Chapter 3 Design Standards

3.0.100 Applicability.

All developments, within the city must comply with the provisions of Chapters 3. 1 through 3.6. Some developments such as major projects requiring land division and/or site design review approval, may require detailed findings demonstrating compliance with each chapter of the code. For smaller, less complex projects, fewer code provisions may apply. Though some projects will not require land use or development permit approval (e.g., building of single family houses on platted lots, that are not subject to Chapter 3.7-Sensitive Lands), they are still required to comply with the provisions of this Chapter.

3.0.200 Types of Design Standards.

The city's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply. The city may prepare checklists to assist property owners and applicants in determining which sections apply.

A. **Chapter 3.** The design standards contained within the following chapters apply throughout the city, for all land use types:
- 3.1 - Access and Circulation
- 3.2 - Landscaping, Street Trees, Fences and Walls
- 3.3 - Automobile and Bicycle Parking
- 3.4 - Public Facilities Standards
- 3.5 - Surface Water Management
- 3.6 - Other Design Standards
- 3. 7 - Sensitive Lands

B. **Chapter 2.** Each land use district (Chapter 2) provides design standards that are specifically tailored to the district. For example, the Residential District contains building design guidelines that are different than those provided in the Downtown District, due to differences in land use, building types, and compatibility issues. In addition, each district provides special standards that are meant to address the impacts or characteristics of certain land uses.

Chapter 3.1 Access and Circulation

Sections:

3.1.100 Purpose.

circulation, for pedestrians and vehicles. Section 3.1.200 provides standards for vehicular access and circulation. Section 3.1.300 provides standards for pedestrian access and circulation. Standards for transportation improvements are provided in Chapter 3.4.100.

3.1.200 Vehicular Access and Circulation.

A. Intent and Purpose. The intent of this Section is to manage vehicle access to development through a connected street system, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. Access shall be managed to maintain adequate performance standards and to maintain the "functional classification'' of roadways as required by the city's Transportation System Plan. Major roadways, including highways, arterials, and collectors, serve as the primary system for moving people and goods. "Access management" is a primary concern on these roads. Local streets and alleys provide access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. This Section attempts to balance the right of reasonable access to private property with the right of the citizens of the city and the State of Oregon to safe and efficient travel. It also requires all developments to construct planned streets (arterials and collectors) and to extend local streets.

To achieve this policy intent, state and local roadways have been categorized in the Comprehensive Plan by function. (See Chapter 3.4.100) Regulations have been applied to these roadways for the purpose of reducing traffic accidents, personal injury, and property damage attributable to access systems, and to thereby improve the safety and operation of the roadway network. This will protect the substantial public investment in the existing transportation system and reduce the need for expensive remedial measures. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.

B. Applicability. This ordinance shall apply to all public streets within the city and to all properties that abut these streets.

3.1.200 Vehicular Access and Circulation. *(continued)*

C. Access Permit Required. Access to a public street requires an Access Permit in accordance with the following procedures:

1. Permits for access to city streets shall be subject to review and approval by the Engineer based on the standards contained in this Chapter, and the provisions of Chapter 3.4.1 - Transportation Standards. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval.

2. Permits for access to State highways shall be subject to review and approval by Oregon Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the city or Umatilla County in that case, the city or County shall determine whether access is granted based on its adopted standards.

3. Permits for access to County highways shall be subject to review and approval by Umatilla County, except where the County has delegated this responsibility to the city, in which case the city shall determine whether access is granted based on adopted County standards.

D. Traffic Study Requirements. The city or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (Sec also, Section 3.4.100 - Transportation Standards.)

E. Conditions of Approval. The city or other agency with access permit jurisdiction may require the· closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

F. Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods. These methods are "options" to the developer/subdivider, unless one method is specifically required by Chapter 2 (i.e., under "Special Standards for Certain Uses a minimum of 10 feet per lane is required.

1. Option 1. Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.

2. Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.

3.1.200 Vehicular Access and Circulation. *(continued)*

3. Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Section G, below.

4. Land Divisions Fronting Onto an Arterial Street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., including through flag lots and mid-block lanes).

5. Double-Frontage Lots. When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. Except for comer lots, the creation of new double-frontage lots shall be prohibited in the Residential District, unless topographic or physical constraints require the formation of such lots. When double-frontage lots are permitted in the Residential District, a landscape buffer with trees and/or shrubs and groundcover not less than 20 feet wide shall be provided between the back yard fence/wall and the sidewalk or street; maintenance of the buffer shall be assured by the owner (i.e., through homeowner's association, etc.).

   Important cross-reference to other code sections:
   Provisions in Chapters 2 and 3 may require buildings placed at or near the front property line and driveways and parking areas oriented to the side or rear yard. The city may require the dedication of public right-of-way and construction of a street (e.g., frontage road, alley or other street) when the development impact is proportionate to the need for such a street, and the street is identified by the Comprehensive Plan or an adopted Local Streets Plan. (Please refer to Section 3.4.1 ·Transportation Standards.)

G. Access Spacing. Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:

1. Local Streets. A minimum of SO feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials), except as provided in subsection 3, below.

2. Arterial and Collector Streets. Access spacing on collector and arterial streets and at controlled intersections (i.e., with four-way stop sign or traffic signal) shall be determined based on the policies and standards contained in the city's Transportation System Plan.

3.1.200 Vehicular Access and Circulation. *(continued)*

3. Special Provisions for All Streets. Direct street access may be restricted for some land uses, in conformance with the provisions of Chapter 2 -Land Use Districts. For example, access consolidation, shared access, and/or access separation greater than that specified by subsections1-2, may be required by the city, County or ODOT for the purpose of protecting the function, safety and operation of the street for all users. (See Section '1', below.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only or right out only) may be required.

4. Comer Clearance. The distance from a street intersection to a driveway or other street access shall meet or exceed the minimum spacing requirements for the street classification in the city's Transportation System Plan.

H. Number of Access Points. For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot, when alley access cannot otherwise be provided, except that two access points may be permitted for two-family and three-family housing on comer lots (i.e., no more than one access per street), subject to the access spacing standards in Section 'G', above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be req11ired, in conformance with Section I, below, in order to maintain the required access spacing, and minimize the number of access points.

I. Shared Driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

1. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

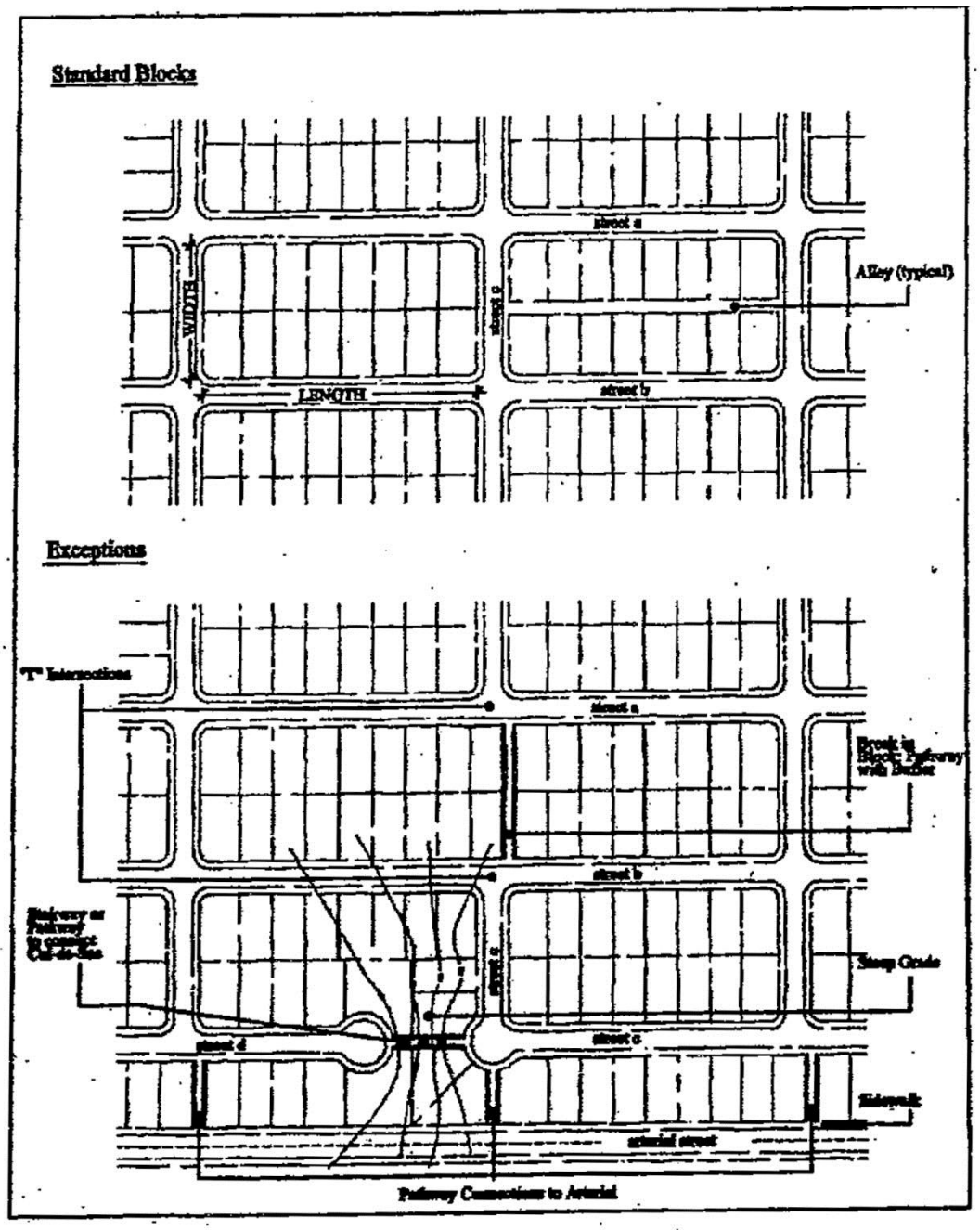
2. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, and pathways and cross accesses at the time of final plat approval (Chapter 4.3) or as a condition of site development approval (Chapter 4.2).

3. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

3.1.200 Vehicular Access and Circulation. *(continued)*

4. Cross Access. Cross access is encouraged and may be required between contiguous sites in Commercial and Industrial Districts and for multi-family housing in the Residential Multi-Family Sub-district of the Residential District, in order to provide for more direct circulation between sites and uses for pedestrians, bicyclists and drivers.

Figure 3.1.2J- Street Connectivity and Formation of Blocks



3.1.200 Vehicular Access and Circulation. *(continued)*

J. Street Connectivity and Formation of Blocks Required. Land divisions and large site developments often involve development of land not previously developed This creates opportunities to help insure that pedestrian and vehicular circulation is preserved both to and from the new development. To accomplish this, site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

1. Block Length and Perimeter. The maximum block length and perimeter shall not exceed:

   a. 600 feet length and 1,200 feet perimeter in the Residential District;

   b. 400 feet length and 1,200 feet perimeter in the Downtown, except as provided by Chapter2.2, Section 140- Block Layout and Building Orientation;

   c. Not applicable to the Residential Suburban, Farm Residential, or General Industrial District;

   d. 800 feet length and 2,000 feet perimeter in the Light Industrial District, except as required for commercial developments subject to Chapter 2.2, Section 140;

2. Street Standards. Public and private streets shall also conform to Chapter 3.4.1 –Transportation Standards, Section 3.1.3- Pedestrian Circulation and applicable Americans with Disabilities Act (ADA) design standards.

3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of Section 3.1.3.A Pathways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles. Additional exceptions may be granted for issues of topography and existing development such as rail lines.

K. Driveway Openings. Driveway openings [or curb cuts] shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians

1. Single family, two-family, and three-family uses shall have a minimum driveway opening of 10 feet, and a maximum width of 24 feet. One recreational vehicle pad driveway may be provided in addition to the standard driveway.

2. Multiple family uses with between 4 and 7 dwelling units shall have a minimum driveway width of 20 feet, and a maximum width of 24 feet.

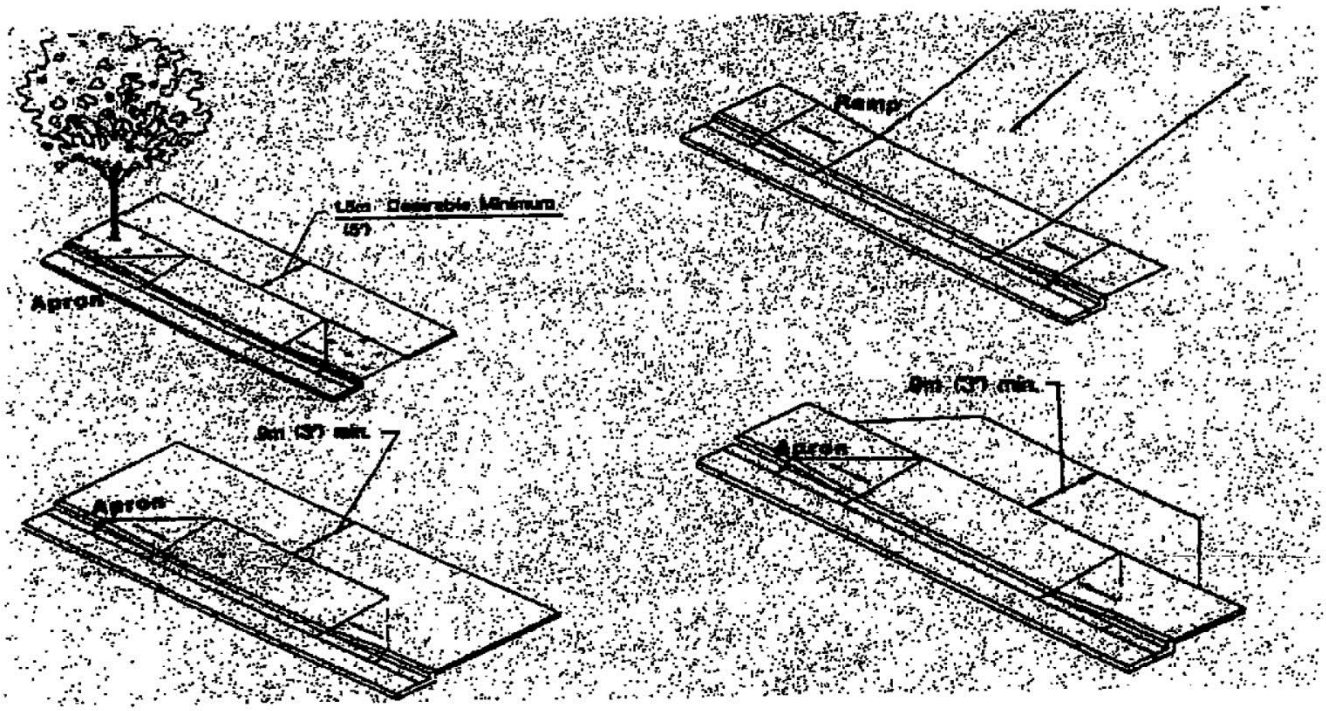
3.1.200 Vehicular Access and Circulation. *(continued)*

3. Multiple family uses with more than 8 dwelling units, and off-street parking areas with 16 or more parking spaces, shall have a minimum driveway width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the Engineer determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.

4. Access widths for all other uses shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Chapter 3.3.

5. Driveway approaches should be designed and located to provide an existing vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes or tapers should be avoided due to the potential for vehicle conflicts. This criterion is mandatory for accesses to State highways.

Illustration of Driveway Opening Standards



3.1.200 Vehicular Access and Circulation. *(continued)*

6. Driveway Aprons. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown above. Driveway aprons shall conform to ADA standards for sidewalks and pathways, which require a continuous route of travel, that is a minimum of 3 feet in width, with a cross slope not exceeding 2 percent.

7. Loading Area Design. The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall consider the anticipated storage length for entering and existing vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

L. Fire Access and Parking Area Turn-arounds. A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or tum-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. For requirements related to cul-de-sacs, please refer to Chapter 3.4.1Section M.

M. Vertical C1earances. Driveways, private streets, aisles, tom-around areas and ramps shall have a minimum vertical clearance of 13' 6" for their entire length and width.

N. Vision Clearances. No signs, structures or vegetation in excess of three feet in height shall be placed in "vision clearance areas", as shown in Figure 3.1.3 below. The minimum vision clearance area maybe increased by the Engineer upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard is applicable to driveways, streets, alleys and mid-block lanes.

O. Construction. The following development and maintenance standards shall apply to all driveways and private streets, except that the standards do not apply to driveways serving one single-family detached dwelling:

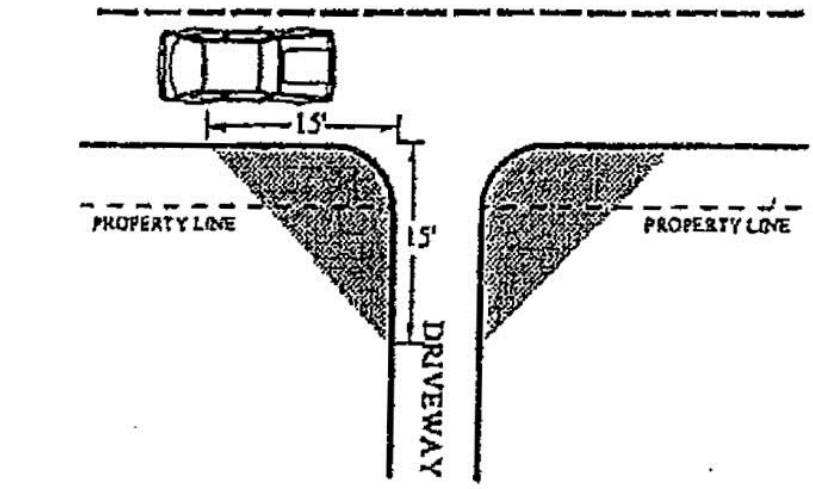
1. Surface Options. Driveways, parking areas, aisles, and turn-arounds may be paved with asphalt, concrete or comparable surfacing, or a durable non-paving material may be used to reduce surface water runoff and protect water quality. Paving surfaces shall be subject to review and approval by the Engineer.

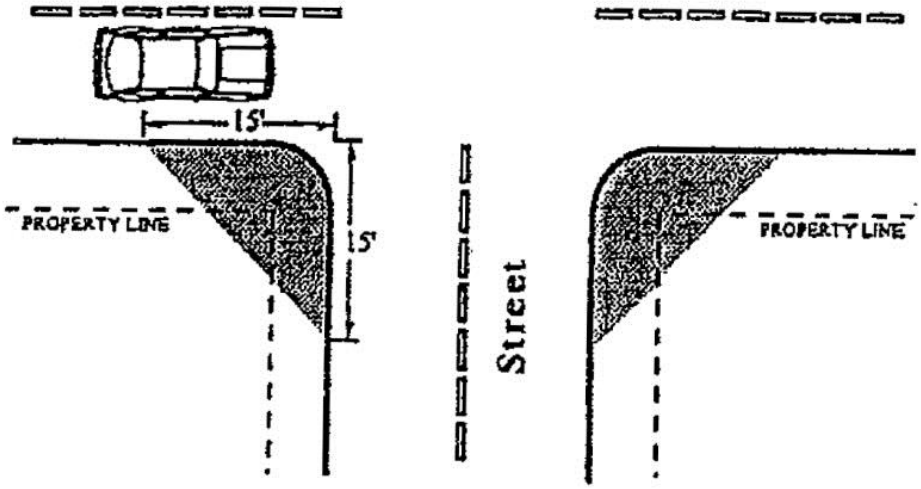
2. Surface Water Management. When a paved surface is used, all driveways, parking areas, aisles and turn-arounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with city standards.

3. Driveway Aprons. When driveway approaches or "aprons" are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing. (See also, Section K.)

3.1.200 Vehicular Access and Circulation. *(continued)*

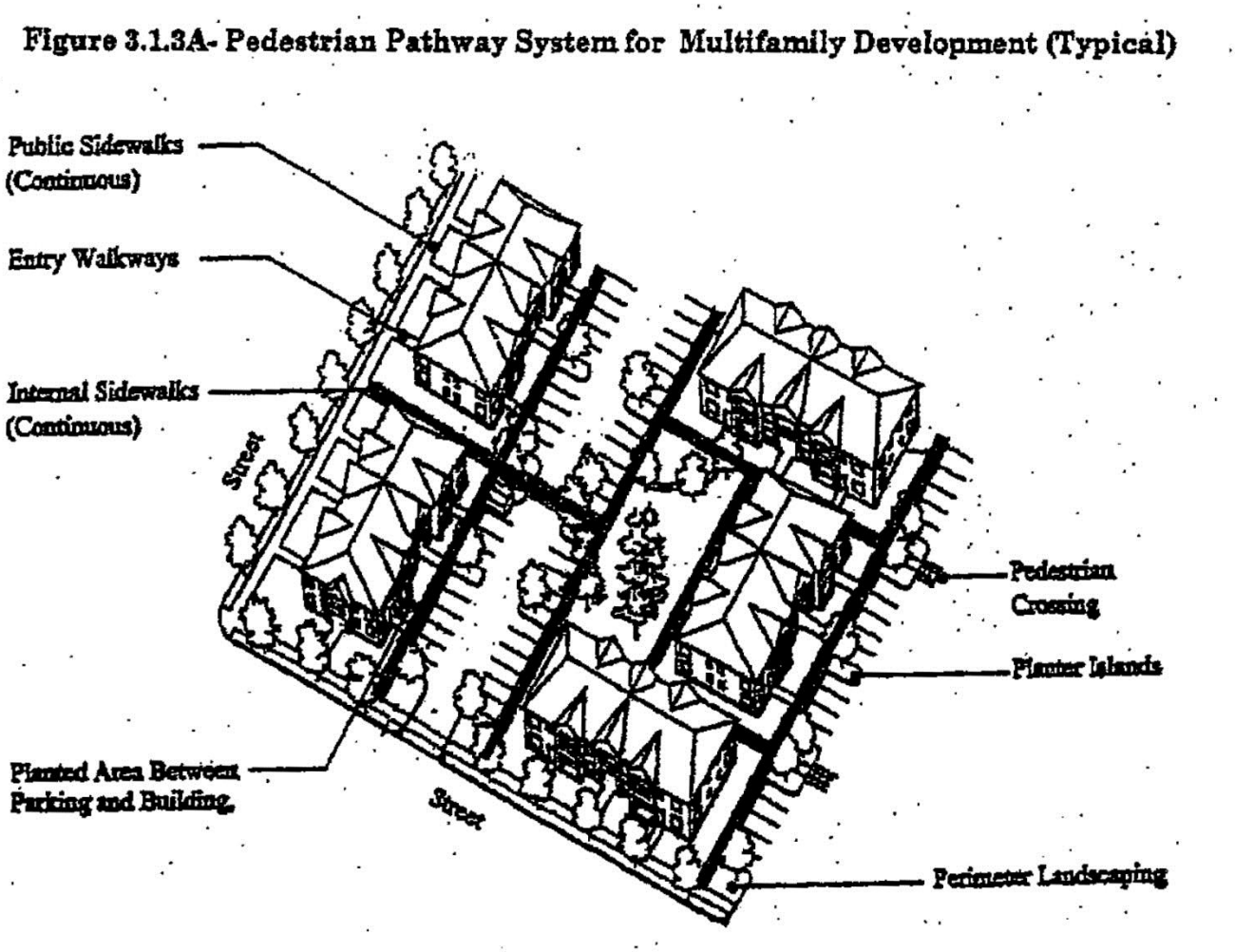
Figure 3.1.3
Vision Clearance Areas





3.1.200 Vehicular Access and Circulation. *(continued)*

Figure 3.1.3A- Pedestrian Pathway System for Multifamily Development (typical)



3.1.300 Pedestrian Access and Circulation.

To ensure safe, direct and convenient pedestrian circulation, all new development, including new land divisions that create lots for new single family detached housing, shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in subsections 1-3, below: Sidewalks along the public street may be found to provide sufficient pedestrian circulation to satisfy the requirements of this section. A permit for a single family residence on an existing lot of record is exempt from these requirements.

A. Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 3 .1.2 - Vehicular Access and Circulation, and Chapter 3.4, Section I - Transportation Standards. Added Traffic Impact Requirement

B. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

1. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

2. Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

3. Primary Entrance. For commercial, industrial, mixed use, public, and institutional buildings, the "primary entrance" is the main public entrance to the building. If no public entrance exists, street connections shall be provided to the main employee entrance.

4. Residential Primary Entrance. For residential buildings· the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard or breezeway which serves as a common entrance for more than one dwelling.

C. Connections within Development. For all developments subject to Site Design Review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.

D. A new subsection proposed for this section of the Development Code requires developers to coordinate improvement or provision of transit amenities with the transit service provider when they are developing adjacent to an existing or planned transit stop. While service may be limited in Weston at the present time and for the near future, these changes support the continued development of transit as a transportation option for Weston residents, employees, and visitors.

1. Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the standards in Section 3 .1.2. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than 10 feet wide and located within a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;

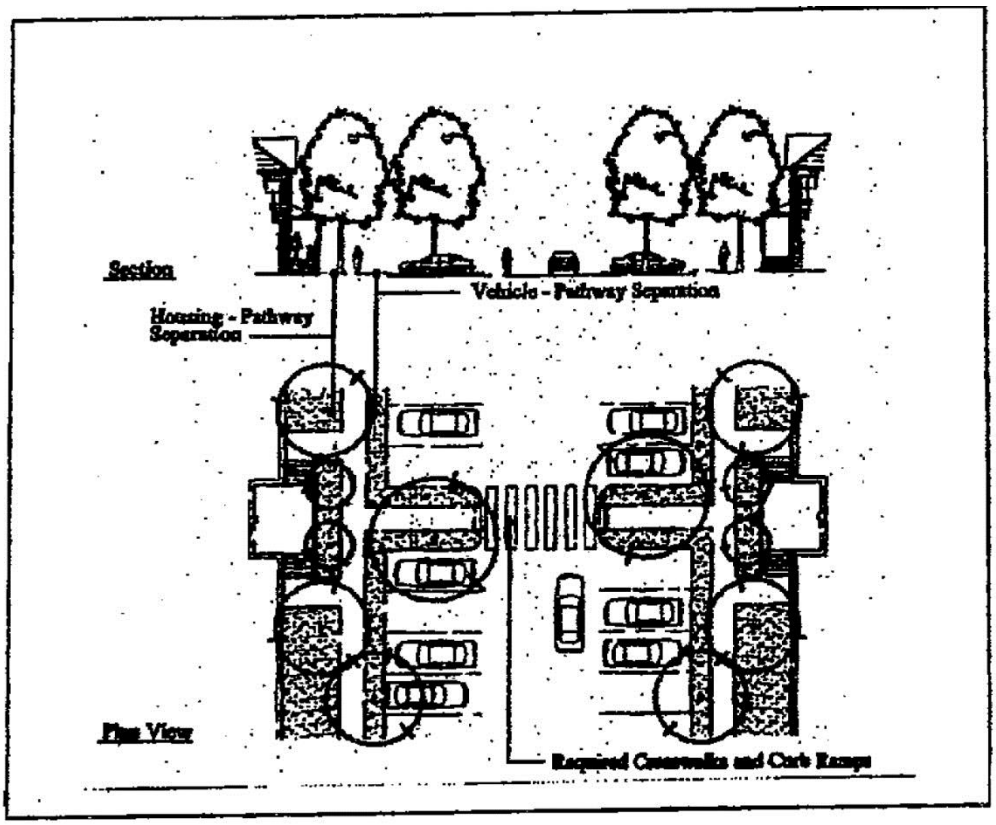
2. If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted;

3. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep;

4. The city may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties;

5. The decision authority may determine, based upon facts in the record, that a pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this Code prohibit the pathway connection.

Figure 3.1.3B - Pathway Standards (Typical)



3.1.300 Pedestrian Access and Circulation. *(continued)*

E. Design and Construction. Pathways shall conform to all of the standards in 1-5:

1. Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with ADA-compliant curb ramps.

2. Housing/Pathway Separation. Pedestrian pathways shall be separated a minimum of 5 feet from all residential living areas on the ground floor, except at building entrances. Separation as measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Chapter 3.3. No pathway/building separation is required for commercial, industrial, public, or institutional uses.

3. Crosswalks. Where pathways cross a parking area, driveway, or street ("crosswalk, they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway.

4. Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least 6 feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 10 feet wide. (See also, Section 3.4.1- Transportation Standards for public, multi-use pathway standard.)

5. Accessible routes. Pathways shall comply with the Americans With Disabilities Act (ADA), which requires accessible routes of travel from the parking spaces to the accessible entrance. The route shall be compliant with the following standards:

   a. Shall not contain curbs or stairs;

   b. Must be at least 3 feet wide;

   c. Is constructed with a firm, stable, slip resistant surface; and

   d. The slope shall not be greater than 1:12 in the direction of travel.

F. Transit Stop Amenities. For all development subject to Site Design Review that is adjacent to an to an existing or planned transit stop, the developer shall coordinate provision or improvement of transit stop amenities with the transit service provider.

Chapter 3.2 Landscaping, Street Trees, Fences and Walls

Sections:

3.2.100 Purpose.

The purpose of this chapter is to promote community health, safety and welfare by protecting natural vegetation, and setting development standards for landscaping, street trees, fences and walls. Together, these elements of the natural and built environment contribute to the visual quality, environmental health and character of the community. Trees provide climate control through shading during summer months and wood screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control surface water drainage and can improve water quality, as compared to paved or built surfaces.

The chapter is organized into the following sections:

Section 3.2.200 - Landscape Conservation prevents the indiscriminate removal of significant trees and other vegetation, including vegetation associated with streams, wetlands and other protected natural resource areas. This section cross-references Chapter 3. 7, which regulates development of sensitive lands.

Section 3.2.300 -New Landscaping sets standards for and requires landscaping of all development sites that require Site Design Review. This section also requires buffering for parking and maneuvering areas, and between different land use districts. Note that other landscaping standards are provided in Chapter 2 - Land Use Districts, for specific types of development.

Section 3.2.400 - Street Trees sets standards for and requires planting of trees along all streets for shading, comfort, safety, and aesthetic purposes.

Section 3.2.500- Fences and Walls sets standards for new fences and walls, including maximum allowable height and materials, to promote security, personal safety, privacy, and aesthetics.

3.2.100 Landscape Conservation.

A. Applicability. All development sites requiring a Site Design Review containing Significant Vegetation, as defined below, shall comply with the standards of this Section. The purpose of this Section is to incorporate significant native vegetation into the landscapes of development. The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting. Mature landscaping provides summer shade and wind breaks, and allows for water conservation due to larger plants having established root systems.

B. Significant Vegetation. "Significant vegetation" means:

1. Significant Trees and Shrubs. Individual trees and shrubs with a trunk diameter of four inches or more, as measured four feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected. Other trees may be deemed significant when nominated by the property owner and designated by the City Council as "Heritage Trees" (i.e., by virtue of site, rarity, historical significance, etc.)

2. Sensitive Lands. Trees and shrubs on sites that have been designated as "Sensitive Lands" in accordance with Chapter 3.7 (e.g., due to slope, natural resource areas, wildlife habitat, etc.) shall be protected.

3. Exception: Protection shall not be required for plants listed as non-native, invasive plants by the Oregon State University Extension Service (OSU) in the applicable OSU bulletins for Umatilla County.

C. Mapping and Protection Required. Significant vegetation may be mapped as required by Chapter 4.2- Site Design Review and Chapter 3. 7- Sensitive Lands. Significant trees shall be mapped individually and identified by species and size (diameter at four feet above grade, or "DBH"). A "protection" area shall be defined around the edge of all branches (drip-line) of each tree (driplines may overlap between trees). The city also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine vegetation boundaries, building setbacks, and other protection or mitigation requirements.

D. Protection Standards. All of the following protection standards shall apply to significant vegetation areas:

1. Protection of Significant Trees (Section B.1) Significant trees identified as meeting the criteria in Section B shall be retained whenever practicable. Preservation may become impracticable when it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district.

2. Sensitive Lands (Section B.2). Sensitive lands shall be protected in conformance with the provisions of Chapter 3.7.

3.2.100 Landscape Conservation. *(continued)*

3. Conservation Easements and Dedications. When necessary to implement the Comprehensive Plan, the city may require dedication of land or recording of a conservation easement to protect sensitive lands, including groves of significant trees.

4. Replanting. When conservation of significant vegetation is not practicable (per standard 1above) the significant vegetation owner or applicant shall replace prior to occupancy. Replacement planting shall meet requirements in 3.2.300.

E. Construction. All areas of significant vegetation shall be protected prior to, during, and after construction. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, except as approved by the city for installation of utilities or streets. Such approval shall only be granted after finding that there is no other reasonable alternative to avoid the protected area, and any required mitigation is provided in conformance with Chapter 3.7 - Sensitive Lands.

F. Exemptions. The protection standards in "D" shall not apply in the following situations:

1. Dead, Diseased, and/or Hazardous Vegetation. Vegetation that is dead or diseased, or poses a hazard to personal safety, property or the health of other trees, may be removed. Prior to tree removal, the applicant shall provide a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal, except as provided by subsection 2, below.

2. Emergencies. Significant vegetation may be removed in the event of an emergency without land use approval pursuant to Chapter 4, when the vegetation poses an immediate threat to life or safety, as determined by the Planning Commission or designee. Planning Commission or appointed official shall prepare a notice or letter of decision within 3days of the tree(s) being removed. The decision letter or notice shall explain the nature of the emergency and be on file and available for public review at City Hall.

3.2.300 New Landscaping.

A. Applicability. This Section shall apply to all development requiring Site Design Review, as well as new single family development and other developments with required landscaping.

B. Landscaping Plan Required. A landscape plan is required. All landscape plans shall conform to the application submittal requirements in Chapter 4.2, Section 5.B.5. (Landscape Plan). Landscape plans shall comply with at least three (3) of the ten (10) materials in Section 3.2.3.D

3.2.300 New Landscaping. *(continued)*

C. Landscape Area Standards. The minimum percentage of required landscaping equals:

1. Residential Districts. 20 percent of the site.
2. Downtown District. 10 percent of the site.
3. General Industrial District. A minimum of 10 percent of the site shall be landscaped.
4. Light Industrial District. 20 percent of the site.

D. Landscape Materials. Landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below:

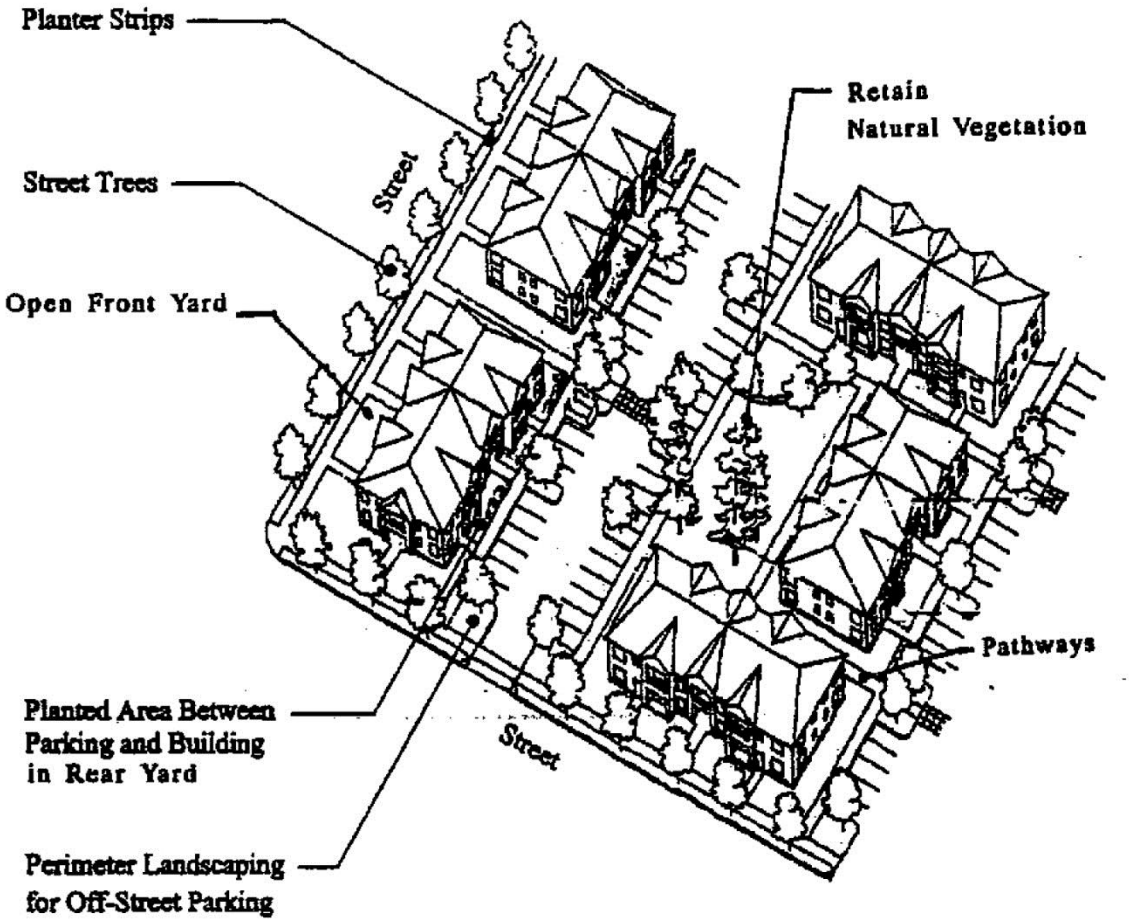
1. Natural Vegetation. Natural vegetation shall be preserved or planted where practicable.
2. Plant Selection. A combination of deciduous and evergreen trees, shrubs and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. As necessary, soils shall be amended to allow for healthy plant growth.
3. "Non-native, invasive" plants, as per Section 3.2.2.B, shall be prohibited.
4. Hardscape features (i.e., patios, decks, plazas, etc.) may cover up to 50 percent of the required landscape area; except in the Downtown and Main Street District where hardscape features may cover up to 50 percent of the landscape area. Swimming pools, sports courts and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.
5. Non-plant Ground Covers. Bark dust, chips, aggregate or other non-plant ground covers may be used, but shall cover no more than 50 percent of the area to be landscaped. "Coverage" is measured based on the size of plants at maturity or after 2 years of growth, whichever comes sooner.
6. Tree Size. Trees shall have a minimum caliper size of 2 inches or greater at time of planting.
7. Shrub Size. Shrubs shall be planted from 1-gallon containers or larger.
8. Ground Cover Size. All of the landscaped area that is not planted with trees and shrubs must be planted in ground cover plants, including grasses. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for ground cover plants. Ground cover plants shall be sized and spaced in the following manner: planted at a rate of one plant per 12 inches on center, in triangular spacing.
9. Significant Vegetation. Significant vegetation preserved in accordance with Section 3.2.2 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The Street Tree standards of Section 3.2.4 may be waived when trees preserved within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.

3.2.300 New Landscaping. *(continued)*

10. Storm Water Facilities. Storm water facilities (e.g., detention/retention ponds and swales) should be landscaped with water-tolerant, native plants.

11. Drainage Fields. Landscaping plans shall contain adequate drainage fields.

Figure 3.2.3- Landscape Areas in a Multiple Family Development (Typical)



3.2.300 New Landscaping. *(continued)*

E. Landscape Design Standards. All yards, parking lots and required street tree planter strips shall be landscaped in accordance with the provisions of this Chapter, Sections 3.2.1 through 3.2.5. Landscaping shall be installed with development to provide erosion control, visual interest, buffering, privacy, open space and pathway identification, shading and wind buffering, based on the following standards:

1. Yard Setback Landscaping. Landscaping shall satisfy the following criteria:

   a. Provide visual screening and privacy within side and rear yards, while leaving front yard sand building entrances mostly visible for security purposes;

   b. Use shrubs and trees as wind breaks where appropriate;

   c. Retain natural vegetation to the extent practicable;

   d. Define pedestrian pathways and open space areas with landscape materials;

   e. Provide focal points within a development, such as signature trees (i.e., large or unique trees), hedges and flowering plants;

   f. Use trees to provide summer shading within common open space areas, and within front yards when street trees cannot be provided;

   g. Use a combination of plants for year-long color and interest;

   h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales and detention/retention ponds.

2. Parking areas. A minimum of 5 percent of the combined area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and/or groundcover plants. “Evenly distributed” means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per 10 parking spaces total shall be planted to create-a partial tree canopy over and around the parking area. All parking areas with more than 30 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 15 contiguous parking spaces. All landscaped areas shall have minimum dimensions of 4 feet by 4 feet to ensure adequate soil, water, and space for healthy plant growth.

3.2.300 New Landscaping. *(continued)*

3. Buffering and Screening Required- Buffering and screening are required under the following conditions:

   a. Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a decorative wall (masonry or similar quality material), arcade, trellis, evergreen hedge, or similar screen shall be established parallel to the street or driveway. The required wall or screening shall provide breaks, as necessary, to allow for access to the site and sidewalk by pedestrians via pathways. The design of the wall or screening shall also allow for visual surveillance of the site for security. The height of the wall or screening shall not exceed 5 feet. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number and spacing to provide the required screening within one year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or other ground cover. All walls shall be maintained in good condition, or otherwise replaced by the owner.

   b. Parking/Maneuvering Area Adjacent to Building. When; a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a raised pathway, plaza, or landscaped buffer no less than two feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles. When parking areas are located adjacent to residential ground-floor living space, a landscape buffer is required to fulfill this requirement.

   c. Screening of Mechanical Equipment. Outdoor Storage. Service and Delivery Areas, and Automobile-Oriented Uses. All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas shall be screened from view from all public streets and Residential districts. Screening shall be provided by one or more the following: decorative wall (i.e., masonry or similar quality material), evergreen hedge, non-see-through fence, or a similar feature that provides a non-see-through barrier. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 3.1 -Access and Circulation. (See Section 3.2.5 for standards related to fences and walls.)

F. Maintenance and Irrigation. The use of drought-tolerant plant species is encouraged, and maybe required when irrigation is not available. Irrigation shall be provided for plants that are not drought-tolerant. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.). All other landscape features required by this Code shall be maintained in good condition, or otherwise replaced by the owner.

G. Additional Requirements. Additional buffering and screening may be required for specific land uses, as identified by Chapter 2, and the city may require additional landscaping through the Conditional Use Permit process (Chapter 4.4).

3.2.400 Street Trees.

Street trees shall be planted for all developments that are subject to Land Division or Site Design Review. Requirements for street tree planting strips and tree wells are provided in Chapter 3.4.1 –Transportation Standards. Planting of unimproved streets shall be deferred until the construction of curbs and sidewalks. Street trees shall conform to the following standards and guidelines:

A. Growth Characteristics. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:

1. Provide a broad canopy where shade is desired.
2. Use lower-growing trees for spaces under utility wires.
3. Select trees that can be "limbed-up" where vision clearance is a concern.
4. Use narrow or "columnar" trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.
5. Use species with similar growth characteristics on the same block for ·design continuity.
6. Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.
7. Select trees that are well adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil.
8. Select trees for their seasonal color, as desired.
9. Use deciduous trees for summer shade and winter sun.

B. Caliper Size. The minimum caliper size at planting shall be two inches, based on the American Association of Nurserymen Standards. If this caliper is not available the City Council may accept replacement trees.

C. Spacing and Location. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers.

D. Soil Preparation, Planting and Care. The Developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary during the first two years after planting.

3.2.400 Street Trees. *(continued)*

E. Assurances. At the time of building permit application submittal, the city staff shall choose one of the following assurances:

1. The developer shall pay a fee to the city, in accordance with the adopted fee schedule, for each required street tree. The fee shall cover the city's expense for planting and the first two years of care.

2. The city shall require the developer to provide a performance and maintenance bond in an amount determined by an engineer, to ensure the planting of the tree(s) and care during the first two years after planting.

3.2.500 Fences and Walls.

The following standards shall apply to all fences and walls:

A. General Requirements. All fences and walls shall comply with the standards of this Section. The city may require installation of walls and/or fences as a condition of development approval, in accordance with Chapter 42- Conditional Use Permits or Chapter 4.4 ·Site Design Review. Walls built for required landscape buffers shall comply with Section 3.2.3.

B. Dimensions.

1. The maximum allowable height of fences and walls is 6 feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed 6 feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. A building permit is required for walls exceeding 6 feet in height, in conformance with the Uniform Building Code.

2. The height of fences and walls within a front yard setback shall not exceed 4 feet (except decorative arbors, gates, etc.), as measured from the grade closest to the street right-of-way.

3. Walls and fences to be built for required buffers shall comply with Section 3.2.3.

4. Fences and walls shall comply with the vision clearance standards of Section 3 .1.2.

5. Retaining walls shall confom1 to State building codes.

3.2.500 Fences and Walls. *(continued)*

C. Materials. Prohibited materials include concrete blocks, straw bales, barbed/razor wire and landscaped hedges greater than 6 feet in height.

D. Maintenance. For safety and for compliance with the purpose of this Chapter, walls and fences required as a condition of development approval shall be maintained in good condition, or otherwise replaced by the owner.

E. Permit Requirements: An application for a fence pem1it shall include a site plan that identifies the location of the fence on the property & the location of property boundaries. For a fence proposed to be located on or adjacent to a property line, the applicant shall provide proof of the location of the property boundary such as a survey, letter of agreement from neighboring property owner (s), or other documents satisfactory to the City Official that demonstrates that the proposed fence will be located on or within the property owned by the applicant.

Chapter 3.3 Vehicle and Bicycle Parking

Sections:

3.3.100 Purpose.

The purpose of this chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. Because vehicle-parking facilities can occupy large amounts of land, they must be planned and designed carefully to use the land efficiently while maintaining the visual character of the community. This chapter recognizes that each development has unique parking needs by providing a flexible approach for determining parking space requirements (i.e., "minimum" and "performance-based" standards). This chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

All developments subject to Site Design Review (Chapter 4.2), including development of parking facilities,

3.3.200 Applicability.

shall comply with the provisions of this Chapter.

3.3.300 Vehicle Parking Standards.

The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way} shall be determined based on the standards in the Vehicle Parking section. There is no minimum number of off-street parking spaces required in the Downtown District (or in designated historic districts), however, the "maximum parking" standards of this Chapter apply.

A. **Vehicle Parking Maximum Standards Option.** The number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways if vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, and pathway or landscape area. Credit shall be allowed for "on-street parking", as provided in the Credit for On-Street Parking section.

3.3.300 Vehicle Parking Standards. *(continued)*

Residential Uses

Single family detached housing. 2 parking spaces shall be provided for each detached single family dwelling or manufactured home on an individual lot.

Two- and three-family housing. 1.5 spaces per dwelling unit.

Multi-family and single family attached housing.
a. Studio units or 1-bedroom units less than 500 sq. ft. - space/unit.
b. 1-bedroom units 500 sq. ft. or larger-1.50 spaces/unit.
c. 2-bedroom units-1.75 spaces/unit.
d. 3-bedroom or greater units-2.00 spaces/unit.
e. Retirement complexes for seniors 55-years or greater-One space per unit.

Rooming and boarding houses, dormitories. Two spaces for each three guest rooms, or one per three beds, whichever is more;

Senior housing. Same as for retirement complexes.

Manufactured home parks. Same as for single family detached housing.

Accessory dwelling. None required.

Commercial Uses

Auto, boat or trailer sales, retail nurseries and similar bulk retail uses. One space per 1,000 square feet of the first 10,000 square feet of gross land area; plus one space per 5,000 square feet for the excess over 10,000 square feet of gross land area; and one space per two employees.

Business, general retail, personal services. General -one space for 350 square feet of gross floor area. Furniture and appliances -one space per 750 square feet of gross floor area.

Chapels and mortuaries. One space per four fixed seats in the main chapel.

Hotels and motels. One space for each guest room, plus one space for the manager.

Offices. Medical and Dental Offices -one space per 350 square feet of gross floor area; General Offices - one space per 450 square feet of gross floor area.

Restaurants, bars, ice cream parlors and similar uses. One space per four seats or one space per 100-sq. ft. of gross leasable floor area, whichever is less.

Theaters, auditoriums, stadiums, gymnasiums, similar uses. One space per four seats.

Industrial Uses

Industrial uses, except warehousing. One space per two employees on the largest shift or one space for each 700 square feet of gross floor area, whichever is less, plus one space per company vehicle.

Warehousing. One space per 1,000 square feet of gross floor area or one space for each two employees, whichever is greater, plus one space per company vehicle.

Public utilities (gas, water, telephone, etc.), not including business offices. One space per two employees on the largest shift, plus one space per company vehicle; a minimum of two spaces is required.

3.3.300 Vehicle Parking Standards. *(continued)*

Public and Institutional Uses

Child care centers having 13 or more children. One space per two employees; a minimum of two spaces is required.

Churches and similar places of worship. One space per four seats.

Golf courses, except miniature. Eight spaces per hole, plus additional spaces for auxiliary uses set forth in this section. Miniature golf courses -four spaces per hole.

Hospitals. Two spaces per patient bed.

Nursing and convalescent homes. One space per three patient beds.

Rest homes, homes for the aged, or assisted living. One space per two patient beds or one space per apartment unit.

Schools, elementary and junior high. One and one-half spaces per classroom, or the requirements for public assembly areas as set forth herein, whichever is greater.

High schools. One and one-half spaces per classroom, plus one space per 10 students the school is designed to accommodate, or the requirements for public assembly as set forth herein, whichever is greater.

Colleges, universities and trade schools. One and one-half spaces per classroom, plus one space per five students the school is designed to accommodate, plus requirements for on-campus student housing.

Unspecified Uses

Where a use is not specifically listed in this table, parking requirements shall he determine by finding that a use is similar to those listed in terms of parking needs.

3.3.300 Vehicle Parking Standards. *(continued)*

B. Credit for On-Street Parking

On-Street Parking Credit. The amount of off-street parking required may be reduced by one off-street parking space for every on-street parking space adjacent to a commercial development. On-street parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by city, ODOT and/or County standards. The following constitutes an on-street parking space:

a. Parallel parking, each 24 feet of uninterrupted curb;

b. 45 degree diagonal, each with 14 feet of curb;

c. 90 degree (perpendicular) parking, each with 12 feet of curb;

d. Curb space must be connected to the lot which contains the use;

e. Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard; and

f. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces is permitted.

C. Parking Location and Shared Parking.

1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations for parking are indicated in Chapter 2 for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). (See also, Section 3.1 - Access and Circulation).

2. Off-site parking. Except for single family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 250of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

3. Mixed uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less(i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.

4. Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators allow that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.

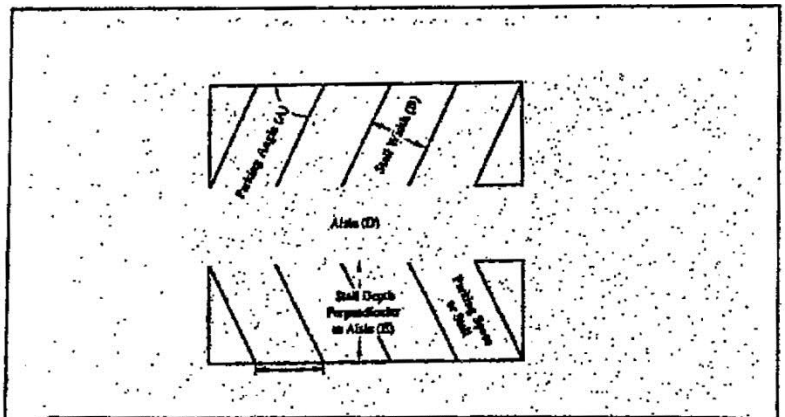
3.3.300 Vehicle Parking Standards. *(continued)*

5. Availability of facilities. Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter 3.6.

D. Maximum Number of Parking Spaces. The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces provided by this Section by more than 10%. Spaces provided on street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface Jots, may not apply towards the maximum number of allowable spaces. Parking spaces provided through "shared parking" also do not apply toward the maximum number.

E. Parking Stall Standard Dimensions and Compact Car Parking. All off-street parking stalls shall be improved to conform to city standards for surfacing, storm water management and striping, and provide dimensions in accordance with the following table. (Disabled person parking shall be provided in conformance with Section F.)

Figure 3.3.3 - Parking Dimensions



Minimum Parking Space and Aisle Dimensions

Angle (A)	Type	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	Standard	8 ft.	22 ft. 6 in.	12 ft.	24 ft.	8 ft.
	Compact	7 ft. 6 in.	19 ft. 6 in	12 ft.	24 ft.	7 ft. 6 in.
	Disabled					
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					
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					
60°	Standard	9 ft.	10 ft. 6 in.	18 ft.	24 ft.	20 ft.
	Compact	7 ft. 6 in.	8 ft. 6 in.	15 ft.	24 ft.	16 ft. 6 in.
	Disabled					
90°	Standard	9 ft.	9 ft.	24 ft.	24 ft.	19 ft.
	Compact	7 ft. 6 in.	7 ft. 6 in.	22 ft.	24 ft.	15 ft.
	Disabled					

See also, Chapter 2 ·Land Use District standards; Chapter 3.1 - Access and Circulation; Chapter 3.2 - Landscaping

3.3.300 Vehicle Parking Standards. *(continued)*

F. Disabled Person Parking Spaces. The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act. Disabled parking is included in the minimum number of required parking spaces in Section E.

FIGURE 3.3.3 F- DISABLED PERSON PARKING REQUIREMENTS

Minimum Number of Accessible Parking Spaces

ADA Standards for Accessible Design 4.1.2 (5)

Total Number of Parking spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles)	Van Accessible Parking Spaces with min. 96" wide access aisle	Accessible Parking Spaces with min. 60" wide access aisle
	Column A		
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1000	2% of total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1001 and over	20 plus 1 for each 100 over 1000	1/8 of Column A*	7/8 of Column A**

* one out of every 8 accessible spaces ** 7 out of every 8 accessible parking spaces

U.S. Department of Justice
Civil Rights Division
Disability Rights Section

ADA Design Guide **1**

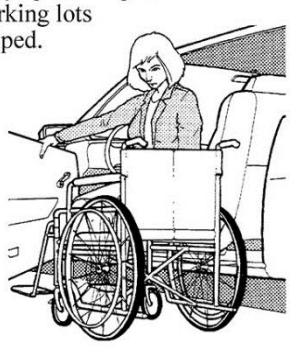
Restriping Parking Lots

Accessible Parking Spaces

When a business, State or local government agency, or other covered entity restripes a parking lot, it must provide accessible parking spaces as required by the ADA Standards for Accessible Design. Failure to do so would violate the ADA.

In addition, businesses or privately owned facilities that provide goods or services to the public have a continuing ADA obligation to remove barriers to access in existing parking lots when it is readily achievable to do so. Because restriping is relatively inexpensive, it is readily achievable in most cases.

This ADA Design Guide provides key information about how to create accessible car and van spaces and how many spaces to provide when parking lots are restriped.



Accessible Parking Spaces for Cars

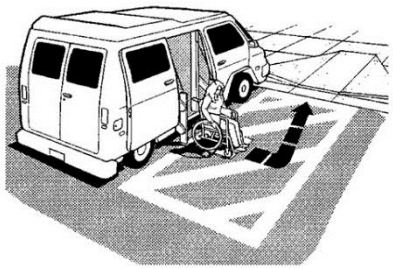
Accessible parking spaces for cars have at least a 60-inch-wide access aisle located adjacent to the designated parking space. The access aisle is just wide enough to permit a person using a wheelchair to enter or exit the car. These parking spaces are identified with a sign and located on level ground.

Van-Accessible Parking Spaces

Van-accessible parking spaces are the same as accessible parking spaces for cars except for three features needed for vans:

- a wider access aisle (96") to accommodate a wheelchair lift;
- vertical clearance to accommodate van height at the van parking space, the adjacent access aisle, and on the vehicular route to and from the van-accessible space, and
- an additional sign that identifies the parking spaces as "van accessible."

One of eight accessible parking spaces, but always at least one, must be van-accessible.



Location

Accessible parking spaces must be located on the shortest accessible route of travel to an accessible facility entrance. Where buildings have multiple accessible entrances with adjacent parking, the accessible parking spaces must be dispersed and located closest to the accessible entrances.

When accessible parking spaces are added in an existing parking lot, locate the spaces on the most level ground close to the accessible entrance. An accessible route must always be provided from the accessible parking to the accessible entrance. An accessible route never has curbs or stairs, must be at least 3-feet wide, and has a firm, stable, slip-resistant surface. The slope along the accessible route should not be greater than 1:12 in the direction of travel.

Accessible parking spaces may be clustered in one or more lots if equivalent or greater accessibility is provided in terms of distance from the accessible entrance, parking fees, and convenience. Van-accessible parking spaces located in parking garages may be clustered on one floor (to accommodate the 98-inch minimum vertical height requirement).

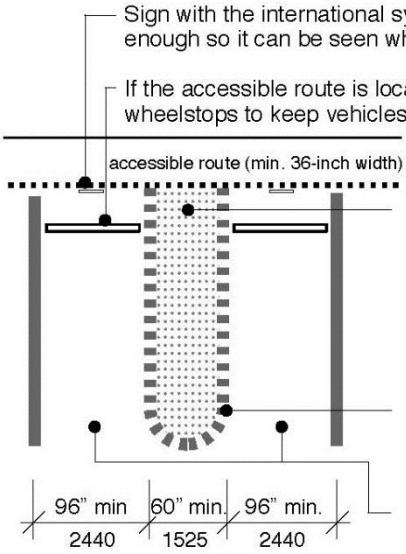
Free Technical Assistance

Answers to technical and general questions about restriping parking lots or other ADA requirements are available by telephone on weekdays. You may also order the ADA Standards for Accessible Design and other ADA publications, including regulations for private businesses or State and local governments, at any time day or night. Information about ADA-related IRS tax credits and deductions is also available from the ADA Information Line.

Department of Justice
ADA Information Line

800-514-0301 (voice)
800-514-0383 (tty)

Features of Accessible Parking Spaces for Cars

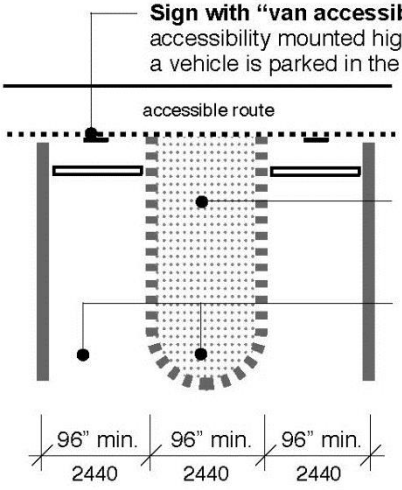


Access aisle of at least 60-inch width must be level (1:50 maximum slope in all directions), be the same length as the adjacent parking space(s) it serves and must connect to an accessible route to the building. Ramps must not extend into the access aisle.

Boundary of the access aisle must be marked. The end may be a squared or curved shape.

Two parking spaces may share an access aisle.

Three Additional Features for Van-Accessible Parking Spaces



96" min. width access aisle, level (max. slope 1:50 in all directions), located beside the van parking space

Min. 98-inch-high clearance at van parking space, access aisle, and on vehicular route to and from van space

Internet
You may also review or download information on the Department's ADA Internet site at any time. The site provides access to ADA regulations, technical assistance materials, and general ADA information. It also provides links to other Federal agencies, and updates on new ADA requirements and enforcement efforts. Internet address:
www.usdoj.gov/crt/ada/adahom1.htm

Reference:
ADA Standards for Accessible Design (28 CFR Part 36):

§ 4.1.6 Alterations;
§ 4.1.2 Accessible Sites and Exterior Facilities: New Construction, and
§ 4.1.6 Parking and Passenger Loading Zones.

3.3.400 Bicycle Parking Requirements.

All uses which are subject to Site Design Review shall provide bicycle parking, in conformance with the following standards, which are evaluated during Site Design Review:

A. Number of Bicycle Parking Spaces. A minimum of two bicycle parking spaces per use is required for all uses with more than 10 vehicle parking spaces. The following additional standards apply to specific types of development:

1. Multi-Family Residences. Every residential use of four or more dwelling units provides a minimum of one sheltered bicycle parking space for each dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the bicycle parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover. ·

2. Parking Lots. All public and commercial parking lots and parking structures provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces.

3. Schools. Elementary and middle schools, both private and public, provide one bicycle parking space for every 10 students and employees. High schools provide one bicycle parking space for every five students and employees. All spaces should be sheltered under an eave, overhang, independent structure, or similar cover.

4. Colleges and trade schools provide one bicycle parking space for every 10 motor vehicle spaces plus one space for every dormitory unit. Fifty percent of the bicycle parking spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.

5. Downtown District. Within the Downtown district, bicycle parking for customers shall be provided along the street at a rate of at least one space per use. Individual uses shall provide their own parking, or spaces may be clustered to serve up to six bicycles. Bicycle parking spaces shall be located in front of the stores along the street, either on the sidewalks or in specially constructed areas such as pedestrian curb extensions. Inverted "U'' style racks are recommended. Bicycle parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions. Customer spaces may or may not be sheltered. When provided, sheltered parking (within a building, or under an eave, overhang, or similar structure) shall be provided at a rate of one space per 10 employees, with a minimum of one space per store.

6. **Multiple Uses.** For buildings with multiple uses (such as a commercial or mixed use center), bicycle parking standards shall be calculated by using the total number of motor vehicle parking spaces required for the entire development. A minimum of one bicycle parking space for every 10 motor vehicle parking spaces is required.

3.3.400 Bicycle Parking Requirements. *(continued)*

B. Exemptions. This Section does not apply to single family, two-family, and three-family housing (attached, detached or manufactured housing), home occupations, agriculture and livestock uses, or other developments with fewer than 10 vehicle parking spaces.

C. Location and Design. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no further away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided. Street furniture includes benches, streetlights, planters and other pedestrian amenities.

D. Visibility and Security. Bicycle parking should be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage;

E. Options for Storage. Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building;

F. Lighting. Bicycle parking should be at least as well lit as vehicle parking for security

G. Reserved Areas. Areas set aside for bicycle parking should be clearly marked and reserved for bicycle parking only.

H. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as not to conflict with vision clearance standards (Chapter 3.1 - Access and Circulation).

Chapter 3.4 Public Facilities Standards

Sections:

3.4.000 Purpose and Applicability.

A. Purpose. The purpose of this chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth, and provide a range of transportation options, including options for driving, walking and bicycling. This Chapter is also intended to implement the city's Transportation System Plan.

Important cross-reference to other standards: The city requires that streets provide direct and convenient access, including regular intersections. Chapter 3.1 - Access and Circulation, provides standards for intersections and blocks, and requires pedestrian access ways to break up fang blocks

B. When Standards Apply. Unless otherwise provided, the standard specifications for construction, reconstruction or repair of transportation facilities, utilities and other public improvements within the city shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.

C. Standard Specifications. City's chosen engineer shall establish standard construction specifications consistent with the design standards of this Chapter and application of engineering principles. They are incorporated in this code by reference.

D. Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

3.4.100 Transportation Standards.

A. Development Standards. No development shall occur unless the development bas frontage or approved access to a public street, in conformance with the provisions of Chapter 3.1 - Access and Circulation, and the following standards are met:

1. Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan and the provisions of this Chapter.

2. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable city, county or state jurisdiction;

3. New streets and drives connected to a collector or arterial street shall be paved; and

4. The city may accept a future improvement guarantee (e.g., owner agrees not to remonstrate or object against the formation of a local improvement district in the future) in lieu of street improvements if one or more of the following conditions exist:

   a. A partial improvement may create a potential safety hazard to motorists or pedestrians;

   b. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself; provide increased street safety or capacity, or improved pedestrian circulation;

   c. The improvement would be in conflict with an adopted capital improvement plan; or

   d. The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.

B. Variances. Variances to the transportation design standards in this Section may be granted by means of a Class B Variance, as governed by Chapter 5.1 - Variances. A variance may be granted under this provision only if a required improvement is not feasible due to topographic constraints or constraints posed by sensitive lands (Chapter 3. 7).

C. Creation of Rights-of-Way for Streets and Related Purposes. Streets shall be created through the approval and recording of a final subdivision or partition plat; except the city may approve the creation of a street by acceptance of a deed, provided that the street is deemed essential by the city Council for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code. All deeds of dedication shall be in a form prescribed by the engineer and shall name “the public, as grantee.

D. Creation of Access Easements. The city may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Chapter 3.1 -Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.

3.4.100 Transportation Standards. *(continued)*

E. Street Location. Width and Grade. Except as noted below, the location, width and grade of all streets shall conform to the city's adopted Transportation System Plan; and an approved street plan or subdivision plat The city's adopted Transportation System Plan is hereby incorporated by reference. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:

1. Street grades shall be approved by the engineer in accordance with the design standards in Section 'N' below; and

2. Where the location of a street is not shown in an existing street plan (See Section 'H'), the location of streets in a development shall either:

   a. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Chapter, or

   b. Conform to a street plan adopted by the City Council, if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on: the type of land use to be served, the volume of traffic the capacity of adjoining streets and the need for public convenience and safety.

F. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be the widths in Table 3.4.1. A variance shall be required in conformance with Section 3.4.100.B to vary the standards in Table 3.4.1. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:

1. Street classification in the Transportation System Plan;
2. Anticipated traffic generation;
3. On-street parking needs;
4. Sidewalk and bikeway requirements based on anticipated level of use;
5. Requirements for placement of utilities;
6. Street lighting;
7. Minimize drainage, slope, and sensitive lands impacts;
8. Street tree location, as provided for in Chapter 3.22;
9. Protection of significant vegetation;
10. Safety and comfort for motorists, bicyclists, and pedestrians;
11. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;
12. Access needs for emergency vehicles; and
13. Transition between different street widths (i.e., existing streets and new streets).

3.4.100 Transportation Standards. *(continued)*

TABLE 3.4.1

STREET STANDARDS FOR CITY OF WESTON

STREET TYPE	RIGHT-OF-WAY WIDTH	TOTAL PAVED SURFACE WIDTH	PARKING STRIP WIDTH	BIKE LANE	WALKWAY (PLANTING STRIP)
Arterial (3)	78'-88'	52'	8' on both sides	6' on both sides	6-10' (7'-8')
Collector (2,3)	60'-66'	36'-38'	7-8' on both sides	Shared Roadway	5'-6' (7'-8')
Collector Water St (2.3)	50'	22'	6' -8' swale or parking on both sides	Shared Roadway	6'-8' (6'-8' swale or parking on both sides)
Local 1 Option (1)	54'-56'	28'	7' on both sides	Shared Roadway	7'8'
Local 2 Option (2)	54'-56'	22'	8' on both sides	Shared Roadway	6' (8' drainage swale on one side)
Local Option 3	58'62'	32'34'	7' on both sides	Shared roadway	shared/7-8'
Alley	16'-20'	12'-16'	None	None	None

Notes:
For all right-of-ways, one street name sign shall be provided at each intersection for each street.

1. Paved walkways and planting strips shall be provided unless (a) the City determines they are precluded by physical constraints, such as steep slopes, wetlands, waterways, existing structures, and mature trees, or (h) the City is unable to establish a rough proportionality between this requirement, and the nature and extent of impacts of the proposed development, in accordance with Dolan v. City of Tigard (US Supreme Court, 1994).

2. Parking may be provided on unpaved shoulder that is designated as a planting strip.

3. In the commercial zoning districts, including Downtown and mixed-use districts that- permit commercial uses, a minimum of nine (9) foot wide curb-tight paved walkway with tree wells for street trees shall be installed instead of a walkway and planting strip. At least six (6) feet of walkway width shall be unobstructed by tree wells, poles, signs, fire hydrants, mailboxes, benches, and other permanent objects. Obstructions shall not be placed in such a manner that they impair visibility by motorists. Spacing of Street Trees shall be as specified in Section 3.2.400 of this Code.

4.** Notwithstanding, in Residential & Commercial Zones, walkways may be constructed with the following surfaces.
a. Asphalt a minimum of two inches over a compacted gravel base at least 4" thick.
b. Concrete, to existing standards;
c. Gravel; ¾ inch minus only, a minimum of four inches in depth, over a mechanically compacted earth or rock base, grade and mechanically compacted to provide passage for wheelchairs, electric scooters, or other vehicles commonly used by disabled persons. (3/10/2010)

CITY OF WESTON ORDINANCE NO. Z2009- 3.4.100
AN ORDINANCE AMENDING THE WESTON ZONING ORDINANCE
RELATING. TO PEDESTRIAN FACILITIES

WHEREAS the Planning Commission of the City of Weston held a public hearings on September 1, 2009, October 20, 2009, & December 1, 2009 to consider amending the zoning ordinance provisions to allow flexibility for provision of pedestrian facilities in the Residential Zones; and

WHEREAS the Oregon Department of Land Conservation and Development and the Oregon Department of Transportation provided advice and assistance in the development of the amendment to the pedestrian facilities; and

WHEREAS the City Council held a public hearing on December 9, 2009 to consider the proposed zoning text amendment and the Planning Commission's recommendation; and

WHEREAS the City Council has determined that the amendment as recommended by the Planning Commission is in the best interest of the community; therefore

THE CITY OF WESTON DOES ORDAIN AS FOLLOWS:
(new text is indicated by underlining)

Section 1. NOTE ADDED: Table 3.4.1 Street Standards for the City of Weston, in Chapter 3.4 Public Facilities Standards of the Weston Zoning Ordinance is hereby amended as follows:

TABLE 3.4.1 Added Note # 4
STREET STANDARDS FOR CITY OF WESTON

STREET TYPE	RIGHT-OF-WAY WIDTH	TOTAL PAVED SURFACE WIDTH	PARKING STRIP WIDTH	BIKE LANE	WALKWAY (PLANTING STRIP)
Arterial (3)	78'-88'	52'	8' on both sides	6' on both sides	6-10' (7'-8')
Collector (2,3)	60'-66'	36'-38'	7-8' on both sides	Shared Roadway	5'-6' (7'-8')
Local Option 1 (1)	49'-56'	25'-28'	7' on both sides	Shared Roadway	5'-6' (7'-8')
Local Option 2 (1)	47'-52'	21'	7' on both sides	Shared Roadway	5'-6' (7'-8')
Local Option 3 (1)	56'-62'	32'-34'	7' on both sides	Shared Roadway	5'-6' (7'-8')
Alley	16'-20'	12'-16'	None	None	None

Notes: For all right-of-ways, one street name sign shall be provided at each intersection for each street.

1. Paved walk-ways and planting strips shall be provided unless (a) the City determines they are precluded by physical constraints, such as steep slopes, wetlands, waterways, existing structures, and mature trees, or (b) the City is unable to establish a rough proportionality between this requirement,
2. and the nature and extent of impacts of the proposed development, in accordance with Dolan v. City of Tigard (US Supreme Court, 1994).

2. Parking may be provided on unpaved shoulder that is designated as a planting strip.

3. In the commercial zoning districts, including Downtown and mixed-use districts that permit commercial uses, a minimum of nine (9) foot wide curb-tight paved\ walkway with tree wells for street trees shall be installed instead of a walkway and planting strip. At least six (6) feet of walkway width shall be unobstructed by tree wells, poles, signs, fire hydrants, mailboxes, benches, and other permanent objects. Obstructions shall not be placed in such a manner that they impair visibility by motorists. Spacing of Street Trees shall be as specified in Section 3.2.400 of this Code.

4. Notwithstanding, in Residential & Commercial Zones, walkways may be constructed with the following surfaces.
   a.) Asphalt, a minimum of two inches over a compacted gravel base at least 4" thick.
   b.) Concrete, to existing city standards;
   c.) Gravel; ¾ inch minus only, a minimum of four inches in depth, over a mechanically compacted earth or rock base, grade and mechanically compacted to provide passage for wheelchairs, electric scooters, or other vehicles commonly used by disabled persons.

Section 2. EFFECTIVE DATE: This ordinance shall take effect 30 days following its third ready by the City Council

PASSED AND ADOPTED this 10th day of March 10, 2010 by the following vote
AYES: 4 NAYS_____ ABSTENTIONS:_____

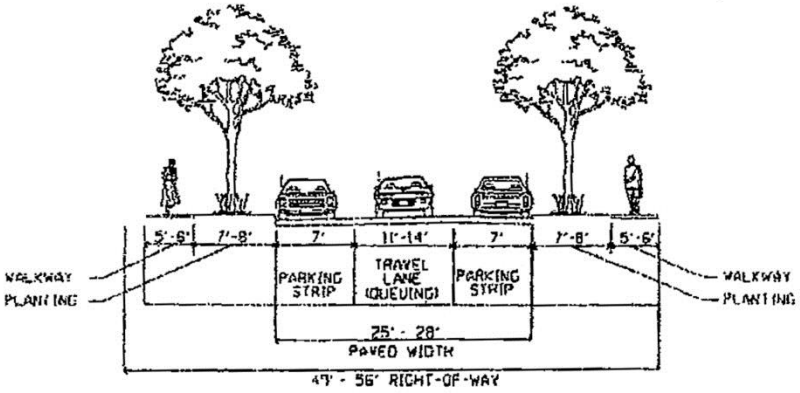
And the Mayor having declared the ordinance enacted by a majority vote became effective on March 10, 2010.

Duane R. Thul
Mayor Duane Thul

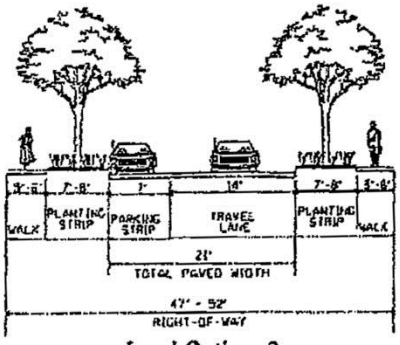
Attest: D D Sampson
City Recorder-Denise Sampson

3.4.100 Transportation Standards. *(continued)*

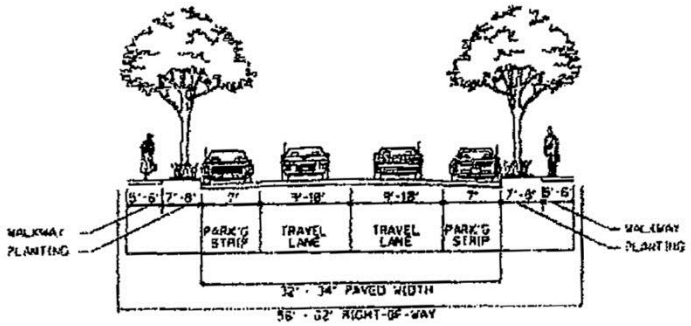
Weston TSP Street Standards
Local Residential



Local Option 1



Local Option 2



Local Option 3

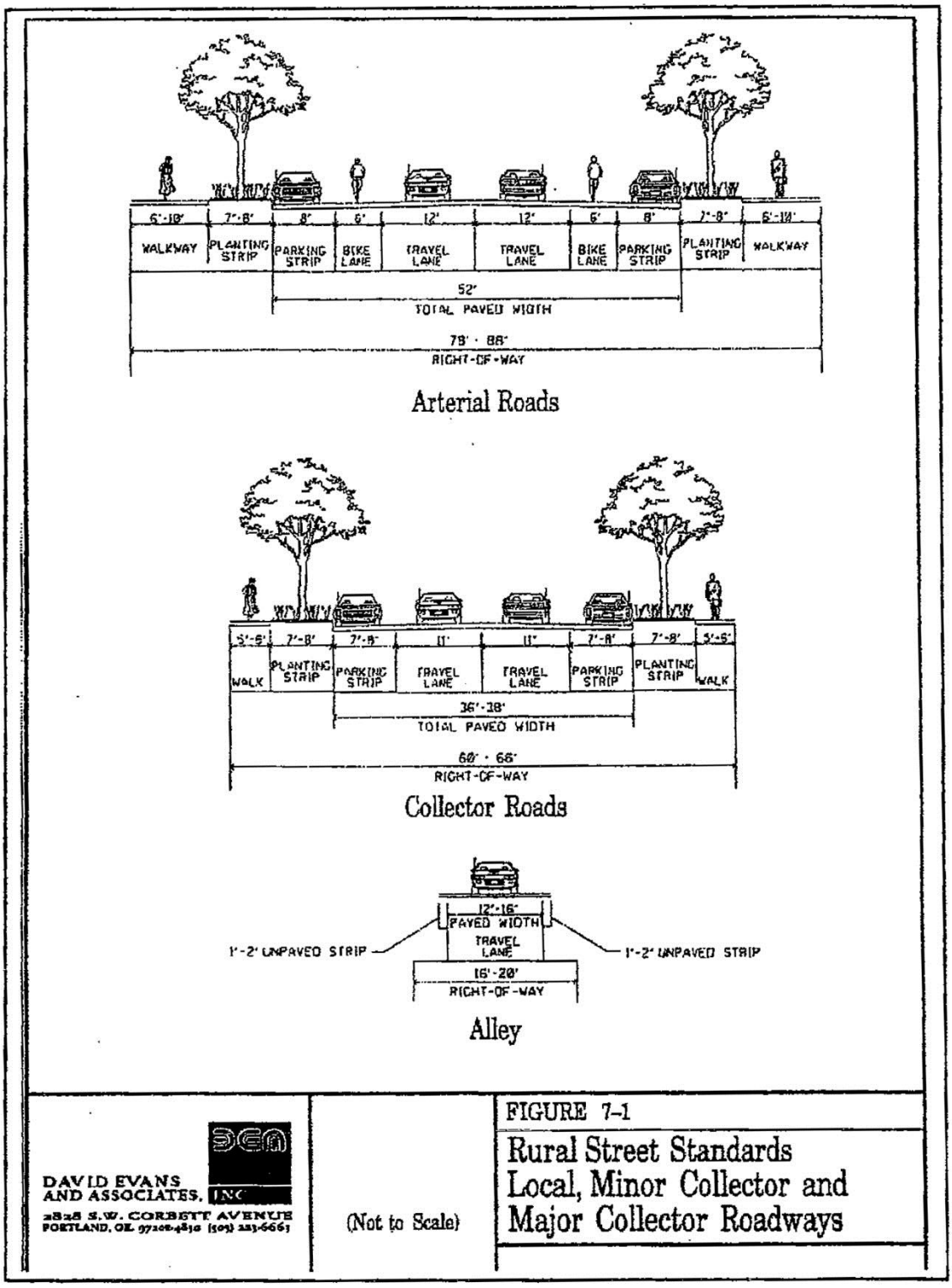
DAVID EVANS AND ASSOCIATES, INC.
2828 S.W. CORBETT AVENUE
PORTLAND, OR. 97201-4830 (503) 223-6663

(Not to Scale)

FIGURE 7-2
Rural Street Standards
Local, Minor Collector and
Major Collector Roadways

3.4.100 Transportation Standards. *(continued)*

Weston TSP Street Standards
Arterial, Collector and Alleys



3.4.100 Transportation Standards. *(continued)*

G. Traffic Signals and Traffic Calming Features.

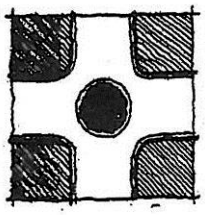
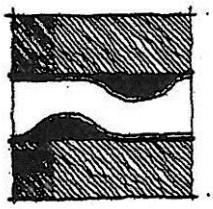
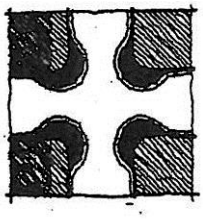
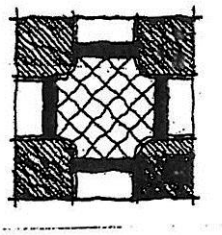
1. Traffic-calming features, such as traffic circles, curb extensions, narrow residential streets, and special paving may be used to slow traffic in neighborhoods and areas with high pedestrian traffic.

2. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Highway Capacity Manual, and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed. The developer's cost and the timing of improvements shall be included as a condition of development approval.

3. Traffic signals and traffic calming features on roads under State jurisdiction shall be determined by the Oregon Department of Transportation.

3.4.100 Transportation Standards. *(continued)*

Figure 3.4.1G - Traffic Calming Features

Drawing	*Technique*	*Description*
	Traffic Circles	Circular raised islands centered within intersections. Circles can be landscaped or surfaced with special paving. Landscaping can be maintained by the local jurisdiction or by neighborhood volunteers.
	Chicanes	Alternately placed curb extensions into the street that force motorists to drive in a serpentine pattern. Chicanes are offset from each other in mid-block locations and can be used to keep through-trucks versus local delivery off residential streets.
	Curb Bulb-Outs, Chokers/Neckdowns	Curb extensions placed at mid-block locations or intersections which narrow the street to provide visual distinction and reduce pedestrian crossing distances. Bulb-outs help to provide a clear visual signal to drivers that a crossing is approaching and makes waiting pedestrians more visible. Neckdowns are often longer than bulb-outs and often line up with and help to define parallel street parking areas. They narrow the appearance of the street and can be attractive, especially when landscaped.
	Special Paving	Alternative road surfaces, such as brick, colored concrete or special pavers, can be used at crossings, intersections, or along the sides of the street to break up the visual expanse of pavement and define areas of pedestrian travel.

H. Future Street Plan and Extension of Streets.

1. A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within 400 feet surrounding and adjacent to the proposed land division. The street plan is not binding; rather it is intended to show potential future street extensions with future development.

2. Streets shall be extended to the boundary lines of the parcel or tract to be developed, when the City Council determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to a-c, below:

   a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs or dead-end streets since they are intended to continue as through streets when the adjoining property is developed.

   b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the city\or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.

   c. Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.

I. Street Alignment and Connections.

1. Staggering of streets making "T" intersections at collectors and arterials shall be designed so that no jogs of less than 300 feet on such streets are created, as measured from the centerline of the street.

2. Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (offset) intersections.

3. All local and collector streets that abut a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.

APPENDIX D

FIRE APPARATUS ACCESS ROADS

The provisions contained in this appendix are adopted by the State of Oregon

SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance wi1h 1his appendix and all other applicable requirements of the International Fire Code. The fire code official maybe guided by the Oregon Department of Land Conservation and Development's *Neighborhood Street Design Guidelines, June 2001.*

SECTION D102 REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

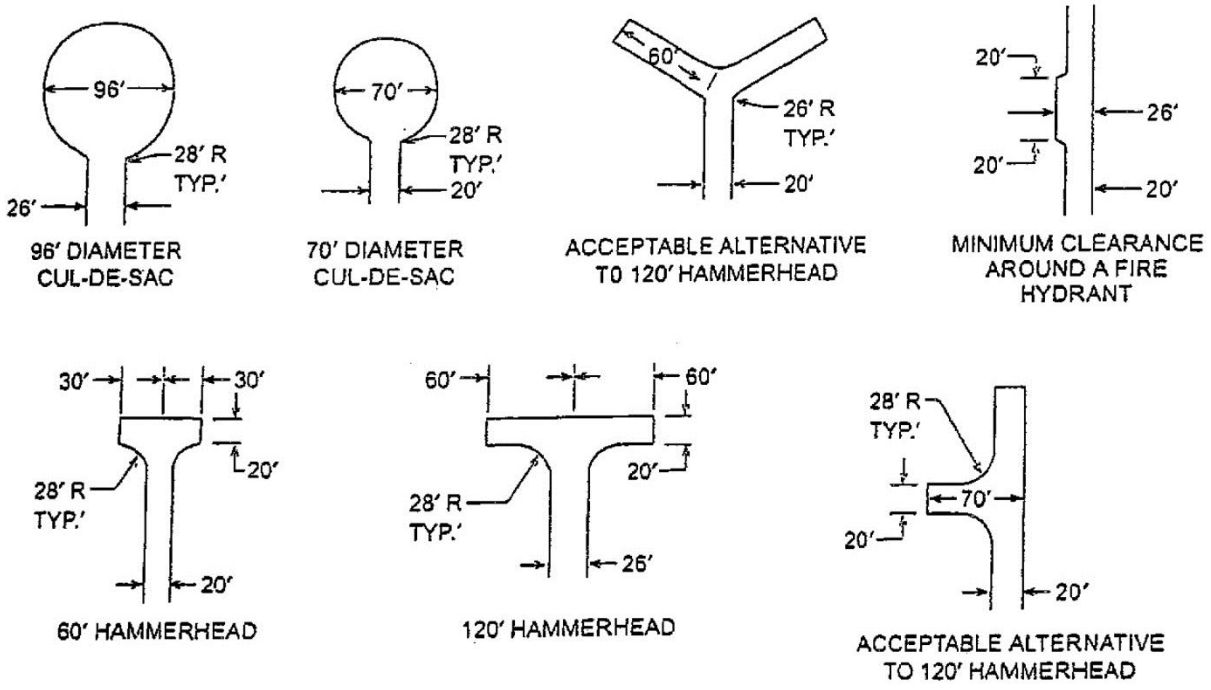
D102.1.1 Access in urban-wildland interface areas. For egress and access concerns m-urban-wildland interface locations. The fire code official may be guided by the *Urban Wildland lnterface Code.*

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrants located on a fire apparatus access road, the minimum road width shall be 26 feet (7925mm). See Figure D103.1.

Exceptions: The fire code official is authorized to modify the provisions of Section D 103.1 when:

1. In accordance with OAR 918-480-0100, all buildings are completely protected with an approved automatic fire sprinkler system; or
2. Provisions are made for the emergency use of sidewalks by such means as rolled or mountable curbs capable of supporting the fire department's apparatus; or
3. Streets or roadways are identified for one-way circulating flow of traffic, or pullouts are provided every 150 feet (45 720 mm) on streets or roadways identified for two- way traffic; or
4. A grid system for traffic flow is provided and streets or roadways in the grid do not exceed 300 ft. (91 400mm) in length but are accessible at each end from approved access roadways or streets.



For SI: 1 foot = 304.8 mm.

FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

D103/2 Grade. Fire apparatus roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as approved by the fire chief.

D103.3 Turning radius. The minimum turning radius shall be determined by the fire code official.

D103.3.1 Angles of approach. The angles of approach and departure for any means of egress shall not be less than the design limitations of the fire apparatus of the fire department, subject to the approval of the fire code official.

D103.3.2 Drainage. When subject to run-off damage, the fire code official is authorized to require approved drainage.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foor Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foor Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 250		Special approval required

For SI: 1 foot = 304.8 mm.

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with any means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools.
7. Locking device specifications shall be submitted for approval by the fire code official.

D.103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NOPARKING-FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2

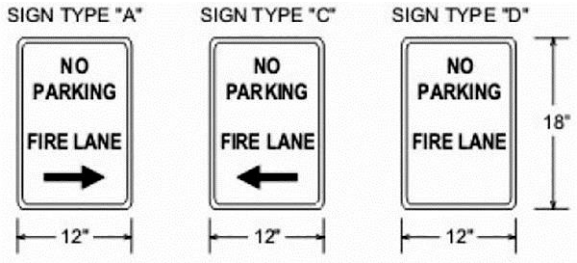


FIGURE D103.6
FIRE LANE SIGNS

D103.6.1 Roads 20 to 26 feet in width. Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.

D103.6.2 Roads are more than 26 feet in width. Fire apparatus access roads more than 26 feet wide (7025 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as afire lane.

SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least three means of fire apparatus access for each structure.

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m2) shall be provided with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet (11 520 m2) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Building or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility

FIRE FLOW REQUIREMENTS FOR BUILDING

The provisions contained in this appendix are adopted by the State of Oregon

SECTION B101 GENERAL

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this appendix. This appendix does not apply to structures other than buildings. The fire code official may be guided by the Oregon State Fire Marshal Interpretation #94-02. "Water Supply." See also ORS 479.200.

ORS 479.200 is not a part of this code but is reproduced or paraphrased here for the reader's convenience .ORS 479.200 regulates water supply requirements for certain public buildings erected after July I. 1967, as defined in ORS 479.010(1)(i).

The Oregon State Fire Marshal Interpretation #94-02, "Water Supply," is not a part of this code but is paraphrased here for the reader's convenience. The interpretation recommends methods for calculating water supply requirements based on local conditions or ISO grading using Appendix 8 or NFPA 1142.

SECTION 8102 DEFINITIONS

B102.1 Definitions. For the purpose of this appendix, certain terms are defined as follows:

FIRE FLOW. The flow rate of a water supply measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, that is available for firefighting.

FIRE-FLOW CALCULATION AREA. The floor area in square feet (m'). used to determine the required fire flow.

SECTION 8103 MODIFICATIONS

B103.1 Decreases. The fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in ·rural areas or small communities where the development of full fire-flow requirements is impractical.

B103.2 Increases. The tire chief is authorized to increase the fire-flow requirements where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration.

B103.3 Areas without water supply systems. For information regarding water supplies for fire-fighting purposes in rural and suburban areas in which adequate and reliable water supply systems do not exist, fire code official is authorized to utilize NFPA 1142 or the *International Urban Wildland Interface Code.*

SECTION 8104 FIRE-FLOW CALCULATION AREA

B104.1 General. The fire-flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by fire walls without openings, constructed in accordance with the *International Building Code,* are allowed to be considered as separate fire-flow calculation areas.

B104.3 Type IA and Type IB construction. The fire-flow calculation area of buildings consumed of Type IA and Type IB construction shall be the area of the three largest successive floors.

Exception: Fire-flow calculation area for open parking garages shall be determined by the area of the largest floor.

SECTION 8105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings having afire-flow calculation area which does not exceed 3.600 square feet (344.5 m2) shall be 1,000 gallons per minute (3785.4 L/min). Fire flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m2) shall not be less than that specified in Table B105.1.

Exception: A reduction in required fire flow of 50 percent as approved, is allowed when the building is provided with an approved automatic sprinkler system.

B105.2 Buildings other than one- and two-family dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

Exception: A reduction is required fire flow of up to 75 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the *International Fire Code*. The resulting fire flow shall not be less than 1,500 gallons per minute (5678 l/min) for the prescribed duration as specified in Table B 105.1.

ground. Required fire department access doors shall not be obstructed or eliminated. Exit and exit access doors shall comply with Chapter 10. Access doors for high-piled combustible storage shall comply, with Section 2306.6.1.

504.3 Stairway access to roof. New buildings four or more stories in height, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3 percent slope), shall be provided with a stairway to the roof. Stairway access to the roof shall be in accordance with Section 1009.12. Such stairway shall be marked at street and floor levels with a sign indicating that the stairway continues to the roof. Where roofs are used for roof gardens or for other purposes, stairways shall be provided as required for such occupancy classification.

SECTION 505
PREMISES IDENTIFICATION

505.1 Address numbers. New and existing b4ildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

505.2 Street or road signs. Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

SECTION 506
KEY BOXES

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.

506.1.1 Locks. An approved lock shall be installed on gates or similar barriers when required by the fire code official.

506.2 Key box maintenance. The operator of the building shall immediately notify the lire code official and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

SECTION 507
HAZARDS TO FIRE FIGHTERS

507.1 Trapdoors to be closed. Trapdoors and scuttle covers, other than those that are within a dwelling unit or automatically operated, shall be kept closed at all times except when in use.

501.2 Shaftway markings. Vertical shafts shall be identified as required by this section.

507.2.1 Exterior access to shaftways. Outside openings accessible to the fire department and which open directly on a hoistway or shaftway communicating between two or more floors in a building shall be plainly marked with the word SHAFTWAY in red letters at least 6 inches (152 mm) high on a white background. Such warning signs shall be placed so as to be readily discernible from the outside of the building.

507.2.2 Interior access to shaftways. Door or window openings to a hoistway or shaftway from the interior of the building shall be plainly marked with the word SHAFTWAY in red letters at least 6 inches (152 mm) high on awhite background. Such warning signs shall be placed so as to be readily discernible.

Exception: Marking shall not be required on shaftway openings which are readily discernible as openings onto a shaft way by the construction or arrangement.

507.3 Pitfalls. The intentional design or alteration of buildings to disable, injure, maim or kill intruders is prohibited. No person shall install and use firearms, sharp or pointed objects, razor wire, explosives, flammable or combustible liquid containers, or dispensers containing highly toxic, toxic, irritant or other hazardous materials in a manner which may passively or actively disable, injure, maim or kill a fire fighter who forcibly enters a building for the purpose of controlling or extinguishing a fire, rescuing trapped occupants or rendering other emergency assistance.

SECTION 508
FIRE PROTECTION WATER SUPPLIES

508.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

508.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required tire flow.

508.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24. ·

508.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

508.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method. See Appendix B. II

508.4 Water supply test. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.

508.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6. See Appendix C.

508.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122m) from a hydrant on a fire apparatus access road, as measured by an approved

3.4.100 Transportation Standards. *(continued)*

4. Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks.

5. In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to the following standards in Chapter 3.1 - Access and Circulation:

6. Exceptions to the above standards may be granted when an access way is provided at or near mid-block, in conformance with the provisions of Section 3.1.3 .A.

J. Sidewalks. Planter Strips. Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with the standards in Table 3.4.1, applicable provisions of the Transportation System Plan, the Comprehensive Plan, and adopted street plans. Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner.

K. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:

1. Streets shall have at least 25 feet of tangent adjacent to the right-of-way intersection unless topography requires a lesser distance;

2. Intersections which are not at right angles shall have a minimum comer radius of 20 feet along the right-of-way lines of the acute angle; and

3. Right-of-way lines at intersection with arterial streets shall have a comer radius of not less than 20 feet.

L. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of Section 3.4.0.D.

M. Cul-de-sacs. A dead-end street shall be no more than 200 feet long, shall not provide access to more than 25 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation:

1. All cul-de-sacs shall terminate with a circular or hammerhead turnaround. Circular turnarounds shall have a radius as specified by the Fire Chief; and generally shall be no less than 20 feet and not more than a radius of 40 feet (i.e., from center to edge of pavement) except that turnarounds maybe larger when they contain a landscaped island or parking bay in their center. When an island or parking bay is provided, there shall be a tire apparatus lane of 20 feet in width; and

2. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.

3.4.100 Transportation Standards. *(continued)*

N. Grades and Curves. Grades shall not exceed 10 percent on arterials, 12 percent on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:

1. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors,350 feet on minor collectors, or 100 feet on other streets; and

2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.

O. Curbs, Curb Cuts, Ramps, and Driveway Approaches. Concrete curbs, curb cuts, wheelchair, bicycle lamps and driveway approaches shall be constructed in accordance with standards specified in Chapter 3 .I - Access and Circulation.

P. Streets Adjacent to Railroad Right-of-Way. Wherever the proposed development contains or is adjacent to a railroad right-of-way, a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land shall be created. New railroad crossings and modifications to existing crossings are subject to review and approval by Oregon Department of Transportation and the rail service provider.

Q. Development Adjoining Arterial Streets. Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access and through traffic, and shall minimize traffic conflicts. The design shall include one or more of the following:

1. A parallel access street along the arterial with a landscape buffer separating the two streets;

2. Deep lots abutting the arterial or major collector to provide adequate buffering with frontage along another street. Double-frontage lots shall conform to the buffering standards in Chapter 3.12.F;

3. Screen planting at the rear or side property line to be contained in a non-access reservation (e.g., public easement or tract) along the arterial; or

4. Other treatment suitable to meet the objectives of this subsection;

5. If a lot has access to two streets with different classifications, primary access shall be from the lower classification street, in conformance with Chapter 3.1.2.

R. Alleys. Public or Private. Alleys shall conform to the standards in Table 3.4.1. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than 12 feet.

S. Private Streets. Private streets shall not be used to avoid connections with public streets. Gated communities (i.e., where a gate limits access to a development from a public street) are prohibited design standards for private streets shall conform to the provisions of Table 3.4.1;

3.4.100 Transportation Standards. *(continued)*

T. Street Names. No street name shall be used which will duplicate or be confused with the names of existing streets in Umatilla County, except for extensions of existing streets. Street names, signs and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency service providers.

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

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

W. Street Light Standards. Streetlights shall be installed in accordance with city standards.

X. Street Cross-Sections. The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final city acceptance of the roadway and within one year of the conditional acceptance of the roadway unless otherwise approved by the Engineer. The final lift shall also be placed no later than when 50% of the structures in the new development are completed or 2 years from the commencement of initial construction of the development, whichever is less.

1. Sub-base and leveling course shall be of select crushed rock;
2. Surface material shall be of Class C or B asphaltic concrete;
3. The final lift shall be Class C asphaltic concrete as defined by A.P.W.A. standard specifications; and
4. No lift shall be less than 1-1/2 inches in thickness.

3.4.200 Public Use Areas.

A. Dedication Requirements.

1. Where a proposed park, playground or other public use shown in a plan adopted by the city is located in whole or in part in a subdivision, the city may require the dedication or reservation of this area on the final plat for the subdivision.
2. If determined by the City Council to be in the public interest in accordance with adopted comprehensive plan policies, and where an adopted plan of the city does not indicate proposed public use areas, the city may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses.
3. All required dedications of public use areas shall conform to Section 3.4.0.0 (Conditions of Approval).

B. Acquisition by Public Agency. If the developer is required to reserve land area for a park, playground, or other public use, the land shall be purchased by the appropriate public agency within 6 months following final plat approval, at a price agreed upon prior to approval of the plat, or the reservation shall be released to the property owner.

3.4.200 Public Use Areas. *(continued)*

C. System Development Charge Credit. Donation of a conversation easement on land to the City for public use areas shall be eligible as a half credit toward any system development charge for parks.

3. 4.300 Sanitary Sewer and Water Service Improvements.

A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the city's construction specifications and the applicable Comprehensive Plan policies.

B. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the engineer has approved all sanitary sewer and water plans in conformance with city standards.

C. Over-sizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer shall be entitled to system development charge credits for the over-sizing.

D. Permits Denied. Development permits may be restricted by the city where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not\rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building moratoriums shall conform to the criteria and procedures contained in ORS 191.505.

3.4.400 Storm Drainage.

A. General Provisions. The city shall issue a development permit only where adequate provisions for storm water and floodwater runoff have been made in conformance with Chapter 3.5 -Surface Water Management.

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

C. Effect on Downstream Drainage. Where it is anticipated by the Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the city shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with city standards.

D. Easements. Where a development is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance.

3.4.500 Utilities.

A. Underground Utilities. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (Chapter 3.1);

2. The city reserves the right to approve the location of all surface mounted facilities;

3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and

4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

B. Easements. Easements shall be provided for all underground utility facilities.

C. Exception to Under-Grounding Requirement. The standard applies only to proposed subdivisions. An exception to the under-grounding requirement may be granted due to physical constraints, such as steep topography, sensitive lands (Chapter 3.7), or existing development conditions.

3.4.600 Easements.

Easements for sewers, storm drainage and water quality facilities, water mains, electric lines or other public utilities shall be dedicated on a final plat, or provided for in the deed restrictions. See also, Chapter 4.2 - Site Design Review, and Chapter 4.3 -Land Divisions. The developer or applicant shall make arrangements with the city, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The city's standard width for public main line utility easements shall be 5 feet unless otherwise specified by the utility company, applicable district, or city appointed engineer.

3.4.700 Construction Plan Approval and Assurances.

No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the city, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the city for construction and other services in connection with the improvement. The permit fee shall be set by City Council. The city may require the developer or subdivider to provide bonding or other performance guarantees· to ensure completion of required public improvements. See also, Chapter 4.2.4 -Site Design Review, and Chapter 4.3.180 - Land Divisions.

3.4.800 Installation.

A. Conformance Required. Improvements installed by the developer, either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the city.

B. Adopted Installation Standards. The Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A. shall be a part of the city's adopted installation standard(s); other standards may also be required upon recommendation of the Engineer.

C. Commencement. Work shall not begin until the city has been notified in advance in writing.

D. Resumption. If work is discontinued for more than one month, it shall not be resumed until the city is notified in writing

E. City Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the city. The city may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications requested by the developer shall be subject to land use review under Chapter 4.6 - Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.

F. Engineer's Certification and As-Built Plans. A registered engineer shall provide written certification in a form required by the city that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to city acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide 3 set(s) of "as-built" plans, in conformance with the Engineer's specifications, for permanent filing with the city.

Chapter 3.5 Surface Water Management

Reserved for Surface Water Management standards that may be adopted by City. Note: The Department of Land Conservation and the Development and Department of Environmental have published a model ordinance for Urban Surface Water Management/Water Quality that could be added to this document. Contact Amanda Punton at (503) 731-4065, extension 32, for a hard copy or a computer disk copy.
City of Weston Development Code Page 3.5.1

Chapter 3.6 Other Standards

Sections:

3.6.100 Density Transfers.

protection of open spaces through the allowance of housing density transfers. "Density transfers" are the authorized transfer of allowed housing units (per Chapter 2) from one portion of a property to another portion of the same property, or from one property to another property.

B. Determination of Allowable Housing Units. The number of allowed housing units on a property is based on the surface area of the property (acres) times the maximum allowed housing density inChapter2.

C. Density Transfer Authorized. Allowed housing units may be transferred from one portion of a property to another portion of the same property, or from one property to another property. A density transfer shall not be approved unless it meets one or more of the criteria in 1-4 below, and it conforms to subsections D-E:

1. Protection of sensitive land areas as defined in Chapter 3.7 (and listed below) either by dedication to the public or a land trust, or by a non-revocable conservation easement. Sensitive land areas include:
   a. Land within the 100-year floodplain;
   b. Land or slopes exceeding 20%
   c. Drainage ways;
   d. Wetlands;
2. Dedication of land to the public for park or recreational purposes; or
3. The density transfer is used to develop a mix of single family and multi-family housing on the same property or development site.

D. Prohibited Density Transfers. Density shall not be transferred from: land proposed for street right-of-way, storm water detention facilities, private streets, and similar areas which do not provide open space or recreational values to the public.

E. Density Transfer Rules. All density transfers shall conform to all of the following rules:

3.6.100 Density Transfers. *(continued)*

1. Allowed housing units shall be transferred only to buildable lands ("receiving areas"). The number of allowed housing units shall be reduced on properties from which density is transferred ("sending areas") based on the number of housing units transferred. The new number of housing units allowed on the sending area shall be recorded on a deed for the property that runs with the land. The deed shall state that the number of allowed housing units is subject to review and approval by the city, in accordance with current zoning and development codes;

2. The number of units which can be transferred is limited to the number of units which would have been allowed on 100 percent of the unbuildable area if not for these regulations; and

3. The total number of housing units per property or development site shall not exceed 100 percent of the maximum number of units per gross acre permitted under the applicable comprehensive plan designation; except as otherwise permitted through the Master Planned Development process (Chapter 4.5).

4. All density transfer development proposals shall comply with the development standards of the applicable land use district, except as otherwise allowed by the Master Planned Development process (Chapter 4.5).

3.6.200 Telecommunication Facilities.

[Reserved for optional adoption of standards for telecommunication facilities in conformance with the Federal Telecommunication Act (1996)]

3.6.300 Solid Waste Storage.

[Reserved for optional adoption of standards for solid waste storage and recycling facilities. Note: Chapter 3.2 requires landscaping or other screening of these facilities.]

3.6.400 Environmental Performance.

[Reserved for reference to state and federal standards for air quality, water quality, emissions, and similar environmental concerns.]

A. Residences

3.6.500 Signs.

1. One name plate or home occupation sign shall be allowed on each dwelling unit. These signs shall not be larger than four square feet in area.

2. House numbers shall be placed on the front of all dwelling units.

3. Signs not larger than 12 sq. ft. may be placed on or at the entrances to apartments and mobile home parks.

3.6.500 Signs. *(continued)*

4. Signs advertising the property for sale, lease, or rent shall not exceed six square feet. Such signs shall not be allowed to remain on the property after the property is sold, leased, or rented.

5. Signs may be illuminated by exterior lights.

6. One sign shall be allowed per subdivision, advertising lots or homes for sale. Such sign shall not exceed fifty square feet in area shall be set back at least twenty feet from the nearest street, and shall not obstruct the view from existing residences.

D. Commercial Buildings

1. Signs shall be set back at least ten feet from any residential property.

2. Moving or flashing signs are prohibited.

3. Total area of all signs shall not exceed one square foot per 100 sq. ft. of the building's ground floor area except that no sign need be smaller than 4 square feet in area.

4. No sign shall project above the roof edge of the building containing the business which the sign identifies.

5. Signs visible from residential properties shall be shielded or directed so as not to constitute a nuisance to residential property owners and shall not interfere with, confuse, or mislead a vehicle operator.

6. Street numbers shall be placed on the front and rear facades of each building or shop where applicable.

7. No commercial signs are allowed off-site.

E. Industrial Facilities

1. Signs shall be set back at least ten feet from a residential property.

2. Moving or flashing signs are prohibited.

3. Signs visible from residential properties shall be shielded or directed so as not to constitute a nuisance to residential property owners and shall not interfere with, confuse, or mislead a vehicle operator.

F. Billboards. Billboards are not allowed. However, small signs providing direction to community facilities are allowed.

Chapter 3.7 - Flood Hazard Overlay Standards Has Been REPLACED BY CHAPTER 3.9 FLOOD DAMAGE PREVENTION

Sections:

3.7.100 Purpose

3.7.200 Flood Hazard

3.7.300 Alteration of Watercourses

3.7.400 Construction

3.7.600 Utilities

3.7.700 Encroachments

Chapter 3.8 Loading Standards

Sections:

3.8.100 Purpose and Intent.

The purpose of this section of the code is to provide standards for a minimum number of loading spaces that are required to ensure adequate areas for loading for larger uses and developments. The regulations ensure that the appearance of loading areas will be consistent with that of parking areas.

A. Number of Loading Spaces.

3.8.200 Loading Standards.

1. Buildings where all of the floor area is in Residential uses must meet the standards of this Paragraph.
    a. No loading spaces are required where there are less than 50 dwelling units in the building and the site abuts a local street.
    b. One loading space is required for all other buildings.
2. Buildings where any of the floor area is in uses other than the Residential District must meet the standards of this Paragraph.
    a. No loading spaces are required for buildings with less than 20,000 square feet of floor area.
    b. One loading space is required for buildings with 20,000 or more square feet of floor area.
    c. Two loading spaces are required for buildings with more than 50,000 square feet of floor area.

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 Chapter 2 & 3. When parking areas are prohibited or not allowed between a building and a street, loading areas are also prohibited or not allowed.

CITY OF WESTON ZONING ORDINANCES 3.7 and 3.9 REVISED 10-8 (1)

AN ORDINANCE AMENDING THE WESTON ZONING ORDINANCE RELATING TO FLOOD DAMAGE PREVENTION

WHEREAS the Planning Commission of the City of Weston held a public hearing on June 2, 2010 to consider amending the zoning ordinance to adopt revisions to comply with requirements of the National Flood Insurance Program; and

WHEREAS the limitations on activities within areas subject to flooding is necessary to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions;

WHEREAS the Planning Commission determined that the proposed revisions were appropriate; and

WHEREAS the City Council held a public hearing on July 14 & August II, 2010 to consider the proposed zoning text amendment and the Planning Commission's recommendation; and

WHEREAS the City Council has determined that the amendment as recommended by the Planning Commission is in the best interest of the community to comply with the National Flood Insurance Program; therefore

THE CITY OF WESTON DOES ORDAIN AS FOLLOWS:

Section 1. CHAPTER DELETED: Subsections 3.7.200 through 3.7. 700 of Chapter 3.7 - Flood Hazard Overlay Standards of the Weston Development Code are hereby deleted. Any reference in other parts of the Development Code to the restrictions on development in flood prone areas formerly contained in Chapter 3.7 shall be deemed to reference to Chapter 3.9 Flood Damage Prevention Ordinance.

Section 2. AMENDED LANGUAGE: Subsection 3.7.100 shall be amended as follows: The purpose of this chapter is to be reserved for regulations relating to sensitive lands. Note: standards governing development in flood-prone areas have been moved to Chapter 3.9 Flood Damage Prevention Standards.

Section 3. NEW CHAPTER: Chapter 3.9-Flood Damage Prevention Ordinance of the Weston Zoning Ordinance is hereby revised with added verbiage in Chapter 3.9 as set forth in Attachment A, replacing Chapter 3.7 Flood Hazard Overlay with revised text to comply with requirements of the National Flood Insurance Program.

Section 4. EFFECTIVE DATE: This ordinance shall take effect 30 days following its passage by the City Council and approval by the Mayor.

PASSED AND ADOPTED this 11th day of August, 2010 by the following vote

AYES: 4 NAYS 0 ABSTENTIONS: 1

And the Mayor having declared the ordinance enacted by a majority vote, became effective on September 11, 2010.

APPROVED by the Mayor this 11th day of August, 2010.

Duane R. Thiel Mayor

ATTEST: D D Sampson City Recorder

3.9 City of Weston
FLOOD DAMAGE PREVENTION ORDINANCE

SECTION 1.0
STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of Oregon has in Umatilla County delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Weston, does ordain as follows:

1.2 FINDINGS OF FACT

(1) The flood hazard areas of the City of Weston, Umatilla County, are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

(1) To protect human life and health;
(2) To minimize expenditure of public money and costly flood control projects;
(3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
(4) To minimize prolonged business interruptions;
(5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
(6) To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
(7) To ensure that potential buyers are notified that property is in an area of special flood hazard; and,
(8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

(1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
(2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
(3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
(4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
(5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.
(6) Coordinating and supplementing the provisions of the state building codes and local land use and development ordinances.

SECTION 2.0
DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"APPEAL" means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

"AREA OF SHALLOW FLOODING" means a designated AO, or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

"AREA OF SPECIAL FLOOD HAZARD" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

"BASE FLOOD" means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-yearflood." Designation on maps always includes the letters A or V.

"BASEMENT" means any area of the building having its floor subgrade (below ground level) on all sides.

"BELOW-GRADE CRAWL SPACE" means an enclosed area below the base flood elevation in which the interior grade is not more than two feet below the adjacent exterior grade and the height measured from the interior grade of the crawlspace to the top of the crawlspace foundation does not exceed 4 feet at any point.

2

"BREAKAWAY WALL" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

"COASTAL HIGH HAZARD AREA" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1-V30, VE or V.

"CRITICAL FACILITY" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

"DEVELOPMENT" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

"ELEVATED BUILDING" means for insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

"EXISTING MANUFACTURED HOME PARK OR SUBDIVISION" means a manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

"EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"FLOOD" OR "FLOODING" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters and/or
(2) The unusual and rapid accumulation of runoff of surface waters from any source.

"FLOOD INSURANCE RATE MAP (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"FLOOD INSURANCE STUDY" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

"FLOODWAY" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"LOWEST FLOOR" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 5.2-1 (2).

"MANUFACTURED HOME" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

"MANUFACTURED HOME PARK OR SUBDIVISION" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"NEW CONSTRUCTION" means structures for which the "start of construction" commented on or after the effective date of this ordinance.

"NEW MANUFACTURED HOME PARK OR SUBDIVISION" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

"RECREATIONAL VEHICLE" means a vehicle which is:

(a) Built on a single chassis;
(b) 400 square feet or less when measured at the largest horizontal projection;
(c) Designed to be self-propelled or permanently towable by a light duty truck; and
(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"STATE BUILDING CODE" means the combined specialty codes

"START OF CONSTRUCTION" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation of the property or accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"STRUCTURE" means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

"SUBSTANTIAL DAMAGE" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"SUBSTANTIAL IMPROVEMENT" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(1) Before the improvement or repair is started; or
(2) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

(1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
(2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"VARIANCE" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

"WATER DEPENDENT" means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

SECTION 3.0
GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Weston, Umatilla County.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The area of special flood hazard identified by the Federal Emergency Management Agency in Its Flood Insurance Study (FIS) for Umatilla County, Oregon, and Incorporated areas" dated September 3, 2010, with accompanying Flood Insurance Rate Maps (FIRM) or Digital Flood Insurance Rate Maps (DFIRM), and other supporting data, are hereby adopted by reference and declared to be a part of this ordinance. The FIS and the FIRM are on file at City Hall, Weston, OR, 97886, and with the State Flood Plain Program Manager.

CITY OF WESTON
P.O. BOX 579 114 EAST MAIN
WESTON, OR 97886
PHONE: (541) 566-3313 FAX: (541) 566-2792
E-Mail- westsamp@gwestoffice.net

City of Weston is an Equal Opportunity Employer.
Discrimination is prohibited by Federal Law.
Complaints of discrimination may be filed with the Secretary of Agriculture,
Washington, D.C. 20250

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September 2, 2010

Steve Lucker
Floodplain/Natural Hazards Mapping Specialist
Oregon DLCD
635 Capital St NE, Suite 150
Salem, OR 97301-2540

Dear Steve,

The City of Weston's Planning Commission held a public hearing on June 2, 2010 for the adoption of the new text for its "Flood Damage Prevention" zoning ordinance as mandated by FEMA. On August 11, 2010, Weston's City Council adopted this revised ordinance and forwarded it to DLCD.

However, on page 6 of the Flood Damage Prevention Ordinance 3.9, a scripture error has been corrected as outlined below (highlighted in yellow). This correction has been documented and the corrected page is now of file at City Hall, 114 E. Main, Weston, OR 97886.

Sincerely,

Denise D. Sampson
City Recorder/City of Weston

3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $1000 per day or imprisoned for not more than 10 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Weston from taking such other lawful action as is necessary to prevent or remedy any violation.

3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, state building code, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Severability.
In any section clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then and said holding shall in no way effect the validity of the remaining portions of this ordinance.

3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

(1) Considered as minimum requirements;
(2) Liberally construed in favor of the governing body; and,
(3) Deemed neither to limit or repeal any other powers granted under State statutes and rules including the state building code.

3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Weston, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION 4.0
ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

4.1-1 Development Permit Required

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the "DEFINITIONS," and for all development including fill and other activities, also as set forth in the "DEFINITIONS."

4.1-2 Application for Development Permit

Application for a development permit shall be made on forms furnished by the City of Weston and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

(1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
(2) Elevation in relation to mean sea level to which any structure has been flood proofed;
(3) Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria in Section 5.2-2; and
(4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

4.2 DESIGNATION OF THE "Local Administrator."

The City Recorder is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE CITY RECORDER:

Duties of the City Recorder and/or the Planning Commission shall include, but not be limited to:

4.3-1 Permit Review

(1) Review all development permits to determine that the permit requirements and conditions of this ordinance have been satisfied.
(2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.
(3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 5.3(1) are met.

4.3-2 Use of Other Base Flood Data

When base flood elevation data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the (local administrator) shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 5.2, SPECIFIC STANDARDS, and 5.3 FLOODWAYS.

4.3-3 Information to be Obtained and Maintained

(1) Where base flood elevation data is provided through the Flood Insurance Study or required as in Section 4.3-2, obtain and record the actual elevation (in. relation to mean sea level) of the lowest floor (including basement and below grade crawl spaces) of all new or substantially improved structures, and whether or not the structure contains a basement.
(2) For all new or substantially improved flood proofed structures:
(i) Verify and record the actual elevation (in relation to mean seal level), and
(ii) Maintain the flood proofing certifications required in Section 4.1-2(3).
(3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

4.3-4 Alteration of Watercourses

(1) Notify adjacent communities, the Department of Land Conservation and Development and other appropriate state and federal agencies prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
(2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

4.3-5 The Duties of the Planning Commission Shall include the Interpretation of FIRM Boundaries;

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 4.4.

NOTE - If you do not include Section 4.4 (Variance Procedure), end the above sentence after the word "interpretation," and add the following sentence: "such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program (44 CFR 59-76).

4.4 VARIANCE PROCEDURE

4.4-1 Appeal Board

(1) LUBA as established by the State of Oregon shall hear and decide appeals and requests for variances from the requirements of this ordinance.
(2) LUBA shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the City of Weston, Umatilla County, in the enforcement or administration of this ordinance.

(3) Those aggrieved by the decision of the LUBA, or any taxpayer, may appeal such decision to the Supreme Court of Oregon, as provided in ORS.197.015.
(4) In passing upon such applications, LUBA shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

(i) The danger that materials may be swept onto other lands to the injury of others;
(ii) The danger to life and property due to flooding or erosion damage;
(iii) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
(iv) The importance of the services provided by the proposed facility to the community;
(v) The necessity to the facility of a waterfront location, where applicable;
(vi) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
(vii) The compatibility of the proposed use with existing and anticipated development;
(viii) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
(ix) The safety of access to the property in times of flood for ordinary and emergency vehicles;
(x) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
(xi) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(5) Upon consideration of the factors of Section 4.4-1 (4) and the purposes of this ordinance, the City of Weston may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
(6) The City of Weston shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

4.4-2 Conditions for Variances

(1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (1-xi) in Section 4.4-1 (4) have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.
(2) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.
(3) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
(5) Variances shall only be issued upon:

(i) A showing of good and sufficient cause;
(ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant;

9

(iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 4.1-4(4), or conflict with existing local laws or ordinances.

(6) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.
(7) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of flood proofing than watertight or dry-flood proofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except 4.4-2(1), and otherwise complies with Sections 5.1-1 and 5.1-2 of the GENERALSTANDARDS.
(8) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 5.0
PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS
In all areas of special flood hazards, the following standards are required:

5.1-1 Anchoring

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
(2) All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

5.1-2 Construction Materials and Methods

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
(3) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5.1-3 Utilities

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

5.1-4 Subdivision Proposals

(1) All subdivision proposals shall be consistent with the need to minimize flood damage;
(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
(4) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

5.1-5 Review of Building Permits

Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (Section 4.3-2), Applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or Section 4.3-2, Use of Other Base Flood Data, the following provisions are required:

5.2-1 Residential Construction

(1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation.
(2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

(i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(ii) The bottom of all openings shall be no higher than one foot above grade.
(iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

5.2-2 Nonresidential Construction

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated at or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

(1) Be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(2);
(4) Nonresidential structures that are elevated, not flood proofed, must meet the same standards for space below the lowest floor as described in 5.2-1 (2);
(5) Applicants flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the flood proofed level (e.g. a building flood proofed to the base flood level will be rated as one foot below.

5.2-3 Manufactured Homes

(1) All manufactured homes to be placed or substantially improved within Zones A1-A30, AH, and AE on the community's FIRM on sites:

(i) Outside of a manufactured home park or subdivision,
(ii) In a new manufactured home park or subdivision,
(iii) In an expansion to an existing manufactured home park or subdivision, or
(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood; shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to a minimum 18 inches (46cm) above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

(2) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, and AE on the community's FIRM that are not subject to the above manufactured home provisions be elevated so that either:

(i) The lowest floor of the manufactured home is elevated to a minimum of 18 inches (46 cm) above the base flood elevation, or
(ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately designed foundation system to resist flotation, collapse, and lateral movement.

5.2-4 Recreational Vehicles

Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:

(i) Be on the site for fewer than 180 consecutive days,
(ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
(iii) Meet the requirements of 5.2-3 above and the elevation and anchoring requirements for manufactured homes.

5.2.5 Below-grade crawl spaces

Below-grade crawlspaces are allowed subject to the following standards as found in FEMA Technical Bulletin 11-01, Crawlspace Construction for Buildings Located in Special Flood Hazard Areas:

(1) The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy can usually be addressed through the required openings stated in Section 2 below. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
(2) The crawlspace is an enclosed area below the base flood elevation (BFE) and as such, must have openings that equalize hydrostatic pressure by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the lowest adjacent exterior grade.
(3) Portion of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundations walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of the joists and all insulation above BFE.
(4) Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork in particular, must either be placed above the BFE or sealed from floodwaters.
(5) The interior grade of a crawlspace below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade.
(6) The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four (4) feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analysis and building code requirements for flood hazard areas.
(7) There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.

(8) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace. For velocities in excess of five (5) feet per second other foundation types should be used.

For more detailed information refer to FEMA Technical Bulletin 11-01.

5.3 BEFORE REGULATORY FLOODWAY

In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

5.3-1 FLOODWAYS

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

(1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional civil engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
(2) If Section 5.3(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, PROVISIONS FOR FLOOD HAZARD REDUCTION.
3) New installation of manufactured dwellings are prohibited (2002 Oregon Manufactured Dwelling and Park specialty Code). Manufactured dwellings may only be located in floodways according to one of the following conditions.
(i) If the manufactured dwelling already exists in the floodway, the placement was permitted at the time of the original installation, and the continued use is not a threat to life, health, property, or the general welfare of the public or
(ii) A new manufactured dwelling is replacing an existing manufactured dwelling whose original placement was permitted at the time of installation and the replacement home will not be a threat to life, health, property, or the general welfare of the public and it meets the following criteria:

1. As required by 44CFR Chapter 1, Subpart 60.3(d)(3), it must be demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the manufactured dwelling and any accessory buildings, accessory structures, or any property improvements (encroachments) will not result in any increase in flood levels during the occurrence of the base flood discharge.

2. The replacement manufacture dwelling and any accessory buildings or accessory structures (encroachments) shall have the finished floor elevated a minimum of 18 inches (46 cm) above the BFE as identified on the Flood Insurance Rate Map.

3. The replacement manufacture dwelling is placed and secured to a foundation support system designed by an Oregon professional engineer or architect and approved by the authority having jurisdiction.

4. The replacement manufactured dwelling, its foundation supports, and any accessory buildings, accessory structures of property improvements (encroachments) do not displace water to the degree that causes a rise in the water level or diverts water in a manner that causes erosion or damage to other properties;

5. The location of a replacement manufactured dwelling is allowed by the local planning department's ordinances and

6. Any other requirements deemed necessary by the authority having jurisdiction.

5.4 ENCROACHMENTS

The cumulative effect of any proposed development, where combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point

5.5 STANDARDS FOR SHALLOW FLOODING AREAS (AO ZONES)

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

(1) New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest grade adjacent to the building, a minimum of one foot above the depth number specified on the FIRM (at least two feet if no depth number is specified).

(2) New construction and substantial improvements of nonresidential structures within AO zones shall either:
   (i) Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or
   (ii) Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in section 5.2-2(3).

(3) Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

(4) Recreational vehicles placed on sites within AO Zones on the community's FIRM either:
   (i) Be on the site for fewer than 180 consecutive days,
   (ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
   (iii) Meet the requirements of 5.5 above and the elevation and anchoring requirements for manufactured homes.

CERTIFICATION

I hereby Certify that City of Weston's Revised Zoning Ordinance 3.9 Flood Damage Prevention was passed and approved by the City of Weston, City Council on the 11th day of August 2010; four yes/1 abstain. Said Ordinance will take effect 30 days following, September 11, 2010.

Dated this 16th day of August 2010.

Attest by:

Denise D. Sampson
City Recorder/City of Weston