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### **Sec. 8-2A-13. Regulations by sign type.**

- A. *Principal sign.* A principal sign is limited to a combination, freestanding, flush or projecting sign.
- B. *Secondary sign.* A secondary principal sign is a freestanding sign on the premises where the building is set back from the front property line.
- C. *Freestanding and projecting signs.* Such signs shall be located in conformity to the Zoning Ordinance and Building Code of the City.
  - 1. A freestanding sign shall not exceed a maximum height as approved by the Building Inspector for structural requirements.
  - 2. Signs may project 12 inches over an alley with a minimum clearance of 14 feet above grade and may project an additional 12 inches for each 24 inches of additional clearance above grade, to a maximum projection of 36 inches.
  - 3. Except in alleys or other areas of vehicular traffic, a minimum of eight feet clearance shall be maintained from the bottom of a projecting or freestanding sign, and the level of the sidewalk or grade immediately below at the building line with a maximum projection of 12 inches. For each additional projection of six inches the sign shall have 12 inches of vertical clearance above the eight-foot minimum requirement (see diagram at Section 8-2A-19). In no case shall the maximum projection exceed five feet nor shall any sign extend closer to the street or alley than two feet from the outer curb face or two feet from the traveled surface where no curb is present.
  - 4. Unless approved by the Building Inspector for a minimum number of braces on a building face not able to support a projecting sign, no projecting signs shall be supported by a frame commonly known as an "A-frame" or other visible frame located on a building roof.
  - 5. To insure traffic safety, signs shall be located in accordance with the "Clear Visions Area" provisions of the City's Zoning Ordinance.
- D. *Flush signs.* Flush signs shall comply with the following standards and specification:
  - 1. *Maximum area.*
    - a. *Residential zones.* Two square feet in area. Multi-family complexes are allowed larger signs in accordance with subsection 8-2A-9 C.
    - b. *Shopping centers.* Twenty-five percent of building front maximum.
    - c. *Commercial and industrial zones.* Fifty percent of building front maximum.
    - d. *Community services overlay zone.* Forty-eight square foot maximum.
  - 2. *Placement and projection.*
    - a. The total sign area of all exterior walls shall not exceed the maximum allowed under subsection D.1. of this section.
    - b. Flush signs may be erected on the face of a building, marquee, canopy or roof overhang in a place parallel to such face and not extending more than 12 inches therefrom, except that:
      - (1) A flush sign may also be erected against supporting or ornamental columns located under an overhanging roof in a place generally parallel to the nearest building face.
      - (2) A flush sign may be attached to the surface of an awning without further projection therefrom.
- E. *Message signs.* Message signs are permitted only in the Commercial and Industrial District.

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- F. *Roof signs.* Roof signs are permitted in the Commercial and Industrial Zones only on low profile buildings and the top of roof signs shall not extend more than 12 feet from sidewalk grade.
  - G. *Secondary marquee signs.* Secondary marquee signs are permitted only in shopping centers, Commercial and Industrial Zones and shall not be over eight square feet in area, shall be located under a canopy or flush in an alley with a minimum of 7½ feet clearance.
  - H. *Home occupation signs.* Home occupation signs are permitted in the residential districts not to exceed two square feet in area and flush mounted.
  - I. *Garage sale signs.* These signs are allowed, one to a premises, with a maximum of three square feet in area.
  - J. *Service station island signs.* Signs that designate type of fuel, promotional sign for fuel only and fuel price are allowed at the rate of four square feet maximum per pump island. In addition, one sign designating fuel prices may be attached to a pole with the top of the sign not to exceed 12 feet above ground level, with a maximum area of 32 square feet.
  - K. *On premises signs.* All on premises signs must utilize at least 50 percent of the sign area for advertising the main business on the premises. Signs that contain more than 50 percent off premises advertising shall be regulated under subsection O. of this section.
  - L. *Secondary street frontage signs.* Secondary frontage signs shall be of a flush type only. Size limits for secondary frontage flush signs are those given in subsection D. of this section.
  - M. *Electric signs.* Electric signs shall bear the Underwriters Laboratories, Inc., seal of approval. All electrical signs shall be installed in accordance with the electrical specialty and the one- and two-family dwelling electrical code as it regards distances from electrical lines. Electrical equipment used in connection with display signs shall be installed in accordance with the city ordinances regulating electrical installations.
  - N. *Illuminated signs.* No sign shall be erected or maintained which, by use of lights or illumination, creates an unduly distracting or hazardous condition to a motorist or pedestrian.
  - O. *Off premises advertising signs (billboards).* Advertising signs shall be located only along U.S. Highway 730 and U.S. Interstate Highway 82 and in commercial and industrial zones, as designated by the City Zoning Ordinance.
    - 1. *Maximum height.* The maximum height above grade shall be 24 feet; but shall be increased to 40 feet in the highway district.
    - 2. *Outdoor advertising signs.* Outdoor advertising signs shall have metal primary structural members.
    - 3. *Size.* The maximum number of advertising signs shall not exceed two per five miles along U.S. Highway 730 and the limits prescribed by federal and state laws along U.S. Interstate Highway 82. Sign area shall not exceed 672 square feet, with maximum dimensions of 14 feet vertical and 48 feet horizontal.

(Ord. No. 604, 11-16-1993, eff. retroactive to 7-20-1993; Ord. No. 632, 6-20-1995; Ord. No. 735, 12-7-2004)

Cross reference(s)—Building codes, § 8-1-3 F.; zoning, Tit. 10.

### **Sec. 10-1-6. Definitions.**

As used in this title, the masculine includes the feminine and neuter and the singular includes the plural; the word "occupied" includes designed or intended to be used; and the word "shall" is always mandatory and not merely directive. The following words and phrases, unless the context otherwise requires, shall mean:

*Access:* The way or means by which pedestrians and vehicles enter and leave property.

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*Accessory dwelling:* An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

*Accessory structure or use:* A structure or use incidental and subordinate to the primary use of the property and that is located on the same lot with the main use, e.g., a home occupation is an accessory use.

*Accessway or access corridor:* A defined right-of-way or easement provided for pedestrians, vehicles, or both, for safe, usable and convenient access to or between properties or uses. "Access corridor" means a separate travelway for pedestrians and bicyclists to minimize travel distances within and between subdivisions, planned unit developments, residential areas and commercial centers, major employment areas, transit stops, or within and between nearby neighborhood activity centers such as schools, parks and convenience shopping.

*Adult entertainment business or use:* A business or use that provides sexually oriented entertainment, services or products which make up a substantial or significant portion of the establishment's activities or merchandise. Adult entertainment businesses or uses exclude minors by virtue of age under the laws of the State of Oregon, whether or not such minors are accompanied by a consenting parent, guardian or spouse. Types of uses include, but are not limited to: adult motion picture theaters, video arcades, massage parlors, nude modeling studios, lotion studios, adult bookstores, adult paraphernalia shops, nude photography studios, or eating and drinking establishments that have sexually oriented entertainment such as nude dancers, strippers, or other similar entertainers.

*Agriculture:* The tilling of the soil and the raising of crops.

*Alley:* A narrow public street through a block primarily for service access to the rear or side of properties otherwise abutting on another street.

*Alteration:* Any manmade change to the use of a structure or the use of land.

*Antenna:* A system of electrical conductors for radiating or receiving radio waves, commonly consisting of a metal rod, wire panel or dish mounted on a supporting tower, pole, mast, or similar structure.

*Apartment:* A dwelling unit within a multi-family dwelling structure.

*Automobile:* Any self-propelled vehicle (including motorcycles) capable of operating on any highway, street, road, alley or land.

*Automobile service station:* A business that provides services for vehicles limited to the selling of petroleum products, tires, batteries and accessories, servicing of automobiles, including minor automotive repair, but excluding auto body and fender work, major engine repair or rebuilding, outside display of goods, except for petroleum products, and outside repairs of any kind.

*Bicycle:* A vehicle designed to operate on the ground on wheels, propelled solely by human power, upon which any person or persons may ride, and with every wheel more than 14 inches in diameter or two tandem wheels either of which is more than 14 inches in diameter or having three wheels in contact with the ground, any of which is more than 14 inches in diameter.

*Bicycle facilities:* A general term denoting improvements and provisions made to accommodate or encourage bicycling, including parking facilities, all bikeways, and shared roadways not specifically designated for bicycle use.

*Bikeway:* Any road, path or way which in some manner is specifically designated as being open to bicycle travel, regardless of whether such facility is designated for the exclusive use of bicycles or is shared with other transportation modes.

*Boarding, lodging or rooming house:* A building where lodging with or without meals is provided for compensation for not less than five and no more than ten guests.

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*Boundary line adjustment:* An adjustment of a property line by relocation of a common boundary where an additional unit of land is not created and where the existing land reduced in size by the adjustment complies with any applicable zoning ordinance.

*Building:* A structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

*Building height:* The vertical distance measured from the grade to the highest point of the roof beams of flat roofs, to the deck line of mansard roofs, or to the center height between eaves and ridges for gable, hip or gambrel roofs.

*Building line:* A line established by this title to govern the placement of a building with respect to the front lot line through the setback requirements of a minimum front yard. A building line is ordinarily parallel to the front lot line and at a distance in accordance with the setback requirements.

*Building specifications:* Requirements for minimum standards. (As established in the uniform building code.)

*City:* The City of Umatilla, Oregon.

*Commercial use:* The activity of purchasing, selling or conducting other transactions involving the handling or disposition, other than included in the term light and heavy "industry" as defined in the appropriate section, of any article, substance or commodity for the livelihood or profit, including shops for the sale of personal services, professional services, and places where commodities, services or merchandise are sold or agreements are made to furnish them. Limited on site assembly of products offered for sale is permissible, as for a bakery or dressmaker.

*Community services use:* A use that may be appropriate or necessary in any district due to its public convenience, necessity, unusual character, technical need, or effect on the neighborhood. Such uses may include a public or private park, utility facility, building used for religious worship, as listed in Chapter 6 of this title.

*Comprehensive plan:* The comprehensive plan for the City of Umatilla, comprising plans, maps, and reports, or any combination thereof, relating to the future economic and physical growth and development pattern or redevelopment of the City.

*Council:* The City Council of the City of Umatilla, Oregon.

*Dedication:* The designation of land by its owner for any general or public use.

*Density, net:* The number of dwelling units per unit of land, expressed as the number of square feet of land per dwelling unit. The net density is computed by dividing the net square footage by the number of dwelling units. Net square footage is determined by subtracting any area of land dedicated for public purposes from the total site area.

*Development:* Any manmade change to improved or unimproved real estate, including, but not limited to, construction, installation or alteration of buildings or other structures; condominium conversion; land division; establishment or termination of a right of access; storage on real property; tree cutting; clearing; mining, dredging, filling, grading, paving, excavation, or drilling operations.

*Drive-through use:* A commercial use that involves provision of a product or service through a window or similar opening in a building, in a manner that does not require the customer to leave his/her automobile.

*Duplex:* A residential structure containing two dwelling units and share a common wall, floor or ceiling, built on a single lot or parcel.

*Dwelling unit:* One or more rooms designed for occupancy by one family and not having more than one cooking facility. For the purposes of this title, a travel trailer is not a dwelling unit.

*Easement:* A grant of the right to use a specific portion of a property for specific purposes.

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*Efficiency dwelling unit:* The unit shall have a living room not less than 200 square feet nor more than 500 square feet of floor area and shall be provided with a separate closet, kitchen sink, cooking appliance and refrigeration facilities each having clear working space of not less than 30 inches in front. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

*Employee(s):* All persons, including proprietors, who work on premises during the largest shift at peak season.

*Family:* One or more persons related by blood, marriage, legal adoption or legal guardianship living together in a dwelling unit plus not more than four additional persons; or an individual or a group of not more than five persons unrelated by blood, marriage, adoption or legal guardianship living in a dwelling unit.

*Family daycare provider:* A daycare provider which accommodates fewer than 13 children in the provider's home; this is considered a residential use.

*Fence:* An accessory structure designed and intended to serve as a barrier or as a means of enclosing a yard or other area, or other structure; or to serve as a boundary feature separating two or more properties. A "sight obscuring fence" is a fence constructed of wood or masonry or similar solid material or a chainlink fence with slats that is at least six feet high and that completely obscures the view from one side of the fence to the other.

*Floodplain:* The floodplain of the Umatilla area is defined as those areas that would be inundated by the maximum flood that occurs once every 100 years as identified by the U.S. army corps of engineers or the Federal Emergency Management Agency.

*Floor area:* The area included in surrounding walls of a building or portion thereof, or the area contained under a roof for structures without walls.

*Frontage:* The portion of a property which abuts a public street.

*Functional area of intersection:* The area beyond the physical intersection of two roadways that is necessary to safely traverse the intersection considering the perception, decision making and maneuvering distance required, plus any vehicle storage length needed. The functional area includes the length of road upstream from an oncoming intersection needed by motorists to perceive the intersection and begin maneuvers to negotiate it. The upstream area consists of distance for travel during perception-reaction time, travel for maneuvering and deceleration, and queue storage. The functional area also includes the length of road downstream from the intersection needed to reduce conflicts between through traffic and vehicles entering and exiting a property. The functional areas of intersections vary depending on any number of factors such as vehicle speed, number and types of travel lanes, traffic control devices used, existing driveways, vision clearance, and other factors affecting perception-reaction distance, maneuverability and queue storage required.

*Garage, private:* An accessory building or portion of a main building used for the parking or temporary storage of vehicles owned or used by occupants of the main building. A carport is considered a garage.

*Garage, public:* A building, other than a private garage, used for the care and repair of motor vehicles or where such vehicles are parked or stored for compensation, hire or sale.

*Grade:* A point of elevation of the finished surface of the ground, paving, or sidewalk within the area between a building and the property line, or, when the property line is more than five feet from the building, between the building and a line five feet from the building. For determining building height, grade is measured at the lowest point of elevation. Also, the percent of elevation change of a street.

*Grazing:* The use of land for pasturing domestic, herbivorous animals such as horses, cattle, sheep and goats.

*Heavy industry:* The manufacturing, processing, compounding, packaging or assembling of products, the process of which requires or creates emissions or discharges other than normal sanitary sewage wastes or the storage of materials which require permits be issued by the Oregon State Department of Environmental Quality.

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*Home occupation:* A lawful business activity commonly carried on within a dwelling by members of the family occupying the dwelling. A home occupation is an accessory use as defined herein and is subject to Section 10-11-1A of this title.

*Horticulture:* A form of agriculture.

*Hospital:* An establishment that provides sleeping and eating facilities to persons receiving medical, obstetrical or surgical care and nursing service on a continuous basis.

*Hotel:* A building in which lodging is provided for guests for compensation and in which no provision is made for cooking in the room.

*Junkyard:* An area of more than 200 square feet not enclosed by a building and used for the dismantling, storage or handling in any manner of junked vehicles or other machinery or for the purpose of storage of dismantled material, junk and scrap, if such activity is not incidental to the primary use on the same lot.

*kennel:* Any premises or building in which four or more dogs or cats at least four months of age are kept for board, propagation or sale.

*Landscaping:* Plant materials, including trees, shrubs, and ground cover. A landscaped area shall primarily be composed of plant materials, but may include a pedestrian walkway or patio or similar space if designed as an integral part of the landscaped area.

*Light industry:* The manufacturing, processing, compounding, packaging or assembling of products, the process of which does not require or create emissions or discharges other than normal sanitary sewage wastes or the storage of materials which require permits be issued by the Oregon State Department of Environmental Quality.

*Livestock:* Domestic animals of types customarily raised or kept on farms for profit or other purposes.

*Local utility distribution facility:* Distribution lines and facilities for water, sewer, power, telephone, cable television or internet that are located entirely within existing rights-of-way and/or utility easements, either underground or using existing poles, towers or other existing structures, and are primarily intended to serve local residences or businesses within the City's urban growth boundary.

*Lot:* A unit of land that is created by a subdivision or partition of land, which meets the minimum lot requirements as established by this title.

*Lot area:* The total horizontal area within lot lines of a lot.

*Lot, corner:* A lot abutting on two intersecting streets other than an alley; provided, that the streets do not intersect at an angle greater than 135 degrees.

*Lot depth:* The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line.

*Lot, interior:* A lot with frontage on only one street.

*Lot line:* The property line bounding a lot.

*Lot line, front:* The lot line separating a lot from a street other than an alley. In the case of a corner lot, the shortest lot line along a street other than an alley.

*Lot line, rear:* A lot line which is opposite and most distant from the front lot line; in the case of an irregular, triangular, or nonrectangular lot, a line ten feet in length within the lot parallel to and at a maximum distance from the front lot line.

*Lot line, side:* Any lot line that is not a front or rear lot line, including a side abutting a street.

*Lot of record:* A legally created lot or parcel of land at the time of adoption of this title.

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*Lot width:* The distance between the midpoints of the two principal opposite side lot lines, measured at approximately a right angle to the lot depth and parallel to the front lot line.

*Major utility facility:* Any utility facility or structure, as distinguished from local distribution utility facilities, owned or operated by a public, semipublic, private or cooperative electric, fuel, communication, sewage or water company for the generation, transmission, distribution, or processing of its products or for the disposal of cooling water, waste or byproducts and including power transmission lines, major trunk pipelines, power substations, dams, water towers, railroad tracks, sewage lagoons, sanitary landfills, and similar facilities.

*Manufactured home:* A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, is intended for human occupancy, is being used for residential purposes and was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction.

*Manufactured home park:* Any place where manufactured homes are located on the same lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid for the rental or use of facilities. "Manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot.

*Marijuana processor:* A "person" who "processes" marijuana items in this state, as those terms are defined under ballot measure 91, sections 5(24) and (26)(a) and (b).

*Marijuana retailer:* A "person", as that term is defined under ballot measure 91, who sells marijuana items to a consumer in this state.

*Medical marijuana dispensary:* A facility registered by the Oregon health authority under ORS 475.300 to 475.346 that dispenses marijuana pursuant to ORS 475.314.

*Mobile food vendor:* The vending of food and/or beverages from a vehicle that is equipped to both cook and sell food, and that is capable of being moved from place to place.

*Mobile food vendor pod:* A location where more than one mobile food vendor is located on the same lot, tract, or parcel of land under the same ownership.

*Mobile home:* A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities and is intended for human occupancy, is being used for residential purposes and was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of the Oregon mobile home law in effect at the time of construction.

*Modular home:* A sectional or factory built house built to meet the housing standards as set by the state of Oregon, designed to be affixed to real property on a permanent foundation.

*Motel:* An individual building or group of buildings attached or detached containing guestrooms together with conveniently located parking space on the same lot which is designed, used, or intended to be primarily used, for transient accommodations. The term includes auto courts, motor lodges, tourist courts and efficiency units.

*Multi-family dwelling:* A residential structure containing three or more dwelling units.

*Multi-tenant commercial/office building:* A building designed and intended to accommodate two or more commercial retail or service uses or professional offices permitted in the zone, or any combination thereof, through leasing of floor space.

*Nonconforming structure or use:* A lawful existing structure or use at the time this title, or any amendment thereto, becomes effective which does not conform to the requirements of the district in which it is located.

*Nursing home:* A facility other than a residential dwelling unit which provides care and nurturing for the elderly.

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*Owner:* An owner of record of real property or the authorized registered agent of an owner, as shown in the records of the county assessor.

*Parking lot:* Four or more parking spaces designed to serve a single building or use, or four or more parking spaces required under Chapter 9 of this title, together with associated maneuvering and access space.

*Parking space:* A rectangular space designed with sufficient area for the parking of a standard American automobile.

*Parking spaces for handicapped:* A rectangular space designed to comply with specifications of the Americans with disabilities act (ADA).

*Pedestrian:* A person who is traveling without the use of a vehicle; i.e., walking or using a wheelchair.

*Pedestrian facilities:* Improvements which provide for pedestrian traffic including sidewalks, walkways, crosswalks and other improvements, such as lighting and benches which make it safe or convenient to walk.

*Person:* An individual, firm, partnership, association or social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government or any group or combination acting as a unit.

*Planning Commission:* The City of Umatilla Planning Commission.

*Primary use:* The primary use to which a premises is devoted and the primary purpose for which the premises exists.

*Recreation vehicle:* A vacation trailer, travel trailer, or other vehicular or portable unit which is either self-propelled or towed or carried by a motor vehicle; which is intended for human occupancy; and is designed primarily for vacation or recreation purposes, or temporary residential use. A recreation vehicle is further defined as a mobile unit of 45 feet in length or less and eight feet in width when equipped for travel purposes.

*Recreation vehicle park:* A lot that is operated on a fee or other basis as a place for the parking of occupied recreation vehicles. A recreation vehicle park may include a residential structure for a resident manager and/or caretaker.

*Residential facility:*

- A. *Child caring facility:* A facility that provides for six or more children (unmarried persons under 18 years of age), for day treatment for disturbed children; adoption placement services; residential care, including, but not limited to, foster care of residential treatment for children; or other similar services for children.
- B. *Residential care facility:* A facility that provides for six or more physically disabled or socially dependent individuals, residential care in one or more buildings on contiguous properties as provided by ORS 443.400(5).
- C. *Residential training facility:* A facility that provides for six or more mentally retarded or other developmentally disabled individuals, residential care and training in one or more buildings on contiguous properties as provided by ORS 443.400(7).
- D. *Residential treatment facility:* A facility that provides for six or more mentally, emotionally, or behaviorally disturbed individuals or alcohol or drug dependent persons, residential care and treatment in one or more buildings on contiguous properties as provided by ORS 443.400(9).

*Residential home:*

- A. *Adult foster home:* A family home or facility in which residential care is provided for five or fewer adults who are not related to the provider by blood or marriage as provided by ORS 443.705(1).
- B. *Registered residential facility:* A facility that provides residential care for five or fewer disabled (physical or mental impairment which for the individual constitutes or results in functional limitation to one or

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more life activities) or elderly (62 years of age or older) individuals as provided by ORS 443.480 to 443.500.

- C. *Residential training home*: A facility that provides, for five or fewer mentally retarded or other developmentally disabled individuals, residential care and training in one or more buildings on contiguous properties, when so certified and funded by the mental health and development disability services division as provided by ORS 443.400(8).
- D. *Residential treatment home*: A facility that provides, for five or fewer mentally, emotionally or behaviorally disturbed individuals or alcohol or drug dependent persons, residential care and treatment in one or more buildings on contiguous properties as provided by ORS 443.400(10).

*Residential trailer*: A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962.

*Screening*: A sight obscuring fence or landscaping that consists of dense perennial evergreen planting with sufficient foliage to obscure vision and which will reach an average height of at least six feet within 30 months after planting.

*Setback*: The distance between the closest part of a structure or use and a property line.

*Setbacks for corner lots*: For determining required yard setback purposes only, the narrowest street frontage will be considered to be the front. The lot line most nearly parallel to the front lot line will be considered the rear; the remaining lot lines will be considered side lot lines.

*Sidewalk*: A pedestrian walkway, with or without a curb, constructed of a durable, hard surface, usually concrete.

*Sign*: A presentation or representation, other than a house number, which by words, letters, figures, designs, pictures or colors publicly displayed gives notice relative to a person, a business, an article or merchandise, a service, an assemblage, a solicitation or a request for aid or other type of advertising. The term includes the surface upon which the presentation or representation is displayed. Each display surface of a sign shall be considered to be a sign.

*Single family dwelling*: A detached dwelling unit occupied by one family and located on its own lot.

*Site*: An area of real property in common ownership, notwithstanding that a particular development permit application may be for development of a portion of the site only. Conveyance of less than fee title to different persons, such as by ground lease, shall not operate to prevent the requirement of site review for the entire site.

*Site review*: The process of reviewing all community service developments, manufactured dwelling parks, attached dwelling structures (single-family and multi-family), commercial developments, and industrial developments for compliance with the standards and criteria of this Code.

*Street*: A public or private way that is created to provide access to one or more lots, parcels, areas or tracts of land, excluding a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining or agricultural purposes.

*Structural alteration*: A change to the supporting members of a structure including the supporting parts of foundations, bearing walls or partitions, columns, beams, girders or the roof.

*Structure*: That which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on the ground or which is attached to something having a location on the ground.

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*Townhouse:* A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall or architectural feature with an adjacent unit; also called attached single-family dwelling or townhome.

*Truck stop:* Any business whose primary use is the servicing of trucks over 1½ ton capacity with petroleum products, repair and related services, including motel units, restaurant service, trucker accessories, batteries and tires.

*Uniform building code (UBC):* The current version of the State of Oregon specialty codes as adopted by the City of Umatilla.

*Use:* An activity or purpose for which land or a structure is designed, arranged or intended or for which it is occupied or maintained.

*Vehicle repair:* The general repair, alteration, rebuilding, maintenance, or reconditioning of vehicles, including motor, body, frame, upholstery, interior and/or paint work.

*Vision clearance area:* A triangular area on a lot at the intersection of two streets or a street and railroad, two sides of which are lot lines measured from the corner intersection of the lot lines to a distance specified in these regulations. The third side of the triangle is a line across the corner of the lot joining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection. Plantings, walls, structures, or temporary or permanent obstructions exceeding three feet in height measured from the grade of the street centerline are prohibited in this area.

*Walkway:* A facility provided specifically for the benefit and use of pedestrians.

*Yard:* An open space on a lot that is unobstructed from the ground upward except as otherwise provided in this title.

*Yard, front:* A yard between side lot lines, measured horizontally at right angles to the front lot line, from the front lot line to the nearest point of the building.

*Yard, rear:* A yard extending between side lot lines and measured horizontally and at right angles to the rear lot line from the rear lot line to the nearest point of the main building.

*Yard, side:* A yard between the front and rear yards measured horizontally and at right angles to the side lot line from the side lot line to the nearest point of the building.

*Yard, street side:* A yard adjacent to a street between the front yard and rear lot line measured horizontally and at right angles from the side lot line to the nearest point of a building or other structure.

(Ord. No. 723, 6-17-2003; Ord. No. 799, 11-3-2015; Ord. No. 830, 8-7-2018; Ord. No. 836, 6-4-2019; Ord. No. 840, 9-3-2019)

## **Sec. 10-2-2. Land use classifications.**

For the purpose of this title, the following districts are hereby established in the City. The terms "zone" and "zoning map" and "district" or "plan map designation" or "plan map" are used interchangeably.

### PLAN DISTRICT DESIGNATIONS (Within the City Limits)

Plan Designation	Abbreviation
Single-family residential	R-1
Medium density residential	R-2
Multi-family residential	R-3
Downtown residential	DR

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(Supp. No. 3)

Downtown commercial	DC
Downtown transitional	DT
Neighborhood commercial	NC
General commercial	GC
Highway commercial	HC
Light industrial	M-1
Heavy industrial	M-2
Community services	CS
Floodplain	FP

(Ord. No. 688, 6-15-1999; Ord. No. 710, 5-7-2002; Ord. No. 799, 11-3-2015)

**Sec. 10-2-5. Designation of annexed areas.**

An area annexed to the City shall be assigned a plan designation that most closely corresponds with its comprehensive plan designation unless an amendment is undertaken under the requirements of this title.

(Ord. No. 688, 6-15-1999)

TABLE 10-2-1  
 COMPREHENSIVE PLAN MAP AND CORRESPONDING  
 LAND USE DISTRICT DESIGNATION

Comprehensive Plan Map Designation	Plan Map Designation
Residential	Single-family residential (R-1), medium density residential (R-2), multi-family residential (R-3), downtown residential (DR)
Commercial	Downtown commercial (DC), downtown transitional (DT), neighborhood commercial (NC), general commercial (GC), highway commercial (HC)
Industrial	Light industrial (M-1), heavy industrial (M-2)

(Ord. No. 688, 6-15-1999; Ord. No. 710, 5-7-2002; Ord. No. 799, 11-3-2015)

**Sec. 10-4C-7. Property development standards.**

The following property development standards apply to all new developments in the NC zone and are intended to provide a consistent development pattern that ensures a safe, orderly, efficient, economically viable and aesthetically pleasing environment throughout each zone district.

Existing developed properties are expected to meet these requirements to the extent reasonably possible. Similar to findings that demonstrate how a development proposal meets applicable standards, findings shall also justify why a proposal is not able to meet applicable standards for existing developed properties or structures. Cost may be considered, but shall not be the sole determinant if the cost is reasonable within the overall scope of the development proposal.

A. *Basic site development standards.*

1. *Minimum lot size and lot width; building setbacks; maximum building height and site coverage.*

Minimum lot or parcel size:
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Commercial uses	4,000 square feet
Residential uses	None; density shall comply with R-3 district requirements
Minimum lot width	50 feet
Minimum yard setbacks:	
Front and rear yards	10 feet
Side yard	0 feet or 10 feet if adjacent to a residential district
Street side yard	10 feet
Parking space	10 feet wide; see Chapter 9 of this title for parking standards
Maximum building height	50 feet
Maximum site coverage (building and impervious surface)	95 percent

B. *Site development impact standards.*

1. *Traffic impact analysis.* A traffic impact analysis meeting the requirements under subsection 10-11-10 C. of this title shall be required to be submitted to the City with a land use application, when the community development director determines that the application involves one or more of the following actions:
  - a. A change in zoning or plan amendment designation; or
  - b. The proposal is projected to cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers' "Trip Generation Manual"; and information and studies provided by the local reviewing jurisdiction and/or ODOT:
    - (1) An increase in site traffic volume generation by 250 average daily trips (ADT) or more (or as required by the City Engineer). The latest edition of the "Trip Generation Manual", published by the Institute of Transportation Engineers (ITE) shall be used as standards by which to gauge average daily vehicle trips; or
    - (2) An increase in use of adjacent streets by vehicles exceeding the 20,000 pounds' gross vehicle weight by ten vehicles or more per day; or
    - (3) The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or vehicles queue or hesitate, creating a safety hazard; or
    - (4) The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
    - (5) A change in internal traffic patterns that may cause safety problems, such as backup onto the highway or traffic crashes in the approach area.
2. *Floodplain, wetland and riparian areas.* See Chapter 7 of this title and Title 12 of this Code. The requirements under Chapter 7 of this title and Title 12 of this Code are triggered when development is proposed within a designated floodplain or riparian area as identified by the official flood insurance rate map (FIRM) prepared by the U.S. Federal Emergency Management Agency (FEMA); or when property contains wetland areas as identified on the National Wetlands Inventory (NWI) map prepared by the U.S. Fish and Wildlife Service (USFWS).

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3. *Stormwater surface drainage.*
- a. Surface water runoff shall be handled on site through the use of landscaped areas, grassy swales or similar natural features to the extent reasonably feasible. Where surface water runoff cannot be entirely managed on site, adequate provisions shall be made so that runoff will not adversely affect the use of adjoining or downstream properties, unless a drainage easement has been obtained.
  - b. Where it is anticipated by the City Public Works Director that the additional runoff resulting from a proposed development will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with city standards.
  - c. In order to accommodate upstream drainage, culverts and other drainage facilities shall be large enough to accommodate existing and potential future 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 Public Works Director.
4. *Vehicle access, driveway and circulation standards.*
- a. *New vehicle access connections.* New access connections shall not be permitted within the functional area (see Section 10-1-6, "Definitions", of this title) of an intersection or interchange as defined by the connection spacing standards of this title, the comprehensive plan and public works standards, unless no other reasonable access to the property is available. See also subsection 10-11-4 C. of this title regarding vision clearance areas.
  - b. *Access connections.* Where no other alternative exists, the City may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.
  - c. *Cross access drives, pedestrian access.* Adjacent commercial or office properties such as shopping plazas and office parks that are major traffic generators shall provide a cross access drive and pedestrian access to allow circulation between sites.
  - d. *Separation distance.* The City may reduce the required separation distance of access points where they prove impractical, provided all of the following requirements are met:
    - (1) Joint access driveways and cross access easements are provided.
    - (2) The site plan incorporates a unified access and circulation system.
    - (3) The property owner enters into a written agreement with the City, recorded with the deed, that preexisting connections on the site will be closed and eliminated after construction of each side of a joint use driveway.
    - (4) The City may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.
  - e. *Phased developments.* Development sites under the same ownership or consolidated for the purpose of development and comprising more than one building site, shall be reviewed as a single property for the purpose of complying with access standards. The number of access points permitted shall be the minimum number necessary to provide reasonable access to the site, not the minimum for that frontage.
  - f. *Corner lots.* Corner lots shall be required to locate motor vehicle accesses on the street with the lower functional classification when feasible provided such access will not be located within the

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functional area of the intersection. This requirement may be waived or modified when a commercial or industrial use would be required to take access from a street in a residential neighborhood.

- g. *Nonconforming access features.* Legal access connections in place when this title was adopted that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards when new access connection permits are requested or when there is a change in use or enlargement or improvement that will increase trip generation.
5. *Driveway standards.*
- a. If the driveway is one-way in or out, the minimum width shall be ten feet and appropriate sign(s) designating the driveway as a one-way connection shall be provided.
  - b. For two-way accesses, each lane shall have a minimum width of ten feet. The maximum width for a driveway access, including both lanes, is 35 feet for both lanes.
  - c. The length of a driveway shall be designed in accordance with the anticipated storage length of 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.
6. *Utilities.* All electrical, telephone and cable television utility service installations or connections made as part of new construction of a building or structure shall be underground in accordance with city standards.
7. *Easements.*
- a. *Pedestrian easements.* In order to facilitate pedestrian access from streets, lots, or developments to schools, parks, nearby streets, or other developments, an easement no less than ten feet wide with a paved pathway no less than six feet shall be required. Any sight obscuring barrier such as a fence or planting at the edge of the easement shall not exceed three feet in height in order to maintain visibility of the walkway from adjacent properties.
  - b. *Open space easements.* An open space easement may be required over areas in private ownership of the floodplain or areas with unique natural conditions. Such easement shall preclude development of the area when limiting the use of a property is determined to be in the public interest.
  - c. *General public easements.* When topography or other conditions make impractical the location of drainage facilities, sanitary sewer or water lines within the public street right-of-way, an unobstructed easement shall be provided across a property. Easements shall be of sufficient width to safely excavate buried facilities, but generally shall be no less than 15 feet in width.
- C. *Special site and building design standards.*
1. *Building orientation and architectural features.*
- a. The primary building and entry shall be oriented toward the fronting street. On corner lots, building entrances shall face the primary fronting street or the corner.
  - b. The primary building shall incorporate ground floor windows along the fronting street facades, with at least 20 percent of the fronting wall consisting of display areas, windows or doorways.
  - c. Building facades facing a street shall include changes in relief such as cornices, columns, gables, bay windows, recessed entryways, or similar architectural or decorative elements.
  - d. A drive-through window or use shall be oriented to the side or rear of a building and shall be designed to minimize conflicts with pedestrians and vehicles.

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2. *Off-street parking, loading and unloading.* See Chapter 9 of this title for specific design standards for parking spaces and parking areas.
    - a. Off-street parking shall not be located within five feet of a property line separating the subject property from a public street.
    - b. Existing or proposed off-street parking areas between the front or side of a building and the public right-of-way shall be separated from the right-of-way with a three-foot-wide landscape strip (see landscape requirements).
    - c. Parking bumpers shall be set at least six feet from the property/right-of-way line for parking spaces established perpendicular to the right-of-way. Parking bumpers shall be securely fastened to the pavement or ground.
    - d. A designated area (or areas) for loading and/or unloading of materials or freight shall be provided to ensure all such activities occur entirely on site.
    - e. Parking or loading areas which abut a residential zone along a rear or side property line shall be separated from the property line by a 20-foot-wide landscaped area. Alternatively, a ten-foot-wide landscaped area and a fence or wall six feet in height may be used to buffer the residential property.
  3. *Bicycle and pedestrian facilities and easements.*
    - a. Bicycle or pedestrian easements and/or improvements may be required if a portion of the subject property is included in the comprehensive plan as necessary to complete a planned bicycle or pedestrian pathway or trail, or to accommodate a portion thereof; or if findings justify the need to address anticipated impacts from the proposed development.
    - b. Developments shall provide an on site pedestrian circulation system that connects building entrances, public sidewalks, bicycle and automobile parking areas, and parts of the site or abutting properties that may attract pedestrians. Walkways shall maintain a clear width of at least five feet and shall be separated from vehicles by curbs, raised bumpers, planter strips or similar barriers. Walkways through parking areas or crossing driveways shall be clearly identified by a different material or pavement markings, or both. Walkways shall be in clearly visible locations to promote safety. Walkways shall be hard surfaced.
  4. *Landscaping, lighting and outdoor storage.*
    - a. At least five percent of the site shall be landscaped. A minimum 30-inch-wide landscape strip along street frontages and building fronts must be included in the landscape plan to accommodate surface water runoff from the site and to enhance the street appearance of the development.
    - b. Pedestrian amenities, such as benches, plazas, fountains, and sculptures that are high quality and provided for public use or enjoyment, may replace up to one-third of the required landscaping, but shall not replace required landscaping along street frontages or building fronts.
    - c. Parking areas shall be landscaped as prescribed in subsection 10-9-2 D. of this title.
    - d. Landscaping shall include ground cover material such as decorative rock, bark or lawn, and at least two of the following landscape elements: flowers, decorative shrubs, trees, boulders or decorative lighting.
    - e. Landscaped areas shall be provided with automatic irrigation unless a letter from a licensed landscape architect is submitted with the landscape plan certifying that the selected landscape plants will survive without irrigation.

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- f. Lighting may be required on the site, such as between parking areas and buildings or along walkways, based on findings that justify the need to protect the public health, safety or welfare. All on site lighting shall be shielded to prevent off site glare or nuisance to traffic or neighboring properties.
  - g. Outdoor storage and garbage collection areas shall be entirely screened with a six-foot-high sight obscuring fence, wall or vegetation. Outdoor storage and garbage collection areas shall not be permitted within a required vision clearance area.
  - h. Annual renewal of a business license for a commercial use shall be contingent upon satisfactory maintenance of landscaped areas approved as part of the site plan or conditional use review for the use.
- 5. *Vision clearance area and fences.* See Section 10-11-4 and subsection 10-11-1 B. of this title.
  - 6. *Signs.* See Title 8, Chapter 2 of this Code.
- (Ord. No. 799, 11-3-2015; Ord. No. 856, § 2, 5-3-2022)

## *ARTICLE A. LIGHT INDUSTRIAL (M-1)*

### **Sec. 10-5A-1. Purpose.**

The Light Industrial District provides for a wide variety of manufacturing uses, with limited outdoor storage and display areas. All uses are subject to site review.

(Ord. No. 688, 6-15-1999)

### **Sec. 10-5A-2. Uses permitted.**

In an M-1 District, the following uses and their accessory uses are permitted:

Establishments engaged in manufacturing, processing, packing, assembly, distribution, repair, finishing or refinishing, testing, fabrication, research and development, warehousing, and servicing activities. Up to 100 percent of the total floor area may consist of these manufacturing and distribution uses.

Executive and administrative offices relating to the industrial use.

Retail outlets for products manufactured on-site, such as bread and related goods from a bakery.

(Ord. No. 688, 6-15-1999)

### **Sec. 10-5A-3. Conditional uses permitted.**

In an M-1 District, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 12 of this title:

Automobile service station - retail mini-market facility.

Community services uses as provided by Chapter 6 of this title.

Recreational vehicle park.

(Ord. No. 688, 6-15-1999)

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**Sec. 10-5A-4. Development standards.**

- A. *Buffer area.* If a use in this district abuts or faces a residential district, a landscape area of 20 feet along the entire frontage will be required on the side abutting or facing the adjacent district in order to provide a buffer area. Screening, landscaping or other conditions necessary to preserve the character of the adjacent district may be required to be established and maintained by the property owner. The setback may be reduced if appropriate and compensating screening measures are proposed and approved through site review.
- B. *Storage.* Materials shall be stored and grounds maintained in a manner that will not attract or aid the propagation of insects or rodents or otherwise create a health hazard. Outside storage in a required yard shall not exceed ten feet in height. Storage area shall not exceed 50 percent of the site.
- C. *Screening.* Screening of storage or for other purposes shall consist of a sight-obscuring fence or landscaping, or other similar barrier. If screening is used to obstruct the view from adjacent residentially designated properties, the screening shall be of a material and design that is compatible with adjacent residences, shall be free of advertising, and shall be constructed according to plans submitted by the owner or his authorized agent and approved through site review.

**DIMENSIONAL STANDARDS**

Minimum lot area	5,000 square feet
Minimum lot width	50 feet
Minimum yard setbacks:	
Front yard	10 feet or 20 feet if adjacent to a residential district
Side yard	0 feet or 20 feet if adjacent to a residential district
Side street yard	10 feet or 20 feet if adjacent to a residential district
Rear yard	0 feet or 20 feet if adjacent to a residential district
Parking area	10 feet
Maximum building height	50 feet
Maximum site coverage (building and impervious surface)	60 percent

(Ord. No. 688, 6-15-1999; Ord. No. 856, § 2, 5-3-2022)

**Sec. 10-5A-5. Limitations on use.**

- A. All uses are subject to site review.
- B. A chainlink fence that is made in part with barbed wire may be permitted for the purpose of security when it is not along a sidewalk or public right-of-way.
- C. Any fence allowed or required in an M-1 District more than six feet in height shall comply with setbacks for structures.
- D. Loading areas shall not be located within a required yard setback.

(Ord. No. 688, 6-15-1999)

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## **Sec. 10-5B-2. Uses permitted.**

Any use permitted in the Light Industrial District.

Establishments engaged in manufacturing, processing, and storage, such as, but not limited to, business engaged in the manufacture of concrete, brick and clay products, crushing or processing of rock, manufacture of acid, fertilizer, gas, and paper products, breweries, and similar businesses.

Sand or gravel storage yard.

(Ord. No. 688, 6-15-1999)

## **Sec. 10-13-2. Site review.**

The purpose of site review is to provide a process to review proposals to verify compliance with requirements of this title, including requirements of this section, and any other applicable provisions of this Code.

### *A. General provisions.*

1. *Applicability.* Site review is required for multi-family residential, commercial, and industrial developments as specified in each zoning district.
2. *Procedure.* Site review is a Type II permit, unless incorporated into a Type III review such as a community services or conditional use permit.
3. *Exemptions.* The following developments are exempt from site review:
  - a. Single-family dwellings, manufactured homes on individual lots, and duplexes.
  - b. A development that adds less than 25 percent to existing floor area or outdoor use area when the primary use on the site remains unchanged and required parking does not increase.
  - c. An addition to an existing development when the primary use on the site remains unchanged.

### *B. Application.*

1. *Submission.* The applicant shall submit at least six copies of a narrative, plans, and drawings that describe the proposed development. A traffic impact analysis (TIA), as established in Section 10-11-10 of this title, shall also be submitted pursuant to applicability requirements in subsection 10-11-10 B. of this title. Information specified by Chapter 14 of this title and this section may be combined and provided in narrative form or on plans and maps so long as required information is clear and understandable. Additional copies of documents and plans will be required for a Type III review.
2. *Site design criteria and standards for residential developments.* The following requirements are in addition to any requirements specified in the applicable zoning district:
  - a. Landscaping shall be provided as specified in the zoning district. Landscaped areas shall be provided with automatic irrigation unless a qualified landscape professional certifies that plants will survive without irrigation.
  - b. Front facades and points of entry shall generally be oriented to the fronting street, not to a parking lot.
  - c. Front facades facing the street shall contain windows for primary living areas.

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- d. Front facades of structures shall include horizontal offsets or design features, such as porches, gables, columns, and similar architectural features, at intervals of no less than 100 feet to visually enhance long walls.
  - e. On site parking shall not be located between street frontage dwellings and an abutting right-of-way. Required parking shall be located beside or behind dwelling structures.
  - f. Attached garages shall be located at least four feet behind the front facade and at least 18 feet from a public right-of-way.
  - g. Private outdoor space shall be provided for all dwellings as either a deck, porch, patio or similar space, at least 80 square feet in area and enclosed, screened, or otherwise designed to provide privacy. Second floor residential uses in the downtown commercial district are exempt from this requirement.
  - h. Exterior garbage collection areas shall be screened with a six-foot-high sight obscuring fence or wall or comparable vegetation.
  - i. Based on anticipated vehicle and pedestrian traffic and the condition of adjacent streets and rights-of-way, the City may require right-of-way improvements including, but not limited to, paving, curbs, sidewalks, bikeways, lighting, turn lanes, and other facilities needed because of anticipated vehicle and pedestrian traffic generation.
  - j. Outdoor storage facilities with an area of at least 24 square feet, at least six feet high, fully enclosed, and capable of being locked, shall be provided for each dwelling unit. Residential uses in the downtown commercial district are exempt from this requirement.
  - k. Private on site driveways shall be constructed with sufficient width and suitable paving to support anticipated traffic volume and loads.
  - l. A continuous, on site pedestrian system shall be provided that links the front doors of all dwellings with the abutting street, the parking area, and any on site features such as a swimming pool, laundry, on site open space, etc. Walkways shall maintain a clear width of at least five feet and shall be separated from vehicles by curbs, planter strips, or similar barriers. Walkways through parking areas or crossing driveways shall be clearly identified by a different material or pavement markings or both. Walkways shall also provide direct and convenient connections to schools, parks, shopping areas, or other destinations within the vicinity as possible. Walkways shall be in clearly visible locations to promote safety. Walkways shall be hard surfaced.
3. *Site design criteria and standards for nonresidential developments.* The following requirements are in addition to any requirements specified in the applicable zoning district:
- a. Landscaped areas shall be provided with automatic irrigation unless a landscape architect certifies that plants will survive without irrigation.
  - b. Landscaping shall be located along street frontages and building fronts to enhance the street appearance of a development.
  - c. Outdoor storage and garbage collection areas shall be entirely screened with vegetation, fence, or wall.
  - d. Based on anticipated vehicle and pedestrian traffic and the condition of adjacent streets and rights-of-way, the City may require right-of-way improvements including, but not limited to, paving, curbs, sidewalks, bikeways, lighting, turn lanes, and other facilities needed because of anticipated vehicle and pedestrian traffic generation. Minimum

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requirements shall conform to the standards of subsection 11-4-2 C. of this Code, minimum street standards and the public works standards.

- e. Access shall generally be taken from the higher classification street when a development fronts more than one street, except in the case of developments along Highway 730, which shall take access from an alley or a side street unless there is no alternative.
- f. Developments shall provide an on site pedestrian circulation system that connects building entrances, public sidewalks, bicycle and automobile parking areas, and parts of the site or abutting properties that may attract pedestrians. Walkways shall maintain a clear width of at least five feet and shall be separated from vehicles by curbs, raised bumpers, planter strips, or similar barriers. Walkways through parking areas or crossing driveways shall be clearly identified by a different material or pavement markings or both. Walkways shall be in clearly visible locations to promote safety. Walkways shall be hard surfaced.
- g. The primary building and entry orientation shall be to the fronting street rather than a parking lot.
- h. All buildings shall incorporate ground floor windows along street facades, with at least 20 percent of any wall within 30 feet of a street consisting of display areas, windows, or doorways.
- i. Building facades facing a street shall include changes in relief such as cornices, columns, gables, bay windows, recessed entries, or similar architectural or decorative elements.
- j. A drive-through use shall be oriented to the side or rear of a building and shall be designed to minimize conflicts with pedestrians and vehicles.

4. *Access standards for all uses.*

- a. *New connections.* New connections shall not be permitted within the functional area of an intersection or interchange as defined by the connection spacing standards of this title and public works standards, unless no other reasonable access to the property is available.
- b. *Access connections.* Where no other alternative exists, the City Administrator may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.
- c. *Cross access drives, pedestrian access.* Adjacent commercial or office properties such as shopping plazas and office parks that are major traffic generators shall provide a cross access drive and pedestrian access to allow circulation between sites.
- d. *Separation distance.* The City may reduce the required separation distance of access points where they prove impractical, provided all of the following requirements are met:
  - (1) Joint access driveways and cross access easements are provided.
  - (2) The site plan incorporates a unified access and circulation system.
  - (3) The property owner enters into a written agreement with the City, recorded with the deed, that preexisting connections on the site will be closed and eliminated after construction of each side of a joint use driveway.
  - (4) The City may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.
- e. *Driveway standards.* Driveways shall meet the following standards:

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- (1) If the driveway is one way in or out, the minimum width shall be ten feet and appropriate sign(s) designating the driveway as a one-way connection shall be provided.
  - (2) For two-way access, each lane shall have a minimum width of ten feet.
  - (3) The length of a driveway shall be designed in accordance with the anticipated storage length of 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.
- f. *Phased developments.* Development sites under the same ownership or consolidated for the purpose of development and comprising more than one building site, shall be reviewed as a single property for the purposes of complying with access standards. The number of access points permitted shall be the minimum number necessary to provide reasonable access to the site, not the minimum for that frontage.
  - g. *Nonconforming access features.* Legal access connections in place when this title was adopted that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards when new access connection permits are requested or when there is a change in use or enlargement or improvement that will increase trip generation.
  - h. *Reverse frontage.* Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification. This requirement may be waived or modified when a commercial or industrial use would be required to take access from a street in a residential neighborhood.
  - i. *Review by the Oregon State Department of Transportation.* Any application that involves access to the state highway system shall be reviewed by the Oregon Department of Transportation for conformance with state access management standards. In the I-82/U.S. 730 Interchange Area Management Plan (IAMP) management area, proposed access shall be consistent with the access management plan in Section 7 of the IAMP.

(Ord. No. 688, 6-15-1999; Ord. No. 710, 5-7-2002; Ord. No. 766, 12-6-2011; Ord. No. 840, 9-3-2019)

Cross reference(s)—Adoption of public works standards, § 7-1-1.

### **Sec. 11-4-2. Streets.**

The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public utilities, services, convenience, and safety, and to the proposed use of the land to be served by the streets.

- A. *Street arrangement.* The arrangement of streets in and serving land divisions shall:
  1. Maximize public safety, access, and minimize out of direction travel by utilizing a grid system or comparable design.
  2. Avoid cul-de-sacs, except where there is no other practical alternative to serve a portion of the land area to be divided, due to topographical conditions, existing development, or similar circumstances.
  3. Provide for the continuation of existing streets in surrounding areas.
  4. Conform to any future street plan, neighborhood plan, or other street plan adopted by the City.

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B. *Street layout and design.*

1. All streets, alleys, bicycle, and pedestrian pathways shall connect to other streets within the land division and to existing and planned streets outside the land division. Streets shall terminate at other streets or at parks, schools, or other public uses within a neighborhood.
2. Local streets shall align and connect with other streets when crossing streets with higher level classifications.
3. Cul-de-sacs and flag lots shall only be permitted when the following conditions are demonstrated:
  - a. Existing conditions, such as topographic features, water features, an irrigation canal, a railroad, a freeway, or other condition, that cannot be bridged or crossed prevents the extension of a street.
  - b. The existing development pattern on adjacent properties prevents a street connection.
  - c. An accessway is provided consistent with the standards for accessways.
  - d. A minor street is not a suitable alternative to multiple flag lots (more than 2 adjacent flags) due to size of the site, topographic features, or other physical constraint.
4. Cul-de-sacs shall not exceed 400 feet in length.
5. Where a land division includes or is adjacent to land that can be divided and developed in the future, streets, bicycle paths, and pedestrianways shall continue through the full length of the land division to provide connections for the adjacent land.
6. Where proposed lots or parcels in a proposed land division exceed double the minimum lot size and can be redivided, the location of lot and parcel lines and other layout details shall be such that future land divisions may readily occur without interfering with the orderly extension of adjacent streets, bicycle paths, or pedestrianways. Any building restrictions within future transportation locations, such as future street rights-of-way or future street setbacks, shall be made a matter of record for the purpose of future land divisions.
7. Where there is a reasonable relationship between the impacts of the proposed development and the public need for accessways, such as direct connections to public schools or parks, the land divider shall be required to publicly dedicate accessways to:
  - a. Connect to cul-de-sacs;
  - b. Pass through oddly shaped or unusually long blocks; or
  - c. Provide for networks of public pedestrian and bicycle paths; or
  - d. Provide access to other transportation routes, businesses, residential, or public uses.
8. New construction or reconstruction of collector and arterial streets shall include bicycle facilities and pedestrian sidewalks as required by applicable city plans.
9. Sidewalks shall be installed along the street frontage of arterial and collector streets and for any street within a multi-family, commercial, or industrial land division by the land divider. Sidewalks on local streets within a subdivision for single-family residential lots shall be provided with the construction of a structure on the lot and shall be completed prior to occupancy of the structure.
10. An easement may be required to provide for all or part of sidewalks along one or both sides of a public right-of-way which lacks width to include sidewalks within the public right-of-way.

11. When a sidewalk in good repair does not exist, all applicants for building permits for a new structure or remodeling of more than a minor nature of an existing structure shall, in conjunction with the issuance of a building permit, obtain a permit to construct a sidewalk for the full frontage of the site. No final inspection or certificate of occupancy shall be issued for the building permit until a sidewalk has been constructed in accordance with the permit requirements.
12. Off site pedestrian improvements may be required concurrent with a land division to ensure access between the land division and an existing developed facility such as a commercial center, school, park, or trail system. The approval authority must show a reasonable relationship between the impacts of the land division and the required improvement.
13. Structures are not allowed in any dedicated sidewalk areas which will obstruct movements on the sidewalk. The minimum widths of sidewalks shall conform to ADA standards.
14. Sidewalks generally shall be parallel to adjacent streets in line and grade, except where existing features or topographical conditions warrant an alternative design.
15. All sidewalks shall be adjacent to the curb as specified in the public works standards, unless impractical due to special circumstances of the site or adjacent street.
16. Street trees are required along both sides of new public streets, at a minimum of 30 feet on center, with at least one tree for each new lot or parcel. Street tree locations shall be shown on construction plans and shall generally be located at the edge of the right-of-way. Street trees shall be required with building permits for structures on approved lots and shall be installed prior to approval of occupancy.

C. *Right-of-way and roadway widths.* Generally, right-of-way and roadway widths for state highways and county roads shall be determined by these entities. Unless otherwise determined by the City Administrator based on the recommendation of the City Engineer and public works director, the widths of streets and roadways shall meet the following standards and, in addition, all street construction shall conform to the public works standards:

**CURB RETURNS**

Intersection	Radius
Local with local or neighborhood collector or collector	20 feet, not exceeding 25 feet
Neighborhood collector, collector, or arterial with neighborhood collector, collector, or arterial	30 feet; streets serving primarily commercial and industrial properties may be required to install greater curb radii as necessary to accommodate the movement of large vehicles

**MINIMUM STREET STANDARDS**

Type of Street <sup>1</sup>	Minimum Right-of-Way	Minimum Widths For Sidewalks <sup>2</sup>	Minimum Pavement Width	Bicycle Lane

Major arterial street	State or county standards or 60'	6' both sides	40'	6' both sides
Minor arterial street	State or county standards or 60'	5' both sides	40'	6' both sides
Collector street	60' or county standard	5' both sides	40'	5' both sides
Neighborhood collector street	60' or county standard	5' both sides	40'	5' both sides
Local streets: commercial or industrial	60' minimum	5' both sides	36'	n/a
Cul-de-sacs: commercial or industrial	55' radius	5' around	45' radius	n/a
Local streets: residential <sup>2,3</sup>	34'	5' both sides	24'	n/a
Cul-de-sacs: residential	50' radius	5' around	40' radius	n/a
Pedestrian connections	20' minimum	6' walkway	n/a	6' wide in addition to walkway
Alleys	24' commercial or industrial; 20' residential	n/a	20' minimum	n/a

1. The City Administrator may modify the width of a planter strip to accommodate drainage and public utilities.
2. Curbside sidewalks shall be required.
3. Bike lanes and shoulder bikeways along arterial and collector streets shall be five feet wide and shall be provided for each direction of travel allowed on the street.
  1. Standards for streets within the downtown plan area shall conform to design standards of the "Downtown Revitalization and Circulation Study, June 29, 2001", figures 5-9 and 5-13, or other applicable street standards of the downtown plan.
  2. The typical local residential street is expected to have a 60-foot right-of-way with 36 feet of pavement. Local residential streets may have reduced rights-of-way and pavement widths when anticipated traffic volume is less than 500 vehicle trips per day for low density developments in the R-1 and R-2 zones.
  3. A local residential "minor street" may be approved with a minimum right-of-way of 34 feet and pavement width of 24 feet when the proposed street serves five or fewer dwellings; is not a through street and does not exceed 150 feet in length. A minor street may be terminated with a hammerhead type turnaround. A minor street may be public or privately owned. If private, "right-of-way" shall become required easement width and provisions for maintenance shall be recorded with the deeds of properties served by the street.

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4. Sidewalk and bicycle path lighting shall be provided in conjunction with new road construction and new development.
  5. Wheelchair ramps and other facilities shall be provided as required by the Americans with Disabilities Act (ADA).
  6. Bikeways shall be designed and constructed consistent with the design standards in the Oregon Bicycle Plan, 1992, and ASSHTO's "Guide for the Development of Bicycle Facilities, 1991".
- D. *Reserve strips.* Public reserve strips or street plugs controlling access to streets may be approved where necessary for the protection of the public welfare or of substantial property rights.
  - E. *Alignment.* Streets other than minor streets shall be in alignment with existing streets by continuations of the centerlines. Staggered street alignment resulting in "T" intersections shall be avoided and in no case shall the distance between centerlines of off set streets be less than 200 feet.
  - F. *Future extension of streets.* Streets shall be extended to the boundary of the land division. A temporary turnaround may be required for emergency vehicle access if a dead end street results.
  - G. *Intersection angles.* Streets shall be laid out to intersect at right angles as nearly as practical. In no case shall the intersection angle be less than 75 degrees. The intersection of arterial or collector streets with other arterial or collector streets shall have at least 100 feet of tangent adjacent to the intersection. Other streets, except alleys, shall have at least 60 feet of tangent adjacent to the intersection.
  - H. *Existing streets.* When existing streets adjacent to or within a site have widths less than city standards, additional right-of-way shall be provided with the land division.
  - I. *Partial street dedication and improvements.* Half streets shall be avoided wherever possible. A partial street dedication may be permitted when a land division abuts undeveloped property which is likely to dedicate the remainder of the street. At minimum, two-thirds of the street dedication and improvement shall be required for any partial street to accommodate two travel lanes, one parking lane, and sidewalk on one side. Reserve strips and street plugs may be required to preserve the objectives of the partial street.
  - J. *Street names.* Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of existing streets. Street names and numbers shall conform to the established pattern in the City, applicable requirements, and shall be approved by the City.
  - K. *Grades and curves.* Centerline radii of curves shall not be less than 300 feet on arterial streets, 200 feet on collector streets, or 100 feet on local streets. Grades shall not exceed six percent on arterials, ten percent on collector streets, or 12 percent on any other street.
  - L. *Streets adjacent to railroad rights-of-way.* Wherever the proposed land division includes or is adjacent to a railroad right-of-way, provisions may be required for 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 between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow vegetative or other screening to be placed along the railroad right-of-way.
  - M. *Marginal access streets.* Where a land division abuts or contains an existing or proposed arterial street, the City may require marginal access streets, reverse frontage lots with additional depth, screen planting or other screening contained in a nonaccess reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic. Alleys are acceptable as a means of providing access to lots or parcels fronting state highways or county roads.

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N. *Alleys.*

1. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off street parking and loading facilities are approved by the City.
2. Alleys are encouraged to serve residential development that front along state highways or county roads to minimize congestion and traffic hazards.
3. The corners of alley intersections shall have a radius of not less than two feet.

(Ord. No. 673, 6-16-1998; Ord. 688, 6-15-1999; Ord. No. 710, 5-7-2002; Ord. 723, 6-17-2003)