size, for each 100 square feet of landscaped area.

(c) All other yard setbacks shall contain landscaped trees, shrubs and groundcover. Other site areas and unused property shall be maintained in suitable living ground cover and kept in a clean weed-free manner.

(d) Landscaped buffers shall be provided to city specifications for all commercial and industrial developments abutting a street or residential properties.

(e) No yard or open space provided around any building for the purpose of complying with the provisions of this Code shall be considered as providing a yard or open space for any other building.

(f) No yard or open space on adjoining property shall be considered as providing required yard or open space of another lot or development site under the provisions of this Code.

(g) Yard Setbacks complying with the regulations of this Code may be used for parking as specifically provided in **Section 5.120, Item (2) (b),** unless approved by the City.

(3) **Fencing.**

(a) Materials: Fences and walls shall not be constructed of or contain any material which would do bodily harm such as electric, razor wire, broken glass, spikes, or any other hazardous or dangerous materials unless approved by the Planning Commission.

(i) Barbed Wire Fences are prohibited, except in approved agricultural areas. Barbed wire may be placed above the top of other fencing in industrial or educational zones, but must ~e at least 6'-6" above grade.

(ii) Electric Fences are prohibited, unless they are:

1. Completely enclosed inside a property boundary by a barrier type fence that satisfies this Code.
2. On the outer boundary of the city limits bordering County RR-5 or EFU zoning districts.

(iii) Protective fences other than those specified herein shall comply with State Laws and shall be submitted for approval of the City.

(b) Maintenance: Fences shall be structurally maintained in a safe condition of

repair and shall not be allowed to become, and/or remain, in a condition of disrepair including, but not limited to, noticeable leaning, missing sections, broken supports, and growth of noxious vegetation. Enforcement shall be administered as specified in **Section 1.180.**

(c) Heights and Setbacks: Fences, hedges and walls may never be located outside of property lines and must always meet clear vision requirements. They may be located within yard setbacks. Height is limited to 6 feet for side or interior yards. Height is limited to 3 feet in any front or exterior yard that abuts a street, other than an alley, but may be extended to four feet, if the top one foot is of material or design that allows at least 50 percent visibility. Front or exterior yard fences may not exceed three (3) feet in height, until they are at least 12 feet from the outside of the sidewalk, curb edge, or property line. Fence height includes the height of the fence wall or pickets, but does not include the posts, decorative finials or similar elements, and arbors or trellises at entrance gates.

(i) Exceptions to height:

(a) A side yard on a cul-de-sac shall be deemed equivalent to a front yard for height limitations as described above **Section 5.134 (3)(c),** and applicable rules for setbacks as described below **Section 5.134 (d)(i-iv)** would apply for location

(b) A single-fami1y use or zone that shares an interior property line with a multiple-family use or zone (See **Section 6.104**) may have a fence up to eight (8) feet tall along that property line.

(c) Properties listed on the National Register of Historic Places may have front yard fences taller than 3 feet, if the fence is appropriate to the building style and scale, and is approved by the Planning Commission.

(d) Corner lots, which by definition have two front yards, may have a fence of up to 6 feet tall in the front yard, adjacent to the street that does not contain the dwelling's main entrance door, when the six-foot tall fence does not extend beyond the front of the house and one of the following conditions is met:

(i) If the adjoining street is improved with sidewalks and a planter strip, the fence may be on or behind the property line.

(ii) If the adjoining street is improved with sidewalks, but no planter strip, the fence is located a minimum of (6) feet from the outside edge of the Sidewalk, but a minimum of one foot from the inside edge of the sidewalk.

(iii) If the adjoining street is improved with curbs and gutters but no sidewalk, the fence is located six (6) feet from the outside edge of the curb.

(iv) If the adjoining street is unimproved, the fence is no closer than three (3) feet from the property line.

(e) Sight-obscuring fences, walls or landscaping may be required to screen

objectionable activities as part of the City's review and approval process. Sight obscuring means 75% opaque when viewed from any angle at a point 25 feet away. Vegetative materials must be evergreen species that meet this standard year-round within 3 years of planting.

(f) Hedges: A hedge or other dense landscaping may satisfy a requirement for a sight obscuring fence where required. However, no such hedge shall be grown or maintained at a height greater than that permitted by the regulations for a fence or wall in a vision clearance area.

(g) Retaining Walls: Where a retaining wall protects a cut or fill, and is in a line separating lots, the retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.

(h) Berms: Where an earthen berm over 18" high is proposed, the dimensions shall be submitted to the Planning Commission for approval. The berm maybe topped by a fence, wall or hedge to the same combined height that would otherwise be permitted at the location. In front yards, vision obscuring fences and berms shall not exceed a height of 3 feet from the grade prior to construction of the berm.

(i) In any industrial or educational zones, fences or walls not to exceed eight feet in height and in any commercial zone, fences or walls not to exceed six feet in height may be located or maintained in any yard except a front yard or where requirements of vision clearance apply.

(j) In residential zones, fences to a height of six feet are permitted in rear yards or side yards up to the line parallel to and adjoining the front of the residence. All lots must also comply with the vision clearance requirements.

(k) In residential front yards, open weave, wire, chain-link type fences that do not have vegetation growing on them, or that do not have other vision obstruction additions are permitted in residential front yards and vision clearance areas to a maximum height of 4'-0" above grade.

(l) Privacy screens are a section of solid fencing in front yard that blocks direct vision into or out of a door or window. Privacy screens are permitted in residential front yards. Front yard privacy screens shall be setback at least15' from the front or street side property line or not more than 10'-0" in front of the residence. Privacy screens shall not extend more than 2'-0" beyond either side of the entry area doorway or window. Front yard privacy screens shall not be more than 6'-0" high.

(m) Fences must comply with **Section 5.122, Clear Vision Areas.**

(4) **Parking Areas.**

(a) Parking lots shall be screened from abutting residential land uses by a combination of fences, walls, and landscaping adequate to provide privacy and separation for the abutting land use.

(b) A minimum of three (3) percent of the space given to vehicular circulation such as driveways, driveway easements, or open parking areas shall be in landscaping and trees evenly distributed throughout. Curbed landscaped islands and trees shall be provided at the ends of parking rows and long rows of parking spaces shall be interrupted by intermediate landscaped islands. The minimum dimension of the landscape including the boundary edge shall be three (3) feet and the landscaping shall be protected from vehicular damage by a curb or wheel guard.

(c) Where parking areas project into required yards, the remaining yard shall be landscaped to provide screening of the parking area. A 5 foot wide landscaped buffer and screening, as required in **Section 5.120 (2)(b)**, shall be maintained at the property line.

(5) **Service Facilities.** Garbage collection and service areas and facilities located outside the building shall be appropriately screened and landscaped.

SECTION 5.135 EXTERIOR LIGHTING

Exterior lighting shall be located in such a manner so as not to face directly into on-coming traffic or into adjacent residences.

SECTION 5.136 SIGNS

Signs include any writing (including letters, words or numerals); emblem (including devices, symbols or trademarks); flag (including banners or pennants); identification displays (including objects, inflatables or balloons); or any other device used to inform, attract attention or advertise that is visible from a public right-of-way.

(1) **General Sign Provisions:**

(a) Each sign or outdoor advertising display shall be located on the same property as the use it identifies or advertises or be approved by the City.

(b) Signs may be illuminated by indirect or internal lighting. Lighting and signs shall not, by light, brilliance, type, design, or character, create a public or private nuisance or interfere with traffic or limit visibility, and shall not produce glare into residences. The use of flashing or rotating lights is prohibited.

(c) No sign shall be constructed or erected such that the vision clearance area or other areas necessary for a safe sight distance by the traveling public would be inhibited or impaired.

(d) Sign materials and design elements should be complimentary to those used in development.

(e) All attached or freestanding signs shall be engineered and comply with the Oregon Amended International Building Code and the Oregon adopted Electric Code for any electrically powered signs.

(f) Any freestanding or projecting sign may be double-faced.

(g) All signs, together with their supporting structure shall be maintained in a safe, clean and attractive condition.

(h) Abandoned signs that no longer apply to the property shall be removed by the property owner within 90 days of disuse.

(2) **Permitted Signs**

(a) Any on-site sign specifically identified as permitted herein.

(b) Signs existing at the date of adoption of the sign provisions.

(c) Flags of national, state or local government.

(d) Signs placed by local, state or federal agencies.

(e) Public safety and convenience signs including parking and directional signs, open/closed and business hour signs, restroom and other locational signs not exceeding 8 square feet in area.

(f) Temporary seasonal signs and decorations subject to safety and nuisance standards.

(g) Temporary event signs and construction project signs not exceeding 32 square feet in area per street frontage for the duration of the event.

(3) **Permitted Residential Sign Standards**

(a) One name plate not exceeding one 1.5 square foot in area, placed flat against the building for each dwelling or Home Occupation as defined in **Section 6.101** of this Code.

(b) House or building numbers not exceeding 4 inches in height.

(c) One non-illuminated temporary sign not exceeding 6 square feet in area for real estate purposes, garage or personal property sales, or political advertisement.

(d) One Freestanding Ground level identification sign per street frontage for Subdivisions, Apartment complexes or Manufactured Home Parks not exceeding 6 feet in height or 90 square feet in area per sign.

(e) One Temporary Freestanding Subdivision or Manufactured Home Parks sales sign per street frontage not exceeding 64 square feet in area per sign.

(4) **Permitted Commercial & Industrial Sign Standards**

(a) One Surface Wall or Window Sign per street frontage.

(b) One Projecting Sign per street frontage not exceeding 80 square feet in area per business. Projecting signs shall have a minimum clearance of 8 feet in pedestrian areas and 15 feet over parking or drive areas**.**

(c) One Freestanding Ground level sign per street frontage of a property not to exceed 6 feet in height or 90 square feet in area per sign.

(d) One Temporary business or property sales sign per street frontage not exceeding 32 square feet in area per sign.

(e) One Freestanding Elevated Signs limited to Highway 99W frontage of a property not to exceed 20 feet in height or 100 square feet in area. Elevated signs shall have a minimum clearance of 8 feet in pedestrian areas and 15 feet over parking or drive areas.

(5) **Application Information**

Applications for signs requiring approval shall conform to **Section 2.130 & 2.140** and **Section 2.400** for a Site Plan Review and shall include:

(a) A Site Plan showing the sign locations on site.

(b) Building elevations showing sign locations.

(c) Sign construction showing dimensions, area, height, and structure.

(d) Sign design showing lettering, logos, symbols, materials, colors, and method of illumination.

SECTION 5.137 SOLAR ENERGY ACCESS

(1) **Purpose.** Because of the existing shortage of conventional energy sources, it has been determined to be in the public interest to encourage the use of solar energy for the heating and cooling of buildings. As a general rule existing zoning regulations for height, setback, and lot density limitations in residential areas permit adequate access to sunlight by each lot without obstruction by adjacent structures. Trees, particularly coniferous trees, should be planted in such a manner as to prevent the casting of shadows upon solar collectors. However, where existing zoning is insufficient to provide adequate protection from interference by structures, trees or topography, it is the intent of this section to provide an additional means to obtain protection from obstruction of the sun. It is the intent of this section to provide adequate protection for the use of solar collectors without at the same time causing undue hardships on the rights of property owners.

(2) **Definitions.**

(a) **Solar Easement**. A volume of airspace extending above a plane sloping upward to the south at an angle from the horizontal of 22 degrees intended to preserve a window of exposure to the sun for solar collectors.

(b) **Solar Collector.** Any device relying upon direct solar radiation that is employed in the collection of solar radiation for heating and/or cooling of a structure or building.

(3) **Use Permitted.** The use of solar energy collectors for the purpose of providing energy for heating and/or cooling is a Permitted Use within all zones, whether as a part of a structure or incidental to a group of structures in the nearby vicinity. Use of solar energy collectors is subject to the restraints imposed by the diversity of topography within the City plus the zoning, height and setback limitations contained within this Code, and existing coniferous trees. No guarantee is hereby given that all property within the City can achieve solar an access. However, as a general policy, reasonable care should be taken to protect the opportunity for the utilization of solar collectors at all of the locations available.

(4) **Protection of Solar Access.**

(a) Airspace easements shall be maintained to establish a window of exposure to the sun so as to protect an existing or intended solar collector's exposure to the sun from obstruction by buildings and trees.

(b) Any person seeking a building permit to construct or modify an existing structure or building so as to increase the consumption of airspace shall certify in writing that no airspace solar easement is violated on an adjacent lot. Should the Building Department determine that the proposed construction intrudes upon the solar easement, no building permit shall be granted until all reasonable alternative solutions have been considered.

(5) **Variances.** Variances in accordance with **Section 2.600** may be granted from the zoning standards such as height, setback, and lot density where such variances are necessary to permit unimpaired access to the sun during the hours of 10:00 am to 2:00 pm so long as such variances do not interfere with an existing solar collector to any degree or preclude the construction of a solar collector on property within the vicinity and is not otherwise injurious to adjacent property.

No variance shall be granted from the height limitation or side yard setbacks in any zones where such a variance would be upon the northerly property boundary, unless the applicant establishes that such a variance will not adversely affect an existing solar collector or the opportunity to reasonably install a solar collector upon a northerly adjacent property.

(6) **Solar Orientation of Developments.** If, for the reason of solar orientation, an entire area is developed cooperatively or as a unit, all yard regulations may be varied to carry out the solar access purpose, providing that such a development will not be injurious to adjacent property.