

**CHAPTER 60
PLANNING DEPARTMENT DEVELOPMENT
STANDARDS**

**ARTICLE 60
BASIC PROVISIONS**

60.010 - PURPOSE

The purpose of this chapter is to establish standards for the design and development of sites in order to protect the public health, safety and welfare.

60.020 - APPLICATION

The standards established in this chapter shall apply to all new development in Klamath County.

60.030 - DISTINCTION BETWEEN URBAN AND RURAL AREAS

As used in this chapter, urban area means any property or lands located within an Urban Growth Boundary of Bonanza, Chiloquin, Klamath Falls, Malin and Merrill established by a Comprehensive Plan. Rural area means all other property or lands.

ARTICLE 61 LOT SIZE AND SHAPE

61.010 - LOT SIZE AND SHAPE

The lot size, shape and orientation within all subdivisions or partitions shall be appropriate for the location of the subdivision or partition and for the type of development and use contemplated.

- A. Lot Width - Each lot shall have a minimum width of 50 feet, unless otherwise specified by this code.
- B. Lot Depth - Each lot shall have a minimum depth of 100 feet.
- C. Lot Area - Each lot shall have a minimum area as required by the zone unless otherwise specified by this code.
- D. Corner Lot - Corner lots shall have a minimum width of 60 feet to permit appropriate building setbacks.
- E. Orientation of Side Property Line - As far as practical, the side property line of a lot shall run at right angles to the street upon which it faces, except that on a curved street the side property line may be radial to the curve.
- F. Minimum Standards - The minimum standards of this section shall apply except:
 - 1. In subdivisions or partitions that will not be served by public or private sewer system and central water supply systems, the lots or parcels shall be a minimum of 1 acre in area. Special topography or hydrologic conditions may demand a larger minimum lot or parcel size.
 - 2. Where property is zoned or deeded for business or industrial use, other widths and area may be permitted. Depth and width of properties reserved or platted for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required for the type of use and development contemplated, as prescribed in Article 68.
 - 3. Where any parcel of land which is described by a subdivision of the section of which it is a part, or by a government lot number and by the original General Land Office survey contains the minimum acreage required by zoning, shall be considered to meet the minimum lot size regardless of what a later, more accurate survey may reveal. Any parcel which has an existing State, County or public road way or easement, or right-of-way, out of any or all boundaries, shall by definition be considered to meet the minimum lot size.
 - 4. However, any property divided by the sale or grant of property for state highway, county road, city street or other right of way purposes shall continue to be considered as a single unit of land until such time as the property is further subdivided or partitioned.

61.020 - FLAG LOTS

The use of panhandle or flag lots as a means of access to a lot or parcel shall be permitted only where:

- A. The "flagpole" does not exceed a length 2.5 times the average lot width, excluding the flagpole, or twice the depth of the lot, whichever dimension is the lesser.
- B. The "flagpole" maintains a constant minimum width of 30 feet.
- C. The natural grade of the "flagpole" permits construction of a driveway with a grade not exceeding 12 percent.
- D. The driveways or "flagpole" portions of two lots or parcels are not contiguous.

ARTICLE 62 HEIGHTS AND SETBACKS

62.010 - PURPOSE

The purpose of this article is to establish and maintain minimum requirements for structure heights and setbacks from property lines in order to provide a measure of buffering between uses, ensure adequate privacy, maintain safe visibility at road intersections, ensure access to and around buildings, and provide access to natural light, ventilation and sunlight.

62.020 - HEIGHT REQUIREMENTS

- A. Height requirements specified in Section 62.040 or Section 62.050 shall be observed unless specified otherwise in Article 58 (Airport Safety Area -Kingsley Field) or in Article 58.4 (Airport Safety Areas - Crescent Lake, Beaver Marsh, Chiloquin and Malin).
- B. Except in Airport Safety Areas, height limitations shall not apply to barns, silos, water towers or other farm buildings or structures. Projections such as chimneys, amateur radio towers and antennas, flagpoles and other similar objects not used for human occupancy are likewise not subject to height limitations except within an Airport Safety Area, or unless otherwise specified in the code.
- C. The height of a structure or building is to be measured as the vertical distance from the highest point of the structure or building to the average of the highest and lowest points where the exterior walls touch the ground.

62.030 - SETBACK REQUIREMENTS

- A. Setback requirements specified in Section 62.040 shall be observed unless otherwise specified in this Article.
- B. Architectural features such as cornices, eaves, canopies, sunshades, gutters and chimneys shall not be closer than the minimum allowed by the setback requirement of the zone to the property line.
- C. Decks, terraces, steps, or other similar architectural features which are placed upon the ground or finished grade and do not exceed 30 inches in height above the ground or finished grade shall not be closer than 3 feet to a property lot line.
- D. The setback of a structure or building is the horizontal distance measured to any part of the structure including Architectural features, from the property line.

62.040 - MINIMUM STRUCTURE HEIGHT AND SETBACK REQUIREMENTS

The following minimum requirements shall be applied to all permitted, conditional and accessory structures allowed by this code unless specified otherwise. All requirements are measured in feet.

PRINCIPLE STRUCTURE REQUIREMENTS
(Special Height and Setback Requirements may apply)

| ZONE(s) | STRUCTURE HEIGHT | FRONT | SETBACKS | | |
|--|---------------------|-------|--------------------|------|----|
| | | | SIDE | REAR | |
| RCR | 35 | 20 | 5 | | 20 |
| R-10 R-5 R-2 R-1 | 35 | 25 | 10 | | 25 |
| RS | 35 | 25 | 10 | | 25 |
| RL RM RH | 35 | 20 | 5 | | 20 |
| CN | 25 | 25 | See Section 62.050 | | |
| CG CR CT | 50 | 25 | See Section 62.050 | | |
| IL | 50 | 25 | See Section 62.050 | | |
| IH | 150 | 25 | See Section 62.050 | | |
| EFU F FR | -- | 25 | 25 | | 25 |
| NR | 35 | 25 | 25 | | 25 |
| OS&C | -- | 25 | 25 | | 25 |
| DRO (setbacks not adjacent to a common area) | | 10 | 5 | | 5 |
| DRO (setbacks adjacent to a common area) | | 10 | See Section 88.030 | | |

62.050 - SPECIAL SETBACK REQUIREMENTS

A. Accessory Structures and Buildings

1. Accessory structures and buildings allowed by this code greater than 14 feet in height shall meet the setback requirement.
2. Accessory structures and buildings not greater than 14 feet in height may be permitted not less than 5 feet from a side or rear lot line.
3. Accessory structures and buildings shall not be permitted in the side yard abutting a street in corner lots.

B. Corner Lots

1. The side yard setback on the street side of a corner lot shall be 15 feet in R-10, R-5, R-2, R-1 and RS zones.
2. The side yard setback on the street side of a corner lot shall be 25 feet in commercial and industrial zones.
3. The side yard setback on the street side of a corner lot shall be 10 feet in all other zones.
4. The side yard setback on the street side of a corner lot shall be 5 feet in any zone where the lot or parcel is less than 50 feet wide as measured across the front property line.

C. Commercial and Industrial Zone Setbacks

Side and rear setbacks are not required except:

1. For corner lots;
2. Where building codes require a setback;
3. Where a commercial or industrial zoned property abuts a residential zone in which case the minimum setback shall be 25 feet plus 1 foot for each 3 feet of building height greater than 12 feet; or
4. Where a commercial or industrial zoned property abuts an alley or right-of-way, the rear setback shall be a minimum of 10 feet.

D. Distance Between Buildings

1. An accessory building shall be located no closer than 6 feet to the principal dwelling.
2. Any accessory building sheltering livestock or other animals shall be located no closer than 50 feet to any dwelling or other building used for human habitation.
3. Principle residential buildings shall be located no closer than 10 feet or 1/2 the height of the tallest structure, which ever is greater.
4. Nonresidential structures or buildings shall be sited as provided for in the Uniform Building code.

E. Utility or Access Easements

No structure or building shall be built or placed in an utility or access easement. Where an easement conflicts with the allowable setback, a structure or building shall be set back an additional 2 feet from the easement.

F. Setbacks from Waterways

1. Unless otherwise specified by this code, no structure, building, or subsurface septic system shall be located within 100 feet of streams, surface water bodies or wetlands. Measurement of the setback from streams and surface water bodies shall be at right angles to the mean high water line. *For an exception to this rule see 57.070 (4)(a).*
2. In the case where the mean high water line cannot be established, the Watermaster shall determine the line.
3. Development within 100 feet of streams, surface water bodies or wetlands shall comply with Article 57 - Significant Resource Overlay.
4. Nothing in this subsection shall exempt any development from the requirements of Article 59 - Flood Hazard Area.
5. Notwithstanding this subsection, structures necessary and required to make use of a water right may be permitted within 100 feet of waterways.

G. Setbacks from Resource Lands:

Where rural residential land abuts resource (farm or forestry) zoned lands, the structural setback shall be fifty (50)-feet from the residential property boundary that is contiguous to resource land. Effective from the date of approval of this amendment (ORD. 45.46; Approved June 25, 2002), this provision shall only be required upon final plat approval for land partitions or subdivisions of rural residential land.

62.060 - VISION CLEARANCE

No structure or other visual obstruction shall be created, placed, maintained or allowed to grow between 3 and 10 feet in height within 25 feet of the intersection of the right-of-way lines of two streets, a public street and a private street, or a street and a railroad property line. Height shall be measured from the edge of the improved roadway surface. In accordance with the Type I Administrative Review Procedure, the Planning Director may order the removal or modification of such sight obstructions which conflict with this section. The Planning Director's Order may be appealed pursuant to Article 33.

ARTICLE 63
WIRELESS TELECOMMUNICATIONS FACILITIES

63.010 – PURPOSE

The purpose is to establish and maintain development standards for wireless facilities to provide a service to the public consistent and coordinated with different land uses and zone designations.

63.020 – REVIEW PROCEDURE

- A. The applicant shall attend a pre-application conference prior to submission of an application for a wireless telecommunication facility. The pre-application conference will be in conformance with Article 21, Pre-Application Conference Procedure.
- B. The review procedure for a wireless telecommunication facility application will be subject to the applicable Conditional Use Permit criteria under Articles 44, 54, 55 & 55.2. A wireless telecommunication facility application will be reviewed and heard by the Hearings Officer.

63.030 – SUBMITTAL REQUIREMENTS

- A. A site plan is to accompany the application. The site plan requirements shall be subject to the criteria of Section 41.060 of Article 41.
- B. A map that indicates the location of existing and currently proposed telecommunication facilities within a ten mile radius of the proposed site and their approximate distance to the proposed site.
- C. A map that indicates the Township, Range, Section and Tax Lot and also the location on map of where the proposed telecommunication facility is to be located.
- D. A TOPO map indicating the topography of the site.
- E. A letter from the Federal Aviation Administration or the Oregon Department of Transportation Aeronautics Division as to whether or not aviation lighting would be required for the proposed facility.
- F. Documentation that there has been a good faith effort using radio frequency maps and coverage objects to co-locate its antennas on existing facilities in the area that is to be served.
- G. A photographic simulation of the location site indicating a before picture and an after picture showing how the facility will fit into the surrounding area.
- H. A copy of a blank lease form.

63.040 – CONDITIONS OF APPROVAL

- A. A bond or other security acceptable to the Hearings Officer shall be required for the removal of the facility until such time the facility is removed. The bond or other security such as; 1) cash or certified check; 2) time deposit certificate payable to Klamath County; 3) savings account assignment to Klamath County. The bond to be reviewed every two years.
- B. An approval of a wireless telecommunication facility shall include a condition that if the facility is left unused or is abandoned by all wireless providers located on the facility for more than one year, the facility shall be removed by the applicant within thirty days of being declared abandoned.
- C. When required, aviation lighting will use Fresnel lenses or suitable lenses to minimize ground lighting conflicts to the maximum extent regulated by the FAA or ODOT – Aeronautics regulations.
- D. When possible, the siting of the facility will utilize existing trees, vegetation, and topo to screen facility from view of nearby residences and roadways.
- E. A wireless telecommunication facility shall be vegetated and/or camouflaged to the maximum extent practicable to screen facility from view of roadways and residences.
- F. The perimeter of the site plan shall be enclosed by a chain link security fence of not less than eight feet tall, topped by a three-strand barbed wire barrier, and to be erected within a week of construction of the tower.
- G. Provide documentation of legal access.
- H. The applicant shall file a restrictive covenant with the Klamath County Clerk's Office recognizing the rights of adjacent and nearby landowners to conduct farming & forest operations and prohibit the permit grantee, or successors from filing any complaint of any type concerning accepted resource management practices and farm use.
- I. Tower setbacks shall be no less than the height of the tower.

63.050 APPEAL PROCESS

A decision reached under the Hearings Officer review procedure may be appealed to the Klamath County Board of Commissioners within seven days of the mailing of the notification of the final decision as set forth in Article 33.

ARTICLE 64 FENCES, WALLS AND SCREENING

64.010 - PURPOSE

The purpose of establishing and maintaining standards for fences, walls and screening are to protect certain uses from intrusion, to protect the public from uses which may be hazardous, and to increase compatibility of different land uses.

64.020 - VISION CLEARANCE

No fence, wall, hedge, or other visual obstruction shall be created, placed, maintained or allowed to exceed 3 feet in height within 25 feet of the intersection of the right-of-way lines of two streets, a public street and a private street, or a street and a railroad property line. Height shall be measured from the edge of the improved roadway surface. In accordance with the Type I Administrative Review Procedure the Planning Director may order the removal or modification of such sight obstructions which conflict with this section. The Planning Director's order may be appealed pursuant to Article 33.

64.030 - PERMITTED FENCES, WALLS AND HEDGES

- A. Fences, walls, and hedges not greater than 3 feet in height shall be permitted on or within front property lines and building setback, provided they do not obscure vision, except that fences may be 6 feet in height if they are constructed of open mesh.
- B. Fences, walls and hedges not greater than 6 feet in height may be permitted on or inside any property line, unless otherwise specified in the code.
- C. Fences, walls and hedges located on or inside front property lines shall not obscure vision from a public street, road or access to the dwelling or other primary structure on the property, unless otherwise specified in this code.
- D. Fences, walls and hedges shall be maintained with public safety and a neat and orderly appearance in mind.

64.040 - SPECIAL HEIGHT ALLOWANCES

Fences not greater than 12 feet in height enclosing an area for business security purposes, or enclosing school or playgrounds may be permitted provided the fence material does not obscure vision from a public street, road or access into the property.

64.050 - SWIMMING POOL FENCING

Private swimming pools shall be fenced to exclude unsupervised access and use by small children. Such fencing shall be a minimum of 5 feet high and shall be equipped with a self-closing and self-latching gate. Latching devices shall be located at a minimum height of 4 feet above the ground.

64.060 - REQUIRED SCREENING

- A. A sight obscuring fence or wall at least 8 feet in height is required within side or rear property lines where;
 - 1. A nonconforming commercial or industrial land use abuts property occupied by a use or activity allowed by the zone; or
 - 2. A commercial or industrial zone abuts property not commercially or industrially zoned.
- B. Outdoor storage in a commercial or industrial zone shall be screened from view on all sides by a sight obscuring fence, wall or hedge at least 8 feet in height.
- C. Public or private utility substations shall be screened from view on all sides by a sight obscuring fence, wall or hedge at least 8 feet in height.
- D. Outdoor mechanical equipment appurtenant to commercial or industrial uses shall be screened from view from adjacent property or a public street, road or access.
- E. Auto wrecking yards shall be totally enclosed by a sight obscuring fence or wall 8 to 15 feet high & no motor vehicles or parts thereof, shall be visible above the site obscuring fence or wall.

ARTICLE 65 LANDSCAPING

65.010 - PURPOSE

The purposes of landscaping requirements are to maintain and enhance the appearance of structures and properties, to provide for visual privacy and a quality visual environment, and to provide areas on sites to absorb rainfall and reduce stormwater runoff.

65.020 - REQUIRED LANDSCAPING

The following uses shall provide for and permanently maintain landscaping as required by this article:

- A. New and or expanded uses requiring Article 41 Site Plan approval in all Commercial and Industrial Zones.
- B. New and/or expanded Manufactured Home Parks.
- C. New or expanded Multifamily Structures and PUDs.

65.025 - LANDSCAPE PLAN

- A. Landscape Plan, when required for the uses set out in Section 65.020 shall include the following:
- B. Tree and shrub planting calculations;
- C. Existing vegetation;
- D. New plant materials noting location, regionally accepted species and size at planting;
- E. Provision for irrigation;

65.030 - LANDSCAPING STANDARDS

- A. Coverage - All portions of front, rear, and side yards not covered by a structure or by required parking and access driveways shall be landscaped unless otherwise specified by this code. At least one tree and two shrubs shall be required for each 1,000 sq. ft. of such space or fraction thereof.
- B. Parking Areas
 - 1. Where off-street parking for 10 or more vehicles is required the perimeter of parking areas shall be landscaped.
 - 2. Landscaping shall include 15 square feet for each parking space.

- C. Playgrounds - All multifamily dwellings having seven or more dwelling units shall provide a recreation area and suitable playground with recreation equipment on the same lot or parcel as the dwellings. Such areas shall contain a minimum of 20 sq. ft. per dwelling unit with a minimum of 150 sq. ft. Playground equipment shall include at least one of the following for the minimum area site and one additional element for each additional 300 sq. ft: climber, play sculpture, play wall, sand box, slide, balance beam, horizontal ladder, or swings.
- D. Materials - Landscaping shall consist of live ground cover, forbs, grasses, shrubs, trees with local climatic conditions should be used. Landscaping may include decorative design elements sufficient irrigation facilities to maintain all vegetation. Native vegetation or vegetation suited to including but not limited to pools, planters, rock gardens or similar elements.
- E. Installation - A Performance Agreement pursuant to Article 15 shall be completed as a condition of Planning Department Site Plan Approval providing for the initial installation and maintenance of landscape elements for one year.

65.040 - RESTRICTIONS

- A. Landscaping shall not be established or maintained within public right-of-ways or easements without approval of the appropriate entity having control of the right-of-way or easement.
- B. The following plants are prohibited from use toward meeting landscaping requirements of this code:
 - 1. Poplars (*Populus sp.*)
 - 2. Willows (*Salix sp.*)
 - 3. Elms (*Ulmus sp.*)
 - 4. Box Elders (*Acer negundo*)
- C. No landscaping feature shall be created, placed, maintained or allowed to grow between 3 and 10 feet in height within 25 feet of the intersection of the right-of-way lines of two streets, a public street and a private street, or a street and a railroad property line. Height shall be measured from the edge of the improved roadway surface. In accordance with the Type I Administrative Review Procedure the Planning Director may order the removal or modification of such sight obstructions which conflict with this section. The Planning Director's order may be appealed pursuant to Article 33.

ARTICLE 66 SIGNS

66.010 - PURPOSE

The purpose of sign regulations is to support the use of signing which is maintained in a safe and attractive condition, and to preserve and enhance the County's visual environment.

66.020 - EXEMPT SIGNS

- A. Directional, warning, or information signs required or authorized by law which are installed and maintained by federal, state, county or municipal officials or by utility or railroad companies;
- B. Official notices issued by a court or public body and posted in the performance of a public duty;
- C. House identification numbers;
- D. Personal property signs such as "no trespassing", "no hunting", "no parking"; and
- E. Signs that can not be viewed from a public streets, road or access, signs that can not be viewed from adjacent properties such as signs inside shopping malls, commercial buildings and structures and stadiums.

66.030 - SIGN STANDARDS

- A. On-premise signs may be permitted according to standards identified in this section unless otherwise specified in Section 66.040. All requirements are measured in feet.

BASIC SIGN REQUIREMENTS
(Special Requirements may apply, See Section 66.040)

| <u>ZONE(s)</u> | <u>MAX HEIGHT</u> | <u>MAXIMUM SIGN AREA IDENTIFICATION SIGNS/SALES SIGNS</u> |
|------------------|-----------------------|---|
| RCR | 10 feet | 6 square feet/6 square feet |
| R-10 R-5 R-2 R-1 | 10 feet | 6 square feet/6 square feet |
| RS RL RM | 10 feet | 6 square feet/6 square feet |
| RH | 10 feet | 36 square feet/6 square feet |
| CN | 20 feet | 80 square feet/25 square feet |
| CG CR CT | 30 feet | 300 square feet/25 square feet |
| IL IH | 30 feet | 300 square feet/25 square feet |
| EFU F FR NR | 10 feet | 25 square feet/25 square feet |
| OS&C | 10 feet | 25 square feet/ -- -- -- |

B. Sign area may be allowed in excess of 300 feet in the CG, CT, IL, and IH zones by Type I Administrative Review in accordance with the following building size requirements (all measurements are in square feet).

| | | | | |
|-----------------------|---------|--------------|---------------|---------|
| <u>Building Size:</u> | 0-5,000 | 5,001-10,000 | 10,001-15,000 | >15,000 |
| <u>Sign Area:</u> | 300 | 400 | 500 | 600 |

C. As used in this section, the following definitions shall apply:

1. Identification signs shall mean signs used to indicate the name, address, operation or direction to a business conducted on the property.
2. Sale signs shall mean signs used to advertise property for sale, lease or rent.
3. Premises: (a) The premises on which any activity is conducted is determined by the physical facts rather than property lines. It is the land occupied by the buildings or other physical uses that are necessary or customarily incident to the activity, including such open spaces as are arranged and designed to be used in connection with such buildings or uses; (b) Except for farms and ranches, the following will not be considered to be part of the premises on which the activity is conducted and any signs located on such land will be considered outdoor advertising signs:

- (A) Any land which is not used as an integral part of the principal activity. This would include, but is not limited to: (i) Land which is separated from the activity by a public road; (ii) Land which is separated by an obstruction and is not used by the activity; and (iii) Land that is undeveloped highway frontage adjacent to the land actually used by the advertised activity, even though it might be under the same ownership.
 - (B) Any land which is used for, or devoted to, a separate purpose unrelated to the advertised activity would not be part of the premises on which the activity is located even though under the same ownership;
 - (C) Any land which is separated from the principal activity, and is developed or used only at the sign site by structures or uses which are only incidental to the principal activity, and which serves no reasonable or integrated purpose related to the activity other than to attempt to qualify the land for signing purposes;
 - (D) Where the sign site is located at or near the end of a narrow strip contiguous to the advertised activity, the sign site shall not be considered part of the premises on which the activity advertised is being conducted. A narrow strip shall include any configuration of land which is such that it cannot be put to any reasonable use related to the activity other than for signing purposes except the major entrance or exit roadway to or from the premises which serves only the advertised activity.
- D. No sign shall be placed and maintained in public street right-of-way or utility right-of-way or easement.
- E. Sign Area -- Sign area is to be calculated as the number of square feet of the smallest rectangle within which the sign can be enclosed as follows:
1. Where a sign has two faces containing sign copy which are oriented back-to-back, the area of the sign is to be measured using the larger of the two faces, if different;
 2. Where a sign is composed of letters mounted or painted on a building wall or other architectural feature, the sign area is to be calculated as the smallest rectangle within which all characters and images can be enclosed; or
 3. Where a sign consists of one or more three-dimensional objects, the sign area shall be calculated as largest area of a side of a cube enclosing the entire object.
- F. Sign Maintenance - All signs and advertising objects shall be maintained in a neat, legible, and orderly condition. All signs pertaining to a discontinued use or activity shall be removed no later than 6 months following discontinuance of the use.
- G. Illumination - Illuminated signs shall be lighted by continuous, stationary, shielded light sources directed solely at the sign or internal to the sign. Signs shall be illuminated so as to prevent direct

illumination or glare onto any public street or road, or onto adjacent property. Signs consisting of any flashing component shall be prohibited where they are visible from any street or highway.

- H. Computerized electronic message boards shall be permitted in conjunction with a commercial use only after approval signature is received from the jurisdiction controlling adjacent rights-of-way.

66.040 - SPECIAL SIGNS

A. Temporary Signs

1. Campaign signs shall meet all sign standards of this code and shall be removed no later than 10 days following the appropriate election date.
2. Construction/Development signs denoting an architect, contractor, developer or owner may be placed on the site of a building or structure under construction or development. No such sign shall be greater than 36 square feet in size and shall be removed upon completion of construction or development.

B. Outdoor Advertising Signs

Notwithstanding provisions of ORS Chapter 377, no outdoor advertising sign greater than 300 square feet as defined in this code shall be placed or installed on any lot or parcel that is not zoned for commercial or industrial purposes and is not within a defined UGB or RSC boundary. Total sign area per parcel where the Outdoor Advertising Sign is to be located must not exceed the total sign area allowed under 66.030. Outdoor advertising signs existing as of November 15, 1990, may continue subject to regulation by the Oregon State Highway Division.

- C. A-Frame signs may be permitted in any commercial or industrial zone based on the following standards:

1. The sign is not located within a public right-of-way;
2. The sign area does not exceed 10 square feet;
3. The sign advertises goods, products or services which are manufactured, distributed or sold on the premises on which the sign is located.

66.050 - NONCONFORMING SIGNS

- A. Any sign existing on or before November 15, 1990, which does not comply with all requirements of this article may be continued as a nonconforming use.
- B. Alteration of any nonconforming sign, except to bring the sign into full conformance with this code, shall require a conditional use permit.

66.060 - SIGNS NOT ADDRESSED

Signs not addressed or otherwise regulated by this article may be permitted in any zone by Conditional Use Permit. All standards in this article shall apply.

ARTICLE 68
OFF-STREET PARKING AND LOADING

68.010 - PURPOSE

The purpose of off-street parking and loading requirements is to establish and maintain areas for efficient and convenient parking for residential, civic and commercial uses and to provide a safe means for discharging people and products from ground transportation.

68.020 - GENERAL PROVISIONS

- A. No parking area provided for the purpose of complying with the provisions of this code shall be eliminated, reduced or converted to another use unless equivalent facilities are provided in conformance with this article.
- B. Additions or expansions of any structure or use on a property shall be accompanied by parking facilities to replace parking lost or achieve conformance with this article.
- C. Required parking facilities of two or more uses, structures or contiguous lots or parcels may be satisfied by the same parking facilities used jointly, to the extent that the need for the facilities does not materially overlap and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use.
- D. Space computations for any parking requirements which result in fractional requirements shall be increased to the next higher full digit.
- E. Parking requirements for types of buildings, structures, or uses not specifically listed in Section 68.030 shall be determined by the Planning Director according to the Type I Administrative Review Procedure, and be based on the parking requirements of comparable uses listed in this code.

68.030 - OFF-STREET PARKING REQUIREMENTS

The following off-street parking requirements shall apply to all buildings, structures, developments and land uses unless otherwise specified in this code.

| | | |
|----------------------------|-----|--|
| Single-family, | 2 | spaces per dwelling unit manufactured home, |
| Multifamily | 1.5 | spaces per dwelling unit |
| Residential Care | 1 | space per 4 residents at design capacity |
| Religious Assembly | 1 | space per 4 seats or 8-foot bench or pew in the main assembly. |
| Library, Cultural Exhibits | 1 | space per 400 square feet gross floor area |

| | | |
|---|---|--|
| Primary and Secondary Schools | 1 | space per classroom plus 1 space per administrative employee, and 1 space per 6 students design capacity or 1 space per 4 seats/8 feet of bench in the main auditorium, whichever is greater |
| College/trade school | 1 | space per 1.0 faculty FTE plus 1 space per 5 student FTE design capacity |
| Stadium/Fairground | 1 | space per 4 seats or 1 space per 8 feet of bench, whichever is greater |
| Other public assembly recreation, or entertainment | 1 | space per 4 seats or 1 space per 8 feet 8 feet of bench, or 1 space per 100 feet of gross floor area, which ever is greater |
| Hospital | 1 | space per two beds |
| Transportation | 1 | space per 2 employees plus 1 space per 3 departing passengers based on average travel day |
| Professional/Administrative Offices | 1 | space per employee plus 1 space per 400 square feet gross floor area |
| Medical Offices | 1 | space per employee plus 1 space per 200 square feet gross floor area |
| Retail Sales and Service | 1 | space per 300 square feet of gross floor area |
| Retail Sales and Service large items such as furniture and appliances | 1 | 1 space per 750 square feet of gross floor area |
| Shopping Centers/Department Stores | 5 | spaces per 1000 square feet of gross floor area |
| Restaurant/Tavern | 1 | space per 100 square feet of gross floor area |
| Motel | 1 | space per guest room |
| Warehouse, wholesale, distribution, manufacturing | 1 | space per employee plus 1 space per commercial vehicle plus 1 space per 700 square feet of patron service area |

68.040 - DISABLED PERSON PARKING

Note: All references delineated with an "*" shall reference ADA Accessibility Guidelines (Federal Register/Vol. 56, No. 173/Friday, September 6, 1991/Rules and Regulations)

A. Number of Spaces

If parking spaces are provided for self-parking by employees or visitors, or both, then accessible spaces complying with 4.6* shall be provided in each such parking area in conformance with the table below. Spaces required by the table need not be provided in the particular lot. They may be provided in a different location if equivalent or greater accessibility, in terms of distance from an accessible entrance, cost and convenience is ensured.

| Total Parking Spaces in Lot | Required Minimum Number of Accessible Spaces |
|-----------------------------|--|
| 1 to 25 | 1 |
| 26 to 50 | 2 |
| 51 to 75 | 3 |
| 76 to 100 | 4 |
| 101 to 150 | 5 |
| 151 to 200 | 6 |
| 201 to 300 | 7 |
| 301 to 400 | 8 |
| 401 to 500 | 9 |
| 501 to 1000 | 2% of total |
| 1011 and over | 20 plus 1 for each 100 spaces above 1000 |

B. Dimensions

Access aisles adjacent to accessible spaces shall be 60 inches wide minimum, except that one in every eight accessible spaces, and not less than one, shall be served by an access aisle 96 inches wide minimum and shall be designated "van accessible" as required by 4.6.4.* The vertical clearance at such spaces shall comply with 4.6.5.* All such spaces may be grouped on one level of a parking structure. EXCEPTION: Provision of all required parking spaces in conformance with "Universal Parking Design" (see appendix A4.6.3*) is permitted).

C. Passenger Loading Zones

If passenger loading zones are provided, then at least one passenger loading zone shall comply with 4.6.6.*

D. Medical Facilities

At facilities providing medical care and other services for persons with mobility impairments, parking spaces complying with 4.6 shall be provided in accordance with 4.1.2(5)(a)* except as follows:

1. Outpatient units and facilities: 10 percent of the total number of parking spaces provided serving each such outpatient unit or facility;
2. Units and facilities that specialize in treatment or services for persons with mobility impairments: 20 percent of the total number of parking spaces provided serving each such unit or facility.

E. Valet Parking

Valet parking: Valet parking facilities shall provide a passenger loading zone complying with 4.6.6* located on an accessible route to the entrance of the facility. Paragraphs A, B, and C of this section do not apply to valet parking facilities.

- F. Signs - A sign shall be posted for each disabled person parking space required by this section. The sign shall be clearly visible, shall be marked with International Symbol of Access, and shall bear the following words in at least 1 inch high letters:

"Parking with D.M.V. Disabled Permit only. Violators subject to towing under ORS 811.620 and a fine up to \$250 under ORS 811.625"

- G. Location - Parking spaces for disabled persons and accessible passenger loading zones that serve a particular building shall be located on the shortest practicable route to a building entrance.

68.050 - OFF-STREET PARKING FACILITY LOCATION

Parking Area Location - The location of off-street parking and loading facilities shall be in accordance with the following provisions:

- A. Required parking facilities for residential uses shall be located on the same lot or parcel of land as the use the parking facilities are intended to serve.
- B. Required parking facilities for uses other than residential shall be located as follows:
 1. On the same lot or parcel of land as the use such parking or loading facilities are intended to serve.
 2. On a lot or parcel of land held under joint ownership, provided such parking or loading facilities relocated adjoining the use or uses served.
 3. On a lot or parcel of land separated only by an alley from the lot or parcel or land on which the use or uses served are located, provided:

- a. That said lots or parcels or land are in the same or joint ownership and separated only by an alley;
 - b. That direct vehicular access between said lots or parcels of land would be possible in the event the alley as vacated; or
 - c. That such parking facilities are in close proximity to the actual use or uses served.
- C. Required loading facilities shall be located on the same lot or parcel of land as the uses served.

68.060 - DROP-OFF POINTS

Drop-off Points Required - Parking areas for public assembly facilities are to include a designated on site location for dropping off passengers at the entrance to the facility in advance of parking the vehicle. Drop-off areas are to consist of vehicle turnout lanes located outside of normal travel lanes. Drop-off points shall be provided for:

- A. Hotels and motels;
- B. Schools with 50 or more students;
- C. Churches with a capacity of 100 or more;
- D. Restaurants with a capacity of 50 or more customers;
- E. Public transportation terminals;
- F. Places of public assembly;
- G. Public Buildings; and
- H. Offices larger than 5,000 square feet gross floor area.

68.070 - OFF-STREET PARKING DESIGN STANDARDS

All off-street parking areas shall be designed according to the standards of this section.

- A. Parking space dimensions - All off-street parking spaces shall be no less than 9 feet by 20 feet in size, except as provided in subsection C of this section.
- B. The width of aisles between parking spaces - Aisle width between rows of parking spaces shall be no less than:
 - 1. 16 feet between rows of parking spaces angled at less than 30 degrees;

2. 18 feet between rows of parking spaces angled at greater than 30 degrees and less than 60 degrees;
 3. 25 feet between rows of parking spaces angled at greater than 60 degrees.
- C. Parallel parking spaces - All parallel parking spaces shall be no less than 9 by 22 feet in size. Aisle dimensions between parallel parking spaces shall be no less than 12 feet for one-way aisles and 24 feet for two-way aisles.
- D. Parking Access
1. Driveways serving residential uses shall have a minimum width of not less than 9 feet when serving 4 or less dwelling units and a driveway width of not less than 16 feet when serving 5 or more dwelling units or in lieu thereof, 2 separate driveways not less than 9 feet in width and unobstructed to a height of 8 feet.
 2. Driveways serving other than residential uses shall have a minimum width of 15 feet to accommodate one-way traffic and a minimum width of 25 feet to accommodate two-way traffic.
 3. Parking areas for 2 or more vehicles shall be designed to prevent or discourage cars from backing out into a public street, public or private pedestrian walk, or public alley, in order to leave the area or to maneuver out of the parking space. Parking lots shall be designed and improved so as to prevent ingress and egress at any point other than designated entrance or exit drives.
 4. Access driveways to parking areas containing 4 or more spaces shall be located and designed as follows:
 - a. Parking area entrance and exit driveways are to be located a minimum of 50 feet from the nearest street intersection, as measured from the centerline of the driveway to the nearest travel lane of the intersecting street.
 - b. Entrance and exit driveways crossing the street property line of a single site are to be limited to 2 along the frontage of a single street. The centerline of driveways on the same property shall be separated by a minimum of 30 feet.
- E. Surfacing - All parking areas within the Klamath Falls Urban Growth Area shall be surfaced with an asphalt, concrete, chip seal, brick or other masonry paving units. All parking areas outside the Klamath Falls Urban Growth Area shall be surfaced with a minimum of a crushed rock gravel surface.
- F. Lining and Marking - Paved parking spaces shall be marked with paint striping, a minimum of 2 inches in width. Parking spaces in other types of lots may be identified by wheel stop barriers.

G. Wheel Stops - Within the Klamath Falls Urban Growth Area, wheel stops or continuous concrete or asphalt curbing are required in all parking lots to define the perimeter of the parking area and to protect landscaping from vehicle encroachment. Wheel stops shall be constructed as follows:

1. Wheel stops shall be constructed of durable material not less than 6 inches in height. Wheel stops shall be securely installed and maintained as a safeguard against damage to adjoining vehicles, machinery or abutting property.
2. Wheel stops or other vehicle barriers less than 2 feet in height shall be located no closer than 3 feet to any property line.

H. Vertical Clearance - Covered parking spaces shall have a vertical clearance of at least 7'6" above the parking lot surface for all uses except residential.

I. Slope - The finished grade of a parking lot shall not exceed 5 percent slope.

68.080 - OFF-STREET LOADING REQUIREMENTS

Buildings or structures constructed or altered which receive and distribute materials or merchandise by delivery truck shall provide off-street loading berth in the following manner:

A. The number of berths shall be established according to:

| <u>Gross Floor Area of Structure</u> | <u>Number of Required Berths</u> |
|--------------------------------------|----------------------------------|
| Up to 5,000 square feet | 0 |
| 5,000 to 20,000 square feet | 1 |
| 20,000 to 50,000 square feet | 2 |
| Greater than 50,000 square feet | 1 per ea additional 50k sq ft |

B. A loading berth shall contain a space not less than 10 feet wide and 50 feet long, and have an overhead clearance of not less than 14 feet. In no case shall a loading berth be designed such that any truck would interfere with a public street.

ARTICLE 69

RURAL/WILDLAND FIRE SAFETY STANDARDS

69.010 - PURPOSE

The purpose of this article is to provide development standards which promote safe and appropriate rural development in areas where wildfire represents a threat to persons and property, and to ensure that rural development does not threaten valuable resource lands or individuals charged with fighting wildland fires.

69.020 - APPLICATION

This article shall apply to all new development zoned Forestry and Forestry/Range, and to all new development in other zoned land located within an area identified as having a medium, high or extreme hazard rating on the Wildland Hazard Ratings map adopted as part of the Klamath County Comprehensive Plan. "New development" includes, but is not limited to individual dwellings and structures, land partitions and subdivisions. New dwellings shall comply with Sections 69.040; 69.050(A), (B), (C); 69.060(B); 69.070; and 69.080. New land divisions shall comply with Sections 69.030; 69.050(D); and 69.060(A).

69.030 - ROAD STANDARDS

- A. New subdivision or major land partition developments within a high or extreme fire hazard rating may have no fewer than 2 separate access routes to a county, state, or federal road, and shall be interconnected within the development to eliminate dead end roads. Road access shall be on opposite sides of the development where practicable.
- B. Dedicated right-of-ways or private road easements for subdivisions and major partitions within a high or extreme fire hazard rating may be no less than 60 feet wide.
 - 1. The improved travel surface may be no less than 32 feet wide and improved to county standards for rural roads;
 - 2. The entire right-of-way shall be maintained as a fuel break free of brush and other flammable materials.
- C. Road grades shall not exceed 10 percent.
- D. The length of cul-de-sacs shall not exceed 700 feet.
- E. Cul-de-sacs shall have a right-of-way with a 50 foot radius and an improved vehicle turning area not less than 80 feet in diameter.

- F. Bridges or culverts shall have a minimum load limit of 40,000 pounds (20 tons) and shall not be narrower than the improved travel surface serving each end.
- G. Each lot or parcel in a subdivision created under this ordinance shall have direct access to a road meeting the standards of this section.
- H. No dwelling will be permitted without proof of legal access.
- I. New subdivision developments within a medium fire hazard rating shall meet the road standards set forth in Article 71 of this Code, except for Section 71.100, cul-de-sacs then Section 69.030(D) and (E) shall apply.

69.040 - BUILDING CONSTRUCTION STANDARDS

- A. Roofing materials shall carry a minimum of Class B rating. In areas of extreme fire hazard rating, Class A rated roofs shall be required.
- B. Manufactured homes shall be fully skirted from the floor-line to the ground-line. Vents or openings in skirting shall be screened with corrosion-resistant mesh with a mesh size not greater than ¼ inch.
- C. All dwellings shall install a spark arrest on all chimneys. It shall be constructed of nonflammable, corrosive-resistant material. The opening in the mesh shall be no larger than ¼ inch.

69.050 - WATER SUPPLY SYSTEMS

- A. All structural developments shall have a dependable supply of water adequate for normal daily consumption and peak emergency needs. The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with OAR 690, Division 10 and OAR 690, Division 20 and that any surface water used is not from a Class II stream as defined in OAR 629-24-101(3).
- B. Individual residences: where a permanent source of water with a capacity of 4000 gallons or more at the lowest flow such as a stream, pond, or lake exists within 500 feet of the homesite, road access shall be provided to within 15 feet of the water's edge. Access to water shall be not less than 15 feet wide, shall be an improved and maintained surface and shall have an improved vehicle turning area of sufficient size to accommodate local fire protection equipment.
- C. Where residences are supplied with individual water systems without a permanent source of water for fire suppression, the following standards shall apply:
 - 1. At least one 1 inch standpipe shall be provided at least 50 feet from a building and shall have adequate protection from freezing weather. A standpipe shall be located no greater than 10 feet from any driveway.

2. Electrical service to a well pump shall be from independent service drops that do not pass through or onto any building.
- D. Fire protection for all new subdivision developments shall be provided by one of the following means as jointly agreed to by the developer and the local fire protection agency, or acceptable alternative approved by the appropriate review body:
1. A centrally located water supply system that will serve both domestic and fire protection needs. The water supply system shall be accessible to fire protection equipment with sufficient flow and a minimum storage capacity of 5000 gallons, or as recommended by the local fire protection agency; or
 2. Individual lots shall be supplied via wells with water supply mains not less than 1 inch in diameter and capable of producing not less than 15 gallons per minute at not less than 40 pounds per square inch of water pressure for 1 hour; and
 3. Electrical service to a well pump shall be from independent service drops that do not pass through or onto any building.

69.060 - POWER SUPPLY SYSTEMS

- A. New subdivisions shall provide underground electrical utilities.
- B. All vegetation shall be cleared around existing overhead distribution and feeder lines in a manner that prevents trees and limbs from falling up on lines.

69.070 - FUEL BREAK/PROPERTY DEVELOPMENT STANDARDS

Property fuel breaks, landscaping and maintenance may be planned in accordance with the guidelines found in "Protecting your Home from Wildfire", available from the Planning Department or the Oregon Department of Forestry. The following minimum standards shall apply:

- A. Primary Fuel Break: all residences shall create and maintain a primary fuel break not less than 30 feet in width extending from the wall line of the structure. Primary fuel breaks consist of vegetation less than 3 inches high. Isolated landscape trees are acceptable if no branches overhang. Trees shall be thinned to 15 feet between tree crowns, and dead limbs near or over-hanging any structure shall be removed.
- B. Secondary Fuel Break: beyond a primary fuel break, residences shall create and maintain a secondary fuel break not less than 70 feet wide on the down-slope side of a residence and 35 feet on all other sides. Extend the fuel break to 100 feet on the downhill side where steep slopes or dense vegetation are present. Secondary fuel breaks consist of live trees and shrubbery pruned to reduce the possibility of fire reaching roofs of structures or the crowns of trees. Low-growing plants and grasses are to be maintained to prevent the buildup of flammable fuels.

- C. Wherever practicable, fences shall be constructed of nonflammable materials and maintained to eliminate the buildup of flammable refuse.

- D. Outbuildings and accessory structures will meet the same standards as the residence or primary structure in terms of building construction and fuel breaks.

69.080 - IDENTIFICATION SIGNS

Home identification signs shall be posted at the nearest county, state, or federal road serving the residence, and shall comply with the Klamath County house numbering system in existence. Home identification signs may be constructed of nonflammable materials with letters at least 3 inches high, 1/2 inch line width, and a reflective color that contrasts sharply with the background of both the sign itself and the surrounding vegetation.