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CHAPTER 20 SITE PLAN REVIEW

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CHAPTER 20 SITE PLAN REVIEW

SECTION 20.010 Purpose

The purpose of the Site Plan Review procedure is to enable the Approving Authority to review development proposals for conformity with the provisions of this ordinance and to allow the imposition of such conditions on the development or projects as are necessary to bring it into conformity with the Comprehensive Plan and surrounding development.

SECTION 20.020 Approval, Rejection and Modification

Any such site plan may be approved, rejected and modified, or approved subject to conditions. Any such site plan, after approval, shall be amended through the same procedure as in the initial approval of such site plan; except, that minor alterations or modification to a previously approved site plan may be approved by the Planning Director; provided that, in the judgment of the Planning Director, such modifications or alterations do not represent deviations of a substantial nature.

SECTION 20.030 Contents of the Site Plan

The Site Plan shall clearly indicate the following information:

- A. Lot dimensions.
- B. Location, size, height, of all existing or proposed buildings and structures, and illustrating the buildings and parking facilities on abutting properties.
- C. Location, size and dimension of all yards and setbacks and all spaces between buildings.
- D. Walls and fences: Location, height and materials.
- E. Off-street parking:
 - 1. Location, dimensions and method of improvement of all driveways and parking areas consistent with Sections 20.050 & 20.080.
 - 2. Number of spaces consistent with Section 20.050 & 20.080 and internal circulation pattern.
 - 3. Size and location of existing and proposed curb openings.
- F. Access: Pedestrian, vehicular, service; and definitions of all points of ingress and egress.

- G. Signs: Location, size, height, material and method of illumination.
- H. Loading: Location, dimensions, number of spaces, internal circulation and access from public right-of-way consistent with 20.070 & 20.080.
- I. Lighting: General nature, location and hooding devices (not including interior building lighting).
- J. The location, dimensions and methods of improvement for all property to be dedicated to general public purposes or to public utilities.
- K. A detailed plan for landscaping, if determined necessary by the Planning Director which shall clearly illustrate:
 - 1. Plants and tree species, their initial sizes and other proposed landscaping materials.
 - 2. The location and dimensions of all areas to be devoted to landscaping, and location of automatic sprinkler systems.
- L. Outdoor storage and activities, if permitted in the zone, showing type, location and height of screening devices.
- M. Drainage and grading plan.
- N. Identification of proposed trash storage locations, including proposed enclosure design construction and access for pick-up purposes.
- O. Location of existing utility poles.
- P. Such data as may be required by the Planning Director to act on the application.

SECTION 20.040 Approval Standards

Upon completion of the Site Plan Review, the Approving Authority shall approve, approve with conditions, or disapprove the site plan. In approving the plan, the Approving Authority shall find that:

- A. All provisions of this ordinance and other applicable ordinances are complied with.
- B. Elements of the site plan are arranged so that:
 - 1. Traffic congestion is avoided.

2. Pedestrian and vehicular safety and welfare are protected.
 3. Significant features and public amenities are preserved and maintained.
 4. There will be minimal adverse effect on surrounding property.
- C. Proposed lighting is arranged to direct light away from adjoining properties.
- D. Proposed signs will not interfere with traffic or limit visibility by size, location or illumination.

SECTION 20.050 Off-Street Parking

At the time of erection of a new structure or at the time of enlargement or change in use of an existing structure, off-street parking spaces shall be provided in accordance with this Section. In an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this Section. Where square feet are specified the area measured shall be the gross floor area necessary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises during the largest shift at peak season, including proprietors.

The following are the uses and minimum standards provided for off-street parking:

A. Residential

1. Single-family dwelling: One (1) space per dwelling unit.
2. Residential hotel, rooming or boarding house: Four (4) spaces per five (5) guest accommodations, plus one (1) space per two (2) employees.
3. Two family or multi-family dwellings: Three (3) spaces per two (2) dwelling units.

B. Commercial Residential

1. Motel: One (1) space per guest room plus one (1) space for owner or manager.
2. Club or Lodge: One (1) space per five (5) seats, or one (1) space for each fifty (50) square feet of floor area used for assembly, whichever is greater.

C. Institutional

1. Welfare or correctional institutions: One (1) space per five (5) beds for patients or

inmates, plus one (1) space per employee.

2. Convalescent hospital, nursing home, sanitarium, rest home for the aged: One (1) space per five (5) beds for patients or residents, plus one (1) space per employee.
3. Hospital: Three (3) spaces per two (2) beds.

D. Places of Public Assembly

1. Church: One (1) space for four (4) seats or every eight (8) feet of bench length in the main auditorium.
2. Library, reading room, museum, art gallery: One (1) space per four hundred (400) square feet of floor area plus one (1) space per two employees.
3. Pre-school, nursery, kindergarten: Two (2) spaces per teacher; plus off-street loading and unloading facility.
4. Elementary or junior high school: One (1) space per classroom plus one (1) space per administrative employee or one (1) space per four (4) seats or every eight (8) feet of bench length in the main auditorium, whichever is greater.
5. High School: One (1) space per classroom plus one (1) space per administrative employee plus one (1) space for each six (6) students or one (1) space per four (4) seats or eight (8) feet of bench length in the main auditorium, whichever is greater.
6. Other auditorium, meeting room: One (1) space per four (4) seats or every eight (8) feet of bench length.

E. Commercial Amusement

1. Stadium, arena, theater: One (1) space per four (4) seats or every eight (8) feet of bench length or equivalent capacity if no seating is provided.
2. Bowling alley: Five (5) spaces per alley plus one (1) space per two (2) employees.
3. Dance hall, skating rink: One (1) space per one hundred (100) square feet of floor area plus one (1) space per two (2) employees.

F. Commercial

1. Retail store except as provided in subsection (2): One (1) space per two hundred (200) square feet of floor area plus one (1) space per employee.

2. Service or repair shop, retail store handling exclusively in bulk merchandise such as automobiles and furniture: One (1) space per six hundred (600) square feet of floor area plus one (1) space per employee.
3. Bank, office (except medical and dental): One (1) space per six hundred (600) square feet of floor area plus one (1) space per employee.
4. Medical and dental clinic: One (1) space per three hundred (300) square feet of floor area plus one (1) space for every four (4) seats.
5. Eating and drinking establishment: One (1) space per two hundred (200) square feet of floor area, plus one (1) space for every four seats.
6. Mortuaries: One (1) space per four (4) seats or every (8) feet of bench length in chapels.

G. Industrial

1. Storage warehouse, manufacturing establishment, rail or trucking freight terminal: One (1) space per employee.
2. Wholesale establishment: One (1) space per employee plus one (1) space per seven hundred (700) square feet of patron serving area.

SECTION 20.055 Bicycle Parking Requirements

At the time of erection of a new structure or at the time of enlargement or change in use of an existing structure, bicycle parking shall be provided in accordance with the following standards:

- A. Number of Bicycle Parking Spaces - A minimum of two (2) bicycle parking spaces per use is required for all uses with greater than 10 vehicle parking spaces. The following additional standards apply to specific types of development:
 1. Multi-Family Residences - Every residential use of four (4) or more dwelling units provides at least one (1) 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 (1) bicycle parking space for every 10 motor vehicle

parking spaces.

3. Schools - Elementary and middle schools, both private and public, provide one (1) bicycle parking space for every 10 students and employees. High schools provide one bicycle parking space for every 5 students and employees. All spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.
 4. Colleges and trade schools provide one (1) bicycle parking space for every 10 motor vehicle spaces plus one space for every dormitory unit. Fifty percent (50%) of the bicycle parking spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.
 5. County Commercial - Within the County commercial and employment zones (Rural Commercial, Rural Industrial, Wamic Commercial, Tygh Valley Commercial, Tygh Valley Light Industrial/Commercial, Tygh Valley Medium Industrial/Commercial), where the proposed use is commercial, bicycle parking for customers shall be provided along the roadway at a rate of at least one (1) space per use. Individual uses shall provide their own parking, or spaces may be clustered to serve up to six (6) bicycles. Bicycle parking spaces shall be located in front of the stores along the roadway, 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 (1) 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 (1) bicycle parking space for every 10 motor vehicle parking spaces is required.
- 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 road right-of-way and at least one building entrance (e.g., no farther 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, street lights, planters and other

pedestrian amenities.

- D. Visibility and Security - Bicycle parking shall be visible to cyclists from roadway 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 shall be least as well lit as vehicle parking for security.
- G. Reserved Areas - Areas set aside for bicycle parking shall 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 to avoid conflict with vision clearance standards (Section 4.090 Vision Clearance).

SECTION 20.060 Public Parking Area

Every parcel of land hereafter used as a public parking area or an automobile or trailer sales area shall be developed as follows:

- A. Such areas shall be surfaced with permanent paving; they shall have bumper rails or curbs and be enclosed by a sturdy wall, fence or evergreen hedge not less than thirty (30) inches in height nor more than six (6) feet in height. Such wall, fence or hedge shall not enclose any required front yard or required side yard on the street side of a corner lot. Any such required front or side yard shall be properly maintained. Where such public parking area abuts or lies within an "A" and "R" zone, the required wall, fence or hedge shall not be less than six (6) feet in height on the sides or rear yards abutting or within such "A" or "R" zone.
- B. Where a public parking area or automobile or trailer sales area is illuminated, the lights shall be fixed so as to reflect away from adjoining premises in residential zones.

SECTION 20.070 Off-Street Loading

- A. Schools: A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having a capacity greater than twenty-five (25) students.
- B. Merchandise, materials or supplies: Buildings or structures to be built or substantially altered to receive and distribute materials or merchandise by truck shall provide and

maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this Ordinance shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.

SECTION 20.080 General Provisions - Off-Street Parking and Loading

- A.** The provisions and maintenance of off-street parking and loading spaces are continuing obligations of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use of off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Ordinance. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it shall be unlawful and a violation of this Ordinance to begin or maintain such altered use until the required increase in off-street parking or loading is provided.
- B.** Requirements for types of buildings and uses not specifically listed herein shall be determined by the Director of Planning based upon the requirements of comparable uses listed herein.
- C.** In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.
- D.** Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap.
- E.** Off-street parking spaces shall be located on the same or abutting lot with the building or use they are intended to serve.
- F.** Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.
- G.** Plans shall be submitted in sufficient detail so that they may be reviewed and approved by the appropriate reviewing authority.

H. Design requirements for parking lots:

1. Areas used for standing and maneuvering of vehicles shall have a durable and dustless, but not necessarily paved, surface maintained adequately for all weather use.
 2. Except for parking to serve residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents.
 3. Access aisles shall be of sufficient width for all vehicle turning and maneuvering.
 4. Groups of more than four (4) parking spaces shall be served by a driveway so that no backing movement or other maneuvering will be required within a street.
 5. Lighting of the parking area shall be deflected from a residential zone.
- I. Required parking spaces shall be improved and available for use by the time the use to be served by the parking space is ready for occupancy.

SECTION 20.090 Home Occupations

Home occupations, as defined in Section 1.090 shall be subject to Sections 2.040 – 20.080 as well as the following criteria:

- A. Will be operated by a resident of the property on which the business is located;
- B. Will employ no more than five full or part-time persons.
- C. Will be operated substantially in the dwelling or other buildings normally associated with uses permitted in the zone in which the property is located.
- D. Will not interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located;
- E. Will have retail sales only as an activity incidental or secondary to the primary home occupation use;
- F. Will not display, or create outside the structure, any external evidence of the operation of the home occupation other than one non-animated, non-illuminated name plate, on premises, and in conformance with the size restrictions of the underlying zone;
- G. The home occupation shall not unreasonably interfere with other uses permitted in the zone in which the property is located.

- H. Construction of a structure that would not otherwise be allowed in the zone is not permitted.
- I. Will be reviewed annually by the Approving Authority. The approval shall continue if the home occupation continues to comply with the requirements of this section.

On High Value Lands in the Exclusive Farm Use Zone (Not Applicable to Section 20.100)

- J. Home occupations may only be authorized in existing dwelling and structures accessory to an existing dwelling.
- K. Home occupations may not be authorized in structures accessory to resource use.
- L. A home occupation located on high-value farmland may employ only residents of the home.
- M. The following uses are prohibited from all minor and major home occupations:
 - (a) Marijuana production;
 - (b) Marijuana processing;
 - (c) Marijuana wholesaling; and
 - (d) Marijuana retailing.

Section 20.100 Home Occupation to Host Commercial Events (Exclusive Farm Use Zone only)

The section is not intended to apply to events hosted at such public gathering places as churches, community centers, grange halls, or schools, or similar structures; or to events hosted by non-profit organizations for charitable purposes. Nor is this Ordinance intended to apply to events covered by the State's Mass Gathering Statute (ORS 433.735 - 433.770). A commercial activity carried on in conjunction with a marijuana crop is prohibited. (See Section 34, Chapter 614, Oregon Laws 2015.)

In addition to meeting Sections 20.010 – 20.090 above, home occupations to host commercial events must meet the following criteria:

- A. Frequency of Events: This shall be determined through the review process to minimize the potential impact to the local agricultural region.

- B. Maximum Number of Guests:** Shall be based on the capacity of the site, but shall not include more than 300 guests at any one event.
- C. Duration of Event:** This shall be determined based on the potential impact to adjacent properties but no event shall take place outside the hours of 7:00 am – 10:00 pm.
- D. Noise:** It is unlawful for any person to make, continue, or cause to be made or continued, any noise, which unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of a reasonable person of normal sensitivities present in the area. Factors to consider in evaluating whether a noise is loud, disturbing, or excessive for the purposes of this section, shall include, but not be limited to the following:
- The volume of the noise;
 - The intensity of the noise;
 - The duration of the noise;
 - Whether the noise is recurrent, intermittent, or constant;
 - The time of day or night the noise occurs;
 - Whether the nature of the noise is usual or unusual;
 - Whether the origin of the noise is natural or unnatural;
 - The nature and zoning of the area within which the noise emanates and where it is received;
 - Whether the noise is produced by a commercial or noncommercial activity.

Noise shall be considered excessive and in violation of this Section if it meets one of the following criteria:

1. The noise is plainly audible from within any closed dwelling unit that is not the source of the sound; or
 2. The sound peak pressure level of the noise, as measured on the A scale, shall not exceed sixty (60) dB(A) during the hours of 7:00 a.m. until 10:00 p.m. as measured at any of the complainant's property lines within a residential district or near a residential area.
- F. Parking:** At least 200 square feet of parking space shall be required for each vehicle. Parking areas may be developed using paving blocks, gravel, or other pervious surfaces; asphalt, concrete and other imperious materials shall be prohibited.
- G. Fire & Emergency Vehicle Access:** Shall comply with Fire & Life Safety Requirements for Fire Department Access and Water Supplies.

- H. Catering: Operator shall ensure that only caterers licensed in the States of Oregon or Washington are contracted to provide food; caterers shall be bonded.
- I. Alcohol and Marijuana: Operator shall comply with all requirements of the Oregon Liquor Control Commission (OLCC), if alcohol or marijuana is served during an event. A commercial activity carried on in conjunction with marijuana crop is prohibited. (See Section 34, Chapter 614, Oregon Laws 2015.)
- J. Toilet facilities shall be portable with available hand-sanitizing or hand-washing facilities. Use of the dwelling's on-site septic facilities is not allowed for an event, except by residents or over-night guests of the facility.
- K. Sign: One temporary sign may be allowed in addition any other sign allowed as part of a prior approval. The sign shall not exceed eight (8) square feet in size and shall be placed on private property on the day of the event and shall be removed within 24 hours after the event.
- L. Contents of the Site Plan: In addition to the requirements of Section 20.030 above, the applicant shall submit a written narrative and site plan addressing the following issue:
 - 1. Designated area and existing structures to be used for the events
 - 2. Number of events anticipated per season
 - 3. Frequency of events
 - 4. Maximum number of guests intend to serve
 - 5. Noise
 - 6. Infrastructure – How will you provide electricity and utilities to the event?
 - 7. Parking & Circulation – Need to provide one (10' x 20') parking space per vehicle; estimate 3 people per car.
 - 8. Traffic and Access
 - 9. Environmental Health Aspects
 - a. How will food be provided? Where will it be served?
 - b. What is your domestic water source?

- c. Indicate how many portable toilets will be provided, as well as how hand-sanitizing or hand-washing facilities will be provided.

10. Safety & Insurance

- 11. Are alcoholic beverages being served? If so, are OLCC requirements being met?

M. Expiration of Approval: Land use approvals for home occupations to host commercial events shall not be valid for more than four years from the original date of approval. Landowners must reapply for the use after a land use approval expires.