



BOARDMAN DEVELOPMENT CODE

Chapter 3 Design Standards

Subchapters

Chapter 3.0 Design Standards Administration (ALL NEW)

Chapter 3.1 Residential Design Standards (ALL NEW)

Chapter 3.2 Non-Residential Design Standards (ALL NEW)

Chapter 3.3 Vehicular Access and Circulation (AMENDED)

Chapter 3.4 Pedestrian Access and Circulation (AMENDED)

Chapter 3.5 Landscaping, Street Trees, Fences, and Walls (AMENDED)

Chapter 3.6 Vehicle and Bicycle Parking and Loading (AMENDED)

Chapter 3.7 Public Facilities Standards (AMENDED)

Chapter 3.8 Stormwater Management (AMENDED)

Chapter 3.9 Other Standards (AMENDED)



Chapter 3.0 Design Standards Administration (ALL NEW)

Sections

3.0.100	Purpose
3.0.200	Applicability
3.0.300	Exceptions

Commentary: Chapter 3.0 is new. It helps applicants and staff find every Chapter 3 standard that applies to a project. Table 3.0.200 lists each permit type and marks the subchapters that apply. Chapter 3 is also reorganized. Vehicle and pedestrian access are now separate subchapters (3.3 and 3.4), and loading moves into parking (3.6).

3.0.100 Purpose

Chapter 3 contains design standards for the built environment. The standards are intended to protect the public health, safety, and welfare through pedestrian-oriented building orientation and design; multimodal accessibility and interconnectivity; and the provision of parking, landscaping, adequate public facilities.

3.0.200 Applicability

Except as specified in Section 3.0.300, the provisions of Chapter 3 apply to permits and approvals granted under this Code, and other City actions, as summarized in Table 3.0.200.

Table 3.0.200 Applicability of Design Standards to Approvals and Permits

LEGEND: Y = the subchapter applies; N = it does not.

¹ If a building exists on the site. ² If a use exists on the site. ³ If residential development is proposed. ⁴ If non-residential development is proposed.

Approval or Permit	3.1 Residential Design Standards	3.2 Non-Residential Design Standards	3.3 Vehicular Access and Circulation	3.4 Pedestrian Access and Circulation	3.5 Landscaping, Street Trees, Fences, and Walls	3.6 Vehicle and Bicycle Parking and Loading	3.7 Public Facilities Standards	3.8 Stormwater Management	3.9 Other Standards
Access Permit (public street)	N	N	Y	N	N	Y	Y	Y	N
Annexation	N	N	N	N	N	N	Y	Y	N
Code Amendment (Chapter 4.7)	Subchapters apply where the amendment affects design standards.								
Comprehensive Plan Amendment	N	N	N	N	N	N	Y	Y	N
Conditional Use Permit (Chapter 4.4)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Development Review (Chapter 4.2)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Land Use District Map Change (Chapter 4.7)	N	N	N	N	N	N	Y	Y	N
Lot Line Adjustment (Chapter 4.3)	Y ¹	Y ¹	Y	Y ¹	Y	Y ²	Y	Y	N
Master Planned Development (Chapter 4.5)	Y ³	Y ⁴	Y	Y	Y	Y	Y	Y	Y
Modification to Approval (Chapter 4.6)	Individual subchapters may apply, depending on the modification requested.								

Approval or Permit	3.1 Residential Design Standards	3.2 Non-Residential Design Standards	3.3 Vehicular Access and Circulation	3.4 Pedestrian Access and Circulation	3.5 Landscaping, Street Trees, Fences, and Walls	3.6 Vehicle and Bicycle Parking and Loading	3.7 Public Facilities Standards	3.8 Stormwater Management	3.9 Other Standards
Non-Conforming Use or Development, Expansion of (Chapter 5.2)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Partition (Chapter 4.3)	Y ¹	Y ¹	Y	Y ¹	Y	Y ²	Y	Y	N
Sign Permit (Chapter 3.9)	N	N	N	N	N	N	N	N	Y
Site Design Review (Chapter 4.2)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Subdivision (Chapter 4.3)	Y ³	Y ⁴	Y	Y	Y	Y ²	Y	Y	N
Temporary Use Permit (Chapter 4.9)	Individual subchapters may apply, depending on the temporary use permit requested.								
Transportation Facilities and Improvements (Chapter 4.4)	N	N	Y	N	Y	Y	Y	Y	N
Tree Removal (Chapter 3.5)	N	N	N	N	Y	N	N	N	N
Variance (Chapter 5.1)	Individual subchapters may apply, depending on the variance requested.								

3.0.300 Exceptions

- A. Restoration or Replacement of a Dwelling Damaged or Destroyed by a Natural or Involuntary Event.** The provisions of Chapter 3 do not apply to applications to restore or replace a dwelling damaged or destroyed by a natural or involuntary event submitted in compliance with **ORS 197.XXX**.
- B. Middle Housing Conversions.** The following chapters do not apply to middle housing that is created through internal conversion of, or addition to, an existing detached single-unit dwelling:
1. Chapter 3.1 Residential Design Standards
 2. Chapter 3.3 Vehicular Access and Circulation
 3. Chapter 3.4 Pedestrian Access and Circulation
 4. Chapter 3.5 Landscaping, Street Trees, Fences and Walls
 5. Chapter 3.6 Vehicle and Bicycle Parking and Loading

Chapter 3.1 Residential Design Standards (ALL NEW)

Sections

3.1.100	Purpose
3.1.200	Applicability
3.1.300	Building and Entry Orientation
3.1.400	Garages, Driveways, and Parking Design
3.1.500	Street-Facing Windows
3.1.600	Building Design
3.1.700	Trash and Recycling Storage
3.1.800	Cottage Cluster Standards

Commentary: Chapter 3.1 is new. Its purpose is to make sure new homes face the street, keep garages from dominating the front, and avoid long blank walls, while giving builders several ways to comply. It replaces current Sections 2.1.170 and 2.1.180. Those sections use judgment-based language and apply some standards to duplexes but not to houses. State law no longer allows either (ORS 197A.400; OAR 660-046). The entry, garage setback and articulation standards are carried forward, but in a more measurable form. The garage width, window, trash screening and cottage cluster standards are new.

3.1.100 Purpose

Chapter 3.1 establishes clear and objective design standards for residential development that support walkable, safe, and functional site and building design. The standards are intended to provide predictable outcomes across a range of housing types while allowing flexibility in site layout and building form. The standards also promote development patterns that support pedestrian access and make efficient use of land and infrastructure. The standards provide for:

- A. Entry orientation and site layout that reinforce the relationship between buildings and the street and support pedestrian use of the site, while facilitating transitions between the public and private realms;

- B. Building features on street-facing façades, such as windows, doors, porches, and other elements, that contribute to an active and visually engaging streetscape;
- C. Garage placement and design that reduces the visual prominence of garages and supports pedestrian-oriented development patterns; and
- D. Unique configurations of certain housing types, such as cottage clusters.

3.1.200 Applicability

- A. **General.** Except as specified in Section 3.0.200 or as otherwise specified in this chapter, Chapter 3.1 applies to all new residential buildings, except accessory dwelling units, including the residential portion of mixed-use developments, and exterior alterations to existing residential buildings. Table 3.1.200.A identifies the sections of this Chapter that apply to each housing type.
- B. **Non-Conforming Development.** In accordance with Section 5.2.200 Non-conforming Development, where an existing development does not conform to these standards, any proposed alterations must not increase the degree to which the development is non-conforming, unless a variance is approved pursuant to Chapter 5.1.
- C. **Adjustments and Variances.** The Review Authority may grant adjustments to Chapter 3.1, pursuant to the criteria of Chapter 5.1 Variances.

Table 3.1.200.A Applicability of Residential Design Standards by Housing Type

Section	Detached Single Unit	Duplex	Triplex or Quadplex	Town-house	Cottage Cluster	Multi-Unit Housing
3.1.300 Building and Entry Orientation	●	●	●	●	— [1]	●
3.1.400 Garages, Driveways, and Parking Areas	●	●	●	●	●	●
3.1.500 Street-Facing Windows	●	●	●	●	● [2]	●
3.1.600 Building Design	—	—	●	●	—	●
3.1.700 Trash and Recycling Storage	—	—	●	●	●	●

3.1.800

Cottage Cluster Standards



Notes:

[1] Cottage cluster housing is subject to the orientation standards of Section 3.1.800 in lieu of Section 3.1.300.

[2] Applies only to cottages within 20 feet of a street lot line.

Commentary: These standards keep the front door of a home visible and easy to reach from the sidewalk. The current code requires entrances “oriented to the street” without saying how to measure it. The main entrance must now be near the front of the house and face the street, a shared open space or a covered porch. Apartment buildings need an entrance within 20 feet of the street.

3.1.300 Building and Entry Orientation

A. Applicability. The building and entry orientation standards apply by housing type as follows:

1. Detached single-unit housing, duplexes, triplexes, quadplexes, and townhouses are subject to standard (B).
2. Multi-unit housing is subject to standard (C), except townhouse-style multi-unit housing is subject to standard (B).
3. Cottage cluster housing is not subject to this section.

B. Detached Single-Unit and Middle Housing. At least one main entrance for each residential structure must comply with all the following standards. For townhouses or townhouse-style multi-unit housing, a main entrance to each unit within 40 feet of a public street lot line must comply with these standards.

1. The entrance must:
 - a. Be no more than 8 feet farther from the front lot line than the structure’s longest wall that faces the front lot line.
 - b. Meet at least one of the following:
 - i. Face the street (see Figure 3.1.300.B.a);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 3.1.300.B.b);
 - iii. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 3.1.300.B.c); or

iv. Open onto a covered porch or covered patio (see Figure 3.1.300.B.d). The porch or patio must:

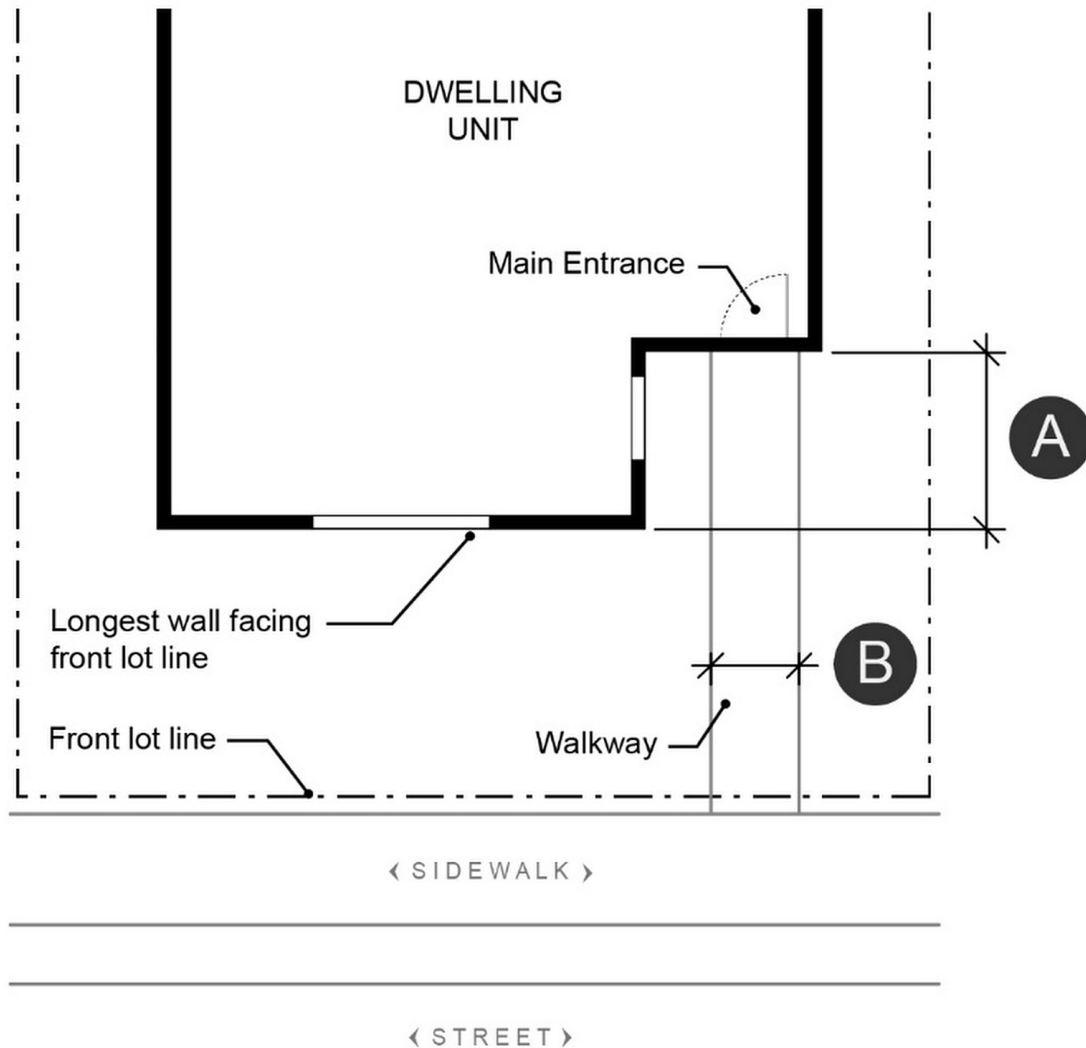
- (1)** Be at least 25 square feet in area; and
- (2)** Have at least one entrance facing the street.

c. Connect to the sidewalk in accordance with Section 3.4.200.

2. Exceptions. The following are exempt from these standards:

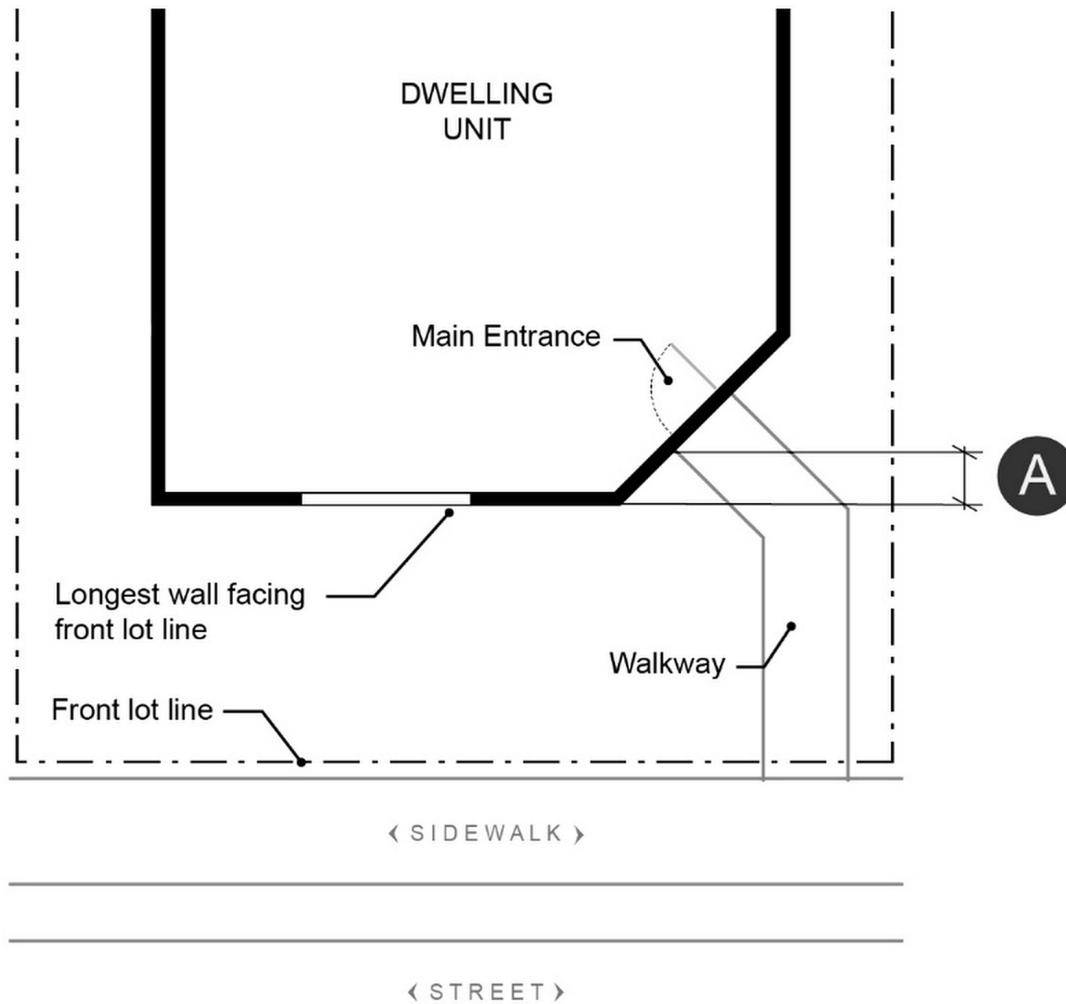
- a.** Any detached structure for which more than 50 percent of its street-facing facade is separated from the street lot line by:
 - i.** A dwelling; or
 - ii.** A buildable lot with a depth of at least 20 feet measured from the street lot line.
- b.** Townhouses on townhouse lots that do not have public street frontage.

Figure 3.1.300.B.a Main Entrance Facing the Street



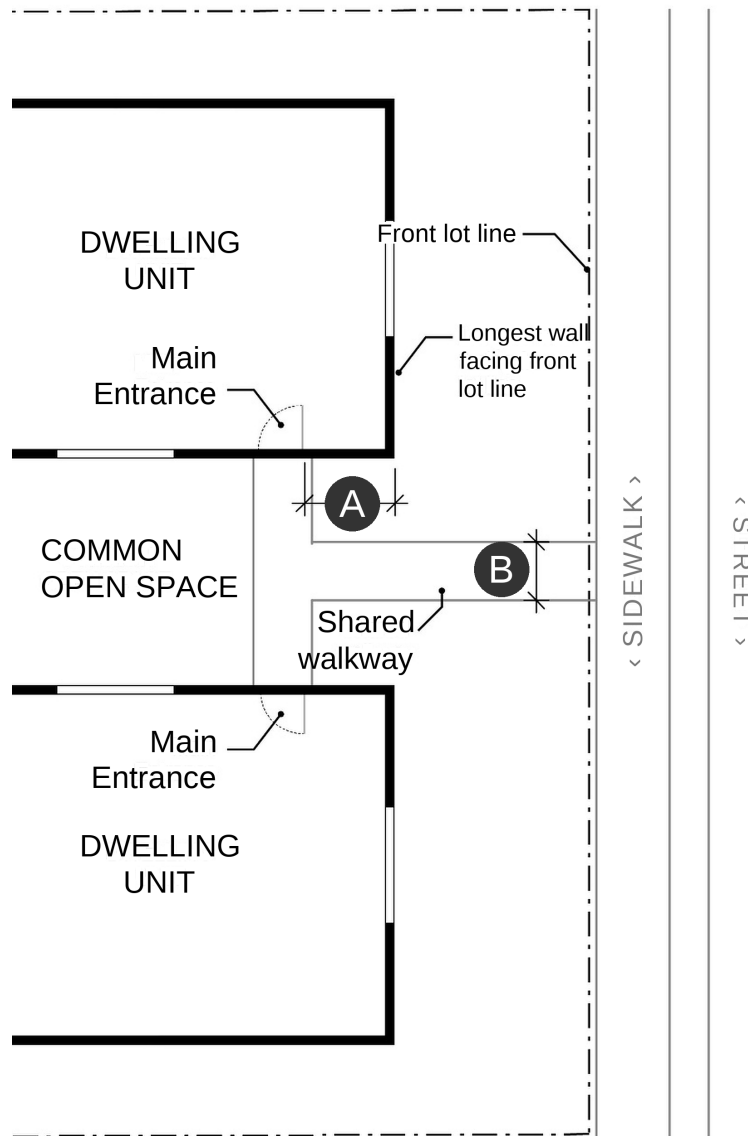
- A** Main entrance no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line
- B** Hard-surfaced walkway, other than a driveway, at least 3 feet wide connecting the main entrance to the sidewalk

Figure 3.1.300.B.b Main Entrance at 45-Degree Angle from the Street



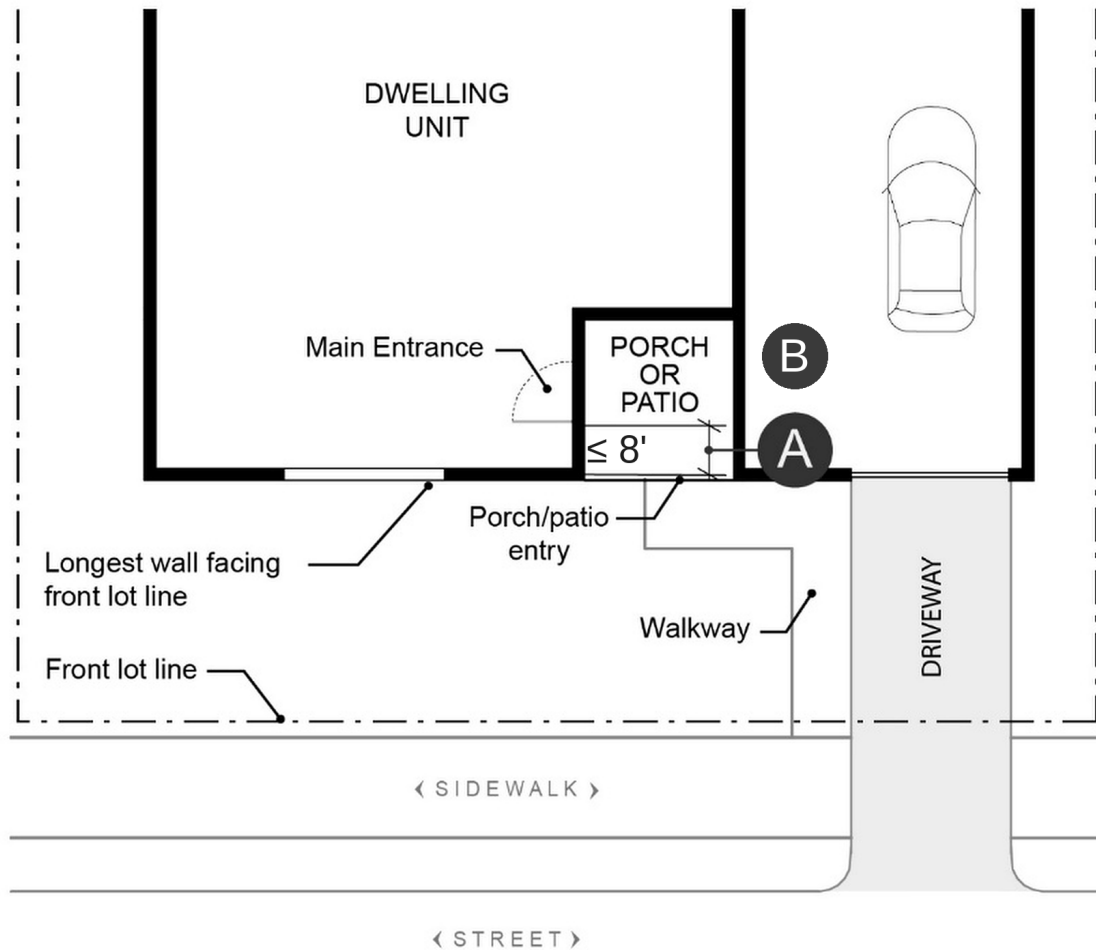
- A** Main entrance no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line

Figure 3.1.300.B.c Main Entrance Facing Common Open Space



- A** Main entrance no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line
- B** Hard-surfaced walkway, other than a driveway, at least 3 feet wide connecting the main entrance to the sidewalk

Figure 3.1.300.B.d Main Entrance Opening onto a Porch



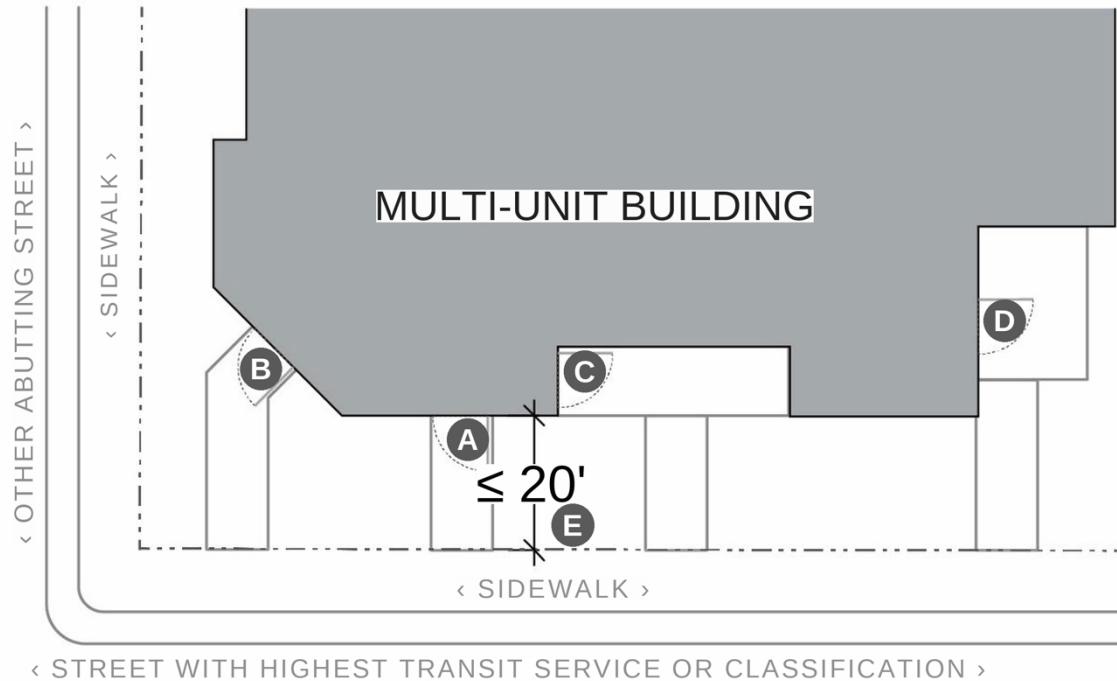
- A** Main entrance no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line
- B** Covered porch or covered patio at least 25 square feet in area with at least one entrance facing the street

C. Multi-Unit Housing. At least one building façade containing a main entrance to a building must be located within 20 feet of a street lot line. (See Figure 3.1.300.C.)

1. The main entrance meeting the standard must:
 - a. Be no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line.
 - b. Meet at least one of the following:
 - i. Face the street;
 - ii. Be at an angle of up to 45 degrees from the street;

- iii. Face a courtyard, provided the courtyard is no less than 15 feet in width and abuts the street; or
 - iv. Open onto a covered porch or covered patio that is at least 25 square feet in area.
 - c. If the site abuts more than one street, the building façade meeting this standard must be located in accordance with the following hierarchy:
 - i. Within 20 feet of the street lot line of the street with the highest classification in the city's adopted Transportation System Plan.
 - ii. In the following circumstances, the applicant may choose the street-facing façade that will contain the main entrance:
 - (1) The abutting streets have equal street classifications; or
 - (2) The highest classification street is an arterial street.
- 2. **Exceptions.** If a site abuts only one street, and the abutting street is an arterial street, a building facade with ground floor dwelling units may be set further back than 20 feet, provided the screening standards in **Section 3.5.200.F** are met.

Figure 3.1.300.C Multi-Unit Entry Orientation



- A** Main entrance facing the street
- B** Main entrance at an angle of up to 45 degrees from the street
- C** Main entrance facing a courtyard that is no less than 15 feet in width and abuts the street
- D** Main entrance opening onto a covered porch or covered patio that is at least 25 square feet in area
- E** Building façade containing a main entrance within 20 feet of a street lot line. Where a site abuts more than one street, the street is selected by street classification (subsection (C)(1)(c))

Policy Question: These standards keep garages from dominating the front of a home, so streets are lined with front doors, windows and yards. The 20-foot garage setback carries forward from existing code. Two standards are new. A garage may not sit in front of the house, except slightly behind a covered porch. Garages and driveway parking may cover no more than half of the lot's street frontage. On a 60-foot lot, that still allows a two-car garage plus a parking pad.

How important is it to Boardman that the front of a new home shows a door and windows more than a garage? Do these limits strike the right balance?

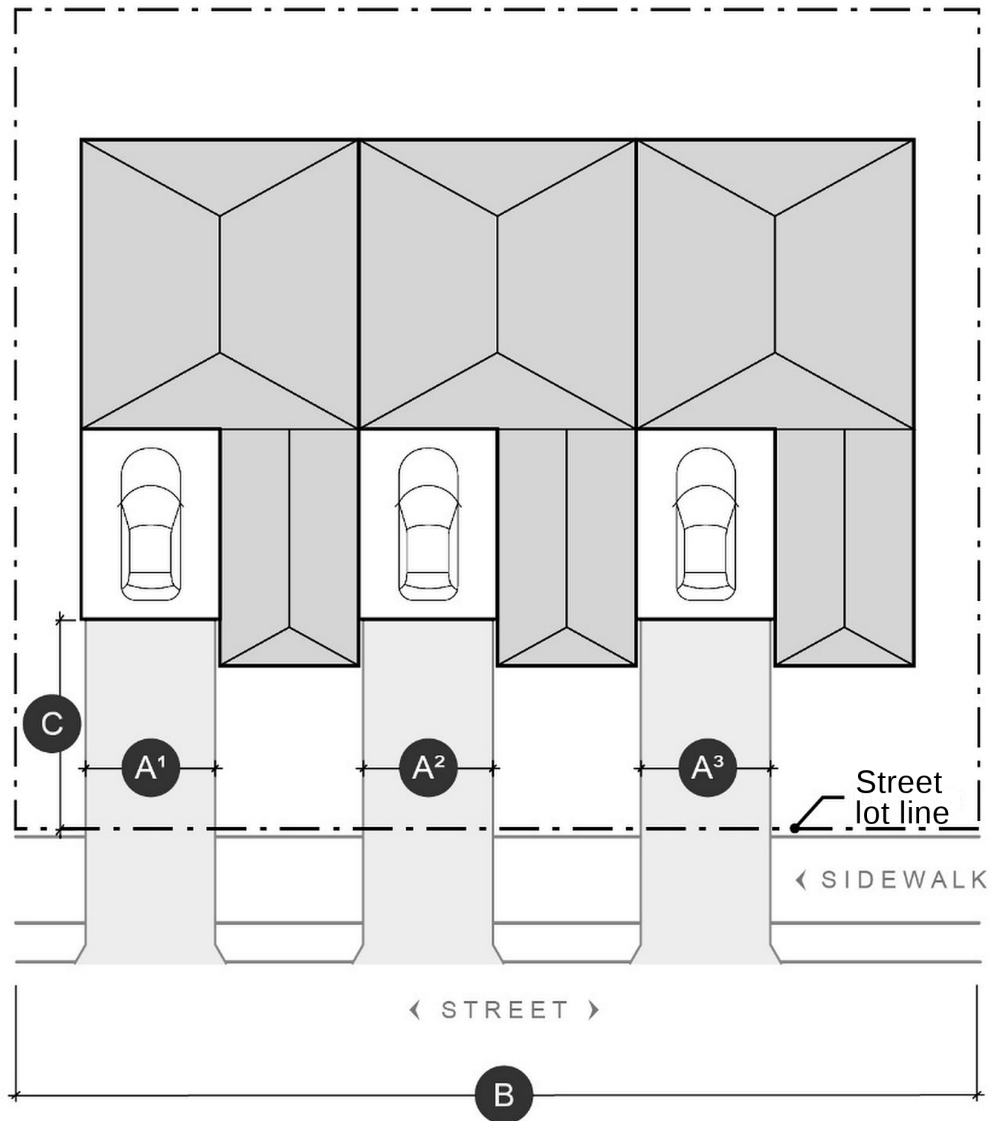
3.1.400 Garages, Driveways, and Parking Design

- A. Applicability.** The garage, driveway, and parking design standards apply to all residential development for which vehicular access to a public street is proposed, except where the standards of a roadway authority other than the City supersede City standards. The standards apply by housing type as follows:
1. All residential development is subject to standard (B).
 2. Detached single-unit housing, duplexes, triplexes and quadplexes are subject to standard ©.
 3. Townhouses are subject to standard (D).
 4. Cottage clusters are subject to standard ©.
 5. Multi-unit housing is subject to standard (F), except townhouse-style multi-unit housing is subject to standard (D).
- B. Garage Placement.** The following standards apply to garages facing a street lot lines other than alley.
1. No garage or carport opening shall be placed closer than 20 feet to a street right-of-way; except where the City approves a reduced setback and parking in front of garages is restricted (for example, as part of an approval for a hillside development or development adjacent to a natural feature).
 2. A garage opening must not be closer to the street lot line than a façade that encloses living area along the same street frontage, except the garage opening may extend up to 5 feet in front of a façade that encloses living area if there is a covered front porch with no horizontal dimension less than 5 feet and the garage entrance does not extend beyond the roof of the porch.
- C. Detached Single-Unit, Duplex, Triplex, and Quadplex.**

- 1. Width of Garages and Off-Street Parking Areas.** The combined width of all garages and outdoor on-site parking and maneuvering areas, as measured at their widest dimension, shall not exceed a total of 50 percent of the street frontage (see Figure 3.1.400.C.a). Walkways abutting a driveway are excluded from this calculation.
- 2. Driveway Approaches.** Driveway approaches must comply with the following:
 - a.** The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the lot line (see Figures 3.1.400.C.b and 3.1.400.C.c). A single driveway approach must not exceed 24 feet in width. For lots with more than one frontage, see subsection (c).
 - b.** Driveway approaches may be separated when located on a local street (see Figure 3.1.400.C.b). If approaches are separated, they must meet the driveway separation standards in Section 3.3.400.C.
 - c.** In addition, lots with more than one frontage must comply with the following:
 - i.** Lots must access the street with the lowest transportation classification for vehicle traffic. For lots abutting an alley that meets the city's standards for width and pavement, access must be taken from the alley (see Figure 3.1.400.C.d).
 - ii.** Lots with frontages only on collectors or arterial streets must meet the access spacing standards of Section 3.3.400. Lots in a new residential land division must also meet Section 3.3.300.B.5, which prohibits direct access from an arterial street.
 - iii.** Triplexes and quadplexes on lots with frontages only on local streets may have either:
 - (1)** Two driveway approaches not exceeding 32 feet in total width on one frontage (see Figure 3.1.400.C.e); or
 - (2)** One maximum 16-foot-wide driveway approach per frontage (see Figure 3.1.400.C.f).
 - d.** One recreational vehicle pad driveway may be provided in addition to the driveway approaches permitted by this subsection.
- 3. Exceptions.** The following exceptions apply:
 - a.** Lots that receive vehicular access from an alley are exempt from the standards in subsections (1) and (2).

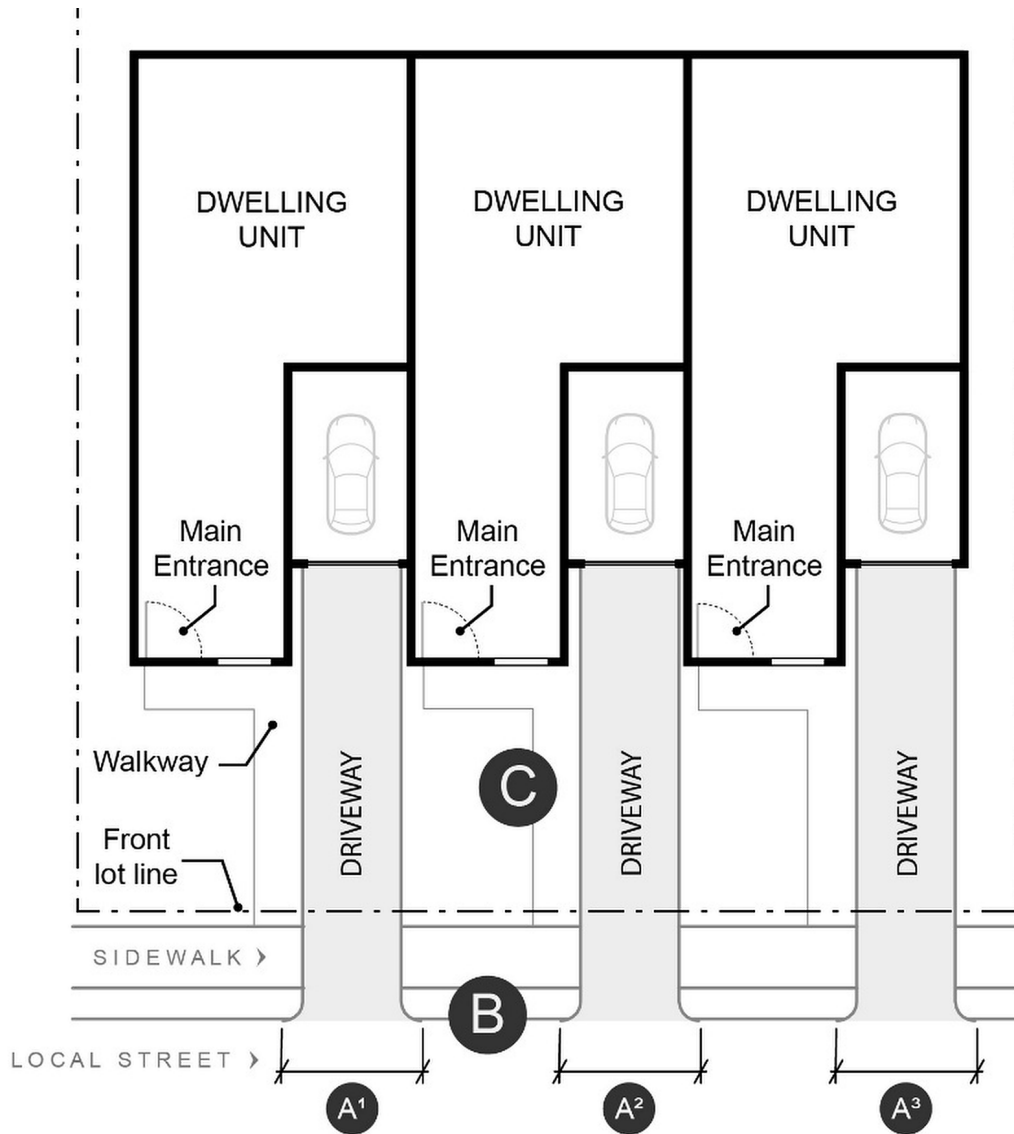
- b.** Garages or off-street parking areas that are separated from the street lot line by a dwelling or that are more than 40 feet from the street lot line are exempt from the standards in subsection (1).

Figure 3.1.400.C.a Width of Garages and Parking Areas



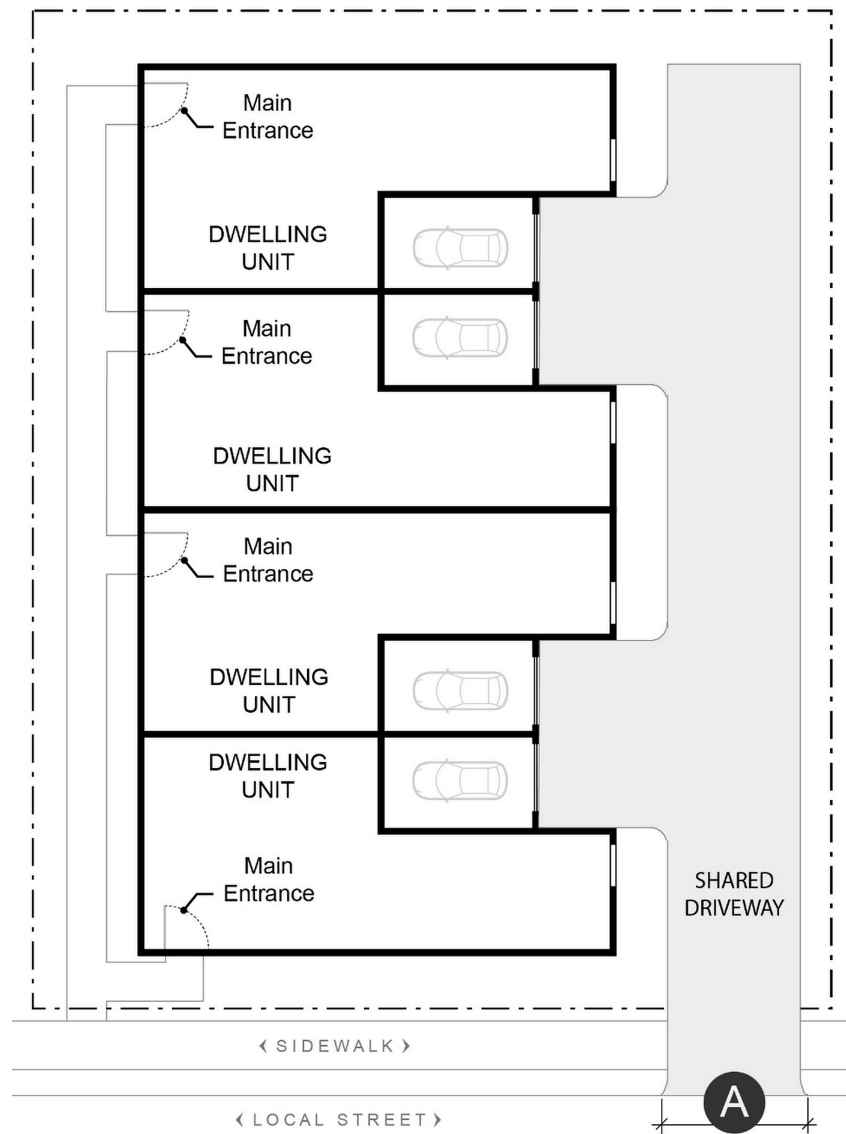
- A** Combined width of all garages and outdoor on-site parking and maneuvering areas, measured at their widest dimension: $(A^1 + A^2 + A^3) \div B \leq 50$ percent
- B** Street frontage
- C** Garage or carport opening no closer than 20 feet to the street right-of-way

Figure 3.1.400.C.b Driveway Approach Width and Separation on a Local Street



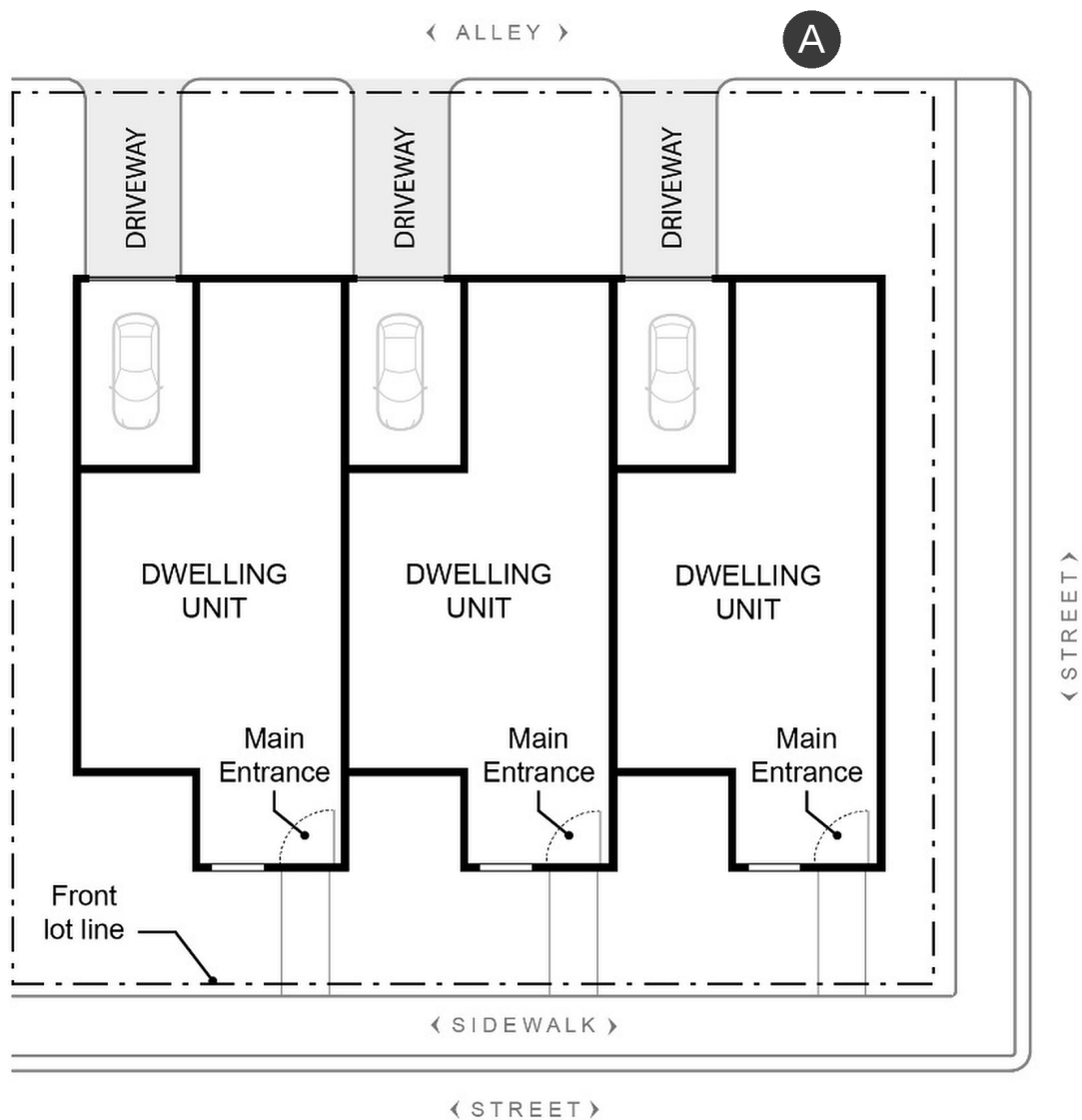
- A** Total width of all driveway approaches, measured at the lot line: $A^1 + A^2 + A^3 \leq 32$ feet per frontage
- B** Driveway approaches on a local street may be separated; separated approaches must meet the driveway separation standards in Section 3.3.400.C
- C** Walkway may abut the driveway

Figure 3.1.400.C.c Driveway Approach Width on a Local Street – Shared Driveway



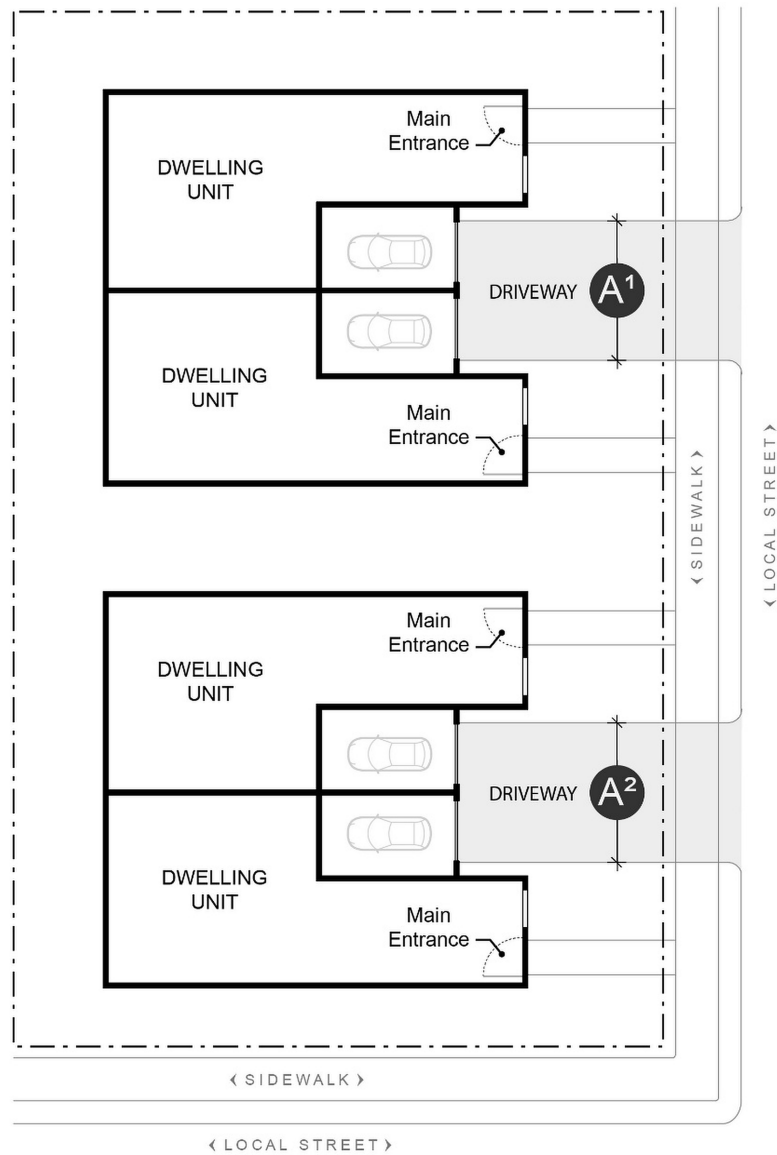
- A** Total width of all driveway approaches, measured at the lot line, not to exceed 32 feet per frontage

Figure 3.1.400.C.d Alley Access



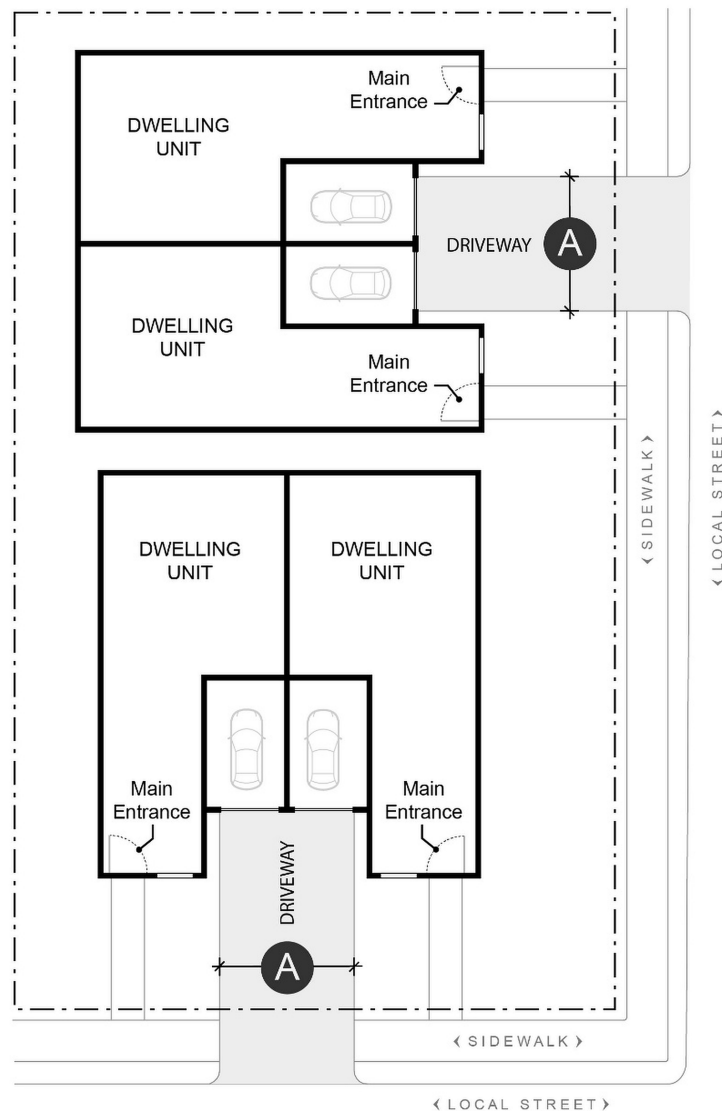
- A** Lot abutting an alley that meets the City's standards for width and pavement: access must be taken from the alley

Figure 3.1.400.C.e Driveway Approaches on One Local Street Frontage



- A** Triplexes and quadplexes on lots with frontage only on local streets: two driveway approaches not exceeding 32 feet in total width on one frontage ($A1 + A2 \leq 32$ feet)

Figure 3.1.400.C.f Driveway Approaches on Two Local Street Frontages



- A** Triplexes and quadplexes on lots with frontage only on local streets: one driveway approach per frontage, maximum 16 feet wide

D. Townhouse.

- 1. Townhouse Lots.** Townhouse lots with frontage on a public street must meet standards in subsection (a) or subsection (b).
 - a.** Where garage entrances, off-street parking areas, or driveways are located between a townhouse and a public street (other than an alley), the following standards shall be met (see Figure 3.1.400.D.a).

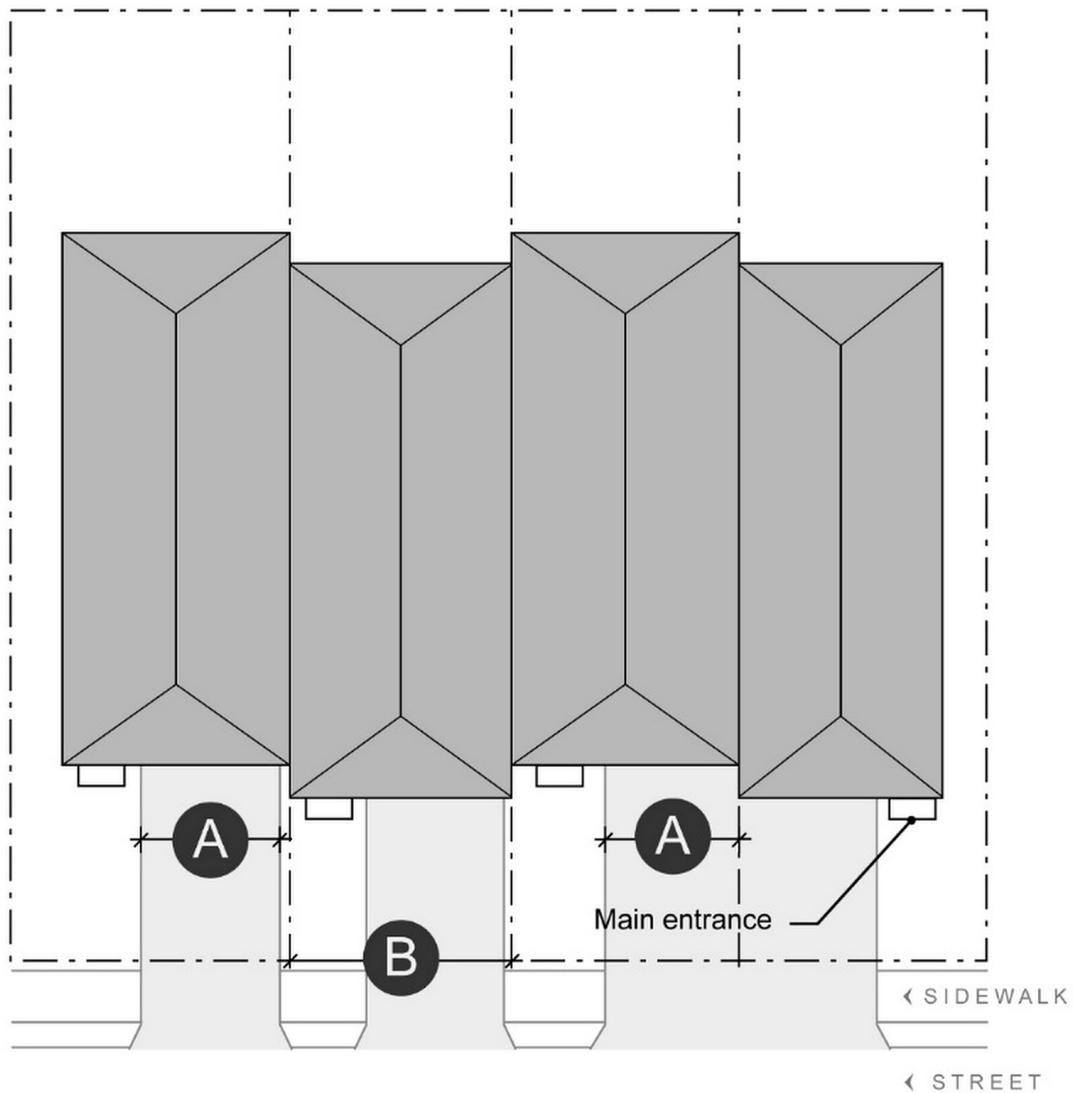
- i. The townhouse lot shall have at least 15 feet of street frontage on a local street.
 - ii. A maximum of one driveway approach is allowed for every townhouse. Driveway approaches or driveways may be shared.
 - iii. On each townhouse lot, the width of the following features shall not exceed 12 feet, or 60 percent of the lot frontage width, whichever is less:
 - (1) Outdoor on-site parking and maneuvering areas; and
 - (2) Garages, as measured from the inside of the garage door frame.
 - iv. This standard does not supersede the driveway separation standards of Section 3.3.400.C.
- b. For all other configurations of driveway access and parking, the following standards shall be met.
- i. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 3.1.400.D.b.
 - ii. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. See Figure 3.1.400.D.c.
 - iii. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

2. Townhouse-Style Multi-Unit Housing.

- a. Access must be taken from a local street.
- b. A maximum of one driveway approach is allowed for every townhouse style unit. Driveway approaches or driveways may be shared.
- c. Outdoor on-site parking and maneuvering areas shall not exceed 12 feet wide for any unit.
- d. The garage width shall not exceed 12 feet, as measured from the inside of the garage door frame.
- e. This standard does not supersede the driveway separation standards of Section 3.3.400.C.

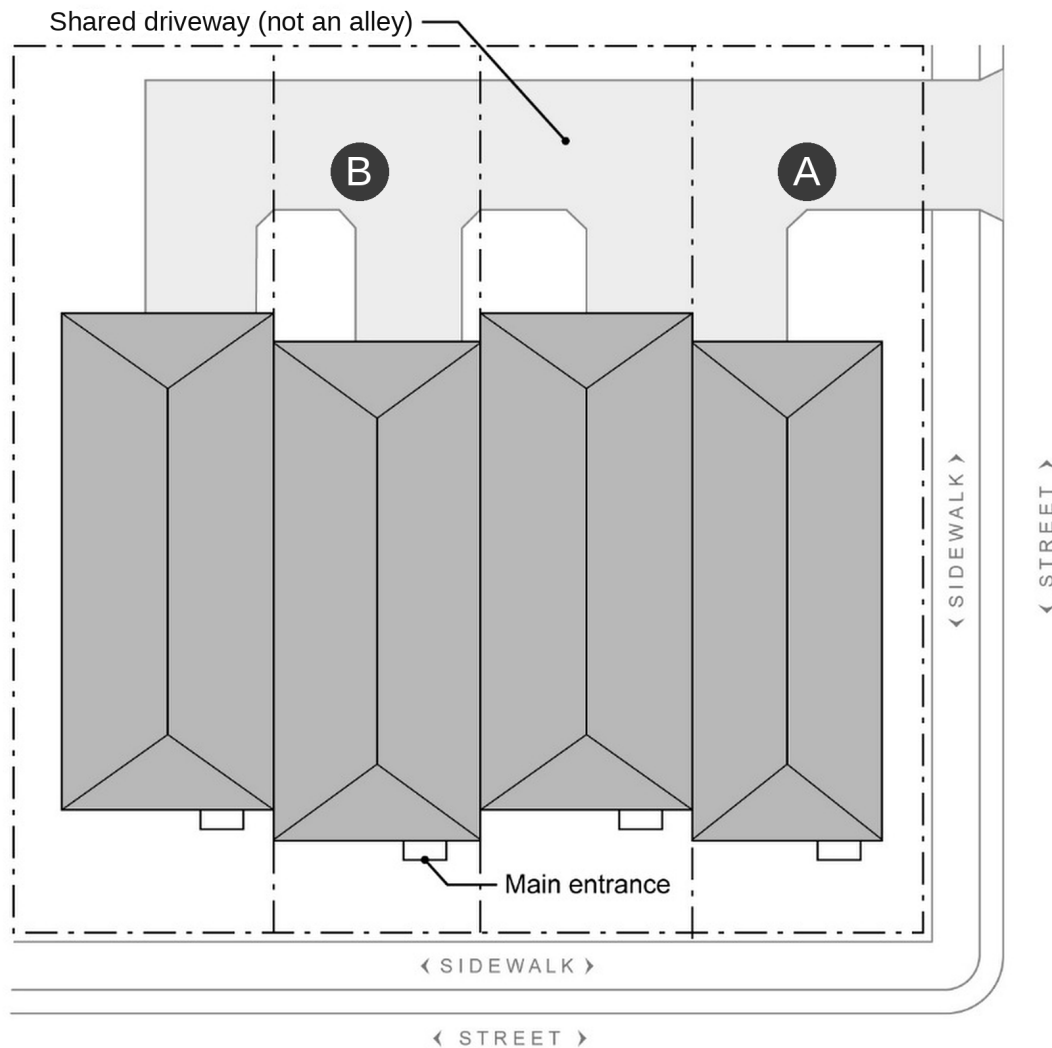
3. Exceptions. Townhouse projects in which vehicular access for all units is exclusively from a rear alley are exempt from these standards.

Figure 3.1.400.D.a Townhouses with Parking in Front Yard



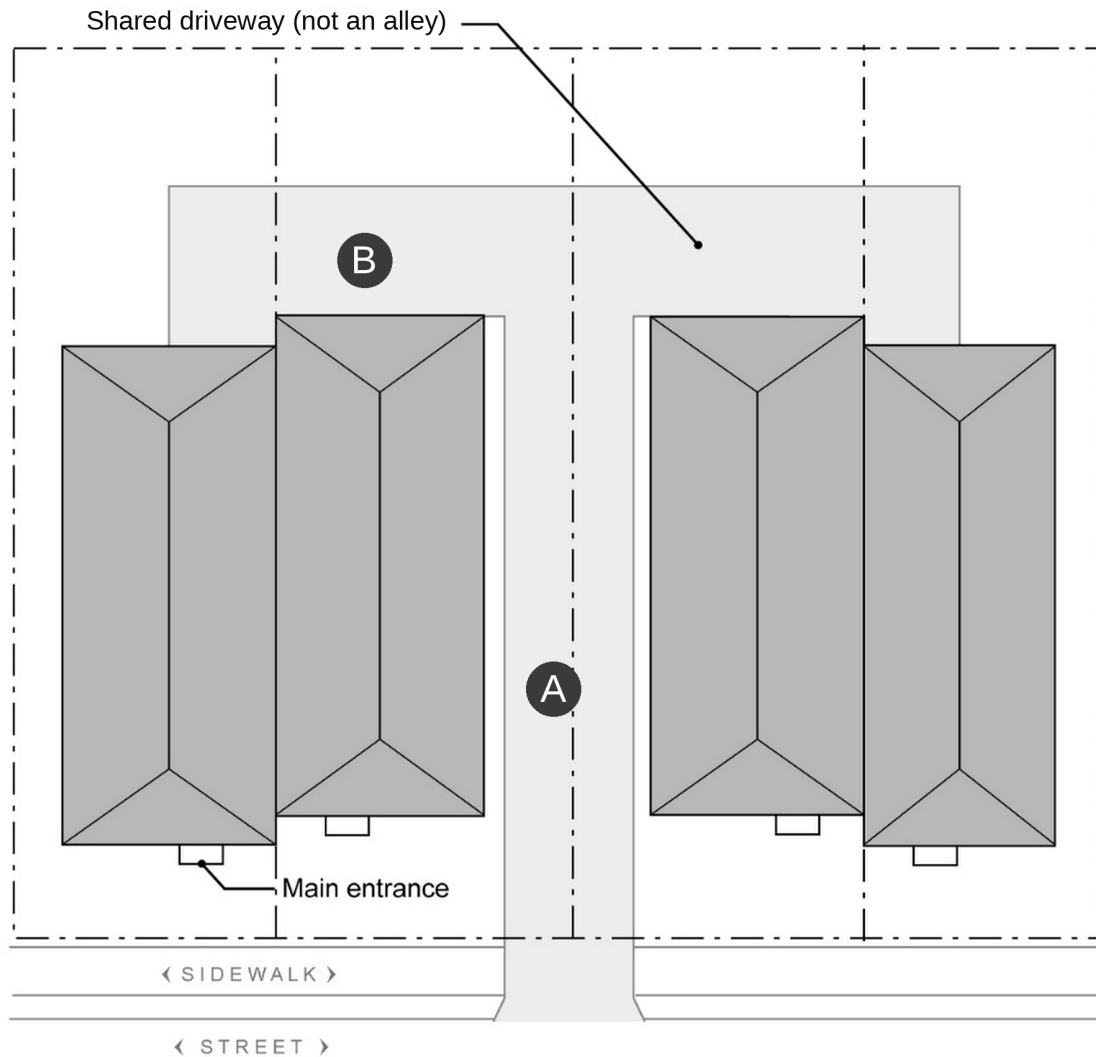
- A** Width of outdoor on-site parking and maneuvering areas, and of garages as measured from the inside of the garage door frame: not to exceed 12 feet or 60 percent of the lot frontage width, whichever is less
- B** At least 15 feet of street frontage on a local street

Figure 3.1.400.D.b Townhouses on Corner Lot with Shared Access



- A** Single driveway approach on the side of the corner lot
- B** Shared driveway with access easements for normal vehicular and emergency access; a shared driveway is not an alley

Figure 3.1.400.D.c Townhouses with Consolidated Access



- A** Access for all lots consolidated into a single driveway
- B** Shared driveway with access easements for normal vehicular and emergency access; a shared driveway is not an alley

E. Cottage Cluster (see Figure 3.1.400.E).

- 1. Clustered Parking.** Off-street parking must be arranged in clusters, subject to the following standards:
 - a.** Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.
 - b.** Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.

- c. Parking clusters must be separated from other spaces by at least 4 feet of landscaping.
- d. Clustered parking areas may be covered.

2. Parking Location.

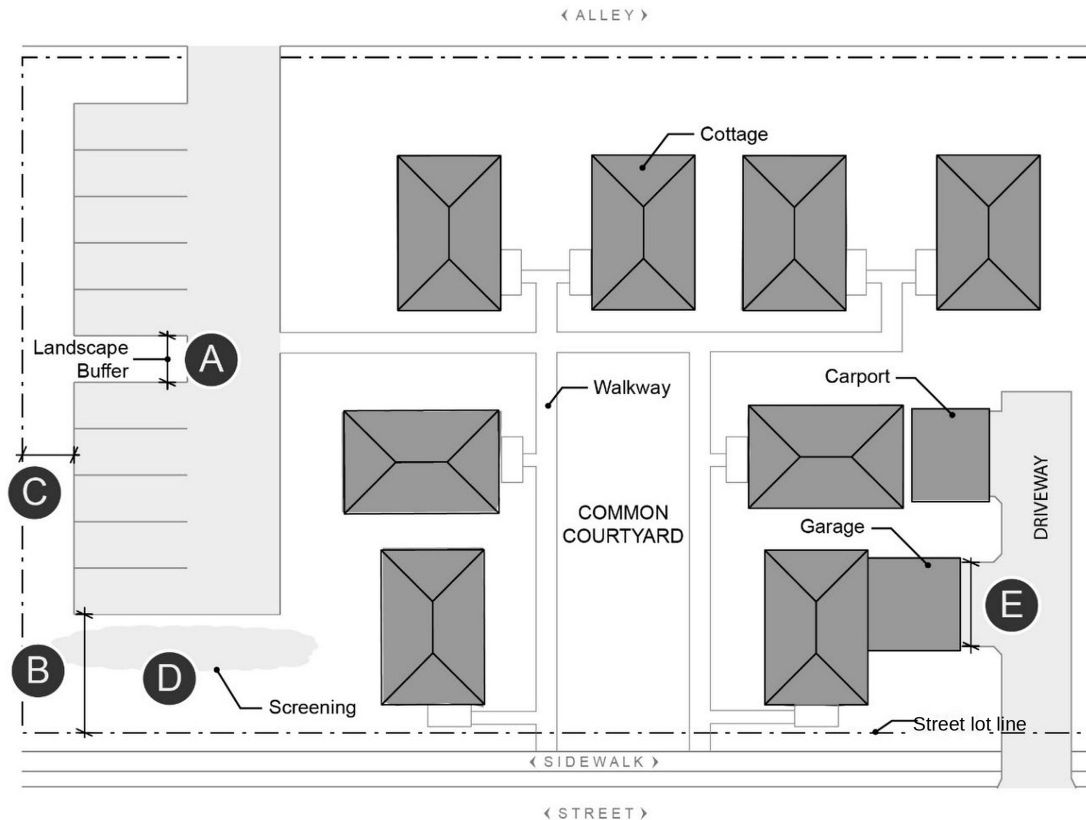
- a. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - i. Within of 20 feet of any street lot line, except alley lot lines; or
 - ii. Between a street lot line and the front façade of cottages located closest to the street lot line. This standard does not apply to alleys.
- b. Off-street parking spaces shall not be located within 10 feet of any other lot line, except alley lot lines. Driveways and drive aisles are permitted within 10 feet of other lot lines.

3. Screening. Landscaping, fencing, or walls at least 3 feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

4. Garages and Carports.

- a. Garages and carports (whether shared or individual) must not abut common courtyards.
- b. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
- c. Individual detached garages must not exceed 400 square feet in floor area.
- d. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

Figure 3.1.400.E Cottage Cluster Parking Design



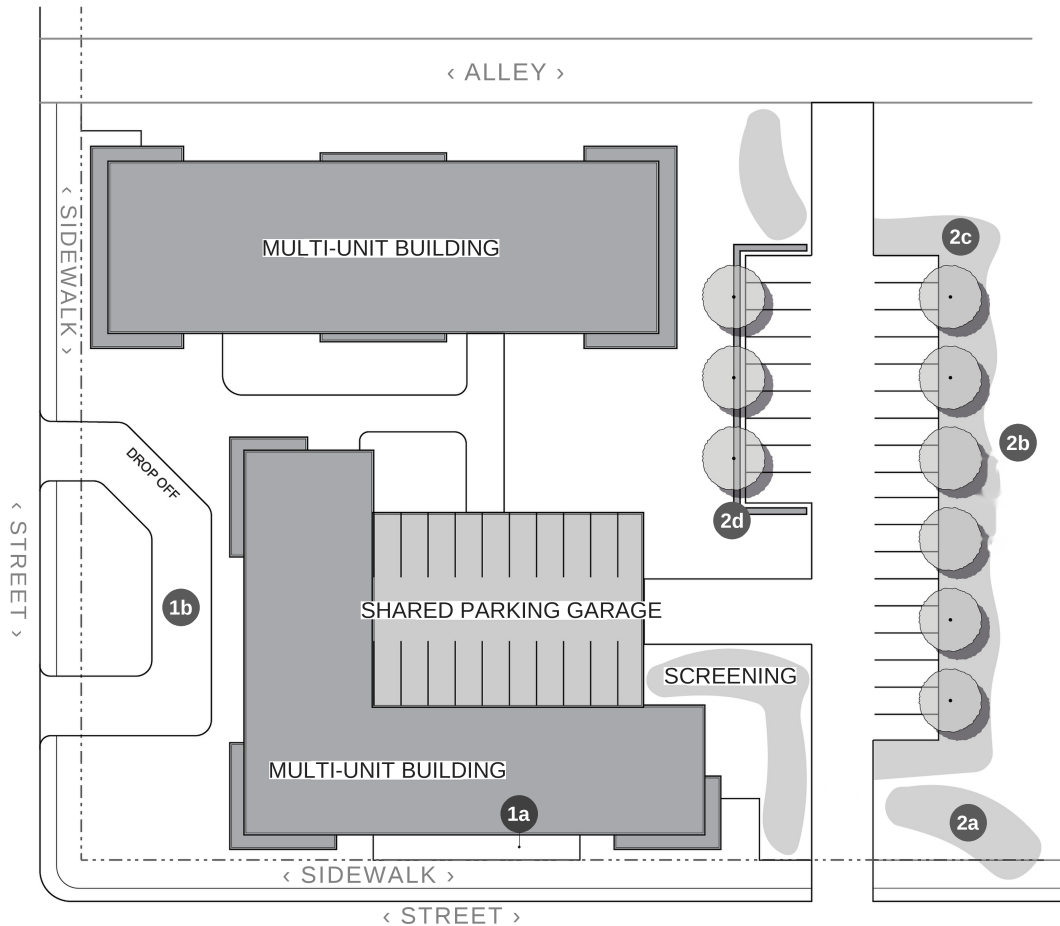
- A** Parking clusters separated from other spaces by at least 4 feet of landscaping
- B** No off-street parking spaces or vehicle maneuvering areas within 20 feet of any street lot line, except alley lot lines
- C** No off-street parking spaces within 10 feet of any other lot line, except alley lot lines; driveways and drive aisles are permitted
- D** Landscaping, fencing, or walls at least 3 feet tall separating clustered parking areas and parking structures from common courtyards and public streets
- E** Garage doors for attached and detached individual garages not to exceed 20 feet in width

F. Multi-Unit Housing

- 1. Parking Location.** No area between a building and the street lot line (other than an alley) shall be used for vehicle parking or circulation (see Figure 3.1.400.F), except for the following:
 - a.** A driveway providing access to a shared parking garage.

- b.** A passenger drop-off or loading zone, provided the main building entrance must connect to an adjacent street by a pedestrian walkway.
- 2. Screening.** Surface parking areas with more than 8 spaces must be screened from view of the street in accordance with Section 3.5.200.E.6.
- 3. Driveway Approaches.**
 - a. Number.** The number of driveway approaches shall be minimized to protect the function, safety, and operation of the street and sidewalk for all users. Shared access may be required in accordance with Section 3.3.300.C.3 to maintain the required access spacing and minimize the number of approaches.
 - b. Width.** Driveway approach width is measured at the lot line.
 - i.** Multi-unit housing with 5 to 7 dwelling units shall have a driveway approach width of at least 20 feet and not more than 24 feet.
 - ii.** Multi-unit housing with 8 or more dwelling units, and off-street parking areas with 16 or more parking spaces, shall have a driveway approach width of at least 24 feet and not more than 30 feet. These dimensions may be increased if the City Manager or designee determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.
- 4.** Additional parking area design and landscaping standards are provided in Chapter 3.6 and Section 3.5.200.E.

Figure 3.1.400.F Multi-Unit Vehicle Access and Parking



- 1a No vehicle parking or circulation between a building and the street lot line (other than an alley)
Exception: passenger drop-off or loading zone, provided the main building entrance connects to an adjacent street by a pedestrian walkway
- 1b
- 2a Evergreen hedge that forms a continuous screen at least 36 inches high within one year of planting
- 2b Parking lot trees: at least one tree for every 4 parking spaces, distributed around the perimeter of the parking area and between parking bays
- 2c Parking lot landscape area planted with a combination of trees, shrubs, and ground cover plants
- 2d Alternative screen: decorative masonry wall, arcade, or trellis at least 30 inches and not more than 42 inches high

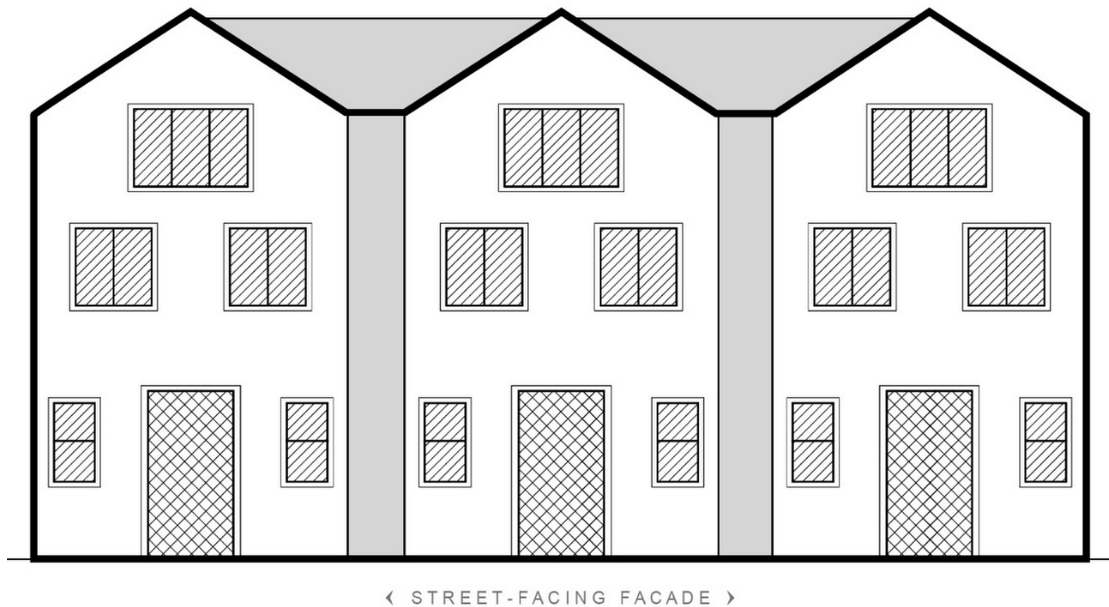
Policy Question: Windows facing the street let residents see the sidewalk and add safety and activity to a block. The current code requires windows or doors along 60% of the front of duplexes, triplexes and apartments, and has no window standard for houses. The new standard is simpler: 15% of a street-facing wall must be windows or doors. It applies to all housing types, so it is new for detached houses.

Should every new home, including detached houses, be required to have a minimum amount of windows facing the street, or only middle housing and apartments as today?

3.1.500 Street-Facing Windows

- A. Applicability.** The window design standards apply to all residential development.
- B. Detached Single-Unit and Middle Housing.** Detached single-unit and middle housing must meet the following standards (see Figure 3.1.500.B). For cottage cluster housing, this applies to cottages within 20 feet of a street lot line.
1. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
 2. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.
- C. Multi-Unit Housing.** A minimum of 15 percent of the area of all street-facing facades must include windows or pedestrian entrance doors.
- D. Exceptions.** The following facades are exempt from these standards:
1. Facades that are more than 40 feet from the street lot line.
 2. Facades facing an alley.
 3. Facades separated from the street lot line by a dwelling or buildable lot.

Figure 3.1.500.B Window and Door Coverage



- Street-facing façade area used to calculate the minimum percentage of windows or pedestrian entrance doors
- ▨ Qualifying window area: the aggregate area of the glass within each window, including any interior grids, mullions, or transoms (Section 1.3.900.C)
- ▩ Qualifying pedestrian entrance door area: the area of the portion of the door that moves, not including the frame; garage doors do not qualify (Section 1.3.900.D)

Policy Question: These standards break up long, flat walls on larger housing types and add visual interest, while letting builders choose their own style. They apply to triplexes, quadplexes, townhouses and apartments, on walls facing a street or shared open space. A building picks 3 of 8 features that break up the wall, such as a porch, balcony or bay window. It also picks 5 of 13 details, such as eaves, window trim or a change in siding. The current code has similar lists, but applies them to every side of the building and to duplexes, using judgment-based tests.

Some options, such as siding width or a four-color paint scheme, are specific. Does the menu give builders enough choice, or is it too prescriptive for Boardman?

3.1.600 Building Design

- A. Applicability.** The building design standards apply to triplexes, quadplexes, townhouses, and multi-unit housing.
- B. Articulation.** Residential dwelling structures subject to this section must incorporate elements that break up all façades facing streets or commonly accessible open spaces into smaller planes using 3 or more of the elements listed below. Architectural features that meet the standards in this section include the following features:
1. A covered porch with a minimum depth of 5 feet (measured horizontally from the face of the main façade) and a minimum length of 6 feet;
 2. A balcony at least 4 feet deep and 8 feet wide, that is accessible from one interior room;
 3. A bay window at least 6 feet wide, bumped out by at least 2 feet;
 4. A recessed building entry at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide;
 5. A section of the façade, at least 6 feet in width, that is either recessed or bumped out by at least 2 feet deep from the front wall plane;
 6. An offset on the building face of at least 16 inches from one exterior wall to the other;
 7. A gabled dormer at least 4 feet wide and integrated into the roof form;
 8. Roof line offset of at least 2 feet from the top surface of one roof to the top surface of the other; or
 9. Other similar architectural features proposed by the applicant if approved by the Review Authority as part of a Type II review.

C. Detailed Design. Residential dwelling structures subject to this section provide at least 5 of the following elements on any façade facing a street or commonly accessible open space.

1. A recessed building entry at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide
2. Roof eaves on all elevations that project at least 12 inches from the intersection of the roof and the exterior walls;
3. A minimum of 3 gable end brackets (either triangular knee braces or rake brackets), spaced a maximum of 15 feet on center;
4. Roof line offset of at least 2 feet from the top surface of one roof to the top surface of the other;
5. Hip or gambrel roof design with a minimum pitch of 6/12;
6. Siding in gables which differs from the primary siding type (e.g., shingle siding in gable when primary siding is horizontal lap);
7. Fiber-cement horizontal lap siding between 3 and 7 inches wide (the visible portion once installed);
8. Exterior finish materials covering at least 40% of the street-facing façade from one or more of the following: brick, shingles, stone, or stucco;
9. Window trim around all windows with a minimum width of 3 inches and a minimum thickness of $\frac{5}{8}$ inches;
10. Recesses in all windows on a façade facing a street of at least 3 inches as measured horizontally from the face of the façade;
11. Mullions or window grids in all windows on a façade;
12. Horizontal band or barge boards;
13. Color palette including 4 colors. Colors may be paint or intrinsic to the material (e.g., wood, brick, or stone). One main color shall cover at least 40% of the street-facing façade and each of the other colors shall be used on a minimum of 4 square feet; and/or
14. Other similar architectural features proposed by the applicant if approved by the Review Authority as part of a Type II review.

Commentary: This new section keeps shared trash and recycling areas out of view from the street and neighbors. For triplexes and larger housing types, a shared trash area within 20 feet of a street or neighboring home must be screened by a wall, fence or hedge at least 4 feet tall. Containers stored inside a building are exempt.

3.1.700 Trash and Recycling Storage

- A. Applicability.** The trash and recycling storage standards apply to triplexes, quadplexes, townhouses, cottage clusters, and multi-unit housing.
- B. Trash Storage.** Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:
1. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. Except as specified in subsection (3), the screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.
 2. The storage facility must be separated from the street lot line by at least 5 feet.
 3. For lot lines abutting residential properties, the storage facility must either be setback from the lot line by at least 5 feet, or the screen facing the lot line must be at least 6 feet in height.
- C. Exceptions.** Trash and recycling receptacles stored within a building are exempt from these standards.

Policy Question: Cottage clusters are a new housing type in Boardman (Section 2.6.440): small homes grouped around a shared courtyard. These standards make the courtyard the center of the cluster and keep parking at the edge. At least half the cottages must sit close to the courtyard and face it, and the courtyard must be at least 15 feet wide. Parking is grouped in small lots away from the street and the courtyard.

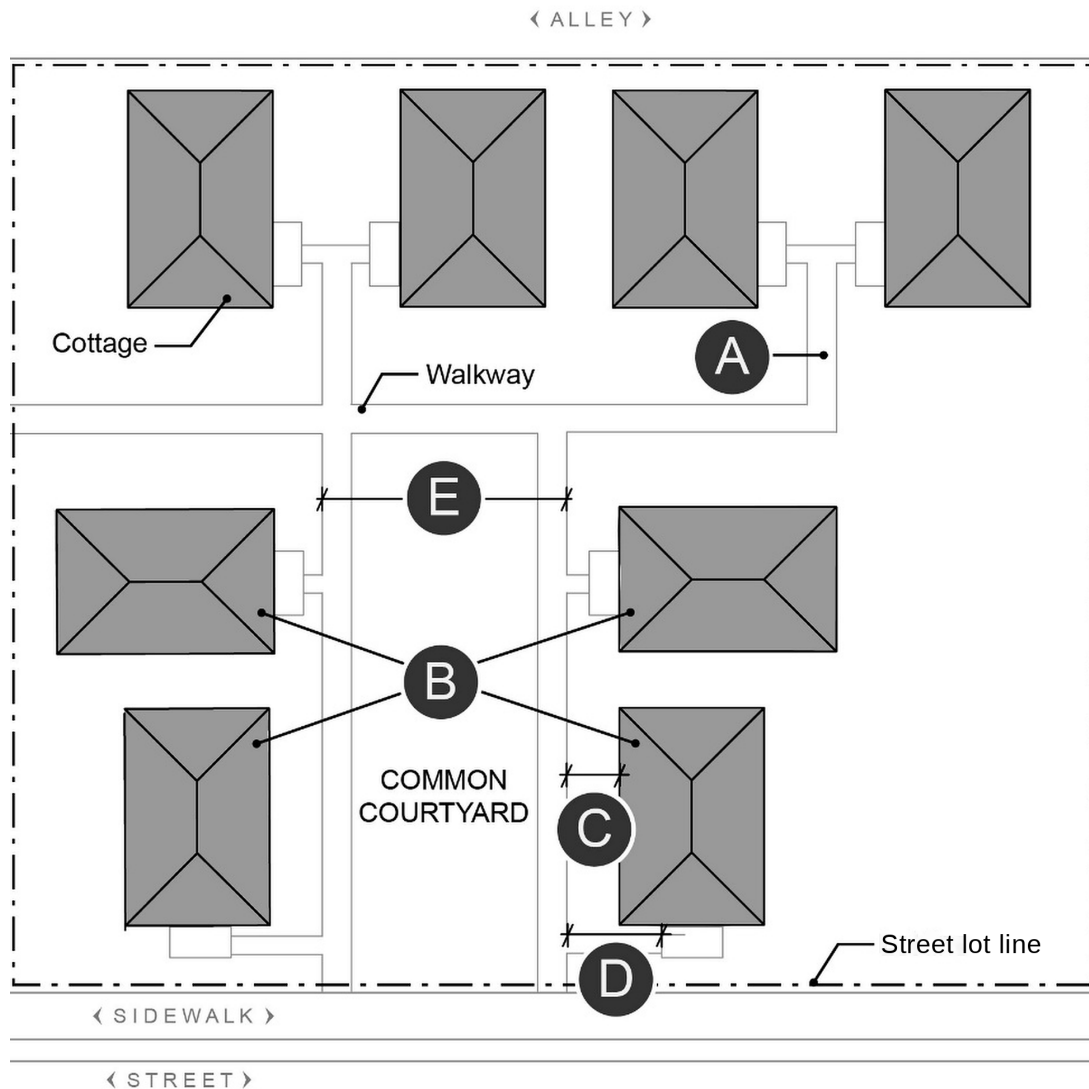
Do these standards produce the kind of cottage cluster Boardman wants? Are any of them too restrictive for builders?

3.1.800 Cottage Cluster Standards

- A. Applicability.** The cottage cluster standards apply only to cottage cluster developments.
- B. Cottage Orientation.**
- 1. Standard.** Cottages must be clustered around a common courtyard as demonstrated by meeting the following standards (see Figure 3.1.800.B):
 - a.** Each cottage within a cluster must have a main entrance that is directly connected to the common courtyard by a pedestrian walkway.
 - b.** A minimum of 50 percent of cottages within a cluster must:
 - i.** Be within 10 feet from the common courtyard, measured from the nearest façade of the cottage to the nearest edge of the common courtyard; and
 - ii.** Have a main entrance that either faces the common courtyard or is no more than 20 feet from the common courtyard.
 - c.** Cottages must abut the common courtyard on at least two sides of the courtyard.
 - 2. Exceptions.** An existing dwelling included within a cottage cluster pursuant to Section 2.6.440.C.9 may be excluded from the calculation of cottages oriented toward the common courtyard at the applicant's option.
- C. Common Courtyard Design Standards.** Each cottage cluster must share a common courtyard that meets the following standards (see Figure 3.1.800.B):
- 1.** The common courtyard must be a single, contiguous piece.
 - 2.** The common courtyard must be a minimum of 15 feet wide at its narrowest dimension and must meet the minimum common courtyard area required by Section 2.6.440.C.7.

- 3.** The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian walkways, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
- 4.** Pedestrian walkways must be included in a common courtyard. Walkways that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Pedestrian walkways must connect to the sidewalk in accordance with Section 3.4.200. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Figure 3.1.800.B Cottage Cluster Orientation and Common Courtyard



- A** Main entrance of each cottage directly connected to the common courtyard by a pedestrian walkway
- B** A minimum of 50 percent of cottages within the cluster meet **C** and **D**
- C** Cottage within 10 feet of the common courtyard, measured from the nearest façade of the cottage to the nearest edge of the common courtyard
- D** Main entrance faces the common courtyard or is no more than 20 feet from the common courtyard
- E** Common courtyard a minimum of 15 feet wide at its narrowest dimension

- D. Community Buildings.** Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
1. Each cottage cluster is permitted one community building, which shall count towards the maximum average cottage size required by Section 2.6.440.C.5.
 2. Community buildings shall not include individual storage spaces for residents. Storage areas for shared equipment or supplies are permitted.
 3. If a community building meets the definition of a dwelling unit and has a footprint that exceeds the maximum average footprint in Section 2.6.440.C.4 or would exceed the maximum number of cottages in Section 2.6.440.C.1, a covenant must be recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.
- E. Existing Structures.** On a lot to be used for a cottage cluster project, an existing detached single-unit dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
1. The existing dwelling may be nonconforming with respect to the requirements of this code.
 2. The existing dwelling may be expanded up to the maximum height in Section 2.6.440.C.6 or the maximum average building footprint in Section 2.6.440.C.4; however, existing dwellings that exceed the maximum height or footprint of this code may not be expanded.
 3. An applicant may choose to exclude the floor area of the existing dwelling when calculating the average cottage size of a cottage cluster.

Chapter 3.2 Non-Residential Design Standards (ALL NEW)

Sections

3.2.100	Purpose
3.2.200	Applicability
3.2.300	Entry Orientation and Parking Location
3.2.400	Windows
3.2.500	Building Design
3.2.600	Pedestrian Amenities

Commentary: Chapter 3.2 is new. Its purpose is to ensure high-quality design and make commercial areas more pedestrian-friendly, with standards that tell applicants exactly what is expected. Today, a commercial building picks 5 of 10 general features, such as “changes in building color or texture,” with no minimum size, and must be “appealing and compatible.” The new chapter sets specific requirements for entrances, parking location, windows and building design.

The downtown (DMU) standards go further. During the Comprehensive Plan update, community members asked for a “heart” of Boardman with local businesses and gathering places. The draft Comprehensive Plan calls for a walkable city center around City Hall and Main Street, and the DMU standards are designed to implement it.

3.2.100 Purpose

Chapter 3.2 establishes design standards for non-residential and mixed-use development. The regulations are intended to protect public health, safety, and welfare through standards that promote land use compatibility and livability, while protecting property values and ensuring predictability in the development process. The standards are intended to:

- A.** Create and maintain a built environment that is conducive to walking and bicycling
- B.** Reduce dependency on the automobile for short trips;
- C.** Provide civic space for employees and customers;

- D. Support community safety by strengthening informal oversight of public spaces; and
- E. Create human-scale design

3.2.200 Applicability

- A. General.** Except as otherwise specified below, the following requirements apply to non-residential development, including individual buildings and developments with multiple buildings such as shopping centers, office complexes, business parks, industrial developments, institutional campuses; the non-residential portion of mixed-use developments; and exterior alterations to existing non-residential buildings. Table 3.2.200.A identifies the sections of this Chapter that apply in each zone.
- B. Non-Conforming Development.** In accordance with Section 5.2.200 Non-conforming Development, where an existing development does not conform to these standards, any proposed alterations must not increase the degree to which the development is non-conforming, unless a variance is approved pursuant to Chapter 5.1.
- C. Adjustments and Variances.** The Review Authority may grant adjustments to Chapter 3.2, pursuant to the criteria of Chapter 5.1 Variances.

Table 3.2.200.A Applicability of Non-Residential Design Standards by Zone

Section	DMU	CC	RC	EMP	IND	PF	POS
3.2.300 Building and Entry Orientation	●	●	●	—	—	●	●
3.2.400 Windows	●	●	●	● [1]	● [1]	●	●
3.2.500 Building Design	●	●	●	●	●	●	●
3.2.600 Pedestrian Amenities	● [2]	● [2]	—	—	—	—	—

Notes:

[1] The window design standards apply only to commercial uses in the EMP and IND zones.

[2] The pedestrian amenities standard only applies to new commercial development in DMU and CC zones with more than 5,000 square feet of gross leasable floor area and more than 20,000 square feet of site area.

Policy Question: These standards place buildings near the sidewalk with front doors facing the street, so people on foot can reach a business without crossing a parking lot. Today, this applies only in the City Center Sub District, which was never mapped. The new standard applies in the DMU, CC, RC, PF and POS zones. Parking goes beside or behind the building and may cover no more than 60% of the street frontage.

Sites over 40,000 square feet (about one acre) must be laid out as small blocks, with buildings facing streets and parking behind them. This keeps a large site from becoming one building behind a large parking lot, and leaves room to add buildings over time.

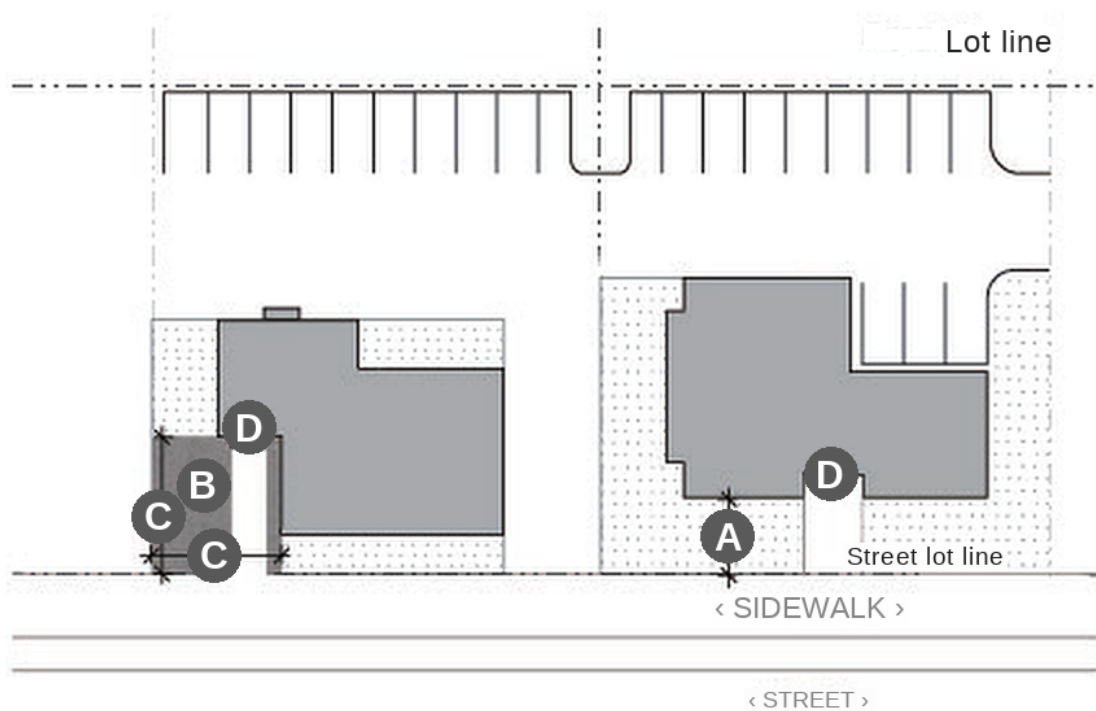
Should parking be required beside or behind buildings in all of these zones, including the RC zone along I-84, which is currently more auto-oriented?

3.2.300 Entry Orientation and Parking Location

- A. Applicability.** The entry orientation and parking location standards in subsections (B) and (C) apply to all non-residential developments in the DMU, CC, RC, PF, and POS zones, except Large-Format Developments are subject to subsection (D) below.
- B. Entry Orientation.** All buildings within 40 feet of a street lot line shall have at least one main entrance (e.g., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) that meets one of the following standards. Development sites with frontage on more than one street must meet the standard in subsection (1) on a street served by transit, when applicable. (See Figure 3.2.300.B.)
1. The main entrance must face an abutting street (i.e., be within 45 degrees of the street property line). A pedestrian walkway must connect the main entrance to the sidewalk in conformance with Section 3.4.300; or
 2. The main entrance must face a plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting the requirements of Section 3.2.600. The plaza or courtyard must be connected to the street by a pedestrian walkway conforming to Section 3.4.300.
- C. Location of Parking and Service Areas. (See Figure 3.2.300.B.)**
1. No area between the street lot line and a building facade may be used for vehicle parking or circulation. Vehicle access is allowed through the setback area if it accesses a parking area or structured parking that does not conflict with this subsection.
 2. Vehicle parking and circulation areas within 20 feet of the street lot line must be limited to no more than 60 percent of the length of the street lot line.
 3. Any areas within 20 feet of the street lot line that are not occupied by a building or vehicle area must be landscaped in accordance with Section 3.5.200 or hardscaped for pedestrian use.

4. Trash storage facilities, ground-level utilities (e.g., utility vaults), and similar obstructions shall not be placed between building entrances and the street(s) to which they are oriented. To the extent practicable, such facilities shall be oriented internally to the block and accessed by alleys or driveways.

Figure 3.2.300.B Non-Residential Building Orientation

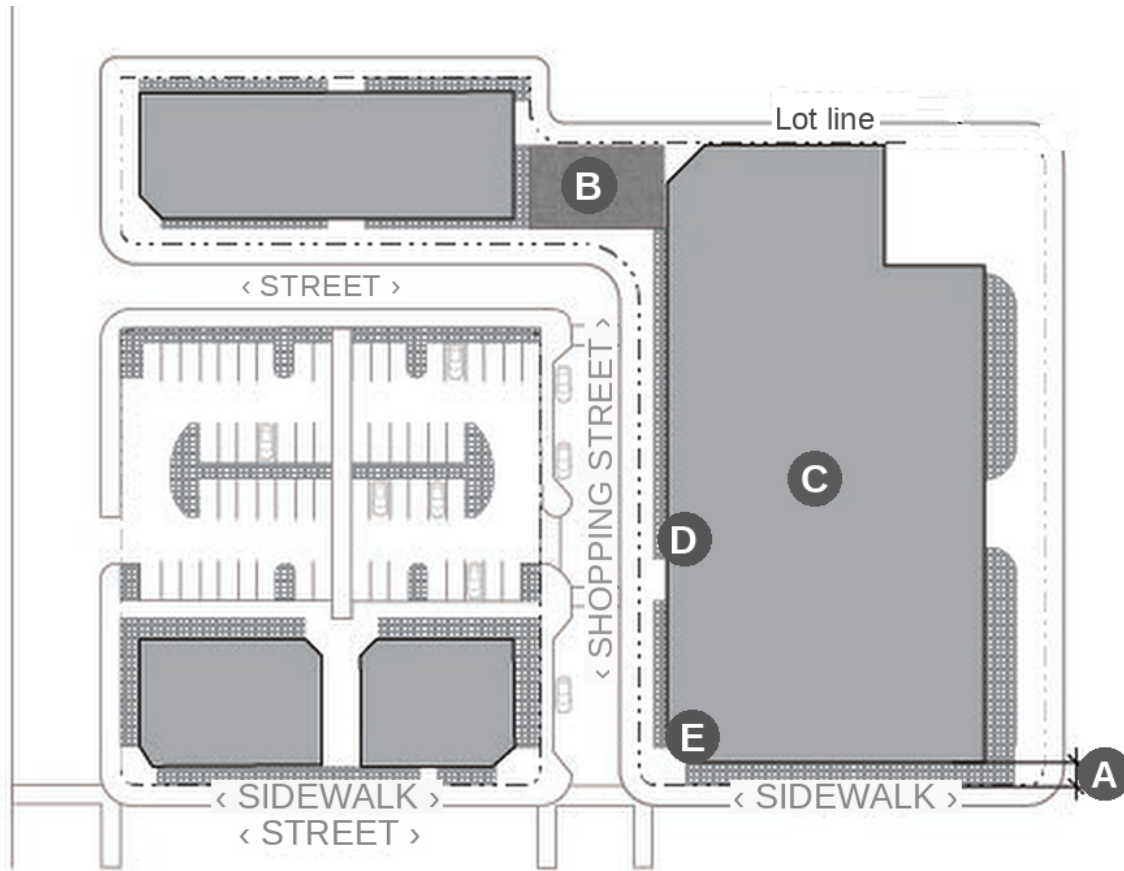


- A** Building within 40 feet of a street lot line: at least one main entrance must meet the entry orientation standards
- B** Plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting Section 3.2.600, connected to the street by a pedestrian walkway
- C** Plaza dimensions: a qualifying plaza has a minimum useable area of 300 square feet (Section 3.2.600.C.2)
- D** Main entrance facing an abutting street (within 45 degrees of the street property line) or facing a plaza, courtyard, or similar pedestrian space

- D. Large-Format Developments.** Plans for new developments, or any phase thereof, with a total floor plate area (ground floor area of all buildings) greater than 40,000 square feet, and land divisions of sites exceeding 40,000 square feet in the DMU, CC, RC, PF, and POS zones, shall meet all of the following standards in subsections (1) through (7), below. (See Figure 3.2.300.D.)

1. The site plan or tentative subdivision plan, as applicable, shall comply with the street connectivity standards of Section 3.7.100.G. The plan approval shall bind all future phases of the development, if any, to the approved block layout.
2. Except as provided by subsections (5) through (7), below, the site shall be configured to resemble blocks with building pads that have frontage onto improved streets meeting City standards, and shall contain interior parking courts with interconnected pedestrian walkways.
3. Walkways shall connect the street right-of-way to all primary building entrances, and shall connect all primary building entrances to one another, including required pedestrian crossings through interior parking areas, if any, in accordance with Section 3.4.300. The City Planning Official may condition development to provide facilities exceeding those required by Section 3.4.300, including a requirement for lighting, stairways, ramps, and midblock pedestrian access ways (e.g., to break up an otherwise long block) to ensure reasonably safe, direct, and convenient pedestrian circulation.
4. Buildings placed at a block corner shall have a main entrance oriented to the block corner. That entrance shall be located within 40 feet of the corner and shall have a direct and convenient pedestrian walkway connecting to the corner sidewalk.
5. All buildings shall orient to a street, pursuant to subsection (B). Where it is not practical to orient all buildings to streets due to existing parcel configuration or similar site constraints, buildings may orient to a “shopping street” (i.e., a private street interior to the development). The shopping street must provide, at a minimum, on-street parking (parallel or angled parking), 8-foot sidewalks (which shall include a four-foot zone for street trees and furnishings such as benches and other street furniture), and pedestrian-scale lighting.
6. Each building that is proposed as orienting to a shopping street shall comply with the orientation standards of subsection (B) in reference to the shopping street, and shall have at least one main entrance oriented to the shopping street.
7. Where a building fronts both a shopping street and a public street, that building shall contain at least one main entrance oriented to each street; except that an entrance is not required where the public street is not improved with a sidewalk and the City determines that sidewalk improvements to the public street cannot be required as a condition of approval.

Figure 3.2.300.D Large-Format Developments



- A** Building within 40 feet of a street lot line: at least one main entrance must meet the entry orientation standards of subsection (B)
- B** Plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting Section 3.2.600
- C** Building oriented to a “shopping street” (a private street interior to the development) with on-street parking, 8-foot sidewalks, and pedestrian-scale lighting
- D** Main entrance oriented to the shopping street
- E** Building at a block corner: main entrance oriented to the corner, within 40 feet of the corner, with a direct pedestrian walkway to the corner sidewalk

Policy Question: Windows make commercial streets more inviting and safer by letting people see goods and activity inside. Today, ground-floor display windows are one optional feature. The new standard requires windows on 30% of each wall, and more on ground floors facing a street: 60% downtown, 40% in the other commercial zones, and 30% for commercial uses in the EMP and IND zones.

Are these window amounts right for commercial buildings outside downtown?

3.2.400 Windows

- A. Applicability.** The window design standards apply to all non-residential development in the DMU, CC, RC, PF, and POS zones and to commercial uses in the IND and EMP zones.
- B. Minimum Percentage — All Elevations.** Each building elevation shall provide not less than 30 percent windows. Ground-level windows provided under subsection (C) count toward the total required for the elevation.
- C. Minimum Percentage — Ground Level.** Ground-level windows shall be provided on each façade that faces a street or a commonly accessible space. The minimum percentage of windows within the portion of the façade between 2 and 8 feet above sidewalk grade is:
1. DMU zone: 60 percent
 2. CC, RC, PF, and POS zone: 40 percent.
 3. IND and EMP zones, for commercial uses only: 30 percent.
- D. Transparency.** Required windows shall be transparent. For the purposes of this Section, transparent means a visible transmittance of at least 0.60. Window and door area is measured as provided in Section 1.3.900. A window shall not be mirrored, frosted, reflective or otherwise treated so as to block visibility into the building.
- E. Window Trim.** Windows shall contain trim, reveals, recesses or similar detailing of not less than 4 inches in width or depth.
- F. Exceptions.**
1. The standards in this section do not apply to zero-lot line or common wall elevations.
 2. The City Planning Official may, as part of a Type II or III review, approve a reduction in the percentage of windows required or may waive the transparency requirements in this section for the following structures and uses:

- a. Parking structures and accessory structures. Where an exception to the window transparency requirement is made for parking garages or similar structures, the building design must incorporate openings or other detailing that resembles the window patterns (rhythm and scale).
 - b. Structures that have multiple facades subject to these standards, provided the standard is met by the façade with the primary entrance.
 - c. Facades that are not visible to the public.
 - d. Healthcare and Major Utility Facilities use categories.
3. The City Planning Official may also approve an exception to the above standards where existing topography makes compliance impractical.

Policy Question: These standards break up long, flat commercial walls so buildings facing the street have visual interest. A wall facing a street must have a 2-foot break at least every 30 feet, or a distinct base, middle and top, such as a different ground-floor material and a cornice. Rooftop and ground equipment must be screened. These replace today's list of 10 optional features.

Downtown buildings must also have storefront features: corner entrances, large display windows, and awnings over the sidewalk. These features support the walkable “heart” of Boardman that the draft Comprehensive Plan calls for around City Hall and Main Street (Policy 2.10.4).

Do the downtown storefront and awning requirements fit the downtown Boardman wants?
Do the standards for other zones go further than the City needs?

3.2.500 Building Design

- A. Applicability.** The building design standards apply to non-residential developments in all non-residential zone districts. Subsections (D) and (E) apply to non-residential developments, or the non-residential portions of a mixed-used development, in the DMU zone.
- B. Façade Design.** All building elevations visible from a street or commonly accessible space must meet one of the following standards to provide for visual interest in elevations.
1. **Articulation.** The elevation(s) must have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, as follows:

- a. A “break” for the purposes of this subsection is a change in wall plane of not less than 24 inches in depth. Breaks may include but are not limited to an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.
 - b. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the 24-inch break-in-wall-plane standard.
 - c. Building elevations that do not orient to a street or civic space need not comply with the 24-inch break-in-wall-plane standard but should complement the overall building design.
- 2. **Base-Middle-Top Design.** The elevation(s) must divide the vertical mass of the building into a base, middle, and top using distinct physical transitions.
 - a. **Base:** The ground level of the building must be articulated using at least one of the following elements:
 - i. Materials that are different than upper stories;
 - ii. Awning or canopy line;
 - iii. Molding, belt course or other horizontally articulated transition piece that makes ground floor distinguishable from upper floors; and/or
 - iv. Transom windows.
 - b. **Middle:** The middle of the building must be articulated using at least one of the following elements:
 - i. Recesses or extensions a minimum depth of two feet;
 - ii. Vertically oriented windows; and/or
 - iii. Pilasters that project from the façade.
 - c. **Top:** The top of the building must be articulated using at least one of the following elements:
 - i. Cornice that is a minimum of eight inches tall and projects a minimum of three inches beyond the façade of the façade;
 - ii. Change in material or color;
 - iii. Upper-level setback;

- iv. A roof overhang that is a minimum of eight inches beyond the face of the façade; and/or
- v. Change in roof form.

C. Screening of Mechanical Equipment.

1. **Building Walls.** Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened pursuant to Section 3.5.200.F. Standpipes, meters, vaults, and similar equipment need not be screened, but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.
2. **Rooftops.** Rooftop mechanical units shall be setback or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the City Planning Official may approve painting of mechanical units in lieu of screening; such painting may consist of colors that make the equipment visually subordinate to the building and adjacent buildings, if any.
3. **Ground-Mounted Mechanical Equipment.** Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The City may require additional setbacks and noise attenuating equipment for compatibility with adjacent uses.

D. Detailed Storefront Design in the DMU Zone. All buildings shall contribute to the storefront character and visual relatedness of downtown buildings. This criterion is met by providing all of the following design features listed in subsections (1) through (4), below, along front building elevations (i.e., facing a street).

1. Corner building entrances on corner lots. Alternatively, a building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner.
2. Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
3. Large display windows on the ground floor (non-residential uses only). Display windows shall be framed by bulkheads, piers and a storefront cornice (e.g., a cornice that separates the ground floor from the second story).

4. Decorative cornice at top of building (flat roof) or eaves provided with pitched roof.

E. Weather Protection in the DMU Zone. The following standards apply to ground-level building façades that are located within 10 feet of a street lot line or commonly accessible space.

1. **Minimum Coverage.** Weather protection (e.g., permanent awnings, canopies, overhangs, or other architectural features providing protection from the rain or shade during periods of hot weather) shall be provided over all pedestrian-accessible building entrances, sidewalks, pedestrian accessways, civic spaces, or other pedestrian areas along the length of the ground-level façade. In no case shall the percentage of ground level façade subject to this requirement exceed 50 percent of the ground-level facade. The percentage shall be calculated based on the entire length of the ground-level façade; however, areas that are not pedestrian-accessible (e.g., perimeter landscape areas) are not required to have weather protection.

2. Weather Protection Design.

- a. The weather protection shall project out at least 4 feet from the adjoining wall, and shall comply with applicable building codes. The City Planning Official, through Development Review, may reduce the minimum dimension where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters.
- b. The height of the weather protection shall be between 9 feet and 15 feet above the grade underneath it. If mezzanine or transom windows exist, the shelter shall be below such windows where practical.
- c. Where applicable, weather protection shall be designed to accommodate pedestrian signage (e.g., blade signs), while maintaining required vertical clearance.

Commentary: Pedestrian amenities give people places to sit and gather at in commercial districts. Today, every commercial project must provide one amenity, such as a bench or awning. The new standard applies only to larger new projects in the DMU and CC zones. These must provide 2 to 4 amenities, such as a plaza with seating, a raised planter, a mural or a sculpture.

3.2.600 Pedestrian Amenities

- A. Applicability.** The pedestrian amenities standard applies to new commercial development in the DMU and CC zones with more than 5,000 square feet of gross leasable floor area and more than 20,000 square feet of site area.
- B. Minimum Number.** The development must provide a minimum number of pedestrian amenities as specified in Table 3.2.600.B.

Table 3.2.600.B Minimum Number of Pedestrian Amenities

Gross Floor Area	Number of Amenities
More than 5,000 up to 10,000 sq. ft.	2
More than 10,000 up to 50,000 sq. ft.	3
More than 50,000 sq. ft.	4

- C. Qualifying Features.** Pedestrian amenities must meet one of the following standards to count toward the minimum number required.
1. Hard surfaced areas with scored concrete or modular paving material which are 50 percent wider than required by this code.
 2. A plaza adjacent to, or visible and accessible from, the street with a minimum useable area of 300 square feet. The plaza must be accessible to the public via a public right-of-way or a public access easement. The plaza must include benches or seating that provide at least six linear feet of seating with a surface at least 15 inches deep and between 16 and 24 inches above the grade.
 3. Raised landscape planter a minimum of 18 inches in height and a maximum of 30 inches in height with a minimum horizontal depth of 2 feet that contains living plant material or stormwater swales.

4. A hand-produced work of visual art painted directly upon or permanently affixed to an exterior wall that is a minimum of 8 feet in height not to exceed 30 feet in height and a minimum of 48 square feet in area. A property agreement must be required holding the property owner responsible for the maintenance of the mural. Graffiti and/or UV coating must be provided on the finished mural to provide resistance to weathering and vandalism.
5. A freestanding, permanent, three-dimensional work of original art or sculpture including but not limited to statues, mobiles, or kinetic sculptures. Artwork must have a minimum height of 4 feet and be constructed from durable materials that can withstand environmental conditions including but not limited to bronze, stainless steel, metal alloys, stone, concrete, or fiberglass.

Chapter 3.3 **Vehicular** Access and Circulation (AMENDED)

Sections

3.3.100	Purpose
3.3.200	General Provisions
3.3.300	Approach and Driveway Development Standards
3.3.400	Approach Spacing and Separation
3.3.500	Vision Clearance

Commentary: This chapter sets the rules for driveways and vehicle access so traffic moves safely and applicants know exactly what is required. It reorganizes current Chapter 3.1 and keeps most of the current standards. About half of the current standards rely on staff judgment, such as “may require.” State law does not allow tests like these for housing (ORS 197A.400), so they now apply only to commercial and industrial sites. The chapter also requires paved driveways, bars arterial access for lots in new residential land divisions, adds flag lot standards, and matches driveway spacing to the Transportation System Plan.

Important: Many provisions are shown as removed. However, most of those provisions have been reformulated into new sections below. This is the result of needing to differentiate standards that apply to housing (must be clear and objective) and standards that apply to non-residential development.

3.3.100 Purpose

~~The purpose of this chapter is to help ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. Section 3.3.200 provides standards for vehicular access and circulation. Section 3.3.300 provides standards for pedestrian access and circulation. Standards for transportation improvements are provided in Chapter 3.6.100.~~

~~Intent and Purpose.~~ The ~~intent purpose~~ 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 Comprehensive Plan ~~and 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 developments to construct planned streets (arterials and collectors) and to extend local streets.

To achieve this ~~policy intent purpose~~, state and local roadways have been categorized in the ~~Comprehensive Transportation System~~ Plan by function and classified for access purposes based upon their level of importance and function. (See ~~Chapter Section 3.6.1003.7.100~~.) 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.

- ~~A. **Applicability.** This ordinance shall apply to all public streets within the City and to all properties that abut these streets.~~
- ~~B. **Access Permit Required.** Access to a public street requires an Access Permit in accordance with the following procedures:~~
- ~~1. **City Street Permits.** Permits for access to City streets shall be subject to review and approval by the City Manager or his/her designee based on the standards contained in this Chapter, and the provisions of Chapter 3.4.100 – 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. **State Highway Permits.** ~~Permits for access to State highways shall be subject to review and approval by the Oregon Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the City or Morrow County. In that case, the City or County shall determine whether access is granted based on its adopted standards.~~
 3. **County Highway Permits.** ~~Permits for access to County highways shall be subject to review and approval by Morrow 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.~~
- C. 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. (See also, Section 3.6.100-Transportation Standards, and Chapter 4.10~~
- D. 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. To obtain access to and from off-street parking areas shall not require the driver to back-out onto a public street (except for single-family, two-family, and three-family dwellings).~~
- E. 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. **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. **Subdivisions Fronting on an Arterial Street.** ~~New residential land divisions fronting on 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 or existing development patterns access may be provided by consolidating front-access driveways for clusters of two or more lots (e.g., includes 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 corner lots, the creation of new double-frontage lots shall be prohibited in the Residential District, unless topographic or physical constraints or existing development patterns 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 ground cover not less than 15 feet wide shall be provided between the back yard fence/wall and the sidewalk or street; maintenance shall be assured by the owner (i.e., through homeowner's association, etc.).~~

Important Cross-References to Other Code Sections: 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 3.4.100 – Transportation Standards.)

- F. **Access Spacing.** Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:
 1. **Local Streets.** The minimum feet of separation on local streets (as measured from the sides of the driveway/street) shall be determined based on the policies and standards contained in Table 3.1.200 G 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 by the policies and standards in Table 3.1.200 G:
 3. **Access to State Highways** shall be subject to the applicable standards and policies contained in the Interstate Highway 84 Corridor Plan. See Table 9A and Table 9 in the Transportation System Plan (TSP).

4. **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 subsections 1-2, may be required by the permitting agency for the purpose of protecting the function, safety and operation of the street for all users. (See Section ‘I’, 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.~~
5. **Corner 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.~~
- G. **Variance.** ~~A variance to vehicle access and circulation standards shall follow procedures in Chapter 5.1.300.A.~~
- 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; except that two access points may be permitted for two-family and three-family housing on corner 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 required, in conformance with Section I, below, in order to maintain the required access spacing, and minimize the number of access points.~~
- I. **Shared Driveways.** ~~Where feasible, the number of driveway and private street accesses to public streets shall be minimized for commercial and industrial uses by the sharing of driveways between adjoining parcels. The City shall require shared driveways as a condition of land division or site design review for commercial and industrial uses, 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** for the benefit of affected properties shall be recorded for all shared driveways, including pathways, 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, existing development or similar conditions) prevent extending the street/driveway in the future:
 4. **Cross Access.** Cross access is encouraged, and may be required as a condition of approval between contiguous sites in the 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, bicycles and drivers:
- J. **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:

Single family, two-family, and three-family uses shall have a minimum driveway width of 10 feet, and a maximum width of 24 feet, (except that one recreational vehicle pad driveway may be provided in addition to the standard driveway for each lot:

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

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 City Manager or his/her designee determines that more than two lanes are required based on the number of trips generated or the need for turning lanes:

1. **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:
2. **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 in Figure 3.1-200K. Driveway aprons shall conform to Americans with Disabilities Act (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:

3. **Driveway Approaches.** ~~Driveway approaches shall 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.~~
4. **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 exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.~~
- K. **Fire Access and Parking Area Turn-Around.** ~~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 turn-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 or dead-end streets, please refer to Section 3.4.100.M.~~
- L. **Vertical Clearances.** ~~Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13'-6" for their entire length and width.~~
- M. **Vision Clearance.** ~~No signs, structures or vegetation in excess of three feet in height shall be placed in "vision clearance areas", as shown in Figure 3.3.200N. This standard applies to the following types of roadways: streets, driveways, alleyways and railways. The minimum vision clearance area may be increased by the City Manager or his/her designee upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). An exception to this standard may be granted by the City Manager or his/her designee to allow utility structures (such as electrical transformers) for necessary services. This exception does not include the installation of utility poles.~~
- N. **Construction.** ~~The following development and maintenance standards shall apply to all driveways and private streets:~~
 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 City Manager or his/her designee.~~
 2. **Surface Water Management.** ~~Surface water facilities shall be constructed in conformance with City standards. See Section 3.2 for Landscaping standards or the City's Stormwater Management Standards in Section 3.5.~~

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 Section K above.)~~

3.3.200 General Provisions

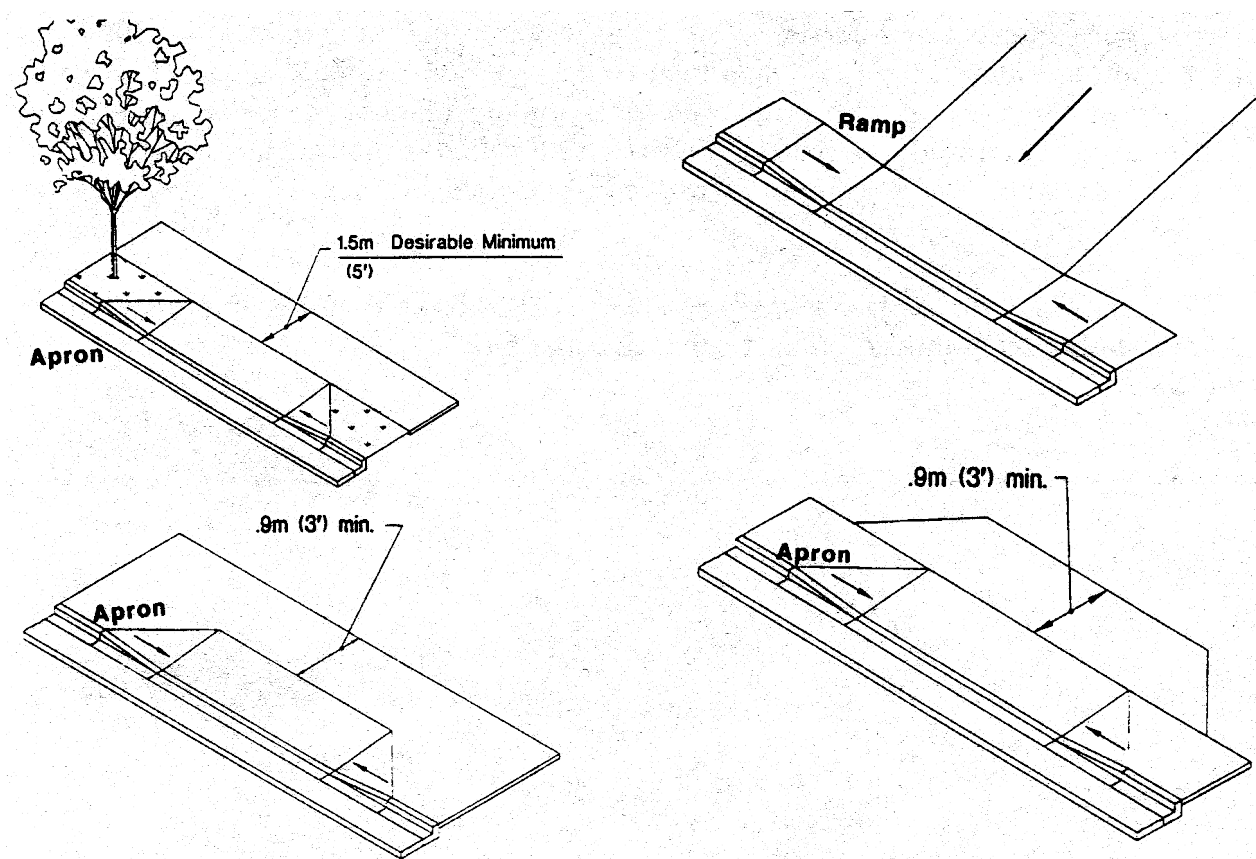
- A. **Applicability.** Chapter 3.3 applies to new development, and to a change of use that requires a new or modified connection to a street. It applies to every connection between a lot and a public street, whether by driveway, private street, or alley, and to the driveways that serve development. Where a roadway authority other than the City has adopted stricter standards for a connection to its street or highway, the roadway authority’s standards control.
- B. **Access Permit Required.** Access to a public street requires an Access Permit.
1. **City Streets.** The City Manager or designee reviews and approves permits for access to City streets based on the standards of this Chapter and Section 3.7.100. An access permit may be issued as a letter to the applicant or attached to a land use decision as a condition of approval.
 2. **County Roads.** Morrow County reviews and approves permits for access to County roads, except where the County has delegated that responsibility to the City, in which case the City decides based on adopted County standards.
 3. **State Highways.** The Oregon Department of Transportation (ODOT) reviews and approves permits for access to State highways, except where ODOT has delegated that responsibility to the City or Morrow County. Where a development requires an ODOT approach permit, the City may approve the development on the condition that the ODOT permit is obtained before construction begins.
- C. **Traffic Impact Study.** A traffic impact study or trip generation letter is required when the thresholds of Section 4.10.200 are met.
- D. **Conditions of Approval.** As a condition of an access permit, the City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other access points, the recording of reciprocal access easements for shared driveways, the development of a frontage street, the installation of traffic control devices, or other mitigation needed for the safe and efficient operation of the street and highway system.

- E. **Joint Use Access Easement and Maintenance Agreement.** Where the City approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between the properties, and a joint maintenance agreement defining each owner's maintenance responsibilities. The applicant shall provide a fully executed copy of the agreement to the City for its records. The City is not responsible for maintaining the driveway or resolving disputes between the owners.
- F. **Variances.** A variance to the standards of this Chapter follows the procedures of Chapter 5.1.

3.3.300 Approach and Driveway Development Standards

- A. **Standards for All Development.** Every driveway approach and driveway shall meet the following standards.
1. **Spacing.** Approaches shall meet the spacing and separation standards of Section 3.3.400.
 2. **Vision Clearance.** Approaches shall meet the vision clearance standards of Section 3.3.500.
 3. **Width.** An approach shall be no wider than 10 feet for each travel lane it serves, except as provided for residential development in Section 3.1.400, and except that a driveway giving direct access to parking spaces shall meet the parking area standards of Chapter 3.6.
 4. **Driveway Aprons.** Where a sidewalk or walkway runs along the street, a concrete driveway apron shall be installed between the street right-of-way and the driveway, as shown in Figure 3.3.300.A. The apron shall maintain a continuous pedestrian route at least 3 feet wide with a cross slope not exceeding 2 percent, in conformance with the Americans with Disabilities Act (ADA).
 5. **Surfacing.** Driveways, parking areas, aisles, and turn-arounds shall be paved with asphalt or concrete, or with pervious asphalt, pervious concrete, or permeable pavers. Gravel and other loose aggregate surfaces are not permitted, except for temporary construction driveways under subsection (12). Surface water facilities shall be constructed in conformance with City standards and Chapter 3.8.
 6. **Vertical Clearance.** Driveways, private streets, aisles, turn-around areas, and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.

7. **Fire Access.** A fire equipment access drive shall be provided to any portion of an exterior wall of the first story of a building that is more than 150 feet from a public street or an approved fire equipment access drive.
8. **Forward Exit.** Parking areas shall be designed so that vehicles enter the street in a forward direction. A driver shall not be required to back onto a public street, except from a driveway serving a detached single-unit dwelling, a duplex, or a triplex.
9. **Acceleration and Deceleration Lanes.** An approach shall not be constructed along an acceleration or deceleration lane or along a tapered portion of a roadway.
10. **Right-of-Way Kept Clear.** Drive-through lanes, vehicle storage and service areas, and other vehicle areas shall be designed so that vehicles do not queue or stand within the public right-of-way.
11. **Culverts and Facilities of Other Agencies.** Where a driveway crosses a drainage ditch or culvert, the developer shall install a culvert that extends under and beyond both edges of the driveway, in accordance with the City's Public Works Standards. Where an approach or driveway crosses a canal, railroad, or other facility under the jurisdiction of another agency, the applicant shall obtain that agency's approval before construction.
12. **Temporary Construction Driveways.** A temporary driveway serving a construction site or staging area shall be paved or graveled to prevent tracking of mud onto paved streets, unless the roadway authority specifies otherwise.

Figure 3.1-200K3.3.300.A Driveway Openings

B. Standards for Residential Development. In addition to subsection (A), residential development shall meet the following standards. Subsection (C) does not apply to residential development.

1. **Number and Width of Approaches; Garages and Parking.** The number and width of driveway approaches, and the garage, driveway, and parking design standards for each housing type, are in Section 3.1.400.
2. **Alley Access.** Where a lot abuts an alley or mid-block lane that meets the City's standards for width and pavement, access shall be taken from the alley or lane, and no approach to a public street is permitted.
3. **Lots With More Than One Frontage.** Access shall be taken from the abutting street with the lowest classification in the Transportation System Plan.

4. **Double-Frontage Lots.** A land division shall not create a double-frontage lot (a lot, other than a corner lot, with frontage on two streets), except where one frontage is on an arterial or collector street and access is taken from the other street. On such a lot, a landscape buffer at least 15 feet wide, planted with trees and with shrubs or ground cover in accordance with Chapter 3.5, shall be provided between the rear or side yard fence or wall and the arterial or collector street, and the owner or a homeowners association shall maintain it.
5. **Land Divisions Abutting an Arterial Street.** In a new residential land division, no lot shall take direct access from an arterial street. A lot that abuts an arterial street shall take access from an alley, from a local or collector street, or, where the lot has no other frontage and no alley is provided, from a shared driveway serving at least two lots.
6. **Flag Lots and Mid-Block Lanes.** A lot that does not abut a public street may take access from a flag lot driveway or a mid-block lane, subject to the following standards:
 - a. **Mid-Block Lanes.** A mid-block lane shall meet the standards for alleys in Section 3.7.100.S.
 - b. **Number of Dwelling Units.** A flag lot driveway shall serve no more than two dwelling units, including accessory dwelling units. A flag lot driveway that meets the fire apparatus access requirements of the Oregon Fire Code may serve up to six dwelling units.
 - c. **Width.** A shared driveway or mid-block lane shall be at least 12 feet and no more than 20 feet wide, except where the Oregon Fire Code requires a greater width.
 - d. **Length.** A shared side driveway shall not exceed 150 feet in length, and a shared rear lane shall not exceed 400 feet in length. The Oregon Fire Code may require a shorter length.
 - e. **Dedication or Easement.** The owner shall dedicate 12 feet of right-of-way or record a 12-foot-wide access easement for the driveway or lane, and the plat shall show the dedication or easement. A driveway or lane serving more than one lot shall have a recorded reciprocal access and maintenance easement benefiting each lot.
 - f. **Obstructions.** No fence, structure, or other obstacle shall be placed within the driveway or lane.
 - g. **Arterial and State Highway Access.** A flag lot shall not be created where it would increase the number of lots that take direct access from a State highway or an arterial street.

- C. Standards for Non-Residential Development.** In addition to subsection (A), non-residential development shall meet the following standards. The City or the roadway authority may apply the provisions of items (4) and (5) as conditions of an access permit or development approval.
- 1. Access Options.** Where vehicle access is required for development (for off-street parking, delivery, service, drive-through facilities, or similar purposes), access shall be provided by one of the following methods. The methods are options to the developer unless one method is specifically required by Chapter 2.
 - a. Option 1.** Access from an existing or proposed alley or mid-block lane. Where a property has access to an alley or lane, direct access to a public street is not permitted.
 - b. Option 2.** Access from a private street or driveway connected to an adjoining property that has direct access to a public street (a shared driveway). A public access easement covering the driveway shall be recorded to assure access to the closest public street for all users of the private street or driveway.
 - c. Option 3.** Access from a public street adjacent to the development parcel, in conformance with the spacing standards of Section 3.3.400. Where practicable, the City may require the owner to close or consolidate an existing access point as a condition of approving a new access.
 - 2. Number of Access Points.** The number of street access points for commercial, industrial, and public and institutional development shall be minimized to protect the function, safety, and operation of the street and sidewalk for all users. Shared access may be required under item (3) to maintain the required access spacing and minimize the number of access points.
 - 3. Shared Driveways and Cross Access.** Where feasible, the number of driveway and private street accesses to public streets shall be minimized by sharing driveways between adjoining parcels. The City shall require shared driveways as a condition of land division or Site Design Review approval, for traffic safety and access management, in accordance with the following:
 - a. Shared Driveways and Frontage Streets** may be required to consolidate access onto a collector or arterial street. Where a shared driveway or frontage street is required, it 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 is likely to receive additional development through infill or redevelopment.

- b. **Access Easements** for the benefit of the affected properties shall be recorded for all shared driveways, including pathways, at the time of final plat approval (Chapter 4.3) or as a condition of site development approval (Chapter 4.2), together with the maintenance agreement required by Section 3.3.200.E.
 - c. **Exception.** A shared driveway is not required where existing development patterns or physical constraints, such as topography, parcel configuration, or existing development, prevent extending the street or driveway in the future.
 - d. **Cross Access.** Cross access is encouraged, and may be required as a condition of approval, between contiguous sites in the commercial and industrial zones, to provide more direct circulation between sites and uses for pedestrians, bicyclists, and drivers.
4. **Direct Access Restrictions.** Direct street access may be restricted for some land uses, in conformance with Chapter 2. Access consolidation, shared access, or access separation greater than that specified in Section 3.3.400 may be required by the permitting agency to protect the function, safety, and operation of the street for all users. Where no other alternative exists, the permitting agency may allow an access connection along the property line farthest from an intersection; in such cases directional connections (right in and out, right in only, or right out only) may be required.
5. **Loading Area Design.** The design of driveways and on-site maneuvering and loading areas for commercial and industrial development shall consider the anticipated storage length for entering and exiting vehicles, to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

3.3.400 Approach Spacing and Separation

- A. **Access Spacing.** Driveway approaches shall be separated from other approaches and from street intersections in accordance with the following standards.
- 1. **City Streets.** The minimum separation between an approach and another approach or street intersection, measured from the sides of the driveway or street, is stated in Table 3.3.400.A for each street classification.
 - 2. **Controlled Intersections.** At an intersection controlled by a four-way stop or a traffic signal, approach separation is determined by Table 3.3.400.A [for the higher-classification street].

3. **State Highways.** Access to a State highway is subject to ODOT's access management standards (OAR chapter 734, division 51) and the permit requirements of Section 3.3.200.B.3.

Table 3.1-200-G3.3.400.A Minimum Intersection and Approach Spacing Standards

Street Type	Public Street	Private Drive
Arterial	600 feet	300 feet [1]
Collector	300 feet	75 feet
Neighborhood Collector	200 feet	50 feet
Local	150 feet	15 feet

[1] New driveways on arterials are not allowed if shared driveways, cross access, or access from a local street are feasible; if not feasible, the City Engineer may approve a private driveway at their discretion, given safety and operations considerations.

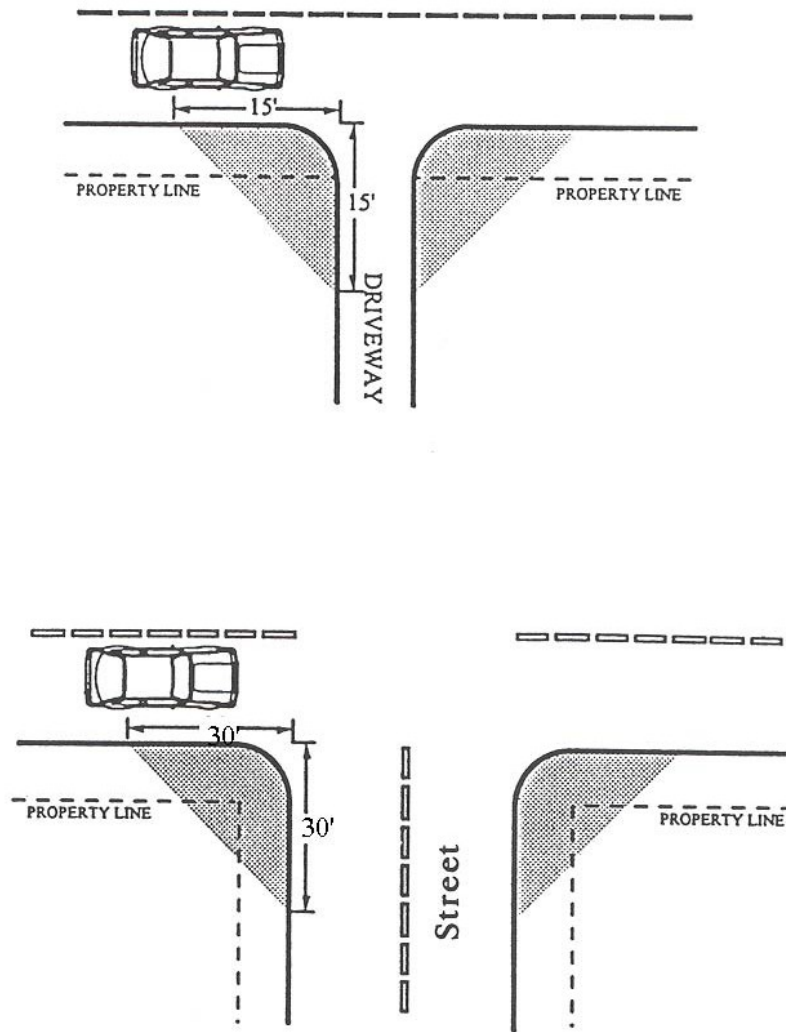
- B. **Corner Clearance.** The distance from a street intersection to an approach shall meet or exceed the separation stated in Table 3.3.400.A for the classification of the street on which the approach is located.
- C. **Separation Between Approaches on Local Streets.** On a local street, the minimum separation between approaches on the same lot and between approaches on abutting lots, and the length of full-height curb required between approaches, are as specified in the City's Public Works Standards.
- D. **Location and Design of Approaches.** An approach shall be located and designed so that a vehicle exiting the driveway has an unobstructed view of the street in both directions, meeting the sight distance standards of the City's Public Works Standards or of the roadway authority.

3.3.500 Vision Clearance

- A. **Standard.** No sign, structure, or vegetation more than 3 feet in height shall be placed within a vision clearance area, as shown in Figure 3.3.500.A. This standard applies at the intersection of a street with another street, a driveway, an alley, or a railroad.
- B. **Utility Structures.** The City Manager or designee may grant an exception to allow a utility structure needed for service, such as an electrical transformer, within a vision clearance area. This exception does not extend to utility poles.

- C. Larger Vision Clearance Areas for Non-Residential Development.** For non-residential development, the City Manager or designee may require a larger vision clearance area upon finding that more sight distance is needed because of traffic speeds, roadway alignment, or similar conditions.

Figure 3.1.200N3.3.500.A Vision Clearance Area



Chapter 3.4 Pedestrian Access and Circulation (AMENDED)

Sections

- 3.4.100 Purpose and Applicability**
- 3.4.200 Residential Standards**
- 3.4.300 Non-Residential and Mixed-Use Standards**

Commentary: These standards give people a direct, paved route on foot from the sidewalk to building entrances. The current code asks for walkways that are “safe, reasonably direct and convenient,” a test state law does not allow for housing (ORS 197A.400). The new standards set walkway widths: 3 feet from a house’s front door to the sidewalk and 5 feet on apartment sites, with raised or separated crossings at driveways. Connections to transit stops are added to match the Transportation System Plan.

Important: Many provisions are shown as removed. However, most of those provisions have been reformulated into new sections below. This is the result of needing to differentiate standards that apply to housing (must be clear and objective) and standards that apply to non-residential development.

- A. Pedestrian Access and Circulation.** ~~To ensure safe, direct and convenient pedestrian circulation, all developments, except single family detached housing (i.e., on individual lots), 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:~~
 - 1. 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 3.3.200 – Vehicular Access and Circulation, and Chapter 3.6. 100 – Transportation Standards.~~

2. **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:
 - a. 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.
 - b. Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
 - c. Commercial and Industrial Primary Entrance. For commercial, industrial, mixed use, public, and institutional buildings, the “primary entrance” is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
 - d. Residential 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.
3. **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.
4. **Street Connectivity.** Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 3.1.200 J. Pathways shall also be provided where cut-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments. Pathways used to comply with these standards shall conform to all of the following criteria:
 - a. 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;
 - b. If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted;
 - c. 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;

- d. ~~The City may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties;~~
- e. ~~The City Manager or his/her designee 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.~~

B. 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 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 is 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. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application.~~
- 4. **Pathway Surface.** ~~Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least 5 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 3.4.100 – 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.~~

3.4.100 Purpose and Applicability

- A. Purpose.** This Section contains standards for pedestrian access, circulation, and connectivity. The standards promote safe, reasonably direct, and convenient options for walking and bicycling and accommodate access to transit. Vehicle access and circulation standards are in Chapter 3.3. Street improvement standards, including sidewalks, are in Chapter 3.7.
- B. Applicability.** Residential development is subject to section 3.4.200. Non-residential and mixed-use development is subject to 3.4.300.

3.4.200 Residential Standards

Residential development shall conform to the following standards, as applicable to the housing type.

- A. Detached Single-Unit, Duplex, Triplex, Quadplex, and Townhouse Housing.** A main entrance shall connect to the sidewalk by a hard-surfaced walkway, other than a driveway, at least 3 feet wide. The walkway may abut the driveway. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
- B. Cottage Cluster Housing.** A walkway meeting the design standards of subsection (D) shall connect the main entrance of each cottage to:
1. The common courtyard;
 2. Shared parking areas;
 3. Community buildings; and
 4. Sidewalks in the abutting public right-of-way. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
- C. Multi-Unit Housing.**
1. **Main Entrance Connection.** A main entrance shall connect to the sidewalk by an accessible walkway meeting subsection (D). Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
 2. **Internal Connections.** A system of walkways meeting subsection (D) shall connect all main entrances on the site and provide connections to abutting sidewalks, parking areas, bicycle parking, and common outdoor areas.

3. Off-Site Connections. For sites greater than 50,000 square feet, on-site walkways shall connect to or be stubbed to allow for an extension onto the abutting property where:

- a. There is an existing walkway on the abutting property that is located in a public right-of-way or public access tract or easement;
- b. There is a planned walkway on the abutting property, as identified in the City's adopted Transportation System Plan; or
- c. The abutting property is a public park, a school, or a public transit stop.

D. Walkway Design.

1. Materials and Width. All walkways shall be hard-surfaced. Except as provided in subsection (A), walkways shall be at least 5 feet in unobstructed width.

- a. Walkway width shall be increased to 8 feet where the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.
- b. Where a walkway leads to 4 or fewer individual unit entries, it may have an unobstructed width of 3 feet, increased to at least 4 feet at turns and curves, provided it meets ADA standards for accessible walkways, including standards for passing spaces and slope.

2. Crossings with Vehicle Areas. Where a walkway crosses a driveway, drive aisle, parking area, or loading area, the walkway shall be clearly identifiable through elevation changes, a different paving material, or a similar method. Striping alone does not meet this standard. Elevation changes for crossings shall be at least 4 inches high.

3. Walkways Adjacent to Vehicle Areas. Where a walkway is parallel and adjacent to a parking space, driveway, or drive aisle, the walkway shall be a raised path or shall be separated from the vehicle area by a raised curb, bollards, landscaping, or another physical barrier. A raised path shall be at least 4 inches high. Bollards shall be spaced no more than 5 feet on center.

E. Separation from Dwellings. Except for the entry walkway required by subsection (A), walkways shall be separated a minimum of 5 feet from ground-floor living areas of dwellings, except at building entrances. Separation is measured from the walkway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with Chapter 3.5.

F. Residential Land Divisions. Pedestrian connections within residential land divisions are provided by sidewalks in accordance with Chapter 3.7 and by accessways in accordance with Section 3.7.100.G.

3.4.300 Non-Residential and Mixed-Use Standards

Non-residential and mixed-use development shall conform to all of the following standards.

- A. Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site in conformance with the following standards.
- 1. Connections to the Street.** Every building, except an accessory structure, located within 100 feet of a street lot line shall have a walkway connection between its main entrance(s) and the abutting sidewalk. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line. For sites with frontage on a street served by transit, this standard shall be met on the transit street.
 - a.** The walkway shall not be more than [120] percent of the straight-line distance between the entrance and the street, unless a longer distance is necessary to comply with ADA grade requirements or subsection (b) applies.
 - b.** Where a tree at least 12 inches in diameter at breast height is proposed for preservation, and the tree or its root protection zone would prevent compliance with subsection (a), the walkway may be up to 200 percent of the straight-line distance.
 - 2. Internal Connections.** The walkway system shall connect all main entrances on the site that are more than 20 feet from the street, and shall provide connections to parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities provided under Section 3.2.600.
 - 3. Off-Site Connections.** Where a commercial, office, or institutional use abuts a site that is zoned or developed for multi-unit housing, commercial, office, or institutional uses, on-site walkways shall connect or be stubbed to allow for an extension to the abutting property where there is an existing or planned walkway on the abutting property, or where the abutting property is undeveloped.
- B. Walkway Design.** Walkways required by subsection (A) shall be designed in conformance with the following standards and, where required, shall meet Americans with Disabilities Act (ADA) standards.
- 1. Materials and Width.** Walkways shall be hard-surfaced and at least 6 feet in unobstructed width. Walkway width shall be increased to 8 feet where the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.

2. **Crossings with Vehicle Areas.** Where a walkway crosses a driveway, drive aisle, parking area, or loading area, the walkway shall be clearly identifiable through elevation changes, a different paving material, or a similar method. Striping alone does not meet this standard. Elevation changes for crossings shall be at least 4 inches high.
3. **Walkways Adjacent to Vehicle Areas.** Where a walkway abuts a parking space, or abuts and is parallel to a driveway or drive aisle, the walkway shall be a raised path or shall be separated from the vehicle area by a raised curb, bollards, landscaping, or another physical barrier. A raised path shall be at least 4 inches high. Bollards shall be spaced no more than 5 feet on center.
- C. **Transit Stop Connections.** A continuous walkway meeting the design standards of this Section shall connect the main entrance of each primary building to any existing or planned public transit stop located within 300 feet of that entrance.
- D. **Accessible Routes.** Walkways shall comply with the Americans with Disabilities Act (ADA), which requires accessible routes of travel.

Chapter 3.5 Landscaping, Street Trees, Fences, and Walls **(AMENDED)**

Sections

3.5.100	Purpose
3.5.200	New Landscaping
3.5.300	Street Trees
3.5.400	Fences and Walls

Commentary: This chapter sets the landscaping, street tree and fence requirements for new development, now stated in measurable terms so they can apply to housing. It updates current Chapter 3.2. Judgment-based guidelines remain for commercial and industrial projects only. Street trees come from a City Street Tree List. The City is reviewing street trees with its City Engineer and plans to move fence standards to the Boardman Municipal Code, so both sections may change before adoption.

3.5.100 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 wind 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 ~~3.4.200~~ 3.5.200 - 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-zones~~. Note that other landscaping standards are provided in Chapter 2 - ~~Land Use Districts, Zones~~, for specific types of development.

Section ~~3.4.300~~ 3.5.300 - Street Trees sets standards for and requires planting of trees along all streets for shading, comfort and aesthetic purposes.

Section ~~3.4.400~~ 3.5.400 - Fences and Walls, sets standards for new fences and walls, including maximum allowable height and materials, to promote security, personal safety, privacy, and aesthetics.

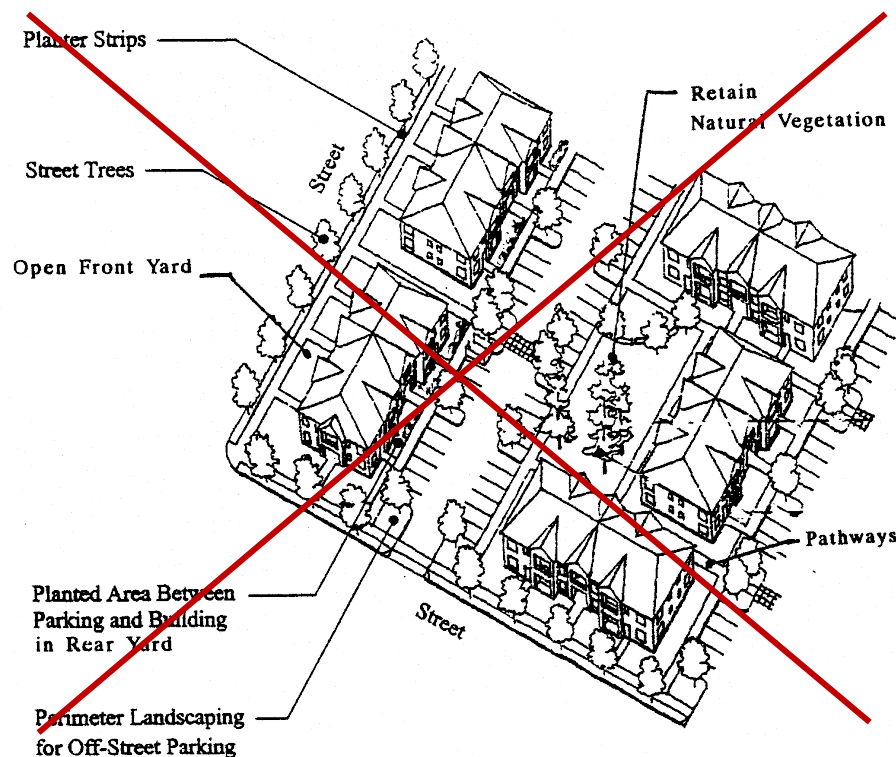
Commentary: Landscaping standards now apply to all new development, including houses. Today they apply only to Site Design Review projects, and City staff report they have not been applied to new houses for a long time. As a result, the Chapter 2 minimum landscape area will now apply to new houses and middle housing. Parking lots need one tree per 8 spaces and screening along the street.

3.5.200 New Landscaping

- A. ~~Applicability. This Section shall apply to all developments requiring Site Design Review, and other developments with required landscaping.~~
- B. ~~**Landscaping Plan Required.** A landscape plan is required. All landscape plans shall conform to the requirements in Chapter 4.2, Section 500.B (Landscape Plans).~~
- C. ~~**Landscape Area Standards.** The minimum percentage of required landscaping equals:~~
- 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 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. ~~**Hardscape Features** (i.e., patios, decks, plazas, etc.) may cover up to 30 percent of the required landscape area; except in the City Center Sub-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.~~
 - 4. ~~**Non-Plant Ground Covers.** Bark dust, chips, aggregate or other non-plant ground covers may be used, but shall cover no more than 25 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.~~

5. **Tree Size.** Trees shall have a minimum caliper size of 2 inches or greater when planted.
6. **Ground Cover** Ground cover plants shall be sized and spaced so that they grow together to cover a minimum of 75 percent of the underlying soil within 5 years.
7. **Storm Water Facilities.** Storm water facilities (e.g., detention/retention ponds and swales) shall be landscaped with water tolerant, native plants.

Figure 3.4.200 – Landscape Areas in a Multi-Unit Development (Typical)



- 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 3.2.100 through 3.2.400). 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 yards and building entrances mostly visible for security purposes;
 - b. Use shrubs and trees as wind breaks, as appropriate;

- ~~c. Define pedestrian pathways and open space areas with landscape materials;~~
 - ~~d. Provide focal points within a development, such as signature trees (i.e., large or unique trees), hedges and flowering plants.~~
 - ~~e. Use trees to provide summer shading within common open space areas, and within front yards when street trees cannot be provided;~~
 - ~~f. Use a combination of plants for year-long color and interest;~~
 - ~~g. 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 five 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 ground cover 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 4 parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 12 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 when used as a modified swale in accordance with detention standards found in the City’s Stormwater Design Standards (Chapter 3.5).
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. 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.** Where 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 3 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 3.2.400 for standards related to fences and walls.)
- F. **Maintenance and Irrigation.** The use of drought-tolerant plant species is encouraged, and may be 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 in perpetuity.

- 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).~~
- A. ~~Applicability.~~** ~~This Section applies to all development, whether or not the development requires Site Design Review, except as provided in Section 3.0.300.~~
- 1. ~~Relationship to Required Outdoor Area.~~** ~~The minimum landscape area required by this Section and the required outdoor area standard in Chapter 2.2 are separate standards. Area that satisfies both may be counted toward both.~~
 - 2. ~~Installation.~~** ~~Required landscaping shall be installed before final occupancy approval for the development, or within 6 months after occupancy approval where the applicant provides a financial assurance for its installation.~~
- B. ~~Landscape Plan Required.~~** ~~A landscape plan is required. All landscape plans shall conform to the requirements in Section 4.2.500.B.5 (Landscape Plan).~~
- C. ~~Minimum Landscape Area.~~**
- 1. ~~The minimum landscape area for each zone is stated in the development standards tables in Chapter 2.2. Landscape area is measured in accordance with Section 1.3.800.A.~~**
 - 2. ~~All portions of a lot not developed with buildings, accessory structures, vehicle parking and maneuvering areas, or hardscape shall be landscaped. Landscaped areas may include pedestrian walkways.~~**
- D. ~~Planting Standards.~~** ~~The following standards apply to all required landscape areas.~~
- 1. ~~Landscape Materials.~~** ~~Landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and hardscape features. Each planted area shall include a combination of trees, shrubs, and ground cover plants.~~
 - 2. ~~Trees.~~** ~~Trees shall have a caliper of at least 2 inches at planting. A tree planted where overhead power lines cross the lot shall be a species that, at maturity, will not extend within 10 feet of the power lines.~~
 - 3. ~~Shrubs.~~** ~~Shrubs shall be planted from containers of at least 5 gallons where they form a required screen or buffer, and at least 2 gallons elsewhere. Shrubs forming a required screen shall be spaced to form a continuous screen within 2 years of planting.~~
 - 4. ~~Ground Cover.~~** ~~Ground cover plants shall be sized and spaced so that they grow together to cover at least 75 percent of the underlying soil within 5 years of planting.~~

5. **Non-Plant Ground Covers.** Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover no more than 25 percent of each required landscape area and shall not substitute for required ground cover plants.
 6. **Hardscape Features.** Patios, decks, plazas, and similar hardscape features may cover up to 30 percent of the required landscape area, or up to 50 percent in the DMU zone. Swimming pools, sports courts, and similar active recreation facilities do not count toward the required landscape area.
 7. **Screens.** Where this Code requires a sight-obscuring landscape screen, evergreen plants shall be used.
 8. **Stormwater Facilities.** Stormwater detention and retention facilities and swales within a required landscape area shall be landscaped in accordance with Section 3.8.400.
 9. **Erosion Control.** Where cuts, fills, berms, swales, or stormwater facilities are proposed, the landscape plan shall provide temporary and permanent erosion control, including plantings for permanent erosion control.
 10. **Irrigation.** Required landscape areas shall be served by an underground irrigation system, except that irrigation is not required for a landscape area planted entirely with drought-tolerant species.
- E. **Parking Lot Landscaping.** The following standards apply to each off-street parking area.
1. **Area.** At least 5 percent of the combined area of all parking spaces and maneuvering areas, measured around their perimeter, shall be landscaped.
 2. **Trees.** At least one tree shall be planted for every 8 parking spaces. Trees shall be distributed around the perimeter of the parking area and between parking bays.
 3. **Islands.** A parking area with more than 20 spaces shall include landscape islands with trees that divide the parking area into rows of not more than 12 contiguous spaces.
 4. **Dimensions and Protection.** Each landscape island or planter shall be at least 4 feet by 4 feet. Landscape areas shall be separated from vehicle areas by curbs, wheel stops, bollards, or other physical barriers, and trees shall be planted at least 2 feet from the barrier.
 5. **Planting.** Parking lot landscape areas shall be planted in accordance with subsection (D). A landscape island designed as a stormwater swale shall also meet the City's Stormwater Management Standards in Chapter 3.8.

6. **Screening from Streets and Driveways.** Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a screen shall be provided between the parking area and the street or driveway. The screen shall be one or more of the following:
 - a. A decorative masonry wall or trellis at least 30 inches and not more than 42 inches high; or
 - b. An evergreen hedge that forms a continuous screen at least 36 inches high within one year of planting. Breaks in the screen are permitted for pedestrian pathways connecting the site to the sidewalk. The area between the screen and the street or driveway shall be landscaped.

F. Buffering and Screening.

1. **Parking or Maneuvering Area Adjacent to a Building.** Where a parking or maneuvering area, or a driveway, is adjacent to a building, it shall be separated from the building by a raised pathway, plaza, or landscaped buffer at least 3 feet wide. Raised curbs, bollards, wheel stops, or other design features shall protect the building from vehicle damage. Where the parking area is adjacent to ground-floor living space, the buffer shall be landscaped.
2. **Mechanical Equipment, Outdoor Storage, and Service Areas.** Mechanical equipment, outdoor storage and manufacturing areas, and service and delivery areas shall be screened from view from public streets and residential zones by a decorative masonry wall, an evergreen hedge, a sight-obscuring fence, or a combination of these. Walls, fences, and hedges shall comply with the vision clearance standards of Chapter 3.3 and the fence and wall standards of Section 3.5.400.

G. Guidelines for Non-Residential Development. The following guidelines apply only to non-residential development and are considered in Site Design Review. They do not apply to housing.

1. Natural vegetation should be preserved or planted where practicable.
2. Plants should be selected for the local climate, exposure, water availability, and drainage conditions, and soils should be amended where necessary for healthy plant growth. Drought-tolerant species are encouraged.
3. Landscaping should provide visual screening and privacy within side and rear yards, while leaving front yards and building entrances visible for security.
4. Shrubs and trees should be used as wind breaks where appropriate.
5. Landscape materials should define pedestrian pathways and open space areas.

6. Focal points, such as signature trees, hedges, and flowering plants, should be provided within a development.
 7. Trees should provide summer shade within common open space areas, and within front yards where street trees cannot be provided.
 8. A combination of plants should be used for year-round color and interest.
 9. Landscaping should enhance graded areas such as berms, swales, and detention and retention ponds.
- H. Maintenance.** All landscaping required by this Code shall be maintained in good condition. A required plant that dies or loses 50 percent or more of its foliage shall be replaced with an equivalent specimen (for example, an evergreen shrub for an evergreen shrub, or a deciduous tree for a deciduous tree). Required walls, fences, and other landscape features shall be maintained in good condition or replaced by the owner.
- I. 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).

3.5.300 Street Trees

~~Street trees shall be planted for all developments that are subject to Site Design Review. Requirements for street tree planting strips are provided in Section 3.6.100- 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 desirable.~~
 - ~~2. Use low-growing trees for spaces under utility wires.~~
 - ~~3. Select trees which 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 low annual or summer season rainfall, or 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 2 inches, based on the American Association of Nurserymen Standards.
- 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.
- E. ~~Assurances.~~** ALTERNATIVE 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.
- ALTERNATIVE 2: The City shall require the developer to provide a performance and maintenance bond in an amount determined by the City Manager or his/her designee, to ensure the planting of the tree(s) and care during the first two years after planting.
- A. Applicability.** Street trees shall be planted along every street frontage of a development that is subject to Site Design Review and of every land division. Street tree planting strips shall meet Section 3.7.100. Where the abutting street is unimproved, planting is deferred until curbs and sidewalks are constructed.
- B. Species.** Street trees shall be species listed on the City of Boardman Street Tree List, as adopted by [resolution of the City Council]. Where overhead utility lines are present within the planting strip, trees shall be species the Street Tree List designates as suitable for planting under utility lines.

- C. **Size.** Street trees shall have a caliper of at least 2 inches at planting, measured in accordance with the American Standard for Nursery Stock (ANSI Z60.1).
- D. **Spacing.** Street trees shall be spaced according to the size class assigned to the species by the Street Tree List: small trees [20] feet on center; medium trees [30] feet on center; and large trees [40] feet on center. Spacing may be adjusted by not more than [5] feet to avoid the features listed in subsection (E). Where a frontage is too short for the required spacing, at least one street tree shall be planted.
- E. **Location.** Street trees shall be planted within the planting strip or, on a street without a planting strip, in sidewalk tree wells. Street trees shall be located:
1. At least [10] feet from a fire hydrant, streetlight, or utility pole;
 2. At least [5] feet from a driveway, water meter, or underground utility;
 3. At least [20] feet from the curb line of an intersecting street, and outside the vision clearance areas required by Chapter 3.3; and
 4. Outside the root protection zone of an existing tree that is to be retained.
- F. **Planting and Establishment.** The developer shall plant the street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also care for the trees, including pruning, watering, fertilization, and replacement as necessary, during the first two years after planting.
- G. **Assurance.** In place of the developer's responsibility for planting and caring for the street trees during the two-year establishment period under subsection (F), the developer may provide one of the following, as accepted by the City:
1. **Fee in Lieu.** 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 the tree and caring for it during the first two years after planting.
 2. **Performance and Maintenance Bond.** The developer shall provide a performance and maintenance bond, in an amount set by the City Manager or designee, to ensure the planting of the trees and their care during the first two years after planting.

3.5.400 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 4.4 - Conditional Use Permits or Chapter 4.2 - Site Design Review.

1. All private fences constructed in the public right-of-way shall require a zoning approval by the City of Boardman to construct the fence within the right-of-way. This approval will be through a Type I ministerial procedure ~~consistent with 4.1.300~~consistent with Section 4.1.300.

B. Dimensions.

1. The maximum allowable height of fences and walls is six (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 six (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 four (4) feet, in Residential or Commercial ~~districts-zones~~ (except decorative arbors, gates, etc.) or six (6) feet in Industrial and ~~Light Industrial Districts-EMP zones~~ as measured from the grade closest to the street right-of-way.
3. Landscaping walls to be built for required buffers shall comply with Section ~~3.4.200~~3.5.200.
4. Fences and walls shall comply with the vision clearance standards of ~~Section 3.3.200~~Section 3.3.500.

C. Materials. All fences shall be constructed of materials suited to provide fences of standard and acceptable visual characteristics of the surrounding neighborhood.

1. **Acceptable materials shall include;** chain link fencing, redwood or cedar fencing, composite fencing materials, formed plastic fencing, split rail fencing, painted picket fencing, concrete or plaster filled PVC fencing, decorative wrought iron or metal fencing, masonry block or brick or a combination of decorative masonry block or brick and decorative wrought iron or metal.
2. **Unacceptable materials shall include;** pallet panels, steel farm fencepost, chicken wire, rabbit wire or other farm related fencing, undecorated plywood, undecorated pressboard, undecorated chipboard, scrap iron, two or three wire barbed wire fencing, electric fencing materials of any type, or materials inconsistent with the acceptable list of materials in ~~3.2.400-subsection~~ (C)(1).

- 3. Use of Barbed Wire:** the use of barbed wire in fencing materials may be allowed for security purposes within the ~~Industrial and Light Industrial zones~~ IND and EMP zones and will be subject to Conditional Use approval in all other ~~land use districts zones~~ within the City. The Conditional Use Permit shall follow the Type III procedure ~~identified in 4.1.500~~ identified in Section 4.1.500 and be required to submit the information consistent with the provisions in Chapter 4.4.
- D. Vision Clearance.** All fencing shall meet the requirements of vision clearance at any street intersection in accordance with Figure ~~3.1.200(N)~~ 3.3.500.A.
- E. Maintenance.** For safety and for compliance with the purpose of this Chapter, walls and fences shall be maintained in good condition, or otherwise replaced by the owner.

Chapter 3.6 Vehicle and Bicycle Parking and Loading (AMENDED)

Sections

3.6.100	Purpose
3.6.200	Applicability
3.6.300	Automobile Parking Standards
3.6.400	Bicycle Parking Standards
3.6.500	Loading Standards

Commentary: This chapter sets how much vehicle and bicycle parking and loading space new development must provide. It combines current Chapters 3.3 (parking) and 3.8 (loading). The parking standards now apply to all development. Today they apply only to Site Design Review projects, so houses and duplexes have not been held to them. Bicycle parking design now follows state standards (OAR 660-012-0630).

3.6.100 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.

3.6.200 Applicability

~~All developments subject to site design review (defined in Chapter 4.2), including~~All development subject to Site Design Review or Development Review under Chapter 4.2, including development of parking facilities, shall comply with the provisions of this Chapter.

Policy Question: Parking minimums make sure new homes have parking, but each required space uses land that could hold housing and adds to its cost. The proposed standard keeps two spaces for a detached house and lowers the requirement to one space per unit for middle housing and apartments. State law caps the parking Boardman may require for a duplex at two spaces in total (OAR 660-046) and limits parking requirements for single room occupancy housing (HB 2138, 2025). A builder can always provide more than the minimum.

Downtown, the draft keeps the standard minimums but gives credit for on-street and shared parking. Changes of use in existing buildings and small new buildings are exempt.

Is one space per unit the right minimum for middle housing and apartments in Boardman?
Should the DMU zone have a lower parking requirement than the rest of the city?

3.6.300 Automobile 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 Section ~~3.3.300.A. 3.6.300.A.~~ There is no minimum number of off-street parking spaces required in the City Center Sub-District (or in designated historic districts); however, the “maximum parking” standards of this Chapter apply in those areas. In the DMU zone, the minimum number of off-street parking spaces may be reduced through the on-street parking credit and shared parking provisions of this Section. No off-street parking is required in the DMU zone for a change of use within an existing building, or for a new building with less than [INSERT VALUE] square feet of gross floor area.

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, pathway or landscape area. Credit shall be allowed for “on-street parking”, as provided in Section ~~3.5.300 3.6.300-B. B.7.~~

~~Parking spaces must be developed in accordance with the provisions of this chapter as well as all other applicable standards of the Code including Chapter 2, Land Use District standards; Chapter 3.1 Access and Circulation, Chapter 3.2, Landscaping; and Chapter 3.5, Stormwater Management. Parking spaces must be developed in accordance with the provisions of this chapter as well as all other applicable standards of the Code including Chapter 2, Zone standards; Chapter 3.3 Vehicular Access and Circulation, Chapter 3.5, Landscaping; and Chapter 3.8, Stormwater Management.~~

A. Minimum Required Off-street Parking Spaces.

Table 3.6.300.A Minimum Required Off-street Parking Spaces

Use	Minimum Required Parking Spaces
Residential Uses	
Single family detached housing. Detached single-unit housing.	Two parking spaces shall be provided for each detached single-unit family dwelling or manufactured homedwelling on an individual lot.
Two- and three-family housing. Multi-family and single family attached housing. Duplex, Triplex, Quadplex, Cottage Cluster, Townhouse, and Multi-Unit housing.	Two spaces per dwelling unit. One space per dwelling unit.
Studio units or 1-bedroom units less than 500-sq. ft.	Two space/unit.
1-bedroom units 500-sq. ft. or larger	Two spaces/unit.
2-bedroom units	Two spaces/unit.
3-bedroom or greater units	Two spaces/unit.
Retirement complexes for seniors 55-years or greater	Two spaces per unit.
Rooming and boarding houses, dormitories, and bBed and breakfast facilities.inns.	One space for each guest room.
Single Room Occupancy (SRO).	Six or fewer units: two spaces per three units. More than six units: one space per three units.
Senior housing:	Same as for retirement complexes:

Use	Minimum Required Parking Spaces
Manufactured home dwelling parks.	Same as for single family detached housing .detached single-unit housing.
Accessory Dwelling Units.	None.
Residential Home.	Same as detached single-unit housing.
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; plus 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 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 for each two employees, whichever is greater plus one space per company vehicle.

Use	Minimum Required Parking Spaces
Public and Institutional Uses	
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.
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. Religious institutions.	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.
Residential Care Homes and Facilities or Assisted Living. Residential Facility, Residential Treatment Facility, or Residential Treatment Home.	One space per two patient <u>resident</u> beds or one space per apartment unit.
Schools, elementary and junior high.	One and one-half space per classroom.
High schools.	One and one-half spaces per classroom, plus one space per 10 students the school is designed to accommodate, 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 be determined by finding that the use is similar to one listed in terms of parking needs.	

B. 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 3.3 – Access and Circulation).~~(See also Chapter 3.3 – Vehicular Access and Circulation.)
2. **Off-Site Parking.** Except for ~~single-family, two-family, detached single-unit, duplex, and three-family triplex~~ dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within ¼ mile of 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 show 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 contract.~~
5. **Carpool and Vanpool Parking.** Nonresidential uses with at least 25 or more required parking spaces shall include designated carpool or vanpool parking.
 - a. At least 10% of the employee, student, or commuter parking spaces shall be carpool or vanpool parking.
 - b. Carpool or vanpool designated spaces must be the closest non-ADA parking spaces to the primary employee, student, or commuter entrance.
 - c. Carpool and vanpool parking may count toward the minimum parking requirements by use in Section 3.6.300(A).
 - d. Carpool and vanpool parking shall be marked “Reserved – Carpool/Vanpool Only.”

6. **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 ~~3-6-3.9.~~
7. **~~Credit for On-Street Parking.~~** ~~On-street parking spaces may be counted toward the minimum off-street parking requirement as follows:~~
 - a. ~~For residential development, each on-street parking space that meets the standards of subsection (c) shall be counted as one required space.~~
 - b. ~~For non-residential development, the City Manager or designee may reduce the requirement of Table 3.6.300.A by one space for every two on-street parking spaces abutting the site that meet the standards of subsection (c).~~
 - c. ~~An on-street parking space counted under this item shall abut the site; be in a location where on-street parking is allowed by the City; be at least 22 feet long; and not obstruct a vision clearance area required by Section 3.3.500.~~
- C. **Maximum Number of Parking Spaces.** The number of parking spaces provided by any particular ~~non-residential~~ 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 lots, shall not apply towards the maximum number of allowable spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.
- D. **Parking Stall Size and Design Standards.** All off-street parking stalls shall be improved to conform to City standards for surfacing, stormwater management and striping, and have a net area of not less than 180 square feet exclusive of access drives or ~~aistes, and shall be of usual shape and condition- aisles.~~ If determined on a gross area basis, 280 square feet shall be allowed per vehicles. (Disabled person parking shall be provided in conformance with Section F)
- E. **~~Parking Redevelopment.~~** ~~Existing developments may redevelop a portion of an existing off-street parking area for transit-oriented uses, including bus stops and pullouts, bus shelters, and park-and-ride stations, provided the minimum off-street parking requirements in Section 3.6.300 can still be met.~~
- F. **Disabled Person Parking Spaces.** The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act and State Law. Disabled parking is included in the minimum number of required parking spaces in Section A. (Note: State Law may supersede this Federal table.)

Table 3.6.300.F Minimum Number of Accessible Parking Spaces

Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles) — Column A	Van Accessible Parking Spaces with min. 96" wide access aisle	Accessible Parking Spaces with min. 60" wide access aisle
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.

3.6.400 Bicycle Parking Standards

The following ~~development/land use districts~~ ~~development/zones~~ shall provide bicycle parking, in conformance with the following standards evaluated during Site Design Review:

- A. Number of Bicycle Parking Spaces.** The following additional standards apply to specific types of development:

- 1. Multi-Family Residences: Unit Housing.** ~~Every residential use of four (4) five (5) or more dwelling units must provide at least one sheltered long-term 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. Retail/Institutional/Office Use.** All public, retail and office parking lots and parking structures shall provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces. If the use or uses only utilize off-street parking or have less than 10 motor vehicle spaces, each use shall provide at least one space per use.
 - 3. Schools.** Schools both private and public shall provide one bicycle parking space for every 10 students and employees.
 - 4. Colleges and Trade Schools.** College and trade schools shall provide one bicycle parking space for every 10 motor vehicle spaces plus one space for every dormitory unit.
 - 5. 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.
 - 6. Transit Stops.** ~~For development or redevelopment of transit transfer stations, transit stops with frequent service (as defined by the transit service provider), and park-and-ride lots, a minimum of two short-term bicycle parking spaces shall be provided.~~
- B. Exemptions.** This Section does not apply to ~~single family, two-family, and three-family housing (attached, detached or manufactured housing), detached single unit dwellings, duplexes, triplexes, quadplexes, townhouses,~~ 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 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. Bicycle parking spaces shall be located in front of 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. Spaces may or may not be sheltered.~~
- ~~D. **Visibility and Security.** Bicycle parking shall 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 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 so as not to conflict with vision clearance standards (Chapter 3.1 3.3 – Access and Circulation).~~
- ~~I. **Location and Design.** Bicycle parking shall meet the following location and design standards. Bicycle parking required for multi-unit housing and for employees is long-term bicycle parking; all other required bicycle parking is short-term bicycle parking.~~
 - ~~1. **All Bicycle Parking.** All bicycle parking shall meet the following standards:~~
 - ~~a. The area devoted to bicycle parking shall be hard surfaced, and lighting shall be provided for nighttime use.~~
 - ~~b. Where bicycle parking is provided in racks, the racks shall:~~
 - ~~i. Be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U-shaped shackle lock, with both wheels left on the bicycle;~~
 - ~~ii. If a horizontal rack, support the bicycle at two points, including the frame; and~~

- iii. Be securely anchored with tamper-resistant hardware.
- 2. **Long-Term Bicycle Parking.** Long-term bicycle parking shall meet the following standards:
 - a. Long-term bicycle parking shall be provided in one or more of the following locations on the development site:
 - i. Within a restricted-access, lockable room with securely anchored racks that allow users to lock at least two points on a bicycle;
 - ii. Within bicycle lockers that are fully enclosed, lockable, and securely anchored to the ground; or
 - iii. For residential uses, within dwelling units of at least 400 square feet, as follows:
 - (1) A site with 12 or fewer dwelling units may provide up to 100 percent of the required bicycle parking spaces within the dwelling units;
 - (2) A site with more than 12 dwelling units, where all units above the ground floor have elevator access, may provide up to 50 percent of the required bicycle parking spaces within the dwelling units; and
 - (3) A site with more than 12 dwelling units, where units above the ground floor do not have elevator access, may provide required bicycle parking spaces within ground-floor dwelling units only.
 - b. For a site with more than one primary use, long-term bicycle parking shall be provided in an area that can be reached from each use. Bicycle parking provided in a common area shall be accessible to all tenants.
 - c. All long-term bicycle parking shall be covered. Where the cover is not a building or a locker, it shall be permanent and impervious, and shall extend at least 2 feet beyond the bicycle parking space on all sides.
- 3. **Short-Term Bicycle Parking.** Short-term bicycle parking shall meet the following standards:
 - a. On a site smaller than 20,000 square feet, short-term bicycle parking may be provided on the site or within the public sidewalk as allowed by the City of Boardman Public Works Standards, provided it does not obstruct the required minimum sidewalk width or access to a doorway. On a site of 20,000 square feet or larger, short-term bicycle parking shall be provided on the site.

- b. Short-term bicycle parking on the site shall be at the same grade as the sidewalk or at a location reached by an accessible route, and within 50 feet of a main entrance to the building, measured along the most direct pedestrian route.
 - c. Each short-term bicycle parking space shall be at least 2 feet wide, 6 feet long, and 3 feet 4 inches tall.
- J. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles, and shall be located so as not to conflict with the vision clearance standards of Section 3.3.500.

3.6.500 Loading Standards

- A. **Purpose.** The purpose of this section of the code is to provide standards (1) for the minimum number of loading spaces that will ensure adequate loading areas for large uses and developments, and (2) to ensure that the appearance of loading areas is consistent with that of parking areas.
- B. **Number of Loading Spaces**
 - 1. **Residential Buildings.** Buildings where all of the floor area is in residential uses must meet the following standards:
 - a. No loading spaces are required where there are fewer 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. **Non-Residential Buildings.** Buildings where any of the floor area is in non-residential uses must meet the following standards:
 - 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~~ to 49,999 square feet of floor area.
 - c. Two loading spaces are required for buildings with ~~more than~~ 50,000 square feet of floor area or more.
- C. **Size of Loading Spaces.** Required loading spaces must be at least 35 feet long, ten feet wide, and have a height clearance of at least thirteen feet.

D. Placement, Setbacks and Landscaping. Loading areas must comply with the setback and perimeter-landscaping standards in ~~Chapters 2 & 3~~Chapter 2 and Chapter 3.5. When parking areas are prohibited or not allowed between a building and a street, loading areas are also prohibited or not allowed.

Chapter 3.7 Public Facilities Standards (AMENDED)

Sections

3.7.000	Purpose and Applicability
3.7.100	Transportation Standards
3.7.200	Public Use Areas
3.7.300	Sanitary Sewer and Water Service Improvements
3.7.400	Storm Drainage Improvements
3.7.500	Utilities
3.7.600	Easements
3.7.700	Construction Plan Approval and Assurances
3.7.800	Installation

Commentary: This chapter sets the streets, utilities and other public improvements that new development must build. It updates current Chapter 3.4. Street design now points to the City's Public Works Standards, so the code and the engineering standards cannot conflict. All new streets must be paved, and transit stop improvements are added. Block and accessway standards move here from the access chapter. For residential subdivisions, the code now lists the site conditions that excuse a required street connection.

3.7.000 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 ~~3.4~~ 3.3 – Vehicular Access and Circulation, ~~provides standards for intersections and blocks, and requires provides standards for vehicle access and approach spacing; subsection 3.7.100.G provides standards for blocks and requires pedestrian access ways pedestrian accessways~~ to break up long blocks.

- B. Applicability.** 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; except that the City may defer compliance with one or more of the development standards for a public improvement project constructed by the City or other public agency if the City finds that the improvements required by the standard(s) are likely to be provided by development of the adjacent property.
- C. Standard Specifications.** The City Manager or his/her designee 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.

3.7.100 Transportation Standards

- A. Development Standards.** No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Chapter ~~3.4~~ 3.3 – Vehicular 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., the property owner agrees not to remonstrate (object) against the formation of a local improvement district in the future which the City may require as a deed restriction] 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.
- 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 City Manager or his/her designee 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 ~~3.4-3.3 – Vehicular~~ Access and Circulation. Access easements shall be created and maintained in accordance with the ~~Uniform Fire Code Section 10.207~~ Oregon Fire Code.

- E. Street Location, Width and Grade.** Except as noted below, the location, width and grade of all streets shall conform to ~~the Transportation System Plan~~ the Standard Street Details and cross-section drawings in the Boardman Public Works Standards, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, existing and planned transit development, 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 City ~~Manager~~Engineer or his/her designee in accordance with the design standards in Section 'N' subsection (O), below; and
 2. Where the location of a street is not shown in an existing street plan (See Section 'H' subsection (I)), 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 Planning Commission~~; 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 conform with the widths in Table 3.4.100. A Class B variance shall be required in conformance with Section 3.4.1.B to vary the standards in Table 3.4.100. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:~~ Street rights-of-way and improvements shall conform with the Standard Street Details in the Boardman Public Works Standards (Drawings ST6-ST12). A Class B variance shall be required in conformance with Chapter 5.1 to vary these standards. Where the Standard Street Details indicate a range of width, 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. Transit services and facilities;
 6. Requirements for placement of utilities;

7. Street lighting;
8. Minimize drainage, slope, and ~~sensitive lands impacts, as identified by Chapter 3.7;~~Natural Resource Area impacts;
9. Street tree location, as provided for in Chapter ~~3.2;~~3.5;
10. Protection of significant vegetation, as provided for in Chapter ~~3.43.5;~~
11. Safety and comfort for motorists, bicyclists, and pedestrians;
12. Street furnishings and transit amenities or structures (e.g., benches, lighting, bus shelters, etc.), when provided;
13. Access needs for emergency vehicles; and
14. Transition between different street widths (i.e., existing streets and new streets), as applicable.

~~Table 3.7.100.F Street Widths~~

Type of Street	Minimum Right-of-Way	Minimum Roadway
Local Street (Optional/Conditional)	56 feet	23 feet
Local Street	60 feet	34 feet
Neighborhood Collector	60 feet	38 feet
Minor Collector	68 feet	47 feet
New Arterial	80 feet	49 feet
East Columbia, Wilson Road and South Main Street Arterial	80 feet	49 feet
North Main Street Arterial	60 feet	48 feet

~~Source: Boardman TSP, 2001~~

- G. Street Connectivity.** In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large 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:

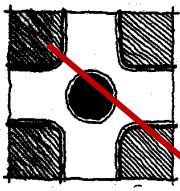
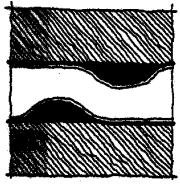
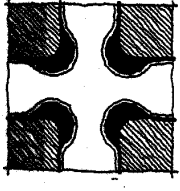
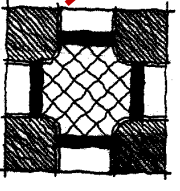
- a. 600 feet length and 1,600 feet perimeter in ~~the Residential District~~ residential zones and Sub-Districts;
- b. 600 feet length and 1,600 feet perimeter in the ~~Commercial District~~; DMU and CC zones;
- c. Not applicable to the ~~General Industrial District~~ IND zone;
- d. 800 feet length and 2,000 feet perimeter in the ~~Tourist Commercial Sub District, Service Center Sub-District RC~~ and ~~Light Industrial District, EMP zone~~, except as required for commercial developments subject to ~~Chapter 2.2, Section 140~~ Section 3.2.300.D;

The conceptual layout in the Local Street Connectivity Plan in the City's Transportation System Plan shall guide the creation of new local street connections in the city and its UGB.

2. **Street Standards.** Public and private streets shall also conform to ~~Chapter Section 3.4.100~~ 3.7.100 - Transportation Standards, ~~Section 3.1.300~~ Chapter 3.4 - Pedestrian Access and 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)~~ one or more accessways, in conformance with the provisions of ~~Section 3.1.300.A~~ subsection (4), below. ~~Pathways shall be located~~ Accessways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles. An exception may also be granted for topography, natural resources, existing development or other permanent features such as Interstates and railroad track right-of-ways.
4. **~~Street Connectivity. Accessways.~~** ~~Pathways (for pedestrians and bicycles)~~ Accessways shall be provided at or near mid-block where the block length exceeds the length required by ~~Section 3.1.200 J~~ subsection (1), above. ~~Pathways shall also be provided~~ Accessways 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. ~~Pathways used to comply~~ Accessways used to comply with these standards shall conform to all of the following criteria:
 - a. ~~Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than~~ Accessways shall be no less than 10 feet wide and located within a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;
 - b. If the streets within the subdivision or neighborhood are lighted, ~~the pathways shall also be lighted~~ the accessways shall also be lighted;

- c. Stairs or switchback paths using a narrower right-of-way/easement may be required ~~in lieu of a multi-use pathway in lieu of an accessway~~ where grades are steep;
- d. The City may require landscaping ~~within the pathway easement/right-of-way within the accessway easement/right-of-way~~ for screening and the privacy of adjoining properties;
- e. The City Manager or his/her designee may determine, based upon facts in the record, ~~that a pathway is impracticable that an accessway 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 prohibit the accessway connection.~~

Figure 3.6.100G—Traffic Calming Features

<i>Drawing</i>	<i>Technique</i>	<i>Description</i>
	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. Traffic ~~Signals~~Control Devices 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. Implementation of traffic-calming features shall be considered in accordance with the guidance contained within the Traffic Calming Toolbox in the Transportation System Plan.

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. Other forms of traffic control devices, such as all-way stop control and roundabouts, may be considered with development when deemed appropriate by an engineering study. The developer's cost and the timing of improvements shall be included as a condition of development approval.
4. Traffic signals and ~~traffic calming features~~ other forms of traffic control on roads under State jurisdiction shall be determined by the Oregon Department of Transportation. ~~When obtaining access to off-street parking areas (both to and from), backing onto a public street shall not be permitted, except for single-family, two-family, and three-family dwellings.~~

I. 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 all of adjacent, abutting and other parcels within 400 feet of 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 Planning Commission determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land where the adjoining land is undeveloped or is capable of further division under this Code, unless a constraint listed in subsection (J)(3) prevents the extension.~~ 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-ends 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 (all-weather) turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.

J. Street Alignment and Connections

1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that 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 as per ~~Table 3.3.200-G~~ Table 3.3.400.A, 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, except where the extension is prevented by one of the following constraints:~~
 - a. Slope greater than 15 percent for a distance of 250 feet or more along the street alignment;
 - b. A railroad, freeway, canal, or waterway;
 - c. A Natural Resource Area, as defined in Chapter 1.2; or
 - d. An existing building on the abutting property that lies within the extended right-of-way.

Any other exception requires a Class B Variance under subsection (B).

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. Exceptions to the above standards may be granted when ~~an access way is provided~~ an accessway is provided at or near mid-block, in conformance with the provisions of ~~Section 3.1.300.A~~ subsection (G)(4) of this Section. Exceptions may also be granted for topography, existing developments and natural resources.
- K. Sidewalks, Planter Strips, Bicycle Lanes.** Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with ~~the standards in Table 3.4.100, applicable provisions of the Transportation System Plan~~ the Standard Street Details in the Boardman Public Works Standards, the Comprehensive Plan, and adopted street plans. Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner.
- L. 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 corner 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 corner radius of not less than 20 feet.
- M. 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:3.3.200.D.~~
- N. Cul-De-Sacs.** A dead-end street shall be no more than 400 feet long, shall not provide access to greater 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~~ when a constraint listed in subsection (J)(3) precludes street extension and through circulation, or with a Class B Variance under subsection (B):

1. All cul-de-sacs shall terminate with a circular or hammerhead turnaround. Circular turnarounds shall have a minimum right of way radius of no less than 50 feet except that turnarounds may be 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 fire 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.
- O. Grades and Curves.** Grades shall not exceed 10% on arterials, 12% 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.
- P. Curbs, Curb Cuts, Ramps, and Driveway Approaches.** Concrete curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in Chapter ~~3.1~~**3.3** - Access and Circulation and in the Standard Street Details in the Boardman Public Works Standards.
- Q. 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 the Oregon Department of Transportation.
- R. 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 3.3, section 200.F~~Section 3.3.300.B.4;

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;
 4. Other treatment suitable to meet the objectives of this subsection; or
 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 3.3;~~ Section 3.3.300.B.3.
- S. Alleys, Public or Private.** Alleys shall conform to ~~the standards in Table 3.4.100; the~~ Standard Street Details in the Boardman Public Works Standards. While alley intersections and sharp changes in alignment should be avoided, the corners of necessary alley intersections shall have a radius of not less than 12 feet.
- T. Private Streets.** Private streets shall not be used to avoid connections with public streets.
- U. Street Names.** No street name shall be used which will duplicate or be confused with the names of existing streets in Morrow 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.
- V. 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.
- W. 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.
- X. Mail Boxes.** Plans for mailboxes to be used shall be approved by the United States Postal Service and shall be Central Delivery Units where designated.
- Y. Street Light Standards.** Streetlights shall be installed in accordance with ~~City standards which provides for installation at intervals of 300 feet~~ the Boardman Public Works Standards (Drawing ST15).

- Z. 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 City Manager or his/her designee. The final lift shall also be placed no later than when 85% of the structures in the new development are completed or two years from the commencement of initial construction of the development, whichever is less. ~~Contact City staff for current street cross-section requirements.~~ Street cross-sections shall conform to the Standard Street Details in the Boardman Public Works Standards.
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.

AA. Transit Stop Improvements. ~~Development that is proposed adjacent to an existing or planned transit stop, as designated in an adopted transportation or transit plan, shall provide easements and/or transit stop improvements (e.g., seating, shelters, signage, trash receptacles, bicycle parking, and/or lighting) in coordination with the transit service provider and consistent with the Morrow County Transit Master Plan (TMP) and the City's Transportation System Plan (TSP) transit plan element.~~

3.7.200 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 Planning Commission 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.D~~ 3.3.200.D (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 acquired by the appropriate public agency within 24 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.
- C. System Development Charge Credit.** Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge for parks.

3.7.300 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 City Manager or his/her designee 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 197.505.
- E. Submittal.** Developers shall submit construction drawings to the State Department of Environmental Quality (DEQ) and ~~Health Division of the State Department of Human Services~~ Oregon Health Authority for their agency approval and provide City with copies of all correspondence.
- F. Inspection Costs.** Developer shall be responsible for inspection costs.

3.7.400 Storm Drainage Improvements

- A. General Provisions.** The City shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with Chapter ~~3.5~~ 3.8 - 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 City Manager or his/her designee. Such facilities shall be designed in conformance with Chapter 3.8 and the Boardman Public Works Standards.~~
- C. Effect on Downstream Drainage.** Where ~~it is anticipated by the City Manager or his/her designee that~~ the additional runoff resulting from the development, ~~as calculated under Chapter 3.8 and the Boardman Public Works Standards,~~ 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, drainageway, channel, stream, bioswale or modified bioswale the applicant shall provide a stormwater easement as required by the city.
- E. Sidewalk Drainage Requirements.** ~~See city staff for current drainage requirements (Chapter 3.5). Sidewalk drainage shall conform to Chapter 3.8 and the Boardman Public Works Standards.~~

3.7.500 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 3.3);
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.
5. Commercial/Industrial subdivisions shall be required to complete Site Team review prior to commencement of construction.

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); Natural Resource Areas,~~ or existing development conditions.

3.7.600 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 10 feet unless otherwise specified by the utility company, applicable district, or City Manager or his/her designee.

3.7.700 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 4.2.400 – Site Design Review, and Chapter 4.3.180 – Land Divisions~~[Section 4.2.700 – Bonding and Assurances, and Section 4.3.180 – Performance Guarantees.](#)

3.7.800 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 City Engineer.
- C. Commencement.** Work shall not begin until the City has been notified in advance.
- D. Resumption.** If work is discontinued for more than one month, it shall not be resumed until the City is notified, and the City approves resumption.
- 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 10 set(s) of "as-built" plans, in conformance with the City Manager or his/her designee's specifications, for permanent filing with the City.

Chapter 3.8 Stormwater Management (AMENDED)

Sections

3.8.100	Purpose and Applicability
3.8.200	Detention Criteria and Requirements
3.8.300	Grading and Drainage Plan
3.8.400	Landscaping Requirements
3.8.500	Street, Curb, and Sidewalk Design
3.8.600	Water Quality Easements
3.8.700	Plans Submission and Approval
3.8.800	Variances and Exceptions

Commentary: This chapter manages stormwater runoff from new development. It carries forward current Chapter 3.5 with no change in substance. We corrected cross-references, renumbered tables, and pointed curb and sidewalk design to the Public Works Standards.

3.8.100 Purpose and Applicability

- A. Purpose.** The purpose of this chapter is to provide planning and design standards for stormwater management within the City. The primary intent of this chapter is to provide standards for effective and cost efficient stormwater management. Stormwater management is accomplished through a combination of design standards reflecting a more accurate representation of natural climatic, hydraulic and geologic conditions. Included in this chapter are stormwater detention criteria for development, grading and drainage plan requirements, landscaping criteria, street, curb and sidewalk designs. These are designed to keep all precipitation from each lot contained upon that lot.

Important cross reference to other standards: The following code chapters are to be cross referenced to assess impacts of the provisions of this chapter; Chapter ~~3.1~~, ~~Chapter 3.2~~, ~~Chapter~~ 3.3, Chapter ~~3.4~~ 3.5, Chapter ~~3.6~~, ~~Chapter 3.6~~ 3.7, ~~Chapter 3.9~~, Chapter 4.1, Chapter 4.2 and Chapter 5.1.

- B. Applicability.** Where storm sewer infrastructure is currently available or unless otherwise provided, the standard specifications for construction or reconstruction of stormwater management facilities, utilities and other public improvements within the City shall occur in accordance with the standards of this chapter. This chapter applies to development on or within public properties and rights-of-way and privately owned properties.
- C. Standard Specifications.** The City Manager or their designee shall establish standard construction specifications consistent with the design standards of this Chapter and application of accepted engineering, landscape architecture, hydraulic and geologic principles. They are incorporated in this code by reference.
- D. Conditions of Development Approval.** Development may occur when stormwater management criteria are met or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval 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.

3.8.200 Detention Criteria and Requirements

- A. Purpose.** Detention of stormwater collected from impervious surfaces on a given property, or within a public right-of-way, is essential to the management of stormwater within the City of Boardman. Each lot will retain all precipitation, which falls upon the lot, within the confines of the lot. In the case of public facilities, stormwater will be retained within the public right-of-way. This section of Chapter ~~3-73.8~~ is to identify the detention of stormwater based upon the Oregon Department of Transportation Hydraulic Manual for Zone 13. National Oceanographic and Atmospheric Administration 100 year – 24-hour isopluvial maps and data were reviewed for applicability. Soils permeability rates from National Resource Conservation Service were also reviewed and assessed to determine the most appropriate data to use in the construction detention volumes of Table ~~3-7-1003.8.200.B~~. The Zone 13 Intensity, Duration and Frequency curves, which are the most conservative for the 100-year storm event, at 0.93"/hour for 1 hour, were used in development of Table ~~3-7-1003.8.200.B~~ and the criteria set in this chapter. All detention values are based upon retention of 100% of the precipitation volumes derived from the data contained in the Oregon Department of Transportation Hydraulic Manual curves for Zone 13.
- B. Public Rights-Of-Way.** Detention of all of the minimum stormwater detention volumes listed in Table ~~3-5-100C-3.8.200.B~~ shall be applicable to the design and development of stormwater detention from all impervious surfaces within a public right-of-way.

C. Lot Development. Detention of all of the minimum stormwater detention volumes listed in Table ~~3.5.100C~~ **3.8.200.B** shall be applicable to the design and development of stormwater detention from all impervious surfaces located on any lot within the City.

Table 3.8.200.B Detention Volume Criteria

Impervious Surface Square Footage	Detention Volume Cubic Feet	Detention Volume Gallons
1,000	78	580
2,000	155	1,159
3,000	233	1,739
3,500	271	2,027
4,000	310	2,319
5,000	388	2,899
6,000	465	3,478
7,000	543	4,058
8,000	620	4,638
9,000	698	5,217
10,000	775	5,797
11,000	853	6,380
12,000	930	6,956
13,000	1,008	7,540
14,000	1,085	8,116
15,000	1,163	8,699
20,000	1,550	11,594
25,000	1,938	14,496
30,000	2,325	17,931

Impervious Surface Square Footage	Detention Volume Cubic Feet	Detention Volume Gallons
35,000	2,713	20,428
40,000	3,100	23,188
43,560	3,376	25,252

D. Building Drains. Impervious surface drainage from building roofs shall be diverted to detention area(s) on the ground surface by use of downspouts, or other method of vertical conveyance, to a splash pad or other method of horizontal conveyance preventing sub-surface injection of water, which would require registry as an Underground Injection Control well as defined in Oregon Administrative Rule Chapter 340 Division 44.

E. Methods of Detention. Collected stormwater can be stored in a detention method capable of holding the entire volume, for the corresponding impervious surface area, listed in Table ~~3.5.100C-3.8.200.B~~. These detention facilities may be constructed ponds, may be lined, may be constructed bio-swales or may be accomplished through grading, drainage and landscaping techniques set forth in Section ~~3.5.200-3.8.300~~. Detention facilities shall have no outlet or receiving stream discharge and must be open to allow for evaporative and permeability losses of the detained stormwater. In the case of constructed decorative ponds, permeability loss requirement may be waived; however evaporative loss must be maintained. Methods of detention, other than mentioned in this section, may be considered for approval.

F. Variance from Table ~~3.7.1003.8.200.B~~. Variance from Table ~~3.5.100C-3.8.200.B~~ will be considered with the following information submitted for review and approval as a Class A Variance ~~defined in 5.1.300 (F)~~ under Section 5.1.200. all variance requests must submit;

1. Site specific permeability data credibly indicating permeability rates higher than those used in the development of Table ~~3.7.1003.8.200.B~~;
2. Site specific data of more exact build out impervious area square footages less than the 1,000 square foot increments provided in the tables, and which are calculated in the methods used in the development of Table ~~3.7.1003.8.200.B~~;
3. Specific data on permeability rates of alternate paving methods allowing for full or partial permeability of the paving method to be credited as non-impervious surface;

4. Evidence the methods proposed are not classified as a Class V injection system by Oregon Administrative Rule Chapter 340 Division 44;

3.8.300 Grading and Drainage Plan

- A. Purpose.** The Grading and Drainage for any particular development is an essential function for review and approval. The method of grading to provide drainage, which meets the intent of the stormwater management strategy and wind erosion abatement requirements of the City, will require significant cooperation between City staff and the developer. Minimal grading and surface disturbance from existing topography is generally the best strategic approach to stormwater management and wind erosion concerns within the City of Boardman. However, to accommodate other provisions within the zoning and development codes, to allow for placement of utility and transportation infrastructure, and to allow for effective stormwater management, grading and drainage must be assessed and a plan to manage stormwater and wind erosion shall be developed. This plan shall be developed to negate or minimize impacts from the development during construction and long term operation and occupancy of the development.
- B. Public Infrastructure and Rights-Of-Way.** Grading plans for public and utility infrastructure shall include topographical information of existing property and a planned topographical profile at the completion of the development. The plan shall address how the provisions of section ~~3.5.100-3.8.200~~ will be included in the final topographical profile, as these provisions may require altering existing topography to meet the criteria. Creating the maximum drainage areas of 3,500 square feet impervious surface, may require grading to meet a “rolling topography” or some level of “terracing” to maintain the maximum areas of drainage.
- C. Lot Development.** Lot development shall submit a grading and drainage plan that meets the provisions of Section ~~3.5.100-3.8.200~~ based upon the projected total of impervious surface of the lot at build out. This grading and drainage can be incorporated into the landscape plans required in ~~Section 4.2.500 (5)~~Section ~~4.2.500.B.5~~. Stormwater detention areas and sizes shall be identified in this plan. The total detention area on a lot shall be equal to or greater than the requirements in Table ~~3.5.100C-3.8.200.B~~. The detention area(s) can be singular in nature or numerous smaller areas can be created to meet the total detention volume requirements. The grading and drainage plans shall indicate how storm water shall be conveyed to the areas of detention and the areas of detention shall be located to accommodate the proportional amount of impervious surface which is drained to any detention area.

- D. Changes in Impervious Surface Areas.** Whenever there is a proposed increase in the amount of impervious surface area, a plan for grading, drainage and detention shall be submitted for review and approval. This review is to assure the provisions for detention volumes contained in Table ~~3.5.100C~~ 3.8.200.B are met.
- E. Changes in Grading or Drainage.** When there is a proposed change to the grading and drainage of an existing development, a plan shall be submitted for review and approval to assure compliance with the detention provisions contained with Table ~~3.5.100C~~ 3.8.200.B. Graded depressions for the detention of stormwater shall not be filled or altered without submission of a plan for approval.
- F. Variance from Grading and Drainage Requirements.** Variance from the grading and drainage requirements will be considered when conditions prevent meeting the criteria set forth in this section. The following conditions will be cause for consideration of alternatives from the standards in this section as a Class A Variance;
1. Topographical constraints do not allow for the requirements of this section to met; or
 2. Geological conditions prevent meeting the criteria in this section; or
 3. Other physical constraints preventing the adherence to the criteria of this section.

At a minimum, variance from the grading and drainage plan will be conditioned upon the total amount of detention area being increased to the corresponding impervious surface area detention requirements set in Table ~~3.7.100~~ 3.8.200.BC.

3.8.400 Landscaping Requirements

- A. Purpose.** The purpose of these landscaping requirements is to provide an effective treatment barrier for protection of groundwater in areas of stormwater detention. This treatment barrier is comprised of vegetative materials to act as a bio-filter for the purpose of filtering stormwater contaminants.
- B. Landscape Area Standards.** The landscape area percentages in Section ~~3.2.200~~ 3.5.200 (C) and ~~3.2.200~~ 3.5.200 (E) ~~(2) of this code~~ (1) of this code shall be in effect unless the following conditions are experienced; in which case the detention area criteria contained in Table ~~3.7.100~~ 3.8.200.BC will be followed;
1. The percentage of landscape area is not sufficient to provide adequate detention of stormwater “on-site,”

2. Site specific permeability rates are not adequate to allow for detention and drainage of collected stormwater;
 3. Impervious surface area creates detention volumes greater than the 5% requirement for parking lot landscaping.
- C. Landscape Materials.** Landscape materials in detention areas shall be turf grasses or drought tolerant grasses providing a root system to act as a bio filter for any water, which percolates into the soils. Shallow rooting shrubbery, shade trees, groundcover plants and decorative plants, which do not interfere with utilities, may also be used on individual lot development. Shade trees with turf grass cover between them may be used in large detention areas on individual lot developments. Landscaping within the right-of-way shall be turf and drought tolerant grasses, shallow rooting shrubbery, ground cover plants and decorative plants with shallow rooting to prevent damage to utilities routed within the right-of-way.
- D. Landscape Maintenance.** The grasses in the detention areas shall be mowed periodically and shall be irrigated to maintain plant health. Landscaping shall be maintained in accordance with the landscaping requirements outlined in Section ~~3.2.200~~3.5.200.
- E. Detention Area Landscape Fertilization.** The detention areas shall not be fertilized.
- F. Variance to Landscape Requirements.** Variance from the landscape requirements will be considered, as a Class A Variance, when conditions prevent meeting the criteria set forth in this section. A variance request shall be accompanied by the following information for review and subsequent action;
1. The physical reason the criteria can not be met;
 2. A description of the alternate method being proposed; and
 3. How the alternate method meets the purpose of Section ~~3.7.300~~3.8.300, stormwater management strategies of the City;
 4. Other information pertinent to the allowance of variance from the standards set in this section.

3.8.500 Street, Curb, and Sidewalk Design

- A. Purpose.** In order to facilitate the stormwater management strategies being defined within this chapter of the zoning codes the design of streets, curbs and sidewalks have been designed, approved and included in construction standards. The design standards being identified in this section show the design characteristics to allow for the standards defined in this chapter.

B. Curb Standards. The curb designs outlined in this section are consistent with ~~the street design standards of the Transportation System Plan~~ the Standard Street Details in the Boardman Public Works Standards for Local Streets, Neighborhood Collectors, Collectors and Arterial streets. These curb designs will apply to all new construction or reconstruction of streets as classified in the Transportation System Plan.

- 1. Residential Zones.** Curbs within the residential areas on streets classified as Local or Neighborhood Collector shall be a mountable face curb constructed of concrete as set in City construction standards.
- 2. All Other Zones.** Curbs will be a square face curb and will be constructed of concrete as set in City construction standards.
- 3. Curb Openings.** Curb openings will be constructed in accordance with City construction standards and will be spaced at the frequencies listed in Table ~~3.5.400B-3.8.500.B~~. This table is to indicate the distance between curb openings while maintaining the maximum impervious area of 3,500 square feet and a minimum spacing for aesthetics and safety when following prescribed street standards.

Table 3.8.500.B Curb Opening Spacing

Street Classification	Area Drained Including Sidewalk (Square feet)	Maximum Spacing (feet)	Minimum Spacing (feet)	Area Drained Including Sidewalk (Square feet)
Local Street	3,500	156	65'	1,138
Neighborhood Collector	3,500	143	65'	1,560
Collector	3,500	135	65'	1,690
Arterial	3,500	135	65'	1,690

C. Sidewalk Standards. Sidewalks will be constructed of concrete or brick/masonry pavers in accordance with City construction standards and will meet all American with Disabilities Act requirements. Sidewalk construction will be consistent with ~~Table 7 of the Transportation System Plan Technical appendix A~~ the Standard Street Details in the Boardman Public Works Standards for each street classification;

- 1. Local Street.** Sidewalks will be sloped at 2% grade away from the curb in accordance with City construction standards.

2. **Local Street (Optional/Conditional).** Sidewalks will be sloped at 2% towards the planter strip.
 3. **Neighborhood Collector Street.** Sidewalks will be sloped at 2% grade away from the curb in accordance with City construction standards.
 4. **Minor Collector Street.** Sidewalks will be sloped at 2% grade towards the median strip in accordance with City construction standards.
 5. **N. Main Arterial.** Sidewalks will be sloped at 2% towards the street in accordance with City construction standards.
 6. **Arterial Street.** Sidewalks will be sloped at 2% grade towards the median strip in accordance with City construction standards.
 7. **E. Columbia Ave., Wilson Rd., and S. Main St.** Sidewalk will be sloped at 2% towards the planter strips, in accordance with City construction standards.
 8. **Exemptions.** Sidewalks in existing sub-divisions may match the existing sidewalk widths and construction methods to maintain aesthetic uniformity. Use of the standards above is highly preferable to this exemption.
- D. Variance from Curb and Sidewalk Design Standards.** Variance from the standards set in this section will be considered by technical staff as a Class A Variance for action, when adherence to these standards is not feasible for physical or practical reasons which include but may not be limited to the following;
1. Topographical constraints;
 2. Provision of utilities can not be accomplished;
 3. Existing utilities prevent use of the design standards;
 4. Other physical constraints preventing the use of the design standards.

3.8.600 Water Quality Easements

- A. Purpose of Water Quality Easements.** There may be times where physical or other constraints prevent meeting the detention criteria set forth in Section ~~3.5.100~~ 3.8.200 of this chapter. In those instances, larger areas of detention than can be accomplished either on-lot or within the right-of-way may be required to meet the stormwater management provisions of this chapter. This may require the developer to obtain and dedicate water quality easements to allow for necessary detention volumes outlined in section ~~3.5.100-3.8.200~~. These water quality easements will be for locations such as but not limited to;

1. Topographical constraints do not allow development of smaller detention areas in accordance with Section ~~3.7.200~~3.8.300 – ~~Grading and Drainage~~Grading and Drainage Plan; or
 2. Geologic constraints which do not allow for soils permeability which is prescribed in section ~~3.5.100~~3.8.200 – Detention Criteria and Requirements; or
 3. ~~Sensitive lands, i.e. wetlands, Natural Resource Areas, such as wetlands,~~ do not allow for the use of this type of detention; or
 4. Other physical or practical constraints which preclude the smaller detention areas.
- B. Sizing the Water Quality Easement.** Easements shall be sized to be proportional with the amount of impervious surface area drained in accordance with the methods set in section ~~3.5.100~~3.8.200 and Table ~~3.5.100C~~3.8.200.B. Additional requirements of meeting all applicable federal, state, local laws and rules will be applied and reviewed for compliance prior to approval of water quality easements as an acceptable alternative to the provisions set in this chapter. All water quality easements shall be recorded with property platting in accordance with Chapter 4.3 of this code.
- C. Maintenance Agreement for Water Quality Easements.** A signed maintenance agreement shall be submitted for review and approval for the use of water quality easements. The agreement will detail the party or entity responsible for the maintenance, care and assurance of compliance with the provisions of this chapter for the water quality easement.

3.8.700 Plans Submission and Approval

~~Stormwater plans shall be submitted in accordance with the provisions for development review and site design review established in 4.2.300 – 4.3.600. These plans shall include the areas of detention defined in 3.5.200, the grading and drainage plan defined in 3.5.300, the landscaping plans defined in 3.5.400 and any potential water quality easements as defined in 3.5.500. Stormwater plans shall be submitted in accordance with the provisions for development review and site design review established in Sections 4.2.300 through 4.2.600. These plans shall include the areas of detention defined in 3.8.200, the grading and drainage plan defined in 3.8.300, the landscaping plans defined in 3.8.400 and any potential water quality easements as defined in 3.8.600.~~

3.8.800 Variances and Exceptions

Variances for this chapter shall be classified as a Class A variance in accordance with ~~5.1.300 (F)~~ Section 5.1.200 of this code. All procedures for applicability of any requested variance will be in accordance with the provisions of Chapter 4.1, Chapter 4.2 and Chapter 5.1 of this code.

Chapter 3.9 Other Standards (AMENDED)

Sections

- 3.9.100 Density Transfer**
- 3.9.200 Telecommunication Facilities**
- 3.9.300 Signs**

Commentary: This chapter holds standards that do not fit elsewhere: density transfer, telecommunication facilities and signs. They carry forward from current Chapter 3.6 with zone names updated. Two empty placeholder sections are removed. The City plans to move the sign standards to the Boardman Municipal Code.

3.9.100 Density Transfer

- A. Purpose.** The purpose of this chapter is to implement the comprehensive plan and encourage the 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 in Chapter 2.
- 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 1-2 below, and it conforms to subsections D-E:
 - 1.** Protection of ~~sensitive land areas as defined in Chapter 2.5 (and listed below)~~ sensitive land areas 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; that meets the following minimum criteria:
 - a. Size 5,000 square feet or more guaranteed;
 - b. Location within ½ mile walking distance from sending site;
 - c. Public access 24 hours a day.
- 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:
 - 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;
 - 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); and
 - 4. All density transfer development proposals shall comply with the development standards of the applicable ~~land use district, zone,~~ except as otherwise allowed by the Master Planned Development process (Chapter 4.5).

3.9.200 Telecommunication Facilities

Purpose

- A. Purpose.** The purpose of this Chapter is to administer the development of Communications or Telecommunications facilities within the City and to preserve neighborhood characteristics while providing essential telecommunication services to the citizens.

Wireless communication equipment, including radio, cellular, television and similar transmission and receiving facilities, is subject to the requirements of this Section.

B. Definitions

1. Antenna; shall mean a device supported by a structure or tower designed for transmitting or receiving radio waves in telephone, television, radio, microwave or other wireless communication technologies.
2. Antenna Tower; shall mean a freestanding pole or structure designed for supporting an antenna, or antenna array, as defined in ~~3-8-2003~~ 3.9.200(B)(1).
3. Broadcast Facility; shall mean any facility designed to broadcast radio waves through wireless technologies for the purpose of commercial broadcast to AM or FM radio receivers, or television receivers.
4. Receiving Facilities; shall mean any facility designed to receive privately transmitted radio waves not intended for commercial broadcast. This shall include System Control and Data Acquisition systems, telephone relay systems, wireless communication relay systems and similar systems.
5. Special Use Permit; shall mean a Type III procedure as governed by ~~Chapter 4.1.500~~ Section 4.1.500 of the Boardman Development Code. A Special Use Permit is reviewed every 5 years with an opening clause to address negative impacts associated with operations of the communication/telecommunication facility such as radio interference.
6. Transmission Facilities; shall mean a facility designed to transmit radio waves for private commercial applications not intended for commercial broadcast. This shall include System Control and Data Acquisition systems, telephone relay systems, wireless communication relay systems, and similar systems.

C. Telecommunications Facilities Permitted:

Table 3.9.200.C Telecommunications Facilities Permitted

DistrictZone	Facilities Permitted
Residential Districts <u>Residential zones</u>	free standing antennas of <35-feet or <25-feet from highest building height elevation antennas 25-feet or less from highest building height free standing antennas >35-feet or > 25-feet from highest building height (Special Use)
Commercial Districts <u>Commercial Zones</u>	
Commercial District <u>Commercial zones</u> and City Center Subdistrict	free standing antennas <70-feet in height or < 35-feet from highest building height elevation free standing antennas >70-feet in height or > 35-feet from highest building height elevation(Special Use) antennas <35-feet from highest structure height antennas >35-feet from highest structure height (Special Use)
Tourist Commercial Subdistrict	free standing antennas <70-feet in height or < 35-feet from highest building height elevation free standing antennas >70-feet in height (Special Use) antennas <35-feet from highest building height antennas >35-feet from highest building height (Special Use) Broadcast/Receiving/Transmission Facilities (Speical Use)
Service Center Subdistrict	free standing antennas <100-feet in height or < 50-feet from highest building height elevation free standing antennas >100-feet in height (Special Use) antennas <50-feet from highest building height antennas >50-feet from highest building height (Special Use) Broadcast/Receiving/Transmission Facilities (Special Use)
General Industrial Districts <u>IND zones</u>	Antenna height unlimited Broadcast/Receiving/Transmission Facilities (Special Use)
Port Industrial	Antenna height unlimited Broadcast/Receiving/Transmission Facilities (Special Use)

DistrictZone	Facilities Permitted
Light Industrial DistrictEMP zone	free standing antennas <100-feet in height or < 50-feet from highest building height elevation free standing antennas >100-feet in height (Special Use) antennas <50-feet from highest building height antennas >50-feet from highest building height Broadcast/Receiving/Transmission Facilities (Special Use)

Note: Speical Use Permits will be a Type III Procedure as defined in 4.1.500

D. General Provisions:

1. All antenna supporting structures shall meet all applicable structural and electrical codes for telecommunications support structures.
2. All antenna supporting structures shall meet all applicable Federal Aviation Administration and Federal Communications Commission regulations.
3. All antenna supporting structures shall have restricted access making the structure inaccessible to the public.
4. All antenna supporting structures or building structures shall obtain all applicable building permits through the Boardman Building Department.
5. All communications or telecommunications structures or facilities shall submit an overall coverage plan indicating tower locations for coverage area within 1 mile of the Boardman Urban Growth Boundary, a specific site plan for each tower location which includes distance from any residential, commercial or industrial structure or structures, a narrative of the function and need for the facility or structure and any other pertinent information deemed relevant to the Boardman Planning Department for review and approval.
6. All communications or telecommunication buildings shall meet all relevant sections of building criteria for the zone in which they are located.

E. Special Use Approval Criteria:

1. Application shall follow a Type III Procedure as identified in ~~Chapter 4.1.500~~Section 4.1.500.
2. Special Permit will be granted for a 5 year period with an opening provision to review and address unforeseen negative impacts associated with the operation of the facility, which may include but not be limited to radio or television interference, or other valid unanticipated damages brought forth through experience.

3. Application shall meet all of the provisions of General Provisions, ~~3.8.2003.9.200~~(D).
4. Application shall not be a visual detriment to the surrounding neighborhood.
5. Application may be conditioned to provide screening or other aesthetic mitigation to adjacent properties.
6. Applications exceeding allowable heights shall indicate the reasons for the height adjustment and shall be the minimum variance from allowable height.
7. Application shall include different tower types available to meet the height and structure criteria.
8. Other conditions may be set by the Planning Commission in the Conditional Use permit process.

3.9.300 Signs

A. Purpose. The purpose of this section is to provide for the regulation, control and permit process which will maintain the town character of the City of Boardman while providing adequate identification of businesses, enterprises and other entities located within the City of Boardman which depend upon signs for recognition; and also to provide equity for each requiring signs within the several land use zones of the city. All requests for permits for the construction, erection, placement or movement of signs will be submitted to the city of Boardman building official, and will be issued only in compliance with the provisions of this Development Code.

1. The International Conference of Building Officials Uniform Sign Code Publication date May 1st, 1994, a copy of which is located in the administrative offices of the city building official, is hereby adopted by reference and incorporated as a part of this Development Code.
2. Signs erected prior to (Development Code adoption date) are governed under non-conforming rules in ~~—Section 5.2Chapter 5.2~~ .

B. Sign Classifications.

1. **Permanent Signs.** Signs placed for a period of 31 days or longer within one calendar year shall be classified as permanent; shall advertise or provide direction to the premises of the identified business located within the City of Boardman; shall be subject to a permanent sign permit; and shall conform to this and other City of Boardman ordinances.

- a. On-premises signs shall be permitted within the regulations of this ordinance, with any exceptions subject to the requirements set forth within this ordinance for requesting variances or, where conditional use is specified, the provisions for such as set forth in the zoning ordinance.
 - b. Off-premises signs shall be subject to conditional use provisions; as such, the provisions and procedures as set forth in Chapter 4.4 of the Boardman Development Code; and approval of the Planning Commission of the City of Boardman is required prior to issuance of permit or installation.
2. **Temporary Signs.** Signs placed for 30 days or less in a calendar year are temporary; and shall not be displayed for an aggregate total of greater than 30 days within a calendar year; and shall be subject to a temporary sign permit; and shall conform to all City of Boardman ordinances. These provisions apply equally to both on and off premise signs.

C. Permits Required.

The following permits are required for all new signs, for all signs being altered due to change in ownership, business name or business type and for all signs being altered structurally.

1. **Structural Building Codes Permit**
2. **Electrical Building Codes Permit (If Lighted)**
3. **Sign Permit for Planning of Planning Review and Approval**

- D. General Provisions.** Construction plans and materials lists must be presented to the building official for verification of adequacy according to the state uniform building code and public safety standards at the time of application for permits. Signs may be erected/constructed immediately upon obtaining sign permit providing verification of conformity with the following specifications:

1. On-premises signs.
2. Maximum sign area for free-standing signs in the General Commercial District commercial zones and City Center Sub-District DMU zone shall be 100 square feet. Signs over 100 square feet in size are subject to a Type III Conditional Use Permit in accordance with Chapter 4.4, Chapter 4.1.500 and Chapter Section 4.1.500 and 3-6-500(E)(1)(d)-subsection (E)(1)(d).
3. Service Center and Highway Commercial Sub-Districts and Industrial Districts The RC, EMP, and IND zones shall have no size limit.

4. The supporting structure of the sign is not to be considered part of the measurable sign area, and shall not extend upwards over 40 feet from ground level in ~~General Commercial District~~ commercial zones.
5. Surface signs shall be limited to the surface of the structure, and shall not extend beyond that surface. The area of freestanding signs shall be measured by the rectangle which encloses the entire sign surface.
6. Window signs shall be considered surface signs, except those which are subject to the temporary or informational sign standards.
7. Each entity for which a sign is permitted is allowed one sign per face of each building.
8. Signs shall be designed to use materials in keeping with the visual character of the City of Boardman.
9. Signs which are lighted shall be illuminated for visibility only, and shall not disturb neighboring property and shall create no safety or traffic hazard. Flashing lights shall not be allowed.
10. Apartment, condominium or business complex location signs shall not exceed 35 square feet in size, and one such sign shall be allowed each complex, which shall not apply toward the allowance for signs for each/any business located therein.
11. Areas of shared signs shall be pro-rated to business involved, and shall be included within the permissible sign area of each.
12. Where a provision of this ordinance is less restrictive than another ordinance or requirement of the City, the provision or requirement which is more restrictive shall govern.

E. Sign-Type Specific Definitions and Applicable Regulations.

1. **Off-Premise Signs** are as defined within Oregon state administrative rules:
 - a. The premises on which any activity is conducted is determined by the physical facts rather than property lines. It is the land occupied by the buildings or physical uses that are necessary or customarily incident to the activity, including such open spaces are arranged and designed to be used in connection with such buildings or uses;
 - b. The following will not be considered to be a part of the premises on which the activity is conducted and signs located on such land considered outdoor advertising signs:

- i. Any land which is not used as an integral part of the principal activity, including but not limited to:
 - (1) land which is separated from the activity by a public road
 - (2) land which is separated by obstruction, not used by activity; and
 - (3) land that is undeveloped highway frontage adjacent to the land actually used by the advertised activity, even though it might be undertake same ownership.
- ii. Any land which is used for, or devoted to, a separate purpose unrelated to the advertised activity would not be part of the premises on which the activity is conducted even though same ownership;
- iii. Any land which is separated from the principle activity, and is developed or used only at the sign site by structures which are only incidental to the principle activity, and which serves no reasonable or integrated purpose related to the activity other than to attempt to qualify the land for signing purposes;
- iv. Where the sign site is located at or near the end of a narrow strip contiguous to the advertised activity, the sign site shall not be considered part of the premises on which the activity being advertised is conducted. A narrow strip shall include any configuration of land which is such that it cannot be put to any reasonable use related to the activity other than for signing purposes except the major entrance or exit roadway to or from the premises which serves only the advertised activity.
- c. Off premises signs shall be reviewed as a Conditional Use, ~~as required by Chapter 5~~ as required by Chapter 4.4. The provisions of ~~Section C, General Provisions~~ subsection (D), General Provisions shall apply in addition to any conditions required pursuant to the Conditional Use process; however, a petition for relief from the provisions of Section C, General Provisions may be sought by application to the Planning Commission pursuant to the Exception and Variance processes, as provided by this Section D.4 Non-Conforming Permanent Signs.

- d. The provisions of ~~Section A, Purpose~~ subsection (A), Purpose shall apply equally for off-premise signs as well as on-premise signs, as related to providing adequate identification to businesses, enterprises and other entities located within the City of Boardman; and in this regard sign size located within the ~~Commercial Districts~~ commercial zones may be conditionally approved up to 200 square feet where, to the Planning Commission satisfaction, such size is necessary for the adequate provision of directions to such businesses, enterprises and other entities.
 - e. Off-premise signs which are visible from Interstate/Freeway routes shall be subject to approval of, and permitted by, the State of Oregon, in addition to any approvals granted by the City of Boardman.
- 2. Informational Signs.** Signs whose sole purpose is to provide information, but no advertising, concerning services offered, with such as menus, business hours, OLCC regulations as examples, are considered informational signs for which neither permit nor Planning Commission approvals are required in instances where the following standards are met:
- a. Total sign square footage within this category shall not exceed 18 square feet per business, shall have no flashing lights, and shall not reduce the permitted advertising sign size as established within this Ordinance.
 - b. OPEN signs, MENUS, PARKING signs and similar informational signs shall be no larger than 6 square feet, with one parking sign allowed for each 4 spaces.
 - c. VACANCY signs (only) shall be no larger than 10 square feet.
- 3. Non-Conforming Permanent Signs.** Non-Conforming Permanent Signs are those that do not conform to the specifications of this Chapter and require specific exception, granted by the authorization of the Planning Commission. To gain such an exception, the applicant shall complete the permit application for the Building Official.
- a. Applicants shall also submit a scale plan of the building elevation with proposed sign and a written statement of the justification for exception, and request a sign permit exception from the Planning Commission. At its earliest meeting, the Planning Commission shall evaluate the application in terms of aesthetics, design and visual impact on the immediate vicinity and adjoining property.
 - b. Exception to the height above street level may be allowed by administrative action directed by the Planning Commission if problems could be caused by the terrain on which it is located, by the configuration of the sign, by disruption of pedestrian flow, or by vandalism.

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- ii. ~~Non-Residential Zoning Districts: Non-residential zones:~~ signs not to exceed 32 square feet maximum, or 100 square feet in aggregate, advertising issues or candidates meeting the provisions of ~~3-6-500~~ 3.9.300 (E)(5)(a-c) are permitted on any individual property. Signs shall be placed no less than 10 feet from paved surfaces, 3 foot from sidewalks. The 31-day limit shall not apply. Approval must be obtained from the property owner, who must accept responsibility for removal of sign within two days after the election polling is closed, in the event those placing the sign fail to do so.
 - iii. Lots in excess of 10 acres in ~~Non-Residential Zoning Districts: non-residential zones:~~ signs not to exceed 32 square feet maximum, or 256 square feet in aggregate per 10 acres of vacant ground, advertising issues or candidates meeting the provisions of ~~3-6-500~~ 3.9.300 (E)(5)(a-c) are permitted on any individual property. Signs shall be placed no less than 10 feet from paved surfaces, including sidewalks. The 31-day limit shall not apply. Approval must be obtained from the property owner, who must accept responsibility for removal of sign within two days after the election polling is closed, in the event those placing the sign fail to do so.
- d. **Real Estate Signs** shall not exceed 8 square feet for residential lots and 32 square feet for subdivisions and in commercial zones, placed on the property, are permitted during period that specific property is for sale or lease. Signs must be removed upon sale. One open house sign without advertising also permitted on premises during such periods. The 31-day limit shall not apply.
6. **Sandwich Board.** Sandwich Board signs shall be no larger than 15 square feet per side. For local nonprofit, community service groups, location of such may be allowed on public rights-of-way and property, subject to Building Official or Manager written approval which will establish any conditions.
7. **Garage Sale.** Garage sale signs shall be in compliance with residential sign requirements; off premises directional signs for such garage sales and similar residential temporary sales, shall have express written owners' permission of property upon which located and is subject to the provisions of City of Boardman Ordinance #5-2004.
8. **Prime Building Contractor Signs.** Prime building contractor signs of less than 16 square feet in residential zones and 32 feet in commercial and industrial zones may be placed upon a project while under construction after building permit has been posted. Removal is required immediately following Building Inspector certifying completion.

- 9. Handbills and Flyers.** Handbills and flyers are permitted inside building or other community billboards only, and permission for any other method of display will be approved only by Manager, subject to Council endorsement.
- 10. Non-Conforming Temporary Signs.** Non-conforming Temporary Signs may be granted an exception to the requirements in writing by City Manager if the impact on the community is as favorable as that of signs allowed outright using a Type I process.

F. Administration

- 1. Responsibility.** The Building Department of the City of Boardman shall be responsible to the City Manager for the regulation of signs, administration of requests for permits, conditional uses, exceptions and variance, and for the issuance of permits. Fee schedules established by Resolution of the City Council will be maintained by the Building Official, and available upon request.
- 2. Pre-Existing Non-Conforming Signs.** Pre-existing non-conforming signs which predate this Ordinance shall continue as permitted signs. Signs permitted within the provisions of this Ordinance shall continue as permitted signs for the zone in which located as long as the property retains that zoning. Permits issued shall contain provisions, which must be considered a condition of applicant's acceptance of the permit, which shall require modification into compliance with the sign requirements of the zone in which located within a reasonable period subsequent to any future zone change. Variances and exceptions may be requested in compliance with the provisions of this Ordinance.
- 3. Permit Applications.** Applicants requiring permission and/or permits will be provided a current copy of this Ordinance.
- 4. Transfer of Signs.** Signs may be transferable at change of business or property ownership without permit if they meet the provisions of ~~3.6.500(C)-subsection (D).~~
- 5. Alteration of Signs.** Alteration of existing signs beyond maintenance shall conform to provisions of this Chapter.

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- 6. Building Official Notification.** Building Official shall notify owners of any sign, or the business, or the real property, where a sign has been abandoned or allowed to become in state of disrepair, unsightly, or hazardous; reasonable remedies shall be accomplished within 30 days from date of notice or posting, as certified by Building Official. Failure to comply authorizes Building Official to cause removal of such signs. Expenses incurred incident to this removal shall be paid by the owner of the real property upon which sign is located and from which it was removed, regardless of sign ownership, providing that said real property owner has been provided a copy of the 30 day notice at the time it was posted.
- 7. Violations.** Owners of signs erected in violation of the provisions of this Ordinance must remove such signs within 48 hours of notification; following the elapse of the 48 hours without appropriate action, the Building Official may cause such to be accomplished at the expense of the real property owner.
- 8. Records.** Records of action on all variances or exceptions shall be maintained by the City and copies provided to the applicant upon request.
- G. Violations.** No person shall erect, maintain, or use, nor shall any person in control of any premises, permit the erection, maintenance, or use of any sign which does not conform to and comply with the provisions of this Ordinance. Nothing contained in this Ordinance is intended to permit erection or maintenance of any sign in violation of any other Ordinances or State or Federal law. Violation of this Ordinance shall be subject to the penalties provided hereinafter.
- H. Penalty.** Any person who violates any of the provisions of this Ordinance, upon conviction thereof, shall be punished by a fine of not more than \$250.00. Conviction of any provision of this Ordinance shall be considered a violation as defined by ORS 161.565. Each calendar day that a sign is in violation of this Ordinance shall constitute a separate violation.
- I. Release from Liability.** Neither the Building Official, nor City Manager acting for either the Planning Commission or City Council, nor the City nor any of its authorized representatives shall be liable for any damages, costs, or expenses for any failure to enforce the provisions of this Ordinance.
- J. Severability.** The provisions of this Ordinance are severable. If a section, sentence, clause or phrase of this Ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this Ordinance.