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**SECTION 310**  
**ACCESSORY HOME OCCUPATIONS**

**310.010 Purpose.** The purpose of this section is to provide for occupations in residential districts in a manner that will ensure that they are utilized only as accessory uses incidental to the primary residential use of the premises upon which they are located.

**310.020 Operational Standards.** Home occupations shall be limited to those activities which are customarily carried on within a dwelling, and which are operated entirely within the principal dwelling by a member of the family residing in the dwelling unit as a clearly secondary and incidental use of such a dwelling. The home occupation must not change the residential character of the dwelling and shall meet all of the following conditions:

- A. No dwelling shall be used as headquarters for the assembly of employees for instructions or other purposes such as being dispatched for work at other locations.
- B. All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling.
- C. Any home occupancy which causes abnormal automotive or pedestrian traffic or which is objectionable due to unsightliness or emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall not be permitted.
- D. No significant enlargement or alteration to a dwelling for the sole purpose of conducting a home occupation shall be permitted that is inconsistent with the residential nature of the premises.
- E. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.
- F. Dimensions, power rating or weight of such equipment and tools used in the conduct of a home occupation shall not exceed that of normal household equipment and tools.
- G. There shall be no exterior indication of the home occupation; no exterior signs shall be used; no other on-site advertising visible from the exterior shall be used which informs the public of the address of the home occupation.
- H. Any materials used or any item produced or repaired on the premises shall not be displayed or stored so as to be visible from the exterior of the building.
- I. The number of customers allowed in a home occupation residence is limited to:
  - (1) No more than eight customers may enter the premises on a daily basis,
  - (2) No more than two customers may enter the premises at any single time, and

(3) No customers may enter the premises between 10:00 PM and 8:00 AM.

- J. There shall be no outside storage of materials or equipment associated with the home occupation. Nor shall there be any storage or use of explosive, flammable, radioactive, toxic or other hazardous materials that are not normally found in the home nor in amounts not normally associated with a residence. Specific limitations and requirements for the storage of hazardous materials in a residence are found in and regulated by the Uniform Building Code.
- K. No more than 20% of the gross floor area of the dwelling unit shall be used for the home occupation. Accessory buildings or yard space shall not be used for home occupation purposes.
- L. Family daycare providers as defined by ORS 418.805 are exempt from standards I. and K. above.

**310.030 Establishing and Maintaining a Home Occupation**

- A. An application for a Home Occupation Permit is reviewed as a Type I procedure as specified in Section 500. A home occupation permit may be granted provided the use is not inconsistent with or disruptive to the normal residential usage of the premises or cause external effects which are detrimental to neighboring properties or are incompatible with the characteristics of the residential district. A Home Occupation must meet the operational standards of Section 310.020.
- B. Any person may request staff to review a Home Occupation Permit if evidence of non-compliance to this code is evident.
- C. Permits for home occupations may be revoked at any time for failure to adhere to standards and conditions of approval for home occupation.
- D. A change in the characteristics of the use will require a new permit.

**310.040 Accessory Home Occupation Exemption**

- A. Activities such as parties and events in which goods are sold such as Tupperware, clothes, purses, candles, etc. are exempt from the home occupation permit and provisions of Section 310.020 as long as there is only one party or event held per month per household.

**SECTION 320  
GROUP LIVING**

**320.010 Purpose.** These regulations ensure that uses in the Group Living Category will be compatible with the character of residential and commercial areas.

**320.020 Use Regulations.** The regulations of this section apply to all uses in the Group Living use category. The base zone sections state whether Group Living uses are allowed, limited, conditional uses, or prohibited. If they are conditional uses, they are subject to the regulations of Section 620 in addition to the provisions of this section. Group Living uses that are accessory to a College, Medical Center, or Religious Institution, such as dormitories, fraternities, or monasteries, and that are part of an approved conditional use are exempt from the regulations of this chapter.

**320.030 Development Standards.** The development standards of the base zone and overlay zone apply unless superseded by the standards below.

**A. Resident Density**

- (1) **Purpose.** Resident density is limited to parallel the residential densities of the various zones. Resident density is also regulated to address service demands and to prevent nuisance-type impacts for overcrowding.
- (2) **Description of Residents.** Residents include all people living at the site, including those who provide support services, building maintenance, care, supervision, etc. People who only work at the site are not considered residents.
- (3) **Density Standard.** Group Living uses are limited to the following number of residents per square foot of site area:

<u>Zone</u>	<u>Number of Residents</u>
MR 4 zone	2 residents per 1,000 sq. ft.
MR 2 zone	2.5 residents per 1,000 sq. ft.
NC zones	not limited (must comply with the building or housing code)

**B. Minimum Spacing**

- (1) **Purpose.** The minimum spacing standards assure that large Group Living uses so not unduly affect the character of residential and commercial areas.
- (2) **Spacing Standards.** Group living facilities that are conditional uses must be at least 600 feet from a site with any other group living facility that is also a conditional use.

- C. **Required Outdoor Area.** The requirements for outdoor areas applies in all zones. Larger areas may be required as part of a conditional use review. The outdoor area requirement is 48 square feet for every 3 residents, with a minimum dimension of 6 feet by 6 feet. Individual outdoor areas may be combined. The minimum size of a combined area is 500 square feet and the minimum dimension is 15 by 15 feet.
- D. **Parking and Loading.** Parking requirements are stated in Section 350, Parking and Loading.

**320.040 Other Regulations.** Uses in the Group Living use category may also be subject to County, State or Federal licensing requirements. For more information, applicants should contact the Department of Human Services of the county in which the use will be located.

**SECTION 325**  
**ESSENTIAL SERVICE PROVIDERS**

**325.010**     **Purpose.** These regulations allow for uses which provide essential services to people of low or no income while maintaining public safety, preserving a positive climate for investment in commercial and employment zones, and preventing negative impacts on residential zones. The regulations are intended to reduce conflict between Essential Service Provider uses (ESP's) and other uses, and to ensure that ESP uses do not dominate the character of an area.

**325.020**     **When These Regulations Apply.** All regulations of this section apply to all uses in the Essential Service Provider (ESP) category. The base zone sections state whether ESP uses are allowed, conditional, limited or prohibited. If they are conditional uses, they are subject to the regulations of Section 620 in addition to the provisions of this section.

**325.030**     **General Restrictions.**

- A.     All functions associated with the ESP must take place within the building proposed to house the ESP.
- B.     Restrooms must be provided to serve the expected number of clients at peak period and must be kept in working order.
- C.     Outdoor waiting for clients, if any, may not be in the public right-of-way, must be physically separated from the public right-of-way, and must be large enough to accommodate the expected number of clients.
- D.     A maintenance plan for the exterior of the building and site must be submitted with the application and must be followed. The plan must provide for the building and site to be maintained at a level that will not detract from the character of the surrounding area.
- E.     A litter control plan must be submitted with the application and must be followed. The plan must provide for effective litter removal at and near the site of the facility.

**325.040**     **ESP Review Required.** ESP reviews are processed through a Type III procedure. Review is required for the establishment of an ESP or any change in operation for an established ESP.

**325.050**     **ESP Review Approval Criteria.** ESP's may be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

- A.     The use will not result in ESP establishments dominating the character of the area;
- B.     The service provided is different than other ESP's within 750 feet of the site and/or the ESP provides services to a different set of clients;

- C. The facility is designed to protect both clients and the public by using techniques of crime prevention through environmental design;
- D. The proposed use and development will comply with the use and development requirements of 325.030 above; and
- E. The proposed use and development is able to meet the approval criteria for Conditional Uses, if applicable, as stated in Section 620.

**SECTION 330**  
**LANDSCAPING AND SCREENING**

**330.010 Purpose.** The landscape and screening standards are intended to:

- Establish and enhance a pleasant visual character which recognizes aesthetics and safety issues;
- Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting uses;
- Unify development, and enhance and define public and private spaces;
- Promote the retention and use of existing vegetation; and
- Aid in energy conservation by providing shade from the sun and shelter from the wind.

The regulations address materials, placement, layout and timing of installation.

**330.020 Landscaping and Screening Standards.** Subsections A through G state the different levels of landscaping and screening standards to be applied throughout the City. The locations where the landscaping or screening is required and the depth of the landscaping or screening are stated in various places throughout the code. All landscaping and screening required by this code must comply with all of the provisions of this section, unless specifically superseded. The landscaping standards are generally in a hierarchical order. The landscaping standards are minimums; higher standards can be substituted as long as all fence or vegetation height limitations are met. Crime prevention and safety should be remembered when exceeding the landscaping standards (height and amount of vegetation may be an issue).

**A. L1, General Landscaping.**

- (1) **Intent.** The L1 standard is a landscape treatment for open areas. It is intended to be applied in situations where distance is used as the principal means of separating uses or development, and landscaping is required to enhance the area in-between. While primarily consisting of ground cover plants, it also includes a mixture of trees, high shrubs, and low shrubs.
- (2) **Required Materials.** The L1 standard requires one tree per 800 square feet and either two high shrubs or three low shrubs per 400 square feet of landscaped area. The shrubs and trees may be grouped. A combination of ground cover plants, grass, barkdust, decorative rock or like materials as approved by the Design Review Board, must fully cover the remainder of the landscaped area. See Figure 330-1.

**B. L2, Low Screen.**

- (1) **Intent.** The L2 standard is a landscape treatment which uses a combination of distance and low level screening to separate uses or development. The standard is applied where a low level of screening is adequate to soften the

impact of the use or development, or where visibility between areas is more important than a total visual screen. It is usually applied along street lot lines.

- (2) **Required Materials.** The L2 standard requires enough low shrubs to form a continuous screen 3 feet high and 95 percent opaque year around. In addition, one tree is required per 30 linear feet of landscaped area or the equivalent. A combination of ground cover plants, grass, barkdust, decorative rock or like materials as approved by the Design Review Board, must fully cover the remainder of the landscaped area. A 3 foot high masonry wall or a berm may be substituted for the shrubs, but the trees and ground cover are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. See Figure 330-2.

Figure 330-1  
L1 - General Landscaping

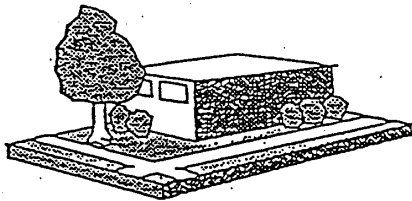
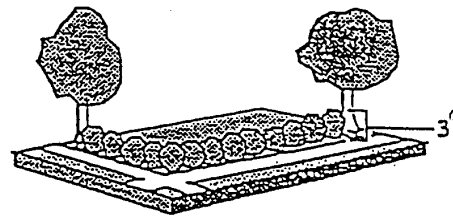


Figure 330-2  
L2 - Low Screen Landscaping



C. **L3, High Screen.**

- (1) **Intent.** The L3 standard is a landscape treatment which uses screening to provide the physical and visual separation between uses or development. It is used in those instances where visual separation is required.
- (2) **Required Materials.** The L3 standard requires enough high shrubs to form a screen 6 feet high and 95 percent opaque year around. In addition, one tree is required per 30 linear feet of landscaped area or the equivalent. A combination of ground cover plants, grass, barkdust, decorative rock or like materials as approved by the Design Review Board, must fully cover the remainder of the landscaped area. A 6 foot high masonry wall may be substituted for the shrubs, but the trees and ground cover are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. See Figure 330-3.

D. **L4, High Wall.**

- (1) **Intent.** The L4 standard is intended to be used in special instances where extensive screening of both visual and noise impacts is needed to protect abutting sensitive uses in areas and where there is little space for separation.
- (2) **Required Materials.** The L4 standard requires a 6 foot high masonry wall along the interior side of the landscaped area. One tree is required per 30 linear feet of wall or the equivalent. In addition, four high shrubs are required per 30 linear feet of wall. A combination of ground cover plants, grass, barkdust, decorative rock or like materials as approved by the Design Review Board, must fully cover the remainder of the landscaped area. See Figure 330-4.

Figure 330-3  
L3 - High Screen Landscaping

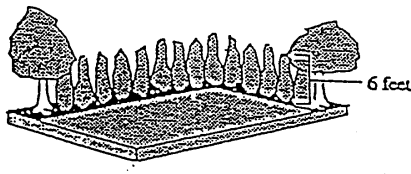
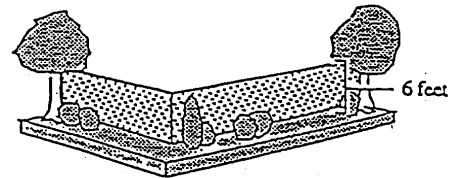


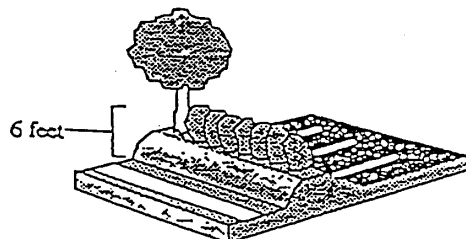
Figure 330-4  
L4 - High Wall Landscaping



E. **L5, High Berm.**

- (1) **Intent.** The L5 standard is intended to be used in special instances where extensive screening of both visual and noise impacts is needed to protect abutting sensitive uses, and where it is desirable and practical to separate a use by distance as well as sight-obscuring materials.
- (2) **Required Materials.** The L5 standard requires a berm between 4 and 6 feet high. If the berm is less than 6 feet high, low shrubs that meet the L2 standard must be planted on top of the berm to assure that the overall screen height is 6 feet. In addition, one tree is required per 30 linear feet of berm or the equivalent. A combination of ground cover plants, grass, barkdust, decorative rock or like materials as approved by the Design Review Board, must fully cover the remainder of the landscaped area. See Figure 330-5.

Figure 330-5  
L5 - High Berm Landscaping



F. **F1, Partially Sight-Obscuring Fence.**

- (1) **Intent.** The F1 fence standard provides a tall, but not totally blocked visual separation. The standard is applied where a low level of screening is adequate to soften the impact of the use or development, or where visibility between areas is more important than a total visual screen. It is applied in instances where landscaping is not necessary and where nonresidential uses are involved.
- (2) **Required Materials.** Fences must be 6 feet high and at least 50 percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials. See Figure 330-6.

G. **F2, Sight-Obscuring Fence.**

- (1) **Intent.** The F2 fence standard provides a tall and complete visual separation, and is intended to be used in special instances where complete screening is needed to protect abutting uses, and landscaping is not practical. It is usually applied in nonresidential situations.
- (2) **Required Materials.** Fences must be 6 feet high and 100 percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials. See Figure 330-7.

Figure 330-6  
F1 - Partially  
Sight-Obscuring Fence

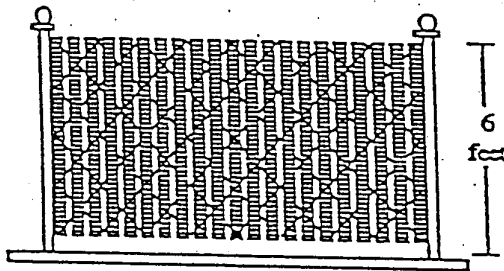
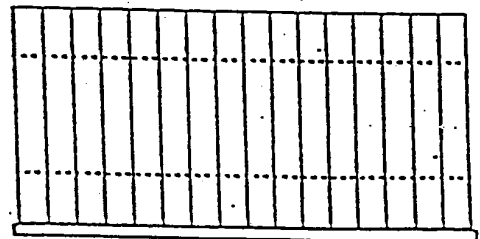


Figure 330-7  
F2 - Totally  
Sight-Obscuring Fence



**330.030 Plant Materials.**

- A. **Shrubs and Ground Cover.** All required ground cover plants and shrubs must be of sufficient size and number to meet the required standards within 3 years of planting.
- B. **Trees.** Trees may be deciduous or evergreen. Deciduous trees at the time of planting must be fully branched, have a minimum height of 7 feet or be 1 1/2 inches in caliper. Evergreen trees at the time of planting must be fully branched and a minimum of 5 feet in height.
- C. **Plant Material Choices.**
  - (1) **Existing Vegetation.** Existing landscaping or natural vegetation may be used to meet the standards, if healthy and protected and maintained during the construction phase of the development. When the existing trees are at least 8 inches in diameter, measured 5 feet above the ground, they may count triple towards meeting the tree requirements of a landscaping standard.
  - (2) **Selection of Materials.** Landscape materials should be selected and sited to produce a hardy and drought-resistant landscape area. Selection should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, and compatibility with existing native vegetation preserved on the site.
- D. **Complying with the Standards.** It is the applicant's responsibility to show that the landscaping materials proposed will comply with the regulations of this section.

**330.040 Installation and Maintenance.**

- A. **Installation.** Plant materials must be installed to current nursery industry standards. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.
- B. **Maintenance.** Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced in kind.
- C. **Protection.** All required landscaped areas, particularly trees and shrubs, must be protected from potential damage by adjacent uses and development, including parking and storage areas.

**330.050**      **Landscape Plans.** Landscape plans must be submitted showing all landscaped areas. Plans must be drawn to scale and show type, size, number and placement of materials. Materials must be identified with both their scientific and common names. Any proposed irrigation system must also be shown.

**330.060**      **Completion of Landscaping.** The installation of any required landscaping may be deferred during the summer or winter months to the next planting season, but never for more than 6 months. In this instance, a temporary certificate of occupancy may be issued prior to the installation of all required landscaping. In all instances, all required landscaping must be installed prior to the issuance of a final certificate of occupancy.

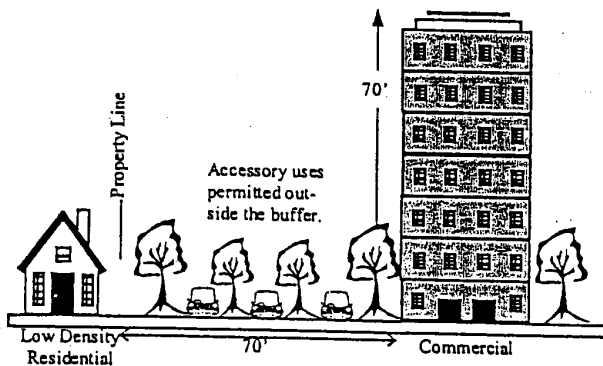
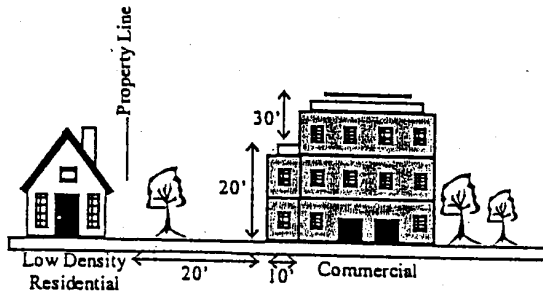
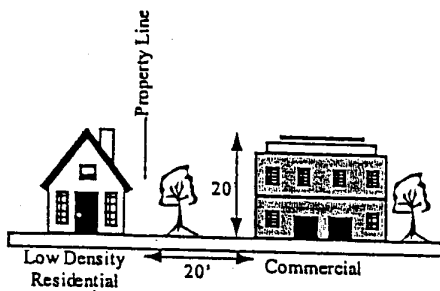
**SECTION 335**  
**HEIGHT TRANSITION STANDARDS**  
(as per Table 230-2 Maximum height standard in the NC Zone)

**335.010 Purpose**

To reduce the visual and solar impacts of the height of new buildings located on adjoining lots.

**335.020 Applicability**

The following standards apply to all buildings to be built on lots in the NC Zone that abut any residential zone.



## **STANDARDS**

### **335.030 Height Transition Standards**

- A. For every one foot of height of a proposed building, one foot of horizontal distance between the building to the abutting residential property line is required. See drawing 335-1. Measurement of the height transition area shall be made between the foundation of the proposed building and the property line of the abutting residential zone. When the proposed structure is designed such that different sections will have different heights, the height transition area shall be measured for each vertical surface as if it were free-standing. The building then must be located on the site so that no section is closer to the abutting residential property line than it would be if the section was free-standing.
- B. The standard under A above applies to all buildings to be built on lots in the NC Zone when those lots abut any residential zone.

### **335.040 Elements Allowed Within the Height Transition Area**

The required buffer and screening of the site, as well as utilities, may be located within the height transition area. Off-street parking, accessory structures and incidental development may be located within the height transition area.

**SECTION 340**  
**MANUFACTURED HOMES**

**340.010      Manufactured Homes on Individual Residential Lots**

**A.      Generally**

One (1) manufactured home may be located on an individual lot in any residential zone, provided that the manufactured home meets the standards contained in Section 340.010B below.

**B.      Standards**

- (1) Each manufactured home shall be multi-sectional and have a minimum floor area of one thousand (1,000) square feet.
- (2) The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than twelve (12) inches above the ground.
- (3) The manufactured home shall have a pitched roof, with a slope of no less than a nominal three (3) feet in height for each twelve (12) feet in width.
- (4) The manufactured home, and attached or detached garage, shall have exterior siding and roofing which is similar in color, material and appearance to siding and roofing commonly used on residential dwellings within the City, or which is consistent with the predominant materials used on surrounding dwellings, as determined by the City.
- (5) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the State Building Code as defined in ORS 455.010.
- (6) The manufactured home shall have an attached or detached garage.
- (7) In addition to the provisions in paragraphs 1 to 6 of this subsection, the manufactured home and the lot upon which it is sited shall be subject to all other Code requirements to which a conventional single-family residential dwelling on the same lot would be subject.

**340.020      Manufactured Home Parks**

Manufactured Home Parks may be located in the MR2 zone only. Except as herein provided, the standards of Section 630 Design Review, shall apply to all manufactured home parks. The following additional standards shall also apply:

**A. Generally**

**(1) Sale Prohibited**

Manufactured home park spaces shall be available for rental or lease only. Individual sale is prohibited.

**(2) Uses Permitted**

No building, structure, or land within a manufactured home park shall be used for any purpose except for:

- (a) Residential manufactured homes, together with normal accessory uses such as awnings, patio slabs, carport or garages, and storage buildings.
- (b) Private and public utilities and services,
- (c) Community recreation facilities, including swimming pools, operated for the residents and guests of the park only.
- (d) One (1) manufactured home or other residence for the use of a manager or a caretaker responsible for maintaining and operating the park.

**(3) Occupancy**

No occupancy permit for any manufactured home park, building, or facility shall be issued by the City until the park or an approved phase of the park has been completed according to the final site plan approved by the Design Review Board. Deviations from the approved plan must be resubmitted to the Board for review and approval.

**(4) Alterations and Additions**

The owner(s) of the manufactured home park property, or duly authorized park management, shall be held responsible for all alterations and additions to a manufactured home park or to individual homes within the park, and shall ensure that all necessary permits and inspections are obtained from the City or other applicable authority prior to the alterations or additions being made.

**B. Recreational Vehicles**

- (1) The occupancy of recreational vehicles within the manufactured home parks as permanent living quarters are prohibited.

- (2) Unoccupied recreational vehicles located in designated parking or storage areas within manufactured home parks are permitted.
- (3) If storage yards for recreational vehicles, boats or trailers are provided, an eight (8) foot high sight-obscuring fence shall be erected around the perimeter of the storage yard.

**C. Design Standards**

- (1) Spaces shall be a minimum of four thousand (4,000) square feet, with a width of no less than twenty-five (25) feet at the front space line and forty feet at the building line.
- (2) The boundaries of all spaces shall be surveyed or otherwise suitable and permanently marked on-site, as determined by the City.
- (3) Two (2) off-street parking spaces shall be provided for each manufactured home space. Additional off-street parking spaces shall be provided in the manufactured home park with not less than one (1) additional parking space per every ten (10) manufactured homes. All off-street parking spaces shall be paved.
- (4) A minimum four (4) foot wide sidewalk shall be required on one (1) side of all private streets within manufactured home parks.

**D. Siting Standards**

- (1) Only one (1) manufactured home shall be permitted on a space.
- (2) The supplementary siting standards contained in Section 730 - Measurements shall apply to manufactured home parks, provided that space lines shall be deemed to be the equivalent to lot lines for the purposes of applying those standards.
- (3) Buildings setbacks shall be equivalent to Manufactured Home Park setbacks required by the State, provided however that perimeter rear yard setbacks for manufactured homes shall be ten (10) feet from additional properties. Spaces lines shall be deemed the equivalent to lot lines for the purposes of applying those setback standards. Awnings, carports and other attached structures shall be considered part of the manufactured home for setback purposes.

**E. Unit Standards**

- (1) Each manufactured home shall have a minimum floor area of eight hundred (800) square feet.

- (2) Except as otherwise herein provided, accessory uses, buildings, and structures shall be treated as per Section 210.110.
- (3) All manufactured homes shall be placed on a foundation stand, adequate to provide a stable, fixed support. The stand shall be all-weather and surfaced with asphalt, concrete or crushed rock, and at least as large as the manufactured home.
- (4) All manufactured homes shall provide exterior finishing and construction as follows:
  - (a) Skirting of moisture resistant, non-combustible material or fire retardant wood.
  - (b) Pedestals, or blocking supports, insuring adequate support and in compliance with the Oregon Department of Commerce manufactured home setup procedures.
  - (c) Awnings, car ports, and similar structures shall be of a material, size, color and pattern similar to the manufactured home and shall conform to all applicable building codes.

**F. Utility Standards**

- (1) All manufactured homes, service buildings and accessory structures shall be connected to public water and sewer system in accordance with City standards.
- (2) Sufficient fire hydrants shall be installed so that no manufactured home, or other structure is further than three hundred (300) feet from a hydrant, as measured down the center lines of streets, whether private or public. Fire protection shall be provided in compliance with the Uniform Fire Code.

**G. Vehicular Circulation**

- (1) All private streets shall be constructed in accordance with applicable City standards and shall be curbed. The minimum paved street improvement width shall be:
  - (a) 24 feet with no on-street parking allowed.
  - (b) 32 feet with on-street parking allowed on one (1) side.
  - (c) 36 feet with parking allowed on two (2) sides, provided that at least one (1) private street thirty-six (36) feet in width with no on-street

parking allowed shall be constructed to intersect with an adjacent public street.

- (2) Any street within the manufactured home park that, due to volumes of traffic or street location, as determined by the City, functions as a minor collector or higher functional classification roadway shall be a public street and constructed to full City public improvement standards.

#### **H. Miscellaneous Park Standards**

- (1) All other community design standards contained in Section 630 and relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design that are not specifically varied by Section 660 shall apply to manufactured home parks.

**SECTION 350**  
**PARKING AND LOADING**

**350.010**     **Introduction.** This section establishes the standards for the amount, location, and development of motor vehicle parking, and standards for on-site loading areas. Other City Ordinances may regulate other aspects of parking and loading.

**350.020**     **Parking Plan Required.** A parking plan, drawn to scale, must accompany land use applications. Depending on the nature and magnitude of the development, it may be possible to show the needed parking information on the site plan. The plan must show the following elements that are necessary to indicate that the requirements of this Code are being met.

- (1) Delineation of individual vehicles and bicycle parking spaces, including handicapped parking spaces.
- (2) Loading areas and docks.
- (3) Circulation area necessary to serve spaces.
- (4) Location of bicycle and motorcycle parking areas, if any.
- (5) Access to streets, alleys, and properties to be served.
- (6) Curb cuts.
- (7) Type of landscaping, fencing, or other screening materials.
- (8) Abutting land uses.
- (9) Grading, drainage, surfacing, and sub-grading details.
- (10) Location of lighting fixtures.
- (11) Delineation of all structures and obstacles to circulation on the site.
- (12) Specifications of signs and bumper guards.
- (13) Location of planter bays where required.
- (14) Proposed number of employees and amount of floor area space applicable to the parking requirements for the proposed use.

## MOTOR VEHICLE PARKING

### 350.030 General Regulations

- A. **Where the Regulations Apply.** The regulations of this section apply to all parking areas in all zones, whether required by the code or put in for the convenience of property owners or users. Parking areas include those accessory to a use, or for a park and ride use in the Basic Utilities use category.
- B. **Occupancy.** All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in Section 330 - Landscaping and Screening.
- C. **Use of Required Parking Spaces.** Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations (see Section 350.045), or to redevelop a portion of a parking lot for transit oriented uses including bus stops, pullouts, shelters, park and ride stations and similar facilities as approved by the City in cooperation with Tri-Met. Redevelopment or joint use of a parking lot may occur only when the underlying parking stall requirements have been met. Required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.
- D. **Curb Cuts.** Access points with the street shall be the minimum necessary to provide access while not inhibiting the safe circulation and carrying capacity of the street. Curb cuts shall be designed to established City standards.
- E. **Proximity of Parking to Use.** Required parking spaces for residential uses must be located on the site of the use. Required parking spaces for nonresidential uses must be located on the site of the use or in parking areas whose closest point is within 250 feet of the site.

## REQUIRED PARKING SPACES

**350.040 Purpose.** The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time, while at the same time maximizing land use by avoiding an oversupply of parking stalls. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis. Variation from parking requirements shall be allowed only after approval of a variance as per Section 660.

### 350.045 Number of Required Spaces.

- (1) Table 350-1A and 1B state the required minimum and maximum number of spaces for each use category.

- (2) When computing parking spaces based on floor area, areas used for parking are not counted. The number of parking spaces is computed based on the primary use of the site except as stated in Paragraphs 3 and 4 below.
- (3) When there are two or more separate uses on a site, the required parking for the site is the sum of the required parking for the individual uses. For joint use parking, see Paragraph 5.
- (4) When a use has more than 20 percent of its floor area in a distinct function (i.e., office, warehouse, or retail), the required parking is calculated separately for each function. An example would be a 40,000 square foot use with a 10,000 square foot office area and a 30,000 square foot warehouse. The required parking would be computed separately for the office and warehouse functions.
- (5) **Joint Use Parking.** Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. The number of required stalls per use may be reduced up to 25%. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the City Administrator as part of a building permit application or land use review.
  - (a) The names and addresses of the uses and of the owners or tenants that are sharing the parking;
  - (b) The location and number of parking spaces that are being shared;
  - (c) An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
  - (d) A legal instrument such as an easement, lease, contract or similar written document or deed restriction that guarantees access to the parking for both uses.
- (6) **Bicycle Standards.**
  - (a) **Required Bicycle Parking**
    - (i) Multi-family residential development shall provide a minimum of two bicycle parking spaces or one per 10 auto spaces, whichever is greater.
    - (ii) Industrial development shall provide a minimum of two bicycle parking spaces or one space for every 30 auto spaces, whichever is greater.

- (iii) Development in commercial and institutional categories must provide a minimum of two bicycle parking spaces per building or one space for each 30 auto spaces, whichever is greater.

(b) **Bicycle Parking Development Standards.**

- (i) The parking shall be well-lighted and lockable so as to provide security and convenience to bicyclists. The bicycle parking must be within 50 feet of a well- used building entrance. On property with multiple uses of buildings, bicycle parking may be clustered in one or more locations.
- (ii) The on-site circulation system must be designed to accommodate safe and convenient bicycle access.

**TABLE 350-1A**  
**Minimum Required Parking Spaces in All Zones**

<b>Use Category</b>	<b>Specific Uses</b>	<b>Minimum Required Parking Spaces</b>
<b>Residential Categories</b>		
Household Living:	1 and 2 family units	1 per unit
	3 and more units	1.5 per unit
Group Living		1 per 3 residents
<b>Commercial Categories</b>		
Retail Sales & Service	Retail, personal service, repair oriented	1 per 300 sq.ft. of gross leasable area (GLA)
	Restaurants, bars	15 per 1000 sq.ft. GLA
	Sports clubs, Recreation facilities	4.3 per 1000 sq. ft. GLA
	Drive-thru restaurants	9.9 per 1000 sq.ft. GLA
	Temporary Lodging	1 per rentable room; for associated uses such as restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area
Office		1 per 400 sq.ft. GLA
Quick Vehicle Servicing		1 per 500 sq.ft. GLA
Vehicle Repair		1 per 750 sq.ft. GLA
Self Service Storage		4 plus 1 for each 150 rentable spaces
Commercial Recreation		4.3 per 1000 sq.ft. of GLA
Major Event Entertainment		1 per 8 seats or per CU review
<b>Industrial Categories</b>		
Manufacturing & Production		1 per 625 sq.ft. GLA
Warehouse & Freight Movement		1 per 750 sq.ft. of GLA for the first 3,000 sq.ft. of GLA and then 1 per 1,500 sq.ft. of GLA thereafter If over 150,000 sq.ft. – 0.3 per 1000 sq.ft. GLA
Wholesale Sales, Industrial Service		1 per 750 sq.ft. of GLA
Waste Related		Per CU Review
<b>Institutional Categories</b>		
Basic Utilities		None or per CU review
Community Service		1 per 400 sq.ft. of floor area or per CU review
Essential Service Providers		Per CU review
Parks and Open Space		Per CU review for active area
Schools	Grade, elementary, middle, junior high high school and colleges	0.2 per # of students plus staff
Medical Center		1 per 300 sq.ft. of floor area or per CU review
Religious Institutions		0.5 per seat
Daycare		1 per 300 sq.ft. of GLA
<b>Other Categories</b>		
Agriculture		None or per CU review
Detention Facilities		Per CU review
Mining		Per CU review
Radio & TV Broadcast Facilities		2 per site
Rail Lines & Utility Corridors		None

**TABLE 350-1B**  
Maximum Parking Ratios

Use Category	Maximum Permitted Parking Ratios (spaces per 1,000 square feet of gross leasable area)	
	Generally	Within 1/4 mile of fixed route transit with 20-minute service
<b>Household Living</b>	no maximum	no maximum
<b>Group Living</b>	no maximum	no maximum
<b>Retail Sales and Service:</b>		
<b>Restaurant</b>	23	19.1
<b>Restaurant with drive through</b>	15	12.4
<b>Motel/Hotel</b>	no maximum	no maximum
<b>Movie Theatre</b>	0.5 spaces per seat	0.4
<b>All other</b>	5.75	5.1
<b>Office - Medical/Dental</b>	5.9	4.9
- All other	4.1	3.4
<b>Quick Vehicle Servicing</b>	no maximum	no maximum
<b>Commercial Outdoor Recreation</b>	6.5	5.4
<b>Major Event Entertainment</b>	no maximum	no maximum
<b>Manufacturing and Production</b>	no maximum	no maximum
<b>Wholesale Sales</b>	no maximum	no maximum
<b>Colleges</b>	0.3	0.3
<b>Schools - High Schools</b>	0.3	0.3
- All other schools	no maximum	no maximum
<b>Religious Institutions</b>	0.8 spaces per seat	0.6
<b>Other Institutional Use Categories</b>	no maximum	no maximum
<b>All other categories</b>	no maximum	no maximum

## DEVELOPMENT STANDARDS FOR ONE AND TWO UNIT DWELLINGS

**350.050**      **Purpose.** The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods.

### **350.055**      **General Regulations.**

- A.      **Structures These Regulations Apply To.** The regulations of this section apply to houses, attached houses, duplexes, and manufactured homes. The regulations apply to required and excess parking areas. Parking for manufactured home parks is regulated in Section 340 - Manufactured Homes.
- B.      **Parking Area Locations.** Required parking spaces are not allowed within the first 10 feet from a front lot line. In addition, no more than 40 percent of the land area between the front lot line and the front building line may be paved for parking or driveway purposes. Parking in garages is subject to the base zone setback standards.
- C.      **Parking Space Sizes.** The minimum size of a required parking space is 9 feet by 19 feet. The minimum driveway width on private property is 9 feet for residential uses.
- D.      **Paving.** All driveways and parking areas shall have a durable, dust free surfacing of asphalt, concrete, or other material approved by the Director of Public Works.

## DEVELOPMENT STANDARDS FOR ALL OTHER USES

**350.060**      **Purpose.** The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. The parking area layout standards are intended to promote safe circulation within the parking area and to provide for convenient entry and exit of vehicles. The setback and landscaping standards:

- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Direct traffic in parking areas;
- Shade and cool parking areas; and
- Decrease airborne and waterborne pollution.

### **350.065**      **General Regulations**

- A.      **Where These Standards Apply.** The standards of this section apply to all vehicle areas whether required or excess parking, except for residential parking areas subject to the standards of Section 350.050 through 350.055.

**B. Improvements.**

- (1) **Paving.** In order to control dust and mud, all vehicle areas shall have a durable, dust free surface of asphalt, concrete, or other material approved by the Public Works Director. For instance, infrequently used parking areas may have a gravel surface. However, some portions of individual parking spaces may be landscaped per the standards of Paragraph D4 below.
- (2) **Striping.** All parking areas, must be striped in conformance with the parking dimension standards of Subsection D below.
- (3) **Protective Curbs Around Landscaping.** All perimeter and interior landscaped areas must have protective curbs along the edges. Trees must have adequate protection from car doors as well as car bumpers.

**C. Setbacks and Perimeter Landscaping for Surface Parking Areas.** The minimum required setbacks and landscaping for surface parking areas are stated in Table 350-2. The setbacks apply when a parking area abuts a street or lot line.

<b>TABLE 350-2 Minimum Parking Area Setbacks and Perimeter Landscaping</b>		
<b>Location</b>	<b>All zones except GM</b>	<b>GM</b>
Lot line abutting street	5 ft/L2 10 ft/L1	5 ft/L2 10 ft/L1
Lot line abutting a NC, LM, C/I, TC or GM zone lot line	5 ft/L2 10 ft/L1	5 ft/L2 10 ft/L1
Lot line abutting a LR or MR zone lot line	5 ft/L3	10 ft/L3

**D. Parking Area Layouts.**

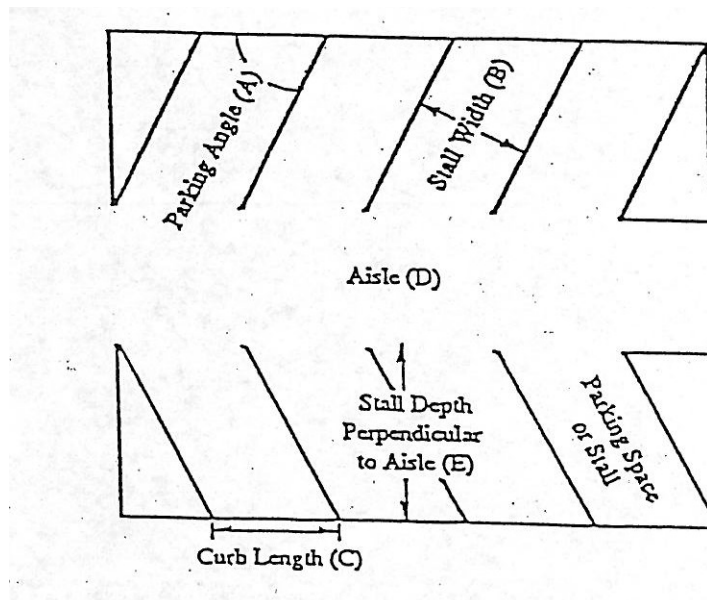
- (1) **Access to Parking Spaces.**
  - (a) All parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.
  - (b) All parking areas must be designed to allow vehicles to enter and exit the roadway in a forward motion. However, this does not apply to parking areas with one or two spaces and whose only access is on a non-arterial street.

- (2) **Parking Space and Aisle Dimensions.**
- (a) The minimum dimensions for required parking spaces are stated in Table 350-3. All excess spaces must comply with at least the dimensions for compact spaces, stated in Table 350-3. Compact spaces must be clearly labeled on the site for compact use.
- (b) At least 50% of required parking spaces must comply with the minimum dimensions for standard spaces.
- (3) **Disabled Parking.** Where required by this Code, Chapter 31 of the Uniform Building Code or the Americans With Disabilities Act, disabled parking spaces must meet the dimension standards stated in Table 350-3.
- (4) **Landscape Instead of Paving.** A portion of a standard parking space may be landscaped instead of paved. The landscaped area may be up to 2 feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space. Landscaping must be ground cover plants. The landscaping does not apply towards any perimeter or interior landscaping requirements, but does count towards any overall site landscaping requirement.

TABLE 350-3 Minimum Parking Space and Aisle Dimensions [1]						
Angle (A)	Type	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	Standard	9 ft	22 ft 6 in	12 ft	24 ft	8 ft
	Compact	7 ft	19 ft 6 in	12 ft	24 ft	7 ft 6 in
	Disabled	13 ft	22 ft 6 in	12 ft	24 ft	8 ft
30°	Standard	9 ft	18 ft	12 ft	24 ft	17 ft
	Compact	7 ft 6 in	15 ft	12 ft	24 ft	14 ft
	Disabled	13 ft	18 ft	12 ft	24 ft	17 ft
45°	Standard	9 ft	12 ft 6 in	12 ft	24 ft	19 ft
	Compact	7 ft 6 in	10 ft 6 in	12 ft	24 ft	16 ft
	Disabled	13 ft	12 ft 6 in	12 ft	24 ft	19 ft
60°	Standard	9 ft	10 ft 6 in	12 ft	24 ft	20 ft
	Compact	7 ft 6 in	8 ft 6 in	12 ft	24 ft	16 ft 6 in
	Disabled	13 ft	10 ft 6 in	12 ft	24 ft	20 ft
90°	Standard	9 ft	9 ft	12 ft	24 ft	19 ft
	Compact	7 ft 6 in	7 ft 6 in	12 ft	24 ft	15 ft
	Disabled	13 ft	9 ft	12 ft	24 ft	19 ft

Notes: [1] See Figure 350-1

Figure 350-1  
Parking Dimension Factors



E. **Parking Area Interior Landscaping.**

- (1) **Amount of Landscaping.** All surface parking areas with more than 10 spaces must provide interior landscaping complying with one or a mix of both the standards stated below. In addition, the City encourages the use of bio-retention cells as rain gardens in parking lot islands, and utilization of site landscaping for treatment of stormwater runoff in the parking lot.
  - (a) **Option 1.** Interior landscaping must be provided at the rate of 20 square feet per stall. At least one tree must be planted for every 200 square feet of landscaped area. Ground cover plants must completely cover the remainder of the landscaped area.
  - (b) **Option 2.** One tree must be provided for every four parking spaces. If surrounded by cement, the tree planting area must have a minimum dimension of 4 ft. If surrounded by asphalt, the tree planting area must have a minimum dimension of 3 ft.
- (2) **Development Standards for Parking Area Interior Landscaping.**
  - (a) All landscaping must comply with the standards of Section 330 - Landscaping and Screening. Trees and shrubs must be fully protected from potential damage by vehicles.
  - (b) Interior parking area landscaping must be dispersed throughout the parking area. Some trees may be grouped, but the groups must be

dispersed.

- (c) Perimeter landscaping may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends 4 feet or more into the parking area from the perimeter landscape line.
- (d) Parking areas that are 30 feet or less in width may locate their interior landscaping around the edges of the parking area. Interior landscaping placed along an edge is in addition to any required perimeter landscaping.

**LOADING**

**350.070 Purpose.** A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas.

**350.075 Loading Standards.**

A. **Number of Loading Spaces.** The minimum required number of loading spaces for all buildings is:

- Buildings under 20,000 sq. ft. .... 0
- Buildings from 20,000 to 50,000 sq. ft. .... 1
- Buildings over 50,000 sq. ft. .... 2

B. **Size of Loading Spaces.** Required loading spaces must be at least 35 feet long, 10 feet wide, and have a clearance of 13 feet.

C. **Placement, Setbacks and Landscaping.** Loading areas must comply with the setback and perimeter landscaping standards stated in Table 350-4.

D. **Forward Motion.** Loading facilities must be designed so that vehicles enter and exit the site in a forward motion.

<b>TABLE 350-4</b>		
Minimum Loading Area Setbacks and Perimeter Landscaping		
<b>Location</b>	<b>All zones except GM</b>	<b>GM</b>
Lot line abutting street	5 ft/L2 10 ft/L1	5 ft/L2 10 ft/L1
Lot line abutting a NC, LM, C/I, TC or GM zone lot line	5 ft/L2 10 ft/L1	5 ft/L2 10 ft/L1

Lot line abutting an R zone lot line	5 ft/L4	10 ft/L4
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**SECTION 360  
PLANNED DEVELOPMENT DISTRICT**

**360.010 Purpose.** The purpose of the Planned Development District is to provide opportunities to create more desirable environments through the application of flexible and diversified land development standards under a comprehensive plan and program professionally prepared. The Planned Development District is intended to be used to encourage the application of new techniques and new technology to community development which will result in superior living or development arrangements with lasting values. It is further intended to achieve economics in land development, maintenance, street systems and utility networks while providing building groupings for privacy, usable and attractive open spaces, safe circulation and the general well-being of the inhabitants.

**360.020 Procedure.**

**A. Preliminary Development Plan and Program.**

The applicant shall submit a Preliminary Development Plan and Program to the Planning Commission for an approval in principle. Such presentation shall consist of a preliminary plan in schematic fashion and a written program containing the following elements:

- (1) Plan Elements
  - (a) Proposed land uses and densities
  - (b) Building types and intensities
  - (c) Circulation pattern
  - (d) Parks, playgrounds, open spaces
  - (e) Existing natural features
- (2) Program Elements
  - (a) Applicant's market analysis of proposed use
  - (b) Proposed ownership pattern
  - (c) Operation and maintenance proposal, i.e. Homeowners Association, Condominium, Co-op or other
  - (d) Solid waste and recyclables storage where required. See Section 390

- (e) Lighting
  - (f) Water supply
  - (g) Public transportation
  - (h) Community facilities, i.e. schools, libraries, fire protection and shopping
  - (i) General timetable of development
  - (j) Qualifications of the proposed design team for the preparation of the General Plan and Program. The design team shall be designated on the basis of the extent and complexity of the Planned Development and shall consist of one or more persons with qualifications such as an Urban Planner, an Architect, an Engineer, a Landscape Architect, a Designer, an Attorney or other similar professionals or technicians.
- (3) Planning Commission initial review of the Preliminary Plan and Program need not be a public hearing unless the applicant requests such hearing in the application. Notice for such requested hearing shall be given as provided in Section 520.100 Type II Procedure.
  - (4) The Planning Commission shall informally review the Preliminary Development Plan and Program at a regular meeting and may act to grant preliminary approval, approval with recommended modifications or denial. Such action shall be based upon the Comprehensive Plan, the standards of this ordinance and other regulations and the suitability of the proposed development in relation to the character of the area.
  - (5) Approval in principle of the Preliminary Development Plan and Program shall be limited to the preliminary acceptability of the land uses proposed and their inter-relationships and shall not be construed to endorse precise location of uses nor engineering feasibility. The Planning Commission may require the development of other information than that specified in Section 360.020B to be submitted with the General Development Plan and Program.
  - (6) The Planning Commission shall review and may recommend expansion, additions or modifications in the qualifications of the proposed design team for the preparation of the General Plan and Program.
  - (7) The Planning Commission shall determine the extent of any additional market analysis to be included in the General Development Plan and Program.

**B. General Development Plan and Program.**

- (1) After receiving approval in principle of the Preliminary Plan and Program, the applicant shall have a General Development Plan and Program prepared by the professional design team having the qualifications recommended or approved by the

Planning Commission.

- (2) The applicant shall apply for an amendment of the Zoning Map as set forth in Section 680.010.
- (3) Upon receipt of the application accompanied by the General Development Plan and Program, the Planning Commission shall hold a public hearing in accordance with the provisions of Section 680.010.
- (4) The General Development Plan and Program shall contain the following elements:
  - (a) Plan Elements
    - (i) General Development Plan in conformance with the approved Preliminary Plan.
    - (ii) Existing and proposed contour map or maps of the site to a scale commensurate with the size of the development.
    - (iii) Location, widths and names of all existing or platted streets or other public ways, railroad and utility rights-of-way, parks, or other public open spaces and land uses within 500 feet of the boundaries of the development.
    - (iv) Existing sewers, water mains, and other underground facilities within and adjacent to the development and their certified capacities.
    - (v) Proposed sewers or other disposal facilities, water mains and other underground utilities.
    - (vi) A preliminary subdivision plan if the property is proposed to be divided.
    - (vii) A land use plan indicating the uses planned for the development.
    - (viii) Areas proposed to be dedicated or reserved for interior circulation, public parks, playgrounds, school sites, public buildings or other uses dedicated or reserved to the public, if any.
    - (vii) Parks, playgrounds, open space that is to be maintained and controlled by the owners of the property and the proposed uses thereof.
    - (x) A traffic flow map showing the circulation pattern within and adjacent to the proposed development. Include a map that identifies possible street connections (except where prevented by topography, barriers or environmental constraints) at intervals of no more than 530 feet both within the project and to adjacent land in compliance with the City, County and Regional Transportation Plans. Street connections at intervals

of no more than 330 feet are recommended in areas planned for the higher density mixed-use development.

- (xi) Location and dimensions of pedestrian walkways, malls, trails or easements. Illustrate accessways for pedestrians, bicycles or emergency vehicles on public easements or right-of-way where full street connections are not possible with spacing between streets and accessways preferably not to exceed 330 feet, unless impractical due to existing development or environmental, topography, physical barriers or environmental constraints.
- (xii) Location, arrangement, number and dimension of automobile garages and parking spaces, width of aisles, bays and angle of parking.
- (xiii) Location, arrangement and dimensions of truck loading and unloading spaces and docks, if any.
- (xiv) Preliminary architectural plans and elevations of typical buildings and structures, indicating the general height, bulk, appearance and number of dwelling units.
- (xv) A preliminary tree planting and landscaping plan including areas of ground cover and approximate finished grades, slopes, bank and ditches. All existing trees over 12" in diameter and groves of trees shall be shown. Trees to be removed by development shall be so marked.
- (xvi) The approximate location, height and materials of all walls, fences and screen plantings. Elevation drawings of typical walls and fences shall be included.
- (xvii) The stages, if any, of the development construction. Such stages shall be clearly marked on the General Development Plan.

(b) Program Elements

- (i) Narrative statement of the goals and objectives of the planned development.
- (ii) A completed market analysis, if required by the Planning Commission.
- (iii) Evidence of resources available to develop the project.
- (iv) Tables showing the total number of acres, the distribution of areas by use, the percentage designated for each dwelling type, off-street parking, streets, parks, playgrounds, schools and open spaces as shown on the proposed development plan.
- (v) Tables showing the overall density of the proposed residential

development and showing density by dwelling types and any proposals for the limitation of density.

- (vi) Drafts of appropriate restrictive covenants and drafts of documents providing for the maintenance of any common open space, of required dedications or reservations of public open spaces and of any dedications of development rights.

### **C. Action and Findings.**

- (1) The Planning Commission, after public hearing as provided in Section 530.100, may by resolution, recommend approval of the Planned Development district and the General Development Plan and Program, with or without modifications or may deny the application. A decision to recommend approval of a Planned Development district shall be based upon the following finding:
  - (a) That the proposed development is in substantial conformance with the Comprehensive Plan for the City.
  - (b) That exceptions from the standards of the underlying district are warranted by the decision by the design and amenities incorporated in the development plan and program.
  - (c) That the proposal is in harmony with the surrounding area or its potential future use.
  - (d) That the system of ownership and the means of developing, preserving and maintaining open spaces is suitable.
  - (e) That the approval will have a beneficial effect on the area which could not be achieved under other zoning districts.
  - (f) That the proposed development, or a unit thereof, can be substantially completed within four (4) years of the approval.
- (2) A resolution for approval shall be considered by the City Council according to the provisions of Section 530.100. A Planning Commission action to deny the application may be appealed to the Council as provided in Section 550.100.

### **D. Final Plan and Program.**

- (1) Following approval of the Planned Development District by the City Council the applicant shall prepare a Final Plan and Program which shall be submitted to the City Administrator to check for compliance with the approved General Development Plan and Program.

- (2) If the Final Plan and Program is found to be in compliance, it shall be so certified by the City Administrator and recorded by the applicant in the County offices of the Department of Records and Elections as the Final Development Plan along with all documents relating to dedications, improvements, agreements, restrictions, and associations which shall constitute the Final Program.
- (3) The standards of the Subdivision Regulations shall be met if the property is to be divided or streets are to be dedicated.
- (4) All public site dedications, development rights to open spaces or other dedications for the entire site or approved staged portion shall be recorded prior to the issuance of any building permit.
- (5) Final copies of all approved articles governing operation and maintenance shall be filed with the Planning Commission prior to the issuance of any building permit.

### **360.030 Development Standards**

#### **A. Application of Standards.**

- (1) In cases of conflict between standards of the underlying district and the Planned Development District, the standards of the Planned Development District shall apply.

#### **B. Minimum Site Size.**

- (1) Planned Development Districts shall be established only on parcels of land which are suitable for the proposed development and of sufficient size to be planned and developed in a manner consistent with the purposes of this Section.
- (2) A Planned Development District shall not be established on less than four (4) acres of contiguous land unless the Planning Commission finds that property of less than four (4) acres is suitable as a Planned Development District by virtue of its unique character, topography, or landscaping features, or by virtue of qualifying as an isolated problem area as determined by the Planning Commission.

#### **C. Compatibility with Neighborhood.**

- (1) The plans and program shall present an organized arrangement of buildings, service facilities, open spaces and improvements such as recreation facilities, landscaping and fencing to insure compatibility with the Comprehensive Plan and the character of the neighborhood.
- (2) Periphery yards of a Planned Development District site shall be at least as deep as those required by the yard regulations of the adjoining district unless the Planning Commission finds that equal protection will be accorded through specific features of the approved plan.

D. **Lot Coverage.** Lot coverage shall be the same as the underlying district unless the Planning Commission finds that an exception is warranted in terms of the character and amenities proposed in the total development.

E. **Open Space.**

- (1) Open Space in a Planned Development District means the land area to be used for scenic, landscaping or open recreational purposes within the development.
  - (a) It shall not include street rights-of-way, driveways or open parking areas.
- (2) Open Space shall be adequate for the recreational and leisure use of the population occupying the Planned Development District and designed to enhance the present and future value of the development.
- (3) To the maximum extent possible, the plan and program shall assure that natural features of the land are preserved and landscaping is provided.
- (4) In order to assure that open space will be permanent, dedication of development rights to Wood Village for other than open space use may be required.
- (5) Instruments guaranteeing the maintenance of open space shall be reviewed and approved by the Planning Commission. Documents dedicating development rights and provisions for maintenance of open space shall be approved as to form by the City Attorney.
- (6) The Planning Commission may require that instruments of conveyance provide that in the event the open space is permitted to deteriorate is not maintained in a condition consistent with the approved plan and program, then and in such event the City may at its option cause such maintenance to be done and assess the costs to the affected property owners.
- (7) **Recreation Area.** A minimum of two hundred (200) square feet of recreation area shall be provided for each dwelling unit proposed in the Development Plan for units No. 1 through and including No. 30. A minimum of two hundred fifty (250) square feet of recreation area shall be provided for each dwelling unit for Units No. 31 or more. The recreation area shall be of a shape that will make it usable for its intended purpose. Recreation buildings may be considered as a part of this requirement. Recreation areas shall not be located in required yard.
- (8) **Storage Area.** Storage space (for boats, campers, etc.) shall be provided on a multi-family development site at the rate of one (1), ten (10) foot by twenty (20) foot space in size for every four (4) living units. Adequate maneuvering room shall be provided; storage space shall be fenced with a six (6) foot sight-obscuring fence and conform to standard set backs.
- (9) **Landscaping.** Landscaping and screening shall be provided in each multi-family

development and shall satisfy the following requirements:

- (a) All areas in a multi-family dwelling, not occupied by paved roadways or walkways, patios, shall be landscaped.
  - (b) Native and ornamental trees with a height of twenty (20) feet or greater shall be retained unless it can be justified to be impractical.
  - (c) Screen planting, masonry walls, or fencing shall be provided to screen objectionable views effectively within a reasonable time. Views to be screened include boat and RV parking areas, garbage and recycling collection stations and other similar uses.
  - (d) Other landscape planting of adequate size, quantity and character shall be planted and maintained to provide an attractive setting and other improvements to provide adequate privacy and pleasant outlooks for living units.
  - (e) It shall be the responsibility of the management to see that landscaped areas and yards are well kept.
- F. **Subdivision Lot Sizes.** Minimum area, width, depth and frontage requirements for subdivision lots in a Planned Development District may be less than the minimums specified in the underlying district if in accordance with the approved General Development Plan and Program. The balance of the total tract area shall be devoted to open space as defined herein.
- G. **Staging.**
- (1) The applicant may elect to develop the site in successive stages in a manner indicated in the General Development Plan and Program. Each such stage shall be substantially complete within itself.
  - (2) The Planning Commission may require that development be done in stages if public facilities are not adequate to service the entire development initially.

### **360.040 Permitted Uses**

#### **A. For Residential Districts.**

The following uses are permitted in a Planned Development District:

- (1) Housing concepts may include but are not limited to single family residences, duplexes, row houses, townhouses, cluster units or multiple family dwellings.
- (2) Related commercial uses which are designated exclusively to serve the development of which they are a part, when approved by the Planning Commission.

- (3) Related community service uses which are designed to serve the development of which they are a part, when approved by the Planning Commission.
  - (a) Such community service uses may also be designed to serve the adjacent area if considered desirable by the Planning Commission upon examination of the plan.
- (4) Accessory buildings and uses.

**B. For Commercial and Industrial Districts.**

- (1) Uses permitted in the underlying district.
- (2) Community service uses approved by the Planning Commission.
- (3) Other uses as approved by the Planning Commission as consistent with the Plan and Program.
- (4) Accessory buildings and uses.

**360.050 Changes and Modifications.**

A. **Major Changes.** Major changes in the General Development Plan and Program after it has been adopted shall be considered the same as a new petition and shall be made in accordance with the procedures specified in this Section.

B. **Minor Changes.**

- (1) Minor changes in the General Development Plan and Program may be approved by the Planning Director, provided that such changes:
  - (a) Do not increase the densities
  - (b) Do not change boundaries
  - (c) Do not change any use
  - (d) Do not change the location or amount of land devoted to specific land uses.
- (2) Such changes may include:
  - (a) Minor shifting of the location of buildings, proposed streets, public or private ways, utility easements, parks or other public open spaces, or other features of the plan.

**360.060 Expiration.** If substantial construction or development has not taken place within four (4) years from the date of approval of the General Development Plan and Program, the Planning Commission shall review the district at a public hearing to determine whether or not its continuation in whole or in part is in the public interest, and if found not to be, shall

recommend to the City Council that the Planned Development District on the property be removed.

**SECTION 370**  
**SIGNS**

**370.010**      **Definitions:** See Section 720 - Definitions.

**370.020**      **General Provisions:**

- A.      No person shall erect, construct, alter, place, change, relocate, suspend or attach any sign without first obtaining from the City Building Department a written permit to do so, paying the fees prescribed therefore, and otherwise complying with all of the applicable provisions of this Code. Signs will be maintained in good condition, both structurally, and in their appearance.
  
- B.      **Permit Application:** Application for a sign permit shall be made on a form prescribed by the City and shall include at a minimum, a sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises, the sign(s)' location, colors, graphic design, structural and mechanical design and engineering data which ensures its structural stability unless otherwise excepted herein. The application shall also contain the names and addresses of the owner(s) of the subject property, the person authorizing erection of the sign and the party erecting the same as well as the party who shall maintain the same.
  
- C.      **Application Approval and Permit Issuance:** Unless otherwise provided by this Code, no permit shall be issued for any new sign or substantial modification thereof within the City until the same be reviewed and approved under the direction of the City Administrator. Applicants for structural work within the City requiring building applications are required to incorporate sign permit review as a part of their initial submittal of design plans on such new projects to the City Building Department.
  
- D.      **Signs Exempt from Permits:** The following signs do not require permits as herein required:
  - (1)      **Traffic or other governmental street signs**, such as railroad crossing signs and notices as may be authorized or required by State or Federal Law or the Wood Village City Council.
  
  - (2)      **Signs of public utility companies** indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones.
  
  - (3)      **Signs not visible from public right-of-ways.**
  
- E.      **Signs Exempt from Permits but Requiring Conformance to Set Standards and Regulations:**

- (1) **Construction Project Sign:** a sign erected in conjunction with a construction project and used to inform the public of the architects, engineers and construction organizations participating in the project and indicating "future home of" information. One (1) such sign may be erected after appropriate building permits have been obtained. No such sign shall exceed sixty-four (64) square feet total or thirty-two (32) square feet per face; no free-standing sign shall exceed (8) feet in height. The sign shall be removed at the time final occupancy is approved by the City or in the event a building permit or license for such construction shall have expired.
- (2) **Garage Sale Sign:** a sign advertising garage sales or similar events in residential zones. Such sign shall not exceed a size per face of four (4) square feet and shall not exceed four (4) feet in height. Such sign may be erected up to one (1) week prior to the event and shall be removed no later than the day after the event. Such sign shall not be placed in the public right-of-way or vision clearance areas and shall not be maintained for more than ten (10) days in any one six (6) months' period of time.
- (3) **Gasoline Station Price Sign:** Unless otherwise herein provided, one (1) changeable copy sign shall be allowed for the purpose of advertising gasoline prices. The sign shall be one (1) or two (2) faced sign with a maximum of six (6) square feet in area per face and shall be permanently affixed to the building.
- (4) **Name Plate:** a sign when otherwise permitted in an area identifying the name, street address, occupation and/or profession of the occupant of the premises. Graphic information and all name plates shall be limited to the identification of the business name as registered with the State of Oregon. One (1) name plate, not exceeding two (2) square feet total shall be allowed for each occupant and shall be affixed to the building wall.
- (5) **Non-Commercial Sign:** a notice or pictorial sign, except those used for purposes of making things known about goods, services or activities offered by "for profit" entities shall be allowed in any zone when otherwise permitted, subject to the same regulations as signs in the particular zone and counted in the quantity limitations of signs for that zone for each property.
- (6) **Banner:** a temporary sign made of fabric, vinyl or other non-rigid material with or without an enclosing framework typically on a pole or lamppost. When a banner extends over a public sidewalk, or other space accessible to pedestrians, there must be a minimum 9-foot clearance. Banners are considered temporary and must be removed within 30 days.

**Opening Banner:** one (1) banner announcing the opening of a new business ("grand opening" or works to that effect) will be allowed either from date of issuance of building permit until four (4) weeks after issuance

of certificate of occupancy or if no building permit be issued for four (4) weeks from occupancy of a new business. Such banner shall not exceed sixty-four (64) square feet total and thirty-two (32) square feet per face. This section does not apply to announcing the availability of office space or residential units.

- (7) **Public Safety and Convenience:** Signs used to serve the public safety or convenience such as "entrance", "parking", or "no-smoking", "turn off motor" signs. Such signs shall not exceed three (3) square feet per face and shall meet all other pertinent requirements and City standards.
- (8) **Window Sign:** A sign not exceeding twenty (20) percent of an interior window area when otherwise permitted therein.
- (9) **Non-Commercial Flags:** Flags displayed from permanently located free-standing or wall-mounted flagpoles which are designed to allow raising and lowering of flags. The number of such flags shall be limited in number to one per hundred feet of linear frontage, with a maximum of six per premises. Such displays shall be kept neat, clean and in good repair.
- (10) **Political Signs:** Signs relating to the nomination or election of any individual for public office or advocacy of any measure to be voted upon at any special or general election shall be permitted from a date not more than forty-five (45) days prior thereto to a date ten (10) days following such election. Such sign if placed in a residential zone shall not exceed an area of two (2) square feet and in a non-residential area not more than ten (10) square feet; such sign shall be considered temporary in nature and shall be placed upon the concerned property only by the property owner, resident or with the consent of the owner, occupant or lessee thereof.
- (11) **Tourist Attraction Directional Sign:** A uniformly designed sign used by a public agency to identify a local or regional tourist attraction.

F. **Signs or Advertising Devices Expressly Prohibited:**

- (1) **Signs Structurally Unsafe:** no sign shall be constructed, erected or maintained unless the sign and sign structure is so constructed, erected and maintained as to be able to withstand wind, seismic and other loads as specified in the Uniform Building Code of the City.
- (2) **Intersection Signs:** notwithstanding any other provisions of this Code, no sign except authorized traffic signs shall be erected at the intersection of any street in such a manner as to create a traffic hazard by obstructing vision or at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign.
- (3) **Regulatory Sign Confusion:** signs resembling traffic signs or signals shall

not be constructed, erected or maintained or signs which bear the words "stop", "go slow", "caution", "danger" and "warning" or similar words except as officially authorized and installed by the City or other authorized governmental agencies.

- (4) **Obstructing Signs:** notwithstanding other provisions of this Code, no sign or sign structure shall be erected or maintained in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit or standpipe. No sign shall be erected or maintained so as to obstruct any window to such an extent that light or ventilation is reduced below minimums required by any applicable law or ordinance.
  - (5) **Portable Signs:** signs not permanently affixed to a building structure or the ground and designed to move from place to place except garage sale signs, special event signs, political signs, real estate signs or as otherwise provided in this Code including Section 370.030 (C)(3) regulating free-standing signs in commercial and industrial zones. Portable signs primarily include, but are not limited to, A-frame signs, except certain A-frame signs are permitted and exempt from a sign permit, including a public event directional A-frame sign; and one A-frame or sandwich board sign when located within 10 feet of the business being promoted, which must be removed at close of business each day, and signs attached to wood or metal frames designed to be self-supporting and movable including trailer reader boards, paper, cardboard or canvas signs wrapped around supporting poles.
  - (6) **Roof Signs:** signs erected, maintained and displayed above the eaves of a building or structure.
  - (7) **Flashing Signs:** signs, any part of which flash intermittently except when attached to a building and meeting other requirements of this Code, except time and temperature signs.
  - (8) **Off-Premise Signs:** except as otherwise permitted by this Code, off-premise signs are prohibited.
  - (9) **Electronic or Video Message Center Signs:** signs that include animated messaging, video clips, rapidly alternating messages or any other presentation that could distract drivers.
- G. **Other Prohibitions:** the following sign or sign "characteristics" are prohibited unless specifically provided for herein:
- (1) **Signs Attached to Any Tree or Public Utility Pole** other than warning signs issued by public utilities.
  - (2) **Signs Using Bare-Bulb Illumination or Lighted** so that the immediate source of illumination is visible. This is not intended to prohibit the use of neon as a source of illumination.

- (3) **Signs Using Flame** as a source of light.
- (4) **Signs Designed or Used for the Purpose of Emitting Sound or Dispersing Smells.**

**370.030 Specific Regulations for Certain Zoning Designations:** No person shall install or maintain any sign in the City of Wood Village and in the zoning district here designated except as herein provided:

A. **Single Family Residential Zone:** The following signs are permitted:

- (1) **Name Plates:** one lighted or unlighted name plate not exceeding one (1) square foot in area identifying the occupant of the premises.
- (2) **Real Estate Signs:** no more than two (2) on site signs offering the premises for sale, lease or inspection by the public shall be permitted, provided that the total combined area of all such signs does not exceed twelve (12) square feet. Said signs may also be modified to indicate that the property has been sold.
- (3) **Development Identification Sign:** one externally lighted or unlighted residential development identification sign not to exceed thirty-two (32) square feet or six (6) feet in height.

B. **Multiple Family Residential Zone:** The following signs are permitted.

- (1) **Name Plates:** one lighted or unlighted name plate not exceeding one (1) square foot in area identifying the occupant of the premises.
- (2) **Real Estate Signs:** no more than two (2) on site signs offering the premises for sale, lease or inspection by the public shall be permitted, provided that the total combined area of all such signs does not exceed twelve (12) square feet. Said signs may also be modified to indicate that the property has been sold.
- (3) **Non-Residential Signs:** one lighted or unlighted sign of a maximum of twelve (12) square feet in area identifying any non-residential use permitted in a multiple family zone (subject to zoning provisions in this Code).

C. **Commercial and Industrial Zone:**

- (1) **Wall Signs:** wall signs as defined shall be allowed for each business not to exceed twenty (20) percent of a building face. The twenty (20) percent allowance may be divided among the building faces. Ten (10) percent of two (2) building faces and five (5) percent of four (4) building faces are allowed. The area of each sign shall be computed by applying the allowable

percentage to the wall to which the sign will be attached.

- (2) **Projecting Signs:** commercial buildings which have the front building line within ten (10) feet of the public-right-of-way shall be permitted one (1) projecting sign on the front building face in lieu of a free standing sign. All projecting signs must conform to the latest edition of the UBC in meeting wind and dead load requirements and must be adequately maintained to prevent deterioration which could be a hazard to pedestrian traffic beneath the sign. Such sign shall project no more than six (6) feet or two-thirds (2/3) of the width of the sidewalk whichever is less and contain no more than twenty-four (24) square feet per face. Projecting signs shall have an underneath clearance of not less than ten (10) feet.
- (3) **Free-Standing Signs:**
  - (a) One (1) free-standing sign, shall be permitted for any amount of street or highway frontage adjacent to any one parcel, tract of real property or separate tax lot. An additional free-standing sign shall be permitted for each additional three hundred (300) lineal feet of such frontage provided however when more than one (1) free-standing sign is permitted no free-standing sign shall be located closer than three hundred (300) feet from any other free-standing sign on the same parcel of real property.
  - (b) No free-standing sign shall exceed in height the distance from any portion of the sign to the center line of an adjacent public right-of-way, up to a maximum of 25 feet. Free-standing signs shall be located so as to assure adequate sight distance at street intersections and driveways.
  - (c) The maximum area of each face of a multi-faced free-standing sign shall be 1.0 square foot of sign face area per linear foot of site frontage, not exceeding 75 square feet. When property has frontage on more than one street, the property may be permitted to have the number of free-standing signs in accordance with the above provision for each such street frontage based on the aforementioned formula. Signs erected between July 9, 1986 and July 14, 1999 in compliance with regulations in effect at the time, shall be allowed to continue as long as maintained in a safe, neat and clean condition.
  - (d) The owner of any lot or parcel real property fronting on more than one street or highway who desires to utilize a single sign, the faces of which are to be set at angles, must request a variance under this Code.
  - (e) The owner of any lot or parcel of real property fronting on more than one street or highway may elect to combine the total street frontage

of said property in establishing the maximum permitted size of any free-standing sign; however in the event all street or highway frontage is so combined, only one such sign shall be permitted and such single sign shall not exceed in area the maximum hereinabove set forth.

- (f) Two or more owners of separate adjacent parcels of real property zoned for commercial or industrial use may elect to combine the street or highway frontage of their respective adjacent properties and in such case one (1) free-standing sign shall be permitted to be constructed in accordance with the provisions of this Code. This election shall not be permitted if there exists on any portion of said properties any other free-standing signs unless said signs are removed and shall be permitted only so long as all concerned owners consent thereto.
- (g) In addition, one (1) non-illuminated portable A-frame sign, readable from the street, is allowed per business provided the sign is sufficiently anchored while in use; is located outside of pedestrian ways and traffic clear vision areas; is a maximum of twelve (12) square feet per face and a maximum of sixty and one-half (60 1/2) inches in height (measured from the ground vertically to the top of the sign).
- (h) All such signs shall be placed on the lot or parcel of land in such a manner as to appear appealing to the community considering the factors set forth in this section and considering general area and the Comprehensive Plan development pattern therefor.

D. **Monument Signs.** A sign which is affixed to a base which is no more than thirty (30) inches above the nearest ground surface. Monument signs shall be allowed not to exceed thirty-two (32) square feet in size, and eight (8) feet in height. One (1) monument sign is permitted per primary frontage. A second monument sign may be erected on a secondary frontage that is three-hundred (300) feet or more in length.

E. **Freeway-Oriented Activities:** For not more than one (1) free-standing sign allowed in this sub-section, the City may allow a maximum height of forty-five (45) feet and a maximum area per face of 250 square feet if the City finds that the activity to be identified by the proposed sign is a freeway-oriented activity. For purposes of this section the term "freeway-oriented activity" shall mean:

- (1) A business or activity of such nature that it is committed primarily to providing services, lodging or products to non-resident travelers on Interstate 84; and
- (2) Such business or activity shall be located on property that lies within six

hundred (600) feet of a line parallel to the center line of Interstate 84 and a distance of one thousand (1,000) feet along Interstate 84 in each direction from the center line of NE 238th Drive.

**F. Miscellaneous and Special Situations:**

- (1) **Real Estate Signs:** Signs advertising a sale or rental of improved or unimproved real property within the City of Wood Village shall conform to the requirements appertaining to the various zoning classifications as set forth in Section 370.030 of this Code; provided however, that where a subdivision is concerned real estate signs advertising the same involving more than three (3) contiguous lots shall be limited to one (1) double-faced sign of thirty-two (32) square feet per face, placed at a right angle to the street or two (2) thirty-two (32) square foot signs facing the street. Such signs shall be at least nine hundred (900) feet apart and shall not exceed a height of eight (8) feet. Such signs shall be placed on the subdivision. The signs shall be removed at the end of two (2) years or when ninety (90) percent of the subdivision lots contain a completed structure, whichever event first occurs.
  
- (2) **Free-Standing Directory Signs:** Such signs may be permitted for a building or complex of buildings containing more than one tenant or occupant. Such directory signs shall be limited to identification of the name of the building or complex and the names of tenants or occupants thereof. Such sign shall have a maximum height of not more than fifteen (15) feet and a maximum area of not more than sixty (60) square feet as determined by the City. In evaluating the height and area requirements for such directory signs, the City may consider but is not limited to the following factors:
  - (a) Number of tenants or occupants.
  - (b) Number and size of other existing or proposed signs on the building.
  - (c) Distance between the building and adjacent street.
  - (d) Number of traffic lanes and traffic speed for the street adjacent to the proposed sign.
  - (e) Number of other existing or proposed directory signs provided that one (1) directory sign shall be permitted for any amount of frontage on a single street, and a second in the event the lineal street footage is more than three hundred (300) feet; provided further when frontage is on more than one (1) street, one (1) directory sign shall be permitted for each street frontage so long as the signs are not closer than three hundred (300) feet from one another measuring by lineal street frontage.

- (3) **Sign Illumination (Direction):** No artificial light of whatever type or nature, used for the purpose of lighting any sign shall be so erected or constructed or placed, nor shall any substance or material capable of reflecting light be so placed as to result in directing the same into any private residence. Hotels and motels are not considered private residences. No exposed reflective type bulb, strobe light or incandescent light shall be used in such a way so as to expose the face of the bulb, light or lamp to any public street; provided however, a reflective type lamp bulb of whatever wattage may be used for illumination of the displayed surface of a sign, if not directed towards the view from any public street.
- (4) **Rotating and Revolving Signs:** Shall be permitted provided that no floodlights, stoplights or similar high-intensity artificial lighting devices shall be attached to or made a part of any rotating, revolving or moving part of such signs. No substance or material capable of reflecting light shall be attached to, or made a part of, any rotating, revolving or moving part of such sign.
- (5) **Signs Not Intended to be Read From the Street:** Nothing contained in this Code shall prevent the erection, location or construction of signs on private property when such advertising signs are not intended to be read from any public street or highway or when such signs are designed to direct and guide pedestrian and vehicular traffic while said traffic is on the parcel of real property on which the signs are located and are not intended or "practically speaking" cannot be read from any public street or highway. Such signs shall not contain letters over one (1) inch in height when located within twenty (20) feet of any street right-of-way and one and one-half (1 1/2) inches in height when located further than twenty (20) feet from any street or right-of-way. No such sign shall be internally illuminated; no sign or any part thereof shall rotate or consist of any moving, rotating or otherwise animated parts; all such signs shall be subject to review and approval by the City Administrator.

#### **370.040**

**Variance Procedures Relating to Signs:** The requirements of Section 370, unless otherwise herein stated, shall apply to all signs. Variance requests shall be subject to all of the procedures, requirements and restrictions established for variances under Section 660.

A. **Additional Requirements:** Variances shall not be granted for the convenience of the applicant who may wish to use a "standard pattern or design". In all instances the DRB or the City Council, as the case may be, shall not grant a variance unless it shall find that such variance will not adversely affect the surrounding property or neighborhood or the development thereof with reference to the City's Comprehensive Plan.

- (1) A request for variance shall require the payment of a permit fee as provided

by City Council Resolution establishing the same.

- (2) All variance requests shall be submitted to the City's Design Review Board upon form provided and obtained from the City Building Department.

**370.050 General Administration and Enforcement:**

- A. **Administration:** All signs, all applications therefore shall be exclusively administered by the City Building Department.
- B. **Enforcement:** The City Building Official or his designated representative is hereby authorized and directed to enforce all of the provisions of this Section. All signs for which a permit is required shall be inspected by the Building Official. Upon presentation of proper credentials the Building Official or his duly authorized representatives may enter upon, at reasonable times, any building, structure or premise in the City of Wood Village to perform any duty imposed upon him by this Code.
- C. **Permit Fees:** Application for a sign permit shall be accompanied by the appropriate fees as established by City Council Resolution including such building permit fees as required for construction of other types of buildings or structures within the City.

**370.060 Removal of Signs:**

- A. **Generally:** The City Building Official shall have the right to order the removal of any sign erected or maintained in violation of this Code by giving a thirty (30) day notice in writing to the owner of the sign or to the owner of the building, structure or premise on which the sign is located if the owner of the sign cannot bring it into compliance with this Code. If the owner of the building, structure or premise upon which such sign is located fails to remove the sign or bring it into compliance within thirty (30) days after receipt of written notice from the Building Official, the Building Official or his duly authorized representative may remove such sign at cost to the owner of the building, structure or premise.
- B. **Unsafe Signs:** If the Building Official finds that any sign or sign structure is in violation of this Code by reason of its condition and presents an immediate or serious danger to the public, he shall order its immediate removal or repair within such appropriate period of time he may specify. The Building Official may remove or authorize others to remove such sign in the event the person responsible therefore cannot be found or after notification such person refuses to remove or repair the same at cost to the owner of the building, structure or premise.
- C. **Abandoned Signs:** Any person who owns or leases a sign shall remove such sign when either the business it advertises has discontinued business in the City or the business it advertises is no longer conducted in or about the premises on which the sign is located. If the person who owns or leases such sign fails to remove it, the Building Official shall give the owner of the building, structure or premises upon

which such sign is located thirty (30) days written notice to remove it. Failure to remove the sign within said thirty (30) day period of time will be sufficient cause for the Building Official or his duly authorized representative to remove the same at cost to the owner of the building, structure or premise.

**370.070 Right of Appeal and Procedure:**

- A. All decisions of the City Building Official relating to the enforcement and administration of Section 370 including the refusal to issue a sign permit to construct, erect or maintain the same or to require the alteration or removal of a sign or the granting or refusal to grant a variance from provisions of this Code may be appealed to the City Planning Commission by serving written notice on the City Administrator within fifteen (15) days of notification of the order or decision of the Building Official, City Administrator or the Design Review Board, as the case may be, upon form supplied by the Building Department.
- B. Any person aggrieved by a final determination of the Planning Commission shall have the right of further appeal to the City Council upon written notice of appeal filed with the City Administrator within fifteen (15) days of the final action of the Planning Commission. Such appeal shall be promptly scheduled for hearing by the City Council in the same manner as appeals from decisions of the Planning Commission set forth in Section 550 of this Code.
- C. Decisions of the City Council may be appealed to a Court of competent jurisdiction as provided by ORS 34.010 and such other ORS provisions as may be applicable.

**SECTION 380**  
**TEMPORARY USES**

**380.010 Temporary Uses Permit.** Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Temporary uses include, but are not limited to: leasing offices, temporary carnivals, neighborhood celebrations and fairs, parking lot sales, retail warehouse sales, and seasonal sales such as Christmas tree sales and vegetable stands. Four types of temporary uses require permit approval identified in sections A., B. and C. below.

**380.020 Temporary Use Permit Not Required for Temporary Uses of Limited Duration.** Application for a temporary use permit is not required to locate the following temporary uses, but such uses must comply with the requirements set forth in Section 380.030 A (1) through (7):

- Any temporary use of land of up to a 14-day duration (such as a promotional event, festival, carnival, or outdoor sale) which conforms with all other requirements of this Code and other applicable city regulations and public health and safety requirements, some of which may further limit such uses in terms of location, scope and duration.

**380.030 Permit Required.**

A. **Seasonal, Special Events and Street Vendors.** These types of uses occur only once in a calendar year and for no longer than a period of 90 days. Applications for such temporary uses shall be processed pursuant to the Type II procedure under Section 520.100 and subject to the applicant paying the basic public hearing planning fee. The City may approve, approve with conditions or deny a temporary use permit. Approval shall be based on findings that all of the following criteria are satisfied:

1. The use is permitted in the underlying land use district and does not violate any conditions of approval for the property (e.g. prior development permit approval);
2. The applicant has proof of property owner's permission to place the use on his/her property;
3. There is adequate parking as required by Section 350 Parking and Loading;
4. The use provides adequate vision clearance, as required by Section 730 and shall not obstruct pedestrian access on public streets;
5. Ingress and egress are safe and adequate when combined with the other uses of the property, code access and circulation requirements;
6. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibration, glare or lights that affect an adjoining use in a manner which other uses allowed outright in the district; and
7. The use is adequately served by sewer or a septic system and city water, as applicable. The applicant shall be responsible for obtaining any related permits.

8. The Planning Commission may make an exception to any requirement in this section upon finding there is an overriding public benefit to the exception.

B. **Temporary Real Estate Sales Office, Model Home.** Applications for such temporary uses shall be processed pursuant to the Type II procedure under Section 520.100 and subject to the applicant paying the basic public hearing planning fee. The City may approve, approve with conditions or deny a temporary use permit. If the reviewing authority finds there are significant negative impacts from the use or a change in circumstances in the area, the annual permit may be denied. Approval shall be based upon findings which demonstrate compliance with the criteria set forth in Subsection A(1) through (8) of the this section.

1. Temporary real estate sales office:

- a. The temporary sales office shall be located within the boundaries of the subdivision or tract of land in which the real property is sold; and
- b. The property to be used for the temporary sales office shall not be permanently improved for that purpose.
- c. Permit is valid for a maximum period of one year with no renewals.

2. Model House:

- a. The model house shall be located within the boundaries of the subdivision or tract of land where the real property to be sold is situated; and
- b. The model house shall be designed as a permanent structure that meets all relevant requirements of this code.
- c. This type of temporary use must be renewed annually by City staff, unless there are citizen complaints about the use in which case the permit must be renewed by the Planning Commission or Design Review Board.

C. **Temporary Building.** Applications for temporary trailers or prefabricated buildings that are not regulated under Subsection B of this section shall be processed pursuant to the Type I procedure under Section 510.100 and subject to the applicant paying the basic public hearing planning fee. The City may approve, approve with conditions or deny a temporary use permit. City staff will renew this type of temporary use annually, unless there are citizen complaints about the use in which case the renewal of the permit must be considered by the Planning Commission or Design Review Board. If the reviewing authority finds there are significant negative impacts from the use or a change in circumstances in the area, the annual permit may be denied. Approval shall be based upon findings, which demonstrate compliance with the criteria set forth in Subsection A (1) through (7) of this section. In addition, approval shall be subject to the following additional criteria.

1. The temporary trailer or building shall be associated with the primary use on the property;
2. The building complies with applicable building codes;
3. The length of time that the temporary building will be used does not exceed twelve (12) months. When a temporary building exceeds this time frame, the applicant shall be required to remove the building, or receive City staff approval to annually renew the temporary use permit. The review authority may revoke a permit or deny renewal if it is found that there are significant negative impacts from the use or there is a change in circumstances in the area.
4. The use shall comply with the City sign code.

**SECTION 390**  
**MIXED SOLID WASTE AND RECYCLABLES STORAGE**  
**IN NEW MULTI-UNIT RESIDENTIAL AND NON-RESIDENTIAL BUILDINGS**

**390.010 Purpose.** The purpose of this section is to ensure that certain new construction incorporates functional and adequate space for on-site storage and efficient collection of mixed solid waste and source separated recyclables prior to pick-up and removal by haulers.

**390.020 Applicability.** The mixed solid waste and source separated recyclables storage standards shall apply to new multi-unit residential buildings containing five or more units<sup>1</sup> and non-residential construction that are subject to full site plan or design review; and are located within urban zones that allow, outright or by condition, for such uses.

**390.030 Definitions.** The following definitions apply to standards dealing with solid waste and recyclables storage areas only.

**MIXED SOLID WASTE.** Solid waste that contains recoverable or recyclable materials, and materials that are not capable of being recycled or recovered for further use.

**SOURCE SEPARATED RECYCLABLES.** At a minimum, recyclable materials designated "principle recyclable materials" by the State Environmental Quality Commission under ORS 495A.025, with the exception of yard debris. Currently these materials include newspaper, ferrous and non-ferrous scrap metal, used motor oil, corrugated cardboard, aluminum, container glass, office paper and tin cans (OAR 340-60-030).

**STORAGE AREA.** The space necessary to store mixed solid waste and source separated recyclables that accumulate between collection days.

**MULTI-UNIT RESIDENTIAL BUILDING.** A structure that contains five or more dwelling units that share common walls or floors/ceilings with one or more units.

**NON-RESIDENTIAL BUILDING.** A structure that is used for any non-residential function, including but not limited to office, retail, wholesale/warehouse/industrial, educational, and institutional uses.

**390.040 Materials Accepted.** Except as provided for in Section 390.050 (C), the storage area must be able to accept at least all "principle recyclable materials" designated by the Oregon Environmental Quality Commission and other source-separated recyclables identified by City Ordinance.

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<sup>1</sup>ORS 459A.010 (2)(d)

**390.050 Methods of Demonstrating Compliance.** An applicant shall choose one of the following three methods to demonstrate compliance: 1) minimum standards; 2) comprehensive recycling plan; or 3) licensed hauler review and sign-off.

The following provisions apply to all three methods of demonstrating compliance:

- (1) Section 390.060 (Location, Design and Access Standards), except as provided in Section 390.050 (B).
- (2) The floor area of an interior or exterior storage area required by this Section shall be excluded from the calculation of lot coverage and from the calculation of building floor area for purposes of determining minimum storage requirements.

**A. Minimum Standards Method**

**Description of Method:** This method specifies a minimum storage area requirement based on the size and general use category of the new construction.

**Typical Application of Method:** This method is most appropriate when the specific use of a new building is not known. It provides specific dimensional standards for the minimum size of storage areas by general use category.

**Application Requirements and Review Procedures:** The size and location of the storage area(s) shall be indicated on the site plan of any construction subject to this Section. Through the site plan review process, compliance with the general and specific requirements set forth below is verified.

- (1) **General Requirements:**
  - (a) The storage area requirement is based on the predominant use(s) of the building (i.e. residential, office, retail, wholesale/warehouse /manufacturing, educational/ institutional, or other). If a building has more than one of the uses listed herein and that use occupies 20 percent or less of the floor area of the building, the floor area occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one of the uses listed herein and that occupies more than 20 percent of the floor area of the building, then the storage area requirement for the whole building shall be the sum of the requirement for the area of each use.
  - (b) Storage areas for multiple uses on a single site may be combined and shared.
  - (c) The specific requirements are based on an assumed storage height of 4 feet for solid waste/recyclables. Vertical storage higher than 4 feet

but no higher than 7 feet may be used to accommodate the same volume of storage in a reduced floor space (potential reduction of 43% of specific requirements). Where vertical or stacked storage is proposed, the site plan shall include drawings to illustrate the layout of the storage area and dimensions of containers.

(2) **Specific Requirements:**

(a) **Multi-unit residential** buildings containing 5-10 units shall provide a minimum storage area of 50 square feet. Buildings containing more than 10 residential units shall provide an additional 5 square feet per unit for each unit above 10.

(b) **Non-residential buildings** shall provide a minimum storage area of 10 square feet (sq. ft.), plus:

Office: 4 square feet/1,000 sq. ft. gross floor area (GFA)

Retail: 10 sq. ft./1,000 sq. ft. GFA

Wholesale/Warehouse/Manufacturing: 6 sq. ft./1,000 sq. ft. GFA

Educational and Institutional: 4 sq. ft./1,000 sq. ft. GFA

Other: 4 sq. ft./1,000 sq. ft. GFA

B. **Comprehensive Recycling Plan Method**

**Description of Method:** The comprehensive recycling plan method is most appropriate when an applicant has independently developed a comprehensive recycling plan that addresses materials collection and storage for the proposed use.

**Typical Application of Method:** This method can be used when a comprehensive recycling plan has been developed for a specific facility. It is most suited to large non-residential uses such as hospitals, schools and industrial facilities. The comprehensive recycling plan method can be used for new construction or expansion that is subject to full site plan review.

**Application Requirements and Review Procedure:** The comprehensive recycling plan shall be submitted at the same time site plans are submitted for site plan review. The applicant shall submit plans and text that show how mixed solid waste and recyclables generated by the proposed development will be served under a comprehensive recycling plan. The location, design and access standards set forth in Section 390.060 are applicable to new storage areas only.

### C. **Licensed Hauler Review Method**

**Description of Method:** This method provides for coordinated review of the proposed site plan by the licensed hauler serving the subject property.

**Typical Application of Method:** This method is to be used when there are unique conditions associated with the site, use or waste stream that make compliance with any of the other two methods infeasible. The objective of this method is to match a specific hauler program (types of equipment, frequency of collection, etc.) to the unique characteristic(s) of the site or development.

The following constitute unique conditions:

- (1) Use of either of the two other methods of compliance would interfere with the use of the proposed development by reducing the productive space of the proposed development, or make it impossible to comply with the minimum off-street parking requirements of the underlying zone.
- (2) The site is of an irregular shape or possesses steep slopes that do not allow for access by collection vehicles typically used by the licensed hauler to serve uses similar in size and scope to the proposed use.
- (3) The proposed use will generate unique wastes that can be stacked, folded, or easily consolidated without the need for specialized equipment, such as a compactor, and can therefore be stored in less space than is required by Section 390.050 (A) of this Section.

**Application Requirements and Review Procedure:** The applicant shall work with the licensed hauler to develop a plan for storage and collection of source separated recyclables and mixed solid waste expected to be generated from the new building. A narrative describing how the proposed site meets one or more of the unique site conditions described above plus site and building plans showing the size and location of storage area(s) required to accommodate anticipated volumes shall be submitted for site plan review. Additionally, a letter from the licensed hauler shall be submitted at the same time that describes the level of service to be provided by the hauler, including any special equipment and collection frequency, which will keep the storage area from exceeding its capacity.

**390.060 Location, Design and Access Standards for Storage Areas.** The following location, design and access standards for storage areas are applicable to all three methods of compliance: 1) minimum standards; 2) comprehensive recycling plan; or 3) licensed hauler review.

#### A. **Location Standards**

- (1) To encourage its use, the storage area for source separated recyclables shall

be co-located with the storage area for residual mixed solid waste.

- (2) Indoor and outdoor storage areas shall comply with Uniform Building and Fire Code requirements.
- (3) Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations.
- (4) Exterior storage areas can be located within interior side yard or rear yard areas. Exterior storage areas shall not be located within a required front yard setback or in a yard adjacent to a public or private street.
- (5) Exterior storage areas shall be located in central and visible locations on a site to enhance security for users.
- (6) Exterior storage areas can be located in a parking area, if the proposed use provides at least the minimum number of parking spaces required for the use after deducting the area used for storage. Storage areas shall be appropriately screened according to the provisions in Section 390.060 B, Design Standards.
- (7) The storage area shall be accessible for collection vehicles and located so that the storage area will not obstruct pedestrian or vehicle traffic movement on the site or on public streets adjacent to the site.

**B. Design Standards**

- (1) The dimensions of the storage area shall accommodate containers consistent with current methods of local collection.
- (2) Storage containers shall meet Uniform Fire Code standards and be made and covered with waterproof materials or situated in a covered area.
- (3) Exterior storage areas shall be enclosed by a sight obscuring fence, wall, or hedge at least six feet in height. Gate openings which allow access to users and haulers shall be provided. Gate openings for haulers shall be a minimum of 10 feet wide and shall be capable of being secured in a closed and open position.
- (4) Storage area(s) and containers shall be clearly labeled to indicate the type of materials accepted.

**C. Access Standards**

- (1) Access to storage areas can be limited for security reasons. However, the storage area shall be accessible to users at convenient times of the day, and to collection service personnel on the day and approximate time they are

scheduled to provide collection service.

- (2) Storage areas shall be designed to be easily accessible to collection trucks and equipment, considering paving, grade and vehicle access. A minimum of 10 feet horizontal clearance and 8 feet of vertical clearance is required if the storage area is covered.
- (3) Storage areas shall be accessible to collection vehicles without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area, adequate turning radius shall be provided to allow collection vehicles to safely exit the site in a forward motion.

**SECTION 395**  
**ACCESSORY DWELLING UNITS**

An Accessory Dwelling Unit (ADU) is a habitable living unit that provides the basic requirements for shelter, heating, cooking and sanitation. ADU's are permitted in single family zones, and in the single family areas of the Town Center Zone.

**395.010 Purpose.** The purpose of allowing ADU's is to:

- A. Provide homeowners with a means of obtaining, through tenants in either the ADU or the principle unit, rental income, companionship, security and services.
- B. Add affordable units to the existing housing supply.
- C. Make housing units available to moderate-income people who might otherwise have difficulty finding homes within the City.
- D. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
- E. Protect neighborhood stability, property values, and single-family residential appearance of the neighborhood by ensuring that ADU's are installed under the conditions of this Code.

**395.020 Requirements for All Accessory Dwelling Units.** In addition to the standards of the State Uniform Building Code, all accessory dwelling units must meet the following:

- A. **Creation.** One accessory dwelling unit per single family residence may be created through the following methods only:
  - (1) Converting existing living area, attic, basement, or garage of a single family unit;
  - (2) Adding floor area to a single family unit;
  - (3) Constructing a detached ADU on a single family site;
  - (4) Constructing a new house or detached house with an internal or detached ADU.
- B. **Owner Occupancy.** The property owner, which shall include the holders and contract purchasers, must occupy either the principal unit or the ADU as their permanent residence for at least six months out of the year, and at no time receive rent for the owner-occupied unit.
- C. **Number of Residents.** The total number of individuals that reside in both units may not exceed the number that is allowed for a household.

- D. **Location of Entrances.** If a separate entrance is provided, the primary entrance to the ADU shall be located in such a manner as to be visually secondary to the main entrance of the principal unit.
- E. **Parking.** In addition to the single family parking requirement, there shall be one additional parking stall provided for the ADU.
- F. **Floor Area.** The maximum gross habitable floor area (GHFA) of the ADU shall not exceed 800 square feet GHFA.
- G. **Setbacks and Dimensional Requirements.** The ADU shall comply with the setback and dimensional requirements of the underlying zone.
- H. **Design and Appearance.** The ADU shall be designed so that, to the degree reasonably feasible, the appearance of the building conforms to the original design characteristics and style of the primary building.