

CHAPTER 2  
ZONING AND DEVELOPMENT

**2.200 GENERAL DEVELOPMENT STANDARDS**

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**2.201 GENERAL PROVISIONS**

- A. Maintenance of Minimum Ordinance Requirements. 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 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.
- B. Access. Every lot shall abut a public right of way for at least 25 feet.
- C. Accessory Uses. An accessory use shall comply with the standards for a principal use, except as this Ordinance specifically allows to the contrary.
- D. Signs. Signs shall not be moving or intermittent flashing, shall not shine or create glare in adjacent dwellings, shall not exceed an area of 15 square feet on each side, and shall provide a clear space not less than 8 feet from the grade to the bottom of the sign. Signs shall not exceed 8 feet in length or 12 feet if on a building. Home occupation signs shall not exceed 4 square feet.
- E. Ratio of Dwellings to Lots. Only one single family dwelling, manufactured home, or two family dwelling shall be placed on a lot.
- F. Occupancy of Recreation Vehicles. The use of a recreation vehicle as a temporary residence is permitted provided that the use as a residence does not exceed 30 days in a calendar year.

## **2.202 FENCES AND VISION CLEARANCE**

### **2.202.01 Fences**

A fence, hedge or other plantings with a front yard or side yard abutting a street shall comply with the vision clearance requirements in Section 2.202.02.

### **2.202.02 Vision Clearance Requirements**

A vision clearance area shall be provided for all zones within the city as follows:

- A. At intersections of streets, the minimum vision clearance area shall be 30 feet.
- B. In the vision clearance area, vegetation shall not exceed a height of 24 inches.
- C. All trees within a vision clearance area, whether in the street right-of-way or on private property, shall be trimmed so that there are no limbs lower than ten feet (10') above the shoulder of the street.
- D. No permanent or temporary obstruction to vision shall exceed 30 inches in height in a vision clearance area.
- E. Street name identification signs and traffic control and safety signs which are located in a vision clearance area by the City of Sodaville, Linn County, or the State of Oregon are exempt from these provisions.

## **2.203 PUBLIC FACILITIES**

- A. Sanitation Standards. Wells and septic tank locations shall meet Department of Environmental Quality (DEQ) regulations and shall, as much as practicable, be located so as not to preclude the development of adjacent lots.
- B. City Water. All structures utilizing water for domestic purposes constructed after the effective date of this ordinance shall be connected to the City water system.

## 2.204 PARKING

### 2.204.01 General Provisions

General provisions regarding off-street parking and loading areas. Off-street parking and loading areas, when provided, shall meet the following requirements.

- A. Surfacing. Areas used for standing and maneuvering of vehicles shall have durable, dustless, and semi-permeable surfaces maintained adequately for all weather use and so drained as to avoid flow of water across pedestrian paths and streets.
- B. Adjacent Impacts. 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 to residents.
- C. Lighting. Any artificial lighting shall not shine or create glare in any residential zone or any adjacent dwelling.
- D. Access Aisles. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.
- E. Backing Movements. Groups of more than four parking spaces shall be served by a driveway so that no backing movements or other maneuvering will be required within a street, and if located within a side or rear yard, a 3' ornamental fence or wall shall be placed along such property lines, unless an integral part of a parking area on the adjoining lot.
- F. Driveway Location. Driveways to off-street parking areas shall be designed, located and constructed to facilitate the flow of traffic, to provide maximum safety of traffic access and egress and to provide maximum safety of pedestrians and vehicular traffic on the site. The number of driveways shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Driveways shall be clearly and permanently marked and defined through use of rails, fences, walls or other barriers or markers on frontage not occupied by driveways.
- G. Parking Spaces at Boundary. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper so placed to prevent a motor vehicle from extending over an adjacent property or street.
- H. Non-Residential Limitations. Parking areas for non-residential uses shall be used solely for temporary parking of vehicles and shall not be used for repair or servicing of vehicles or other motorized or recreational equipment.

## **2.204.02 Off-street Parking and Loading Provisions**

- A. Location. Off-street parking shall be provided on the development site for all residential zones. In all other zones the required parking not on the development site shall be provided within 400 feet through a parking district or suitable other means.
- B. Parking Improvements – When Required. At the time of construction, reconstruction, or enlargement of a structure, or at the time a use is changed in any as follows unless greater requirements are otherwise established.
- C. Measurement. Where square feet of the structure or use are specified as the basis for the requirement, the area measured shall be the gross floor area primary to the functioning of the particular use of the property. When the requirements are based on the number of employees, the number counted shall be those working on the premises during the largest shift of peak season.
- D. Fractional Spaces. Fractional space requirements shall be counted as a whole space.
- E. Non-residential Parking Bonus. For every 20 feet of property frontage on a street available to parallel parking, and every 12 feet of such frontage available to diagonal parking, shall count as one parking space and may be deducted from the applicable standard.
- F. Parking Standards. Use standards are established as follows:
  - 1. One and two family dwellings - two spaces per dwelling unit plus one space per rented room.
  - 2. Home occupations with an accessory building - one additional space.
  - 3. Residential use containing three or more dwelling units – 1.5 spaces per dwelling unit.
  - 4. Church and elementary school - one space per four seats, **or**, one space for each 35 square feet of floor area of main auditorium not containing fixed seats.
  - 5. College or commercial school - one space per classroom plus one space per administrative employee plus one space for each six students; **or**, one space per four seats of the main auditorium, whichever is greater.

6. Retail store - one space per 200 square feet of floor area designated for retail sales.
7. Service or repair shop - one space per 600 square feet of floor area.
8. Eating or drinking establishment - one space per 100 square feet of floor area.

### **2.204.03 Driveway Access and Permits**

- A. Driveway Permits. For purposes of this section, driveways are defined as that portion of the private road serving a lot or lots, which extends from the property line to the roadway of the abutting street. An exception to this definition pertains to common driveways intended to serve 2-4 residences, in which case the driveway standards shall apply to the entire length of the driveway.
- B. Permit Required. A driveway permit is required for the construction of a new driveway, for the relocation or realignment of an existing driveway, and for major improvements to existing driveways. Standards and procedures for driveway permits are in the following sub-sections of this section.
- C. Purpose of Driveway Permit. Driveway permits are required in order to assure that driveways are:
  1. Wide enough to handle the anticipated traffic and types of vehicle expected to use the driveway.
  2. Located far enough from street intersections to minimize potential traffic safety hazards.
  3. Located in order to assure that there is adequate sight distance along the adjacent street to minimize the creation of potential safety hazards.
  4. Designed and constructed with materials and methods to prevent the creation of traffic safety hazards and to assure that driveway conditions will not result in drainage or roadway maintenance problems.
- D. General Driveway Standards.
  1. The driveway should intersect with the street at as close to a right angle as possible.

2. The maximum grade of the driveway should be ten per cent (10%), except where the steepness of the slope requires a steeper grade. In all circumstances the grade of the driveway should be as flat as possible.
  3. Driveways should be located at least 75 feet from the nearest intersecting street. Driveways on the same side of the street should be at least 25 feet from each other.
  4. Each property in the city is entitled to a driveway. However, under some circumstances the joint or multiple use of a driveway shall be encouraged as long as there is a joint use and maintenance agreement between affected property owners. In the event the driveway is intended to serve two to four residences, the development of a common driveway to serve all residences shall be required.
  5. The City shall adopt driveway road access design, construction, and materials standards including standards related to drainage and drainage structures such as culverts, as the basis for review and action on driveway permit requests.
- E. Driveway Permit Process. Driveway permits shall be issued by the Zoning Official. After submittal, the Zoning Official shall transmit the permit to the City Engineer or another party with professional engineering credentials for review and action. Driveway road access permits shall meet the City's adopted standards and shall be approved and inspected by the City Engineer or other designated party with professional engineering credentials. Copies of the approved driveway permit shall be transmitted to the applicant and to the City Recorder. The City Recorder shall retain the approved permit on file.
- F. Standards for Common Driveways Intended to Serve 2-4 Residences.
1. The minimum pavement width shall be 20 feet.
  2. The driveway radius at the approach to the street shall be 25 feet.
  3. Common driveways shall serve no more than four (4) residences; if more than four (4) residences are to be served, the driveway shall be constructed to a public street standard.
  4. The driveway shall be paved for its entire length.

5. Prior to the installation of the driveway, provision shall be made for the handling of drainage in conjunction with driveways, and for the installation of water lines to serve the lots. The City shall approve plans for drainage and for installation of the water lines.
6. The end of the driveway shall be provided with an emergency turn-around that meets the standards of the Lebanon Rural Fire Protection District.
7. The owners of all properties to be served by the driveway shall sign a maintenance agreement indicating that it is the responsibility of each property owner to maintain the driveway in satisfactory condition. Before any building permits may be issued for construction of residences on the property, evidence shall be provided to the city that all affected property owners shall be made aware of the maintenance agreement and property owner responsibilities under the agreement.
8. The general standards of Section 2.204.03.D. and the permit standards that are a part of the Sodaville Driveway Permit apply to common use residential driveways serving 2-4 residences.