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**CHAPTER 4 SUPPLEMENTAL PROVISIONS****SECTION 4.010 Maintenance of Open Space**

No lot area, yard, or other open space existing on or after the effective date of this Ordinance shall be reduced below the minimum required for it by this Ordinance, and no lot area, yard, off-street parking and loading area or other open space which is required by this Ordinance for one use shall be used as the required lot area, yard or other open space for another use. This section does not apply to area requirements reduced below the minimum as a result of the creation of cemetery lots. Any required yard shall not include any land dedicated, reserved or set aside for road, highway, street or other public purposes except as provided in this Ordinance.

**SECTION 4.020 Projections Into Yards**

Every part of a required yard shall be open from the ground to the sky unobstructed except for the following:

- A. Accessory buildings where permitted.
- B. Ordinary building projections such as cornices, eaves, belt courses, sills or similar architectural features may project into required side yards not more than eighteen (18) inches or into front and rear yards not more than twenty-four (24) inches.
- C. Chimneys may project into any required yard not more than eighteen (18) inches.
- D. Uncovered balconies or fire escapes may project into any required yard not more than three (3) feet.
- E. Uncovered terraces, decks or platforms may project or extend into a required setback not more than five (5) feet. Such terraces, decks or platforms including guardrails or fencing shall not extend thirty (30) inches above grade or ground level.

**SECTION 4.030 Vision Clearance**

A vision clearance area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad.

- A. A vision clearance area shall consist of a triangular area, two sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in the appropriate zone, or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two sides.
- B. A vision clearance area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2 1/2) feet in height, measured from the top of the curb or, where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area removed to a height of eight (8) feet above the grade.

**C. The following measurements shall establish vision areas:**

1. In an agricultural or residential zone, the minimum distance shall be thirty (30) feet, or, at intersections including an alley, ten (10) feet.
2. In all other zones where yards are required, the minimum distance shall be fifteen (15) feet or, at intersections including alley, ten (10) feet, except that when the angle of intersection between streets, other than an alley, is less than thirty (30) degrees, the distance shall be twenty-five (25) feet.

**SECTION 4.040 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 unless specified otherwise:

**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**

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.
3. 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.
4. 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.
5. Bank, office (except medical and dental): One (1) space per six hundred (600) square feet of floor

area plus one (1) space per employee.

6. 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.
7. Eating and drinking establishment: One (1) space per two hundred (200) square feet of floor area, plus one (1) space for every four seats.
8. Mortuaries: One (1) space per four (4) seats or every (8) feet of bench length in chapels.

**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.

**SECTION 4.050 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 permanent vehicle parking spaces. The following additional standards apply to specific types of development:
- 1.** Recreational Uses and Parks - Where the proposed use is recreational, bicycle parking shall be provided one (1) bicycle parking space for every 10 motor vehicle spaces. Fifty percent (50%) of the bicycle parking spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.
  - 2.** Schools - Schools, both private and public, shall provide one (1) bicycle parking space for every 10 students and employees. All spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.
- B.** Exemptions - This Section does not apply to single family dwellings, home occupations, agriculture and livestock uses, or other developments with fewer than 10 permanent 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 4.060 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 unless otherwise specified:

- 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.

- 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 4.070 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 4.080 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 4.090 Through Lots**

- A. On through lots one hundred fifty (150) feet or less in depth, the height of a building may be that permitted on either street on which the lot faces.
- B. On through lots more than one hundred fifty (150) feet in depth, the height regulations for the greater height shall not extend more than one hundred fifty (150) feet from that street.
- C. Through lots having a frontage on two streets shall provide the required front yard on each street.

**SECTION 4.100 Exterior Finishing of Mobile Homes**

- A. All mobile homes located on any lot or parcel in Wasco County shall be skirted with fire-proof, non-decaying and non-corroding materials or shall be provided with a cement or concrete block exterior foundation. If metal skirting is employed, it shall be painted and formed in a pattern complementary to the siding of the mobile home.
- B. All awnings carports, ramadas, cabanas, and garages shall be painted and designed in a style complementary to the design of the mobile home.
- C. Wheels shall be removed from all mobile homes at the time of installation on property. In addition, tongues, and hitches shall be removed from all mobile homes wider than ten (10) feet that are installed on any parcel of land, exclusive of licensed mobile home parks. The Director of Planning may exempt certain mobile homes from the last requirement when removal would damage the frame and weaken the structure.



**SECTION 4.110 Accessory Buildings Serving as Guest Houses**

Any accessory building built to function as a guest house for use in a manner subordinate and incidental to the main use may be allowed on a lot-of-record on which a primary dwelling is situated, subject to the setback requirements of the underlying district, and the provisions of this section;

- A. Only one (1) guest house shall be allowed on a lot-of-record.
- B. The maximum floor area of a guest house, including all levels and basement floor areas shall not exceed six hundred (600) square feet. Garage area shall not count toward the total floor area. In addition to the six hundred (600) square foot size limitation, guest houses shall also be subject to the height limitations and the combined footprint size limitation established for accessory buildings in each zone.
- C. A guest house shall be located within one hundred (100) feet of the primary dwelling on the subject lot-of-record. This distance shall be measured from the closest portion of each structure.
- D. Occupants of a guest house and the primary dwelling shall live together as one house keeping unit, sharing one kitchen and one laundry facility, to be located in the primary dwelling. A guest house shall be permitted one (1) bathroom, but not a refrigerator or freezer, range/stove/oven, or other cooking appliances.
- E. All public water, electricity, natural gas and sewer services for the guest house shall be extended from the primary dwelling service. No separate meters for the guest house shall be allowed. A separate telephone line for the guest house may be provided.
- F. A guest house shall use the same septic system as the primary dwelling. Approval from the County Sanitarian shall be required.
- G. The property owners shall sign and record a covenant letting future property owners know the guest house cannot be used as a single family dwelling.

**SECTION 4.120 Traffic Impact Analysis (TIA)**

- A. Purpose - The purpose of this section of the code is to implement [OAR 660-012-0045](#) (2) (e) of the State Transportation Planning Rule that requires the County to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Analysis; and who is qualified to prepare the Study.
- B. Typical Average Daily Trips - The latest edition of the Trip Generation Report, published by the Institute of Transportation Engineers (ITE), or a source deemed acceptable to the City Engineer through the pre-application process (Section 4.120(D)(3)) shall be used to gauge the trip generation potential of future development.

C. When Required - A Traffic Impact Analysis shall be required to be submitted to the County with a land use application when the following conditions apply:

1. The development application involves one or more of the following actions:
  - a. A change in zoning or a management plan amendment initiated at the county level; or
  - b. Any proposed development or land use action that ODOT states may result in operational or safety concerns along a state highway; and
  - c. The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers Trip Generation manual; and information and studies provided by the local reviewing jurisdiction and/or ODOT:
    - (1) An increase in site traffic volume generation by 200 Average Daily Trips (ADT) or more (or as required by the Wasco County Road Master); or
    - (2) An increase in intersection traffic volume by 50 Average Daily Trips (ADT) or more (or as required by the Wasco County Road Master); or
    - (3) An increase in use of adjacent roads by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or
    - (4) The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the adjacent roadway, creating a safety hazard; or
    - (5) The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
    - (6) A change in internal traffic patterns that may cause safety problems, such as back up onto the roadway or traffic crashes in the approach area.

D. Traffic Impact Analysis Requirements

1. Preparation - A Traffic Impact Analysis shall be prepared by a professional engineer. The traffic analysis will be paid for by the applicant.
2. Transportation Planning Rule Compliance - See Section 9.059 Transportation Planning Rule Compliance.
3. Pre-application Conference - The applicant will meet with the County Road Master prior to submitting an application that requires a Traffic Impact Analysis. ODOT will be invited to

participate in the pre-application conference if a proposal is expected to have impacts to a state transportation facility. The objective of this meeting is to prepare a scope of the TIA, including the required elements of the TIA and the level of analysis expected.

**E. Approval Criteria**

**1. Criteria** - When a Traffic Impact Analysis is required, approval of the development proposal requires satisfaction of the following criteria:

- a.** The Traffic Impact Analysis was prepared by a registered professional engineer in the State or Oregon; and
- b.** If the proposed development shall cause one or more of the effects in Section C(1)(c), above, or other traffic hazard or negative impact to a transportation facility, the Traffic Impact Analysis includes mitigation measures that meet County's volume-to-capacity ratio of 0.85 and satisfactory to the County Road Master, and ODOT when applicable; and
- c.** The proposed site design and traffic and circulation design and facilities, for all transportation modes, including any mitigation measures, are designed to:
  - (1)** Have the least negative impact on all applicable transportation facilities; and
  - (2)** Accommodate and encourage non-motorized vehicular modes of transportation to the extent practicable; and
  - (3)** Make the most efficient use of land and public facilities as practicable; and
  - (4)** Provide the most direct, safe and convenient routes practicable between on-site destinations, and between on-site and off-site destinations; and
  - (5)** Otherwise comply with applicable requirements of the Wasco County Land Development Ordinance.

**F. Conditions of Approval.** The County may deny, approve, or approve the proposal with appropriate conditions.

- 1.** Dedication of land for streets/roadways, transit facilities, sidewalks, bikeways, paths, or access ways shall be required where the existing transportation system will be impacted by or is inadequate to handle the additional burden caused by the proposed use.
- 2.** Improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, access ways, paths, or streets/roadways that serve the proposed use where the existing transportation system may be burdened by the proposed use may be required.



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