



Oregon

Theodore R. Kubiepski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

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NOTICE OF ADOPTED AMENDMENT

12/05/2008

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Rogue River Plan Amendment
DLCD File Number 002-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, December 16, 2008

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Laurel Prairie-Kuntz, City of Rogue River
Doug White, DLCD Community Services Specialist
John Renz, DLCD Regional Representative

<paa> YA

FORM 2

DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

In person electronic mailed

DATE STAMP

DEPT OF

NOV 28 2008

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Rogue River** Local file number: **OA2006-02 & OA2006-07**
 Date of Adoption: **8/23/2007** Date Mailed: **11/25/2008**
 Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: **1/31/2006**
 Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
 Amendments to the City of Rogue River's Zoning Ordinance General Commercial District and Off-Street Parking to clarify regulations and correct grammar.

Does the Adoption differ from proposal? Yes, Please explain below:
 Planning Commission and Council made minor modifications to the draft sent to DLCD over the seven month review period.

Plan Map Changed from: **NA** to:
 Zone Map Changed from: **NA** to:
 Location: **NA** Acres Involved: **0**
 Specify Density: Previous: **NA** New:

Applicable statewide planning goals:
 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO
 Did DLCD receive a Notice of Proposed Amendment...
 45-days prior to first evidentiary hearing? Yes No
 If no, do the statewide planning goals apply? Yes No
 If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD #002-06 (14991)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

NA

DEPT OF

NOV 28 2008

LAND CONSERVATION
AND DEVELOPMENT

Local Contact: **Laurel Prairie-Kuntz**

Phone: (541) 582-4401 Extension: 106

Address: **PO Box 1137**

Fax Number: 541-582-937

City: **Rogue River**
river.or.us

Zip: 97537-

E-mail Address: **lprairie-kuntz@ci.rogue-**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

Council Bill
No. 07-2108

ORDINANCE NO. 07-339-O

AN ORDINANCE AMENDING ORDINANCE NO. 373, REGULATING THE USE OF LAND AND STRUCTURES IN THE CITY OF ROGUE RIVER AND ESTABLISHING ZONES.

THE COMMON COUNCIL FOR THE CITY OF ROGUE RIVER, OREGON ORDAINS AS FOLLOWS:

WHEREAS, the City Council has determined that with the recommendations of the Planning Commission that the following changes be made to the Rogue River Zoning Ordinance:

SECTION 1. amends to read:

SECTION 3.040. C-1 OR COMMERCIAL - GENERAL DISTRICT:

(1) **Purpose.** This district is designed to encourage, stabilize, improve, and protect the characteristics of the Rogue River commercial core and to promote the establishment of new and complementary commercial and service land uses. *[Section 3.040(1) amended by Ordinance No. 00-301-O, passed 9-28-00 and 05-328-O, passed 9-29-05.]*

(2) **Permitted Uses.** All uses are subject to Article 10, Site Plan Review.

a. Business, financial and professional offices and banks.
b. Medical, dental and optical clinics.
c. Retail stores and service establishments which supply commodities or provide services primarily to meet the needs of the neighborhood and community, including:

1. Personal service establishments such as beauty and barber shops, laundromat, cleaning and laundry shops and services, and dyeing establishments.

2. Retail stores such as hardware stores, drug stores, antique shops, clothing stores, and grocery stores.

3. Restaurant, café, delicatessen, bakery, soda fountain, including sale of liquor, beer or other alcoholic beverages for consumption on the premises, not including entertainment or dancing.

4. Light service shops such as upholsterer, picture framing studios, appliance repair and tailoring.

5. Theater, provided that such use is conducted within a building.

6. Commercial parking lots for passenger vehicles, subject to the requirements of Article 5 of this Ordinance.

7. Printing, publishing and lithography shops and services.

8. Building material sales yard, excluding concrete or asphalt batch mixing plants.

9. Cabinet, carpentry, electrical, furniture, plumbing, and heating supply shops and services.

10. Small engine repairs such as, but not limited to, lawn mowers, weed eaters and chainsaws. This is not to be confused with car, truck or any other type of motor vehicle repair. *[Section 3.040(2)c amended by Ordinance No. 89-175-O, passed 6-8-89 and 92-215-O, passed 4-23-92.]*

d. Hotels and motels.

e. Mortuary.

f. Residences in conjunction with a commercial use.

(3) **Conditional Uses.** The following uses and accessory uses are permitted when authorized in accordance with Articles 6 and 10:

a. Outdoor restaurants and any establishment serving liquor, beer, wine or other alcoholic beverages for consumption on the premises, or including dancing and entertainment.

b. Bowling alleys, auditoriums, skating rinks, dance halls, and drive-in theaters.

c. Recreational vehicle parks.

d. Veterinary clinic.

e. Automobile service stations, auto body shop, muffler shop, mechanic shop, new and used-car sales, boat and trailer sales.

f. Vehicle and equipment rental and storage yards.

g. Mini-storage facilities.

h. Churches, parochial and private schools, including nursery schools, classrooms or training centers.

i. Business, dancing, trade, technical or similar schools, classrooms or training centers.

j. Residential care facilities.

k. Multiple family structures of three (3) units or more. *[Section 3.040 amended by Ordinance No. 92-215-O, passed 4-23-92.]*

l. Mobile business, the exterior length and width dimensions when multiplied shall enclose more than twenty-five (25') square feet and no more than one-hundred-ninety-two (192') square feet. *[Section 3.040 amended by Ordinance No. 98-276-O, passed 4-23-98.]*

m. Public and quasi-public, utility buildings, lodges and clubs, structures and uses as appropriate to and compatible with the purpose of the C-1 district.

n. Other similar uses, when found to be consistent with the intent of this District by the Planning Commission.

(4) **Area, Width, Height, and Yard Requirements.**

a. The maximum building height is forty (40') feet.

b. Each new parcel must front on and have access to a publically owned and maintained road for a minimum of forty (40') feet, except when the parcel is served by a flagpole approved under Section 4.120 of the City of Rogue River Subdivision Ordinance, or a private road created and approved through a partition, subdivision or planned unit development.

c. There are no requirements for lot area or width, or for yard setbacks except as necessary to meet the off-street parking and loading requirements or as

a condition of approval. *[Section 3.040 amended by Ordinance No. 92-215-O, passed 4-23-92.]*

(5) **General Requirements.**

a. No use shall be permitted and no process, equipment or materials shall be used which are found by the Planning Commission to be harmful to persons living or working in the vicinity or by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise vibrations, illumination, glare, or unsightliness or to involve any hazard of fire or explosions. *[Section 3.040 amended by Ordinance No. 90-194-O, passed 6-29-90 and 99-283-O, passed 1-11-99.]*

b. All business, services and processes shall be conducted entirely within a completely enclosed structure, or in an area immediately adjacent thereto provided the area of such outside use is paved and does not exceed ten percent (10%) of the area of the enclosed commercial use and is entirely on privately owned property. Off-street parking and loading areas, gasoline stations, outdoor dining entertainment or recreation areas, nurseries, garden shops, Christmas tree sales lots, bus stations, automobile sales, and trailer sales or rentals need not be within an enclosed structure. *[Section 3.040(5)b amended by Ordinance No. 94-236-O, passed 2-10-94.]*

c. Open storage of materials attendant to a permitted use or conditional use shall be permitted only within a paved area surrounded or screened by an approved solid wall or an approved site screening fence six (6') feet in height, provided that no materials or equipment, except vehicles, shall be stored to a height greater than that of the wall or fence.

d. Where a site adjoins or is located across an alley from a residential district, a solid wall or fence, six (6') feet in height, shall be located on the property line common to such districts, except in a required front yard, where it must be inside the property line.

e. All new development shall be required to provide half street improvements along all frontage roads, including curbs, gutters, sidewalks and storm drain facilities, and pavement to the center line of the road(s).

f. Any developer working in any public right-of-way within the city limits shall provide the City with a certificate of insurance in the amount of one-hundred-thousand (\$1,000,000) dollars naming the City of Rogue River as an additional insured. Public utilities are exempt from this section. *[Section 3.040(5) amended by Ordinance No. 96-259-O, passed 1-11-96.]*

(6) **Signs and Lighting Premises.**

a. No sign or outdoor advertising structure which faces and is located directly across the street from property situated in an R-E, R-1, or R-2 district shall be directly illuminated or flashing.

b. No red, green, or amber lights or illuminated signs may be placed in such a position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.

c. Out-of-door lighting standards and fixtures for illumination of premises shall be so designed and installed that direct rays are not toward or parallel with a public street or highway or directed toward residential uses located in the R-E, R-1, and R-2 districts.

(7) **Off-Street Parking.** All uses shall provide off-street parking facilities as required in Article 5 except when located within a special district organized to provide common public parking areas.

(8) **Mobile businesses.** Comprised of twenty-five (25') square feet or less of enclosed space, must be one-hundred (100%) percent self contained, be removed from the premises each night, present written approval from the property owner where mobile business shall be located, and written approval from the City Council before the issuance of a business license. [Section 3.040 amended by Ordinance No. 92-215-O, passed 4-23-92 and 98-276-O, passed 4-23-98.]

(9) **Hydrologist, Soil Engineer, Engineer, and/or Geologist:** Any developer developing in the City limits may be required to pay for a State of Oregon licensed Hydrologist, Soil Engineer, Engineer, and/or Geologist who is hired by the City to review the development plans to insure that all requirements and specifications of the City are met. [Section 3.040(9) added by Ordinance No. 99-284-O, passed 1-14-99.]

SECTION 2. amends to read:

SECTION 5.010. OFF-STREET LOADING:

(1) In all districts, (except those specifically excepted and noted), for each use for which a building is to be erected or structurally enlarged, off-street loading berths shall be provided to comply with the following requirements:

a. Commercial, industrial, and public utility uses which have a gross area of five-thousand (5,000') square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table:

<u>Square Feet of Floor Area</u>	<u>Number of Berths Required</u>
less than 5,000	0
5,001 to 30,000	1
30,001 to 100,000	2
100,000 and over	3

b. Office buildings, hotels, motels, hospitals, institutions, schools, public buildings, recreational or entertainment facilities, and any similar use which has a gross floor area of thirty-thousand (30,000') square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table:

<u>Square Feet of Floor Area</u>	<u>Number of Berths Required</u>
less than 30,000	0
30,001 to 100,000	1
100,001 and over	2

(2) A loading berth shall be a minimum of thirty-five (35') feet long and have a height clearance of fourteen (14') feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

(3) If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less loading space than is required to adequately handle the needs of the particular use. [Section 5.010(3) amended by Ordinance No. 87-159-O, passed 12-10-87.]

(4) Off-street parking areas used for loading and unloading shall not be counted as required loading spaces and shall not be used for loading and unloading operations

except during periods of the day when not required for parking needs. [Section 5.010(4) amended by Ordinance No. 90-194-O, passed 6-29-90.]

SECTION 3. amends to read:

SECTION 5.020. OFF-STREET PARKING:

(1) Off-street parking spaces shall be provided for any expansion or new building, structure or use in accordance with the requirements herein. [Section 5.020(1) amended by Ordinance No. 05-328-O, passed 9-29-05.]

(2) **Number of Parking Spaces Required.** The number of off-street parking spaces required shall be as set forth in the following schedule:

a. **Residential.**

#	USE	PARKING SPACES REQUIRED
1.	One and two family dwelling	Two car garage per dwelling unit
2.	Multiple family dwelling	2-1/2 off-street parking spaces per dwelling unit
3.	Rooming or boardinghouses, bed and breakfast establishment, residential hotel	One space for each guest accommodation plus one additional space for the owner/operator
4.	Senior citizen housing, specifically for persons 55 years of age or older	One car garage plus 1-1/2 off-street parking spaces per dwelling unit

b. **Commercial Residential¹.**

#	USE	PARKING SPACES REQUIRED
1.	Hotel and motel	One space per guest room or suite plus one additional space for the owner or manager
2.	Club, lodge	Spaces to meet the combined requirements of the uses being conducted such as restaurants, auditoriums, etc.
3.	Bed and Breakfast establishment	One space for each guest accommodation plus one additional space for the owner/operator

¹Section 5.020(2)b. amended by Ordinance No. 89-175-O, passed 6-8-89.

c. **Institutions**².

#	USE	PARKING SPACES REQUIRED
1.	Welfare, homeless, or correctional Institutions	One space per five beds for patients or inmates
2.	Convalescent hospital, nursing home rest home, home for the aged, congregate care, sanitarium, residential facility, residential home	One space per two beds for patients or residents

d. **Places of Public Assembly**³.

#	USE	PARKING SPACES REQUIRED
1.	Church	One space per four seats or eight feet of bench length in the main auditorium
2.	Library, reading room, museum, art gallery	One space per 400 square feet of floor area
3.	Preschool nursery, kindergarten	Two spaces per teacher
4.	Elementary or junior high school	Three spaces per classroom
5.	High School	Eight spaces per classroom
6.	Business, dancing, trade, technical or similar schools, classrooms or training centers	Two spaces per each teaching station plus one space for every two students of design capacity
7.	Auditorium or other place of public assembly	One space per four seats or eight feet of bench length. If no other seats are provided, one space per 100 square feet of floor area
8.	Recreation hall within apartment complex or planned unit development	One space per 200 square feet of floor area

²Section 5.020(2)c. amended by Ordinance No. 92-215-O, passed 4-23-92.

³Section 5.020(2)d. amended by Ordinance No. 92-215-O, passed 4-23-92

e. **Commercial Amusement⁴.**

#	USE	PARKING SPACES REQUIRED
1.	Stadium, arenas, theater	One space per four seats or eight feet of bench length
2.	Bowling alley	Eight spaces per lane
3.	Dance hall, skating rink	One space per 100 sq. feet of floor area
4.	Golf course	Five spaces per hole

f. **Commercial^{5 6}.**

#	USE	PARKING SPACES REQUIRED
1.	Retail store (except as provided in subsection 2 of this subsection)	One space per 200 sq. ft. of floor area
2.	Retail store exclusively handling bulky merchandise such as automobiles, mobiles, furniture and large appliances	One space per 600 sq. ft. of floor area
3.	Service or repair shop	One space per 300 sq. ft. of floor area
4.	Bank, office (except medical and dental)	One space per 300 sq. ft. of floor area
5.	Medical or dental office	Three spaces per each practitioner plus one for each two employees
6.	Mortuary	Twelve spaces plus four spaces for each room in excess of two which can be used as a parlor or chapel
7.	Eating or drinking establishment	One space per three seats or one space per 100 sq. ft. of floor space, whichever is greater

⁴Section 5.020 (2)e. amended by Ordinance No. 89-175-O, passed 6-8-89, and 90-194-O, passed 6-29-90

⁵Section 5.020(2)f. amended by Ordinance No. 90-194-O, passed 6-29-90.

⁶Property, within the Downtown Parking District (DPD), which cannot meet these standards, may apply to follow the standards in Section 5.030.

#	USE	PARKING SPACES REQUIRED
8.	Open air market, used car sales lot	One space for 1,500 sq. ft. of land area
9.	Mini-storage facilities	One space for every 1,000 sq. ft. of storage area plus one space for every 200 feet of office area

g. **Industrial.**

#	USE	PARKING SPACES REQUIRED
1.	Manufacturing establishment	Two spaces for every three employees on the two adjacent shifts or one space for every 500 square feet of floor area, whichever is greater
2.	Wholesale establishment, warehouse, freight depot	Two spaces for every three employees on two adjacent shifts or one space for every 1,000 sq. ft., whichever is greater

h. Other uses not specifically listed above shall furnish parking as required by the Planning Commission. In determining the off-street parking requirements for said uses, the Planning Commission shall use the above requirements as a general guide, and shall determine the minimum number of parking spaces required to avoid undue interference with the public use of streets and alleys. *[Section 5.020(2)h. amended by Ordinance No. 90-194-O, passed 6-29-90 and 99-283-O, passed 1-14-99.]*

(3) **More than One Use.** Where more than one use is included within any one building or on any single parcel, the parking requirements shall be the sum total of the requirements of the various uses, provided, however, where the operation of these different uses is such that the hours of operation or uses complement each other insofar as the parking demand is concerned, the Planning Commission may authorize a reduction in these requirements. *[Section 5.020(3) amended by Ordinance No. 90-194-O, passed 6-29-90 and 99-283-O, passed 1-14-99.]*

(4) Areas needed to meet the parking requirements of a particular building or use shall not be transformed or changed to another type of use, or transferred to meet the parking requirements of another building or use until the parking required for the original user of said parking area is provided at another location.

(5) Any building or use requiring five-tenths (5/10) or more of a parking space shall be deemed to require the full space.

(6) Uses within existing buildings in the Downtown Parking District shall provide as many off-street parking spaces as possible on-site, and pay the equivalent off-street parking utility fee in lieu of providing the remaining off-street parking spaces.

SECTION 4. amends to read:

SECTION 5.030. DESIGN REQUIREMENTS.

(1) **Size and Access.**

a. Each off-street parking space shall be not less than nine (9') feet wide and twenty (20') feet long, exclusive of access drives or aisles, and shall be of usable shape and conditions.

b. At the Planning Commission's discretion, up to forty (40%) percent of the off-street parking requirement can be met with compact car spaces, which are a minimum of eight (8') feet wide and sixteen (16') feet long, and each space must be signed as a "Compact Car Only" space.

c. Accessible parking spaces shall be provided in compliance with ORS 477.233. Specifically, one (1) van accessible space (nine (9') feet wide by twenty (20') feet long, with an adjacent access aisle that is at least eight (8') feet wide) shall be provided in any parking lot of twenty-five (25) parking spaces or less. For each additional twenty-five (25) parking spaces, one (1) additional accessible parking space (nine (9') feet wide and twenty (20') feet long with an adjacent six (6') foot wide aisle) shall be provided.

(2) There shall be adequate provision of ingress and egress to all parking spaces. Where parking spaces do not abut on a public street or alley, there shall be paved access drives not less than twelve (12') feet in width for one-way traffic or eighteen (18') feet in width for two-way traffic, leading to the parking and loading spaces. *[Section 5.020(6)a. amended by Ordinance No. 90-194-O, passed 6-29-90 and 99-283-O, passed 1-14-99.]*

(3) **Surfacing.** Areas used for standing and maneuvering of vehicles shall have durable surfaces maintained adequately for all-weather use, and adequately drained. Durable surfaces are defined as asphaltic concrete and concrete. Such durable surface shall apply to all zoning districts. In addition, commercial and industrial zones shall be adequately drained as to avoid flow of water across sidewalks. *[Section 5.020(6)b. amended by Ordinance No. 92-218-O, passed 6-25-92.]*

(4) **Lighting.** Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from the adjoining premises.

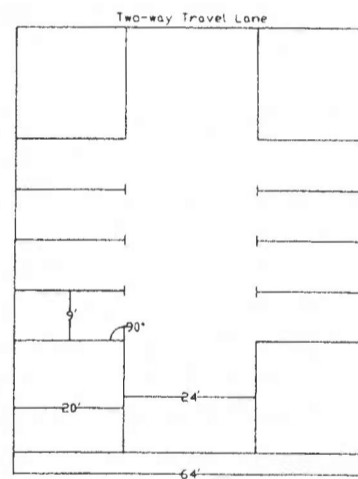
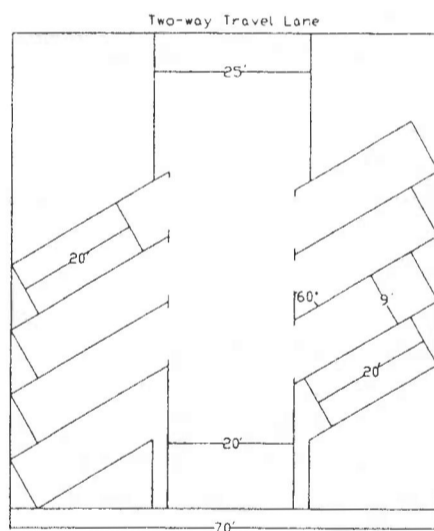
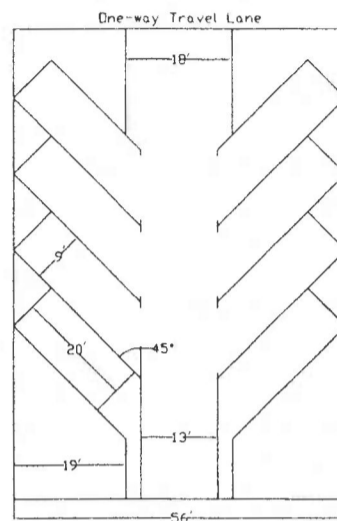
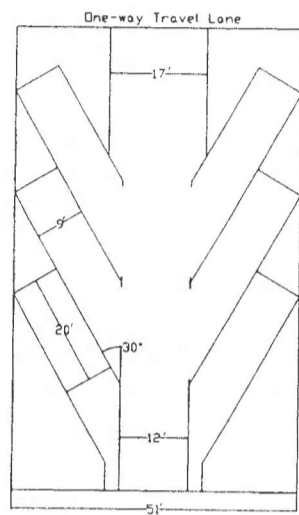
(5) **Multiple Dwelling Parking Spaces.** Parking spaces for other than one and two-family dwellings shall be designed so that no backing movements or other maneuvering within a street other than an alley shall be required. *[Section 5.020(6)d. amended by Ordinance No. 90-194-O, passed 6-29-90.]*

(6) **Service Drives.** Service drives shall have a minimum vision clearance area formed by the intersection of the driveway center line, the street right-of-way line, and a straight line joining said lines through points twenty (20') feet from their intersection. *[Section 5.020(6)e. amended by Ordinance No. 90-194-O, passed 6-29-90.]*

(7) **Parking Spaces.** Parking spaces along the outer boundaries of a parking lot shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property or a street. *[Section 5.020(6)f. amended by Ordinance No. 90-194-O, passed 6-29-90.]*

(8) **Residential District Off-Street Parking or Loading.** In any residential district the off-street parking or loading areas shall not be located in a required front yard. *[Section 5.020(6)g. amended by Ordinance No. 90-194-O, passed 6-29-90.]*

(9) **Parking Layout and Design.** The distances required for various parking lay-outs and designs shall be per the following diagram:



(10) **Joint and Cross Access**

a. Adjacent commercial or office properties classified as major traffic generators (i.e. shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.

b. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:

1. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.

2. A design speed of ten (10) mph and a maximum width of twenty (20') feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles.
 3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.
 4. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.
- c. Pursuant to this section, property owners shall:
1. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive.
 2. Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the City of Rogue River and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway.
 3. Record a joint maintenance agreement with the deed to the subject property defining maintenance responsibilities of property owners.
- d. The City of Rogue River may reduce 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 in accordance with this section.
 2. The site plan incorporates a unified access and circulation system in accordance with this section.
 3. The property owner enters into a written agreement with the City of Rogue River, recorded with the deed to the subject property, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.
- e. The City of Rogue River 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.

(11) **Access Connection and Driveway Design.**

- a. Driveways shall meet the following standards:
 1. If the driveway is a one way in or one way out drive, then the driveway shall be a minimum width of twelve (12') feet and shall have appropriate signage designating the driveway as a one way connection.
 2. For two-way access, the lane or driveway shall have a minimum width of eighteen (18') feet.
 3. Commercial and industrial uses shall have two lanes, with a width of ten to fourteen (10' -14') feet per lane.
- b. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view of cross-traffic. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.
- c. The length of driveways shall be designed in accordance with 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.

(12) **Requirements for Phased Development Plan.** All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles.

(13) **Nonconforming Access Features.** Legal access connections in place as of September 29, 2005 that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

- a. When new access connection permits are requested; or,
- b. Change in use, a commercial or industrial use that has been abandoned for a period of one (1) year or more, or enlargements or improvements that will increase trip generation. *[Section 5.020 (l) amended by Ordinance No. 05-328-O, passed 9-29-05.]*

(14) **Reverse Frontage.**

- a. Lots that front on more than one (1) street shall be required to locate motor vehicle accesses on the street with the lower functional classification.
- b. When a residential subdivision is proposed that would abut an arterial, it shall be designed to prevent driveway access to the arterial. A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located with the public right-of-way.

(15) **Drive Through Stacking Requirements.** Drive-through window stacking shall allow a minimum of one-hundred (100') feet for each service window.

- a. Stacking means the location in which vehicles await service as measured from the back edge of the sidewalk along the arterial or collector street to the service window as measured from the most direct driving route. Where the site abuts an unimproved arterial or collector street, the stacking distance is to be measured using future street standards (sidewalk location, etc.)
- b. Stacking need not be in a straight line. Plans shall include painting lanes on the site for circulation and posting directional signs. *[Section 5.020(6)h-n amended by Ordinance No. 03-316-O, passed 08-28-03.]*

(16) **Bicycle Parking.** The following Special Minimum Standards shall be considered as supplemental requirements for the number of required bicycle parking spaces.

a. **Multi-Family Residences.** Every residential use of four (4) or more dwelling units shall provide at least one sheltered bicycle parking space for each 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 required bicycle parking spaces shall be sheltered under an eave, overhang, an independent structure, or similar cover.

b. **Parking Lots.** All public and commercial parking lots and parking structures shall provide a minimum of one bicycle parking space for every twenty (20) motor vehicle parking spaces.

ORDINANCE NO. 07-339-O

First Reading: July 26, 2007

The enactment of the above Ordinance was moved by **Mead**, seconded by **Handbury**, roll call being had thereon, resulted as follows:

Bond; aye, Stuart, aye; Mead; aye, Collins; aye, Handbury; aye, Schaeffer; aye.

Second Reading: August 23, 2007

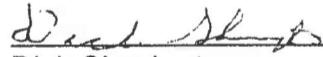
The enactment of the above Ordinance was moved by **Bond**, seconded by **Handbury**, roll call being had thereon, resulted as follows:

Bond; aye, Mead; aye, Handbury; aye, Collins; aye, Schaeffer; aye.

Whereupon the Mayor declared the motions to be carried and the Ordinance adopted.


PASSED this 23rd day of **August, 2007**, by the Common Council of the City of Rogue River, Oregon.

SIGNED this 24th day of **August, 2007**, by the Mayor Pro-Tem of the City of Rogue River, Oregon.



Dick Skevington
Mayor

ATTEST:



Carol J. Weir
Deputy Recorder



**CITY OF ROGUE RIVER
PO BOX 1137
ROGUE RIVER OR 97537**

**ATTN: PLAN AMENDMENT SPECIALIST
D.L.C.D.
635 CAPITOL STREET NE SUITE 150
SALEM OR 97301-2540**