

ORDINANCE NO. 851

AN ORDINANCE AMENDING CITY ZONING ORDINANCE NO. 807

NOW THEREFORE, the City of Prineville does ordain as follows:

SECTION 1.

- A. The City Council of Prineville, Oregon, recognizes that the Prineville Zoning Ordinance, Ordinance No. 807 is in need of periodic revision and amendment to improve that ordinance in its comprehension, application and enforcement in the City of Prineville, In the interests of the public health, safety and general welfare of the City residents and in accordance with the recommendations of the Prineville City Planning Commission, the City Council hereby determines the necessity of amending Ordinance No. 807, in order to revise and provide for a more workable Ordinance which is consistent with the Prineville Comprehensive Plan.
- B. The City Council further determines and takes public notice that this amendment of Ordinance No. 807, by the actions as set forth hereinabove and below, are in compliance with the Comprehensive Plan of the City of Prineville, the public hearing process conducted by the City Planning Commission on the 5th day of May, the 19th day of May, and the 2nd day of June, 1981 prior to its recommendation from the Planning Commission and receipt thereof by the Council, and by the public hearing process conducted by this Council prior to its adoption of this ordinance.

SECTION 2.

Pursuant to the authority and in accordance with the procedures required by Article 8 of the Prineville City Zoning Ordinance No. 807 and ORS 227.115, Ordinance 807 is by this Ordinance amended as follows:

A. Section 3.040 is amended to read as follows:

Section 3.040. GENERAL COMMERCIAL ZONE, C-1. In a C-1 Zone, the following regulations shall apply:

1. Uses Permitted Outright. All uses or similar type uses not specifically listed as a conditional use or as an excluded use are considered to be permitted subject to Section 3.040 (4) (Site Plan Review).

2. Conditional Uses Permitted. In a C-1 Zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of this section and Article 6 of this ordinance.

- a. Entertainment type businesses such as motels, cafes, taverns, restaurants; excluding drive-in restaurants. Fraternal organization uses shall be included.
- b. Governmental service offices such as welfare, employment, veteran services, and similar personal type services.
- c. Public or private commercial parking lots or facilities.
- d. Multi-family dwelling complex.
- e. Any structure or building exceeding a height of 35 feet.

3. Excluded Uses. The uses listed are considered to be inappropriate in a Core Commercial Zone and not consistent with the Comprehensive Plan.

- a. Automotive sales and service including auto repair, gasoline service stations and truck shops.
- b. Building supply and warehousing, lumber supply and storage, and construction related businesses.
- c. Plant nursery and greenhouse operation, and landscaping supply and service.
- d. Mortuary or funeral home.
- e. Public or private school.
- f. Boat, trailer and recreational vehicle sales and service; and accessory uses.
- g. Mobile home sales and service.
- h. Farm and other heavy equipment sales and service.
- i. Commercial recreation or entertainment facility including drive-in theatre, golf course including pitch'n'putt and driving range, and other such uses.
- j. Mobile home park.

4. Site Plan Review. In a C-1 Zone, a use permitted outright by this section shall be subject to the provisions of this subsection. Before a new building may be constructed or an existing building enlarged or substantially altered, or a new use initiated, a site development plan shall be prepared and submitted to the Planning Department for review and approval. Construction, development and use of a site shall be in substantial conformance with the provisions of this section, this ordinance, and the Comprehensive Plan, and actual development shall be in substantial conformance with plans approved by the Planning Department in accordance with this subsection.

5. Limitations on Uses. Except as authorized in accordance with the provisions of this section and Article 6 of this ordinance,

the following limitations shall apply to all uses and their accessory uses permitted in a C-1 Zone.

a. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for drive-in windows, display of merchandise along the outside wall of the building not extending more than three (3) feet from the wall, on private property only, the outside display of merchandise during a merchants or community sponsored promotional sale, or the outside display of merchandise confined to an area or facility designed for such purpose and approved by the Commission or Director.

b. All employee parking demand created by any use permitted under the provisions of this section shall be provided entirely off-street. Employee parking demand shall be subject to the standards set forth in Section 4.040 OFF STREET PARKING REQUIREMENTS.

c. No use permitted by this section shall require the backing of traffic onto a public street right-of-way to accommodate ingress or egress to any use or the premises thereof.

d. There shall not be more than one egress and one ingress from properties accommodating uses permitted by this section. In all cases, permitted uses shall be encouraged and may be required to share accesses.

6. Additional Requirements. In addition to other standards and requirements set forth by this section and this ordinance, the Commission or the Planning Director may require the following in approving a use permitted by this section.

a. Off-street loading may be required in accordance with the

provisions of Article 4 of this ordinance.

- b. Landscaping and vegetative or other screening may be required to protect abutting or area land uses and to increase the attractiveness of the area.
- c. Uses permitted by this section involving drive-in window service shall be limited in ingress and egress locations which will not create traffic hazards, cross traffic patterns, or require additional curb cuts on a street recognized as a primary thoroughfare, i.e., an arterial or collector.

7. Use Criteria. In the approval of a use proposed pursuant to the provisions of this section, in addition to other requirements set forth by this ordinance, the Commission or the Planning Director shall find that:

- a. The proposed use is compatible and complementary to abutting and area uses.
- b. The proposed use is in compliance with the applicable Comprehensive Plan policies relative to "Core" area commercial development and preservation.
- c. The proposed use will not create an excessive demand or detrimental effect on transportation and parking facilities, and will not create additional traffic hazards or generate adverse traffic patterns.
- d. The appearance and type of business proposed will be generally beneficial to other uses in the area and the overall "Core" commercial area.
- e. The proposed use and development plan thereof constitutes an effective and efficient use of the site and required public facilities and services.

8. Dimensional and Setback Requirements. Dimensional and setback requirements shall be determined by requirements set forth by the Commission or the Planning Director relative to off-street parking and loading, ingress and egress, permitted outside display areas, landscaping, and other customer environment facilities or improvements, and requirements relative to construction safety standards. No use or accessory use thereof, however, shall be permitted which will project into or over a street right-of-way or create a hazard to vision clearance at street-to-street or street-to-alley intersection.

9. Signs. Signs shall comply with City Ordinance No. 824.

B. Section 3.050 is amended to read as follows:

Section 3.050. OUTLYING COMMERCIAL ZONE, C-2. In a C-2 Zone, the following regulations shall apply:

1. Uses Permitted Outright. All uses or similar type uses not specifically listed as a conditional use or as an excluded use are considered to be permitted subject to Section 3.050 (4) (Site Plan Review).

2. Conditional Uses Permitted. In a C-2 Zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of this section and Article 6 of this ordinance.

- a. Boat, trailer and recreational vehicle sales and service.
- b. Mobile home sales and service.
- c. Farm and other heavy equipment sales and service.
- d. Veterinary clinic or kennel.
- e. Commercial recreation or entertainment facility including drive-in theater, golf course including

pitch'n'putt and driving range, and other such uses.

f. Public and semi-public use including governmental offices and equipment storage, parks, playgrounds, fire stations, weigh stations, etc.

g. Multi-family dwelling complex or mobile home park.

3. Excluded Uses. The uses listed are considered to be inappropriate in a Core Commercial Zone and not consistent with the Comprehensive Plan.

a. Any use not listed in Subsection (2) of this Section which is contained in Section 3.090 (M-1) and 3.100 (M-2).

4. Site Plan Review. In a C-2 Zone, a use permitted shall be subject to the provisions of this section. For a use permitted outright before a new building may be constructed or an existing building enlarged or substantially altered, a site development plan shall be submitted to the Planning Director for Administrative Review. For a conditional use, the site development plan shall be submitted to the Planning Commission for approval. Construction and development of the site shall be in substantial conformance with plans approved by the Planning Director or the Planning Commission. In considering a site plan for a proposed use in a C-2 Zone, the Planning Commission or the Planning Director shall take into account the impact of the proposed use on nearby residential and commercial property, on the capacity of the street to carry traffic, and on the appearance of the street. The Planning Commission or the Planning Director may require as a condition of approval:

a. An increase in the required yards.

b. Additional off-street parking.

c. Screening of the proposed use by a fence or landscaping.

- d. Limitations on signs or lighting.
- e. Limitations on the number and location of curb cuts.
- f. In the case of commercial or industrial development- provision of access by a frontage road having limited and controlled access onto an arterial street by means of traffic signals, traffic control islands, or other means that will preserve the traffic carrying capacity and safety of the arterial street and that will avoid the cumulative effect of individual access points directly onto the arterial street.
- g. In the case of development that is not required to provide a frontage road, provision of access to a street that intersects an arterial street instead of taking access directly from the arterial street in order to preserve the traffic carrying capacity and safety of the arterial street and avoid the cumulative effect of individual access points directly onto the arterial street.
- h. Any other conditions which it considers necessary to achieve the purposes of this ordinance.

5. Yards. In a C-2 Zone, the minimum yard requirements shall be as follows:

- a. A front yard shall be a minimum of 20 feet between a building or structure and the ultimate street right-of-way as adopted on the Comprehensive Plan or Official Map, or more than 20 feet if required for compliance with the transportation element of the Comprehensive Plan.
- b. A side or rear yard abutting a residential zone shall be a minimum of 25 feet.



- c. A side or rear yard abutting a street shall be a minimum of 10 feet.
- d. A rear yard abutting an alley shall be 10 feet when it is used for servicing the commercial establishment.

6. Height of Building. In a C-2 Zone, no building shall exceed a height of 35 feet or two and one-half stories, whichever is lower.

7. Lot Coverage. In a C-2 Zone, buildings shall not occupy more than 50 percent of the total lot area.

8. Lot Size. In a C-2 Zone, the minimum lot size shall be as follows:

- a. For a multi-family dwelling having one story and not served by either an approved community, municipal or public sewage system, the minimum lot area shall be one (1) acres (43,560 square feet) plus 7,500 square feet for each dwelling unit over two (2).
- b. For a multi-family dwelling unit having more than one story and not served by either an approved community, municipal, or public water system or an approved community, municipal or public sewage system, the minimum lot area shall be one (1) acre (43,560 square feet) plus 6,000 square feet for each dwelling unit over two (2).
- c. For a multi-family dwelling unit having one story and served by either an approved community, municipal or public water system or an approved community or public sewage system but not both, the minimum lot area shall be 20,000 square feet plus 5,000 square feet for each dwelling unit over two (2).

- d. For a multi-family dwelling unit having more than one story and served by either an approved community, municipal or public sewage system, the minimum lot area shall be 20,000 square feet plus 2,500 square feet for each dwelling unit over two (2).
- e. For a multi-family dwelling having one story and served by both an approved community, municipal or public water system and an approved community or public sewage system, the minimum lot area shall be 7,500 square feet plus 1,500 square feet for each dwelling unit over two (2).
- f. For a multi-family dwelling unit having more than one story and served by both an approved community, municipal or public water system, and an approved community or public sewage system, the minimum lot area shall be 7,500 square feet plus 1,000 square feet for each dwelling unit over two (2).
- g. For a mobile home park, the minimum lot size shall be one acre.
- h. For all other uses permitted by this section, the minimum lot size shall be governed by the combined yard, lot coverage, off-street parking requirements, and other requirements set forth by this section.

9. Use Limitations. In a C-2 Zone, permitted uses shall be subject to the following limitations and standards:

- a. All parking demand created by any use permitted under the provisions of this section shall be accommodated on the subject premises entirely off-street.

- b. No use permitted by this section shall require the backing of traffic onto a public or private street, road or alley right-of-way to accommodate ingress or egress to any use of the premises thereof.
- c. There shall not be more than one ingress or one egress from properties accommodating uses permitted by this section per each 300 feet of street frontage or fraction thereof. If necessary to meet this requirement, permitted uses shall provide for shared ingress and egress.
- d. All uses permitted by this section shall be screened from abutting properties in a residential zone by densely planted trees and shrubs or sight-obscuring fencing.

10. Off-Street Parking and Loading. In a C-2 Zone, off-street parking and loading shall be provided in accordance with the provisions of this section and Article 4.

C. Section 3.060 is amended to read as follows:

Section 3.060. PROFESSIONAL COMMERCIAL ZONE, C-3. In a C-3 Zone, the following regulations shall apply:

1. Uses Permitted Outright. In a C-3 Zone, the following uses and their accessory uses are permitted outright.

- a. Single-family dwelling, excluding a mobile home, served by public or municipal water supply and sewer systems.
- b. Two-family dwelling served by public or municipal water supply and sewer systems.
- c. Land development.

2. Conditional Uses Permitted. In a C-3 Zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of this section and Article 6 of this ordinance.

- a. A multi-family dwelling served by public or municipal water supply and sewer systems.
- b. Governmental office.
- c. Public library or museum.
- d. Offices for accountants, bookkeepers, attorneys, engineers, architects, doctors, dentists, real estate, and insurance.
- e. Medical or dental clinic.
- f. Studios and galleries for artists, photographers and interior decorators.
- g. Home occupation conducted as an accessory use of the residential dwelling, limited to a use permitted by this section.

3. Lot Size. In a C-3 Zone, the following minimum lot sizes shall apply:

- a. For a single-family dwelling, the minimum lot size shall be 5,000 square feet.
- b. For a two-family dwelling, the minimum lot size shall be 7,500 square feet.
- c. For a multi-family dwelling having one story, the minimum lot size shall be 7,500 square feet plus 1,500 square feet for each dwelling unit over two (2).
- d. For a multi-family dwelling having more than one story, the minimum lot size shall be 7,500 square feet plus 1,000 square feet for each dwelling unit over two (2).
- e. For all other permitted uses, the minimum lot size shall be 5,000 square feet.

4. Dimensional Standards and Setbacks. In a C-3 Zone, the following dimensional standards and setbacks shall apply:

- a. The main building and accessory buildings located on any lot shall not cover in excess of 30% of the total lot area.
- b. The total area of all buildings, parking areas and accesses shall not cover in excess of 70% of the total lot area.
- c. Front yards shall not be less than 10 feet.
- d. The sum of the width of side yards shall be a minimum of 12 feet, and no side yard shall be less than 3 feet. On corner lots the side yard on the street side shall be a minimum of 10 feet. The side yard of a non-residential use adjacent to a residential use shall not be less than 10 feet to the common property line.
- e. Rear yards shall be a minimum of 10 feet.
- f. Vision clearance on corner lots shall be a minimum of 20 feet.
- g. Vision clearance on alley-street intersections shall be a minimum of 10 feet.
- h. No building or structure, nor the enlargement thereof, shall be erected to exceed two and one-half stories or 30 feet in height, whichever is lower.

5. Off-Street Parking. In a C-3 Zone, off-street parking and loading shall be provided in accordance with the provisions of this section and Article 4 of this ordinance.

- a. All parking demand created by any use permitted under the provisions of this section shall be accommodated on the subject premises unless otherwise approved by the Commission.

- b. All employee parking demand created by a non-residential use permitted under this section shall be accommodated on the subject premises entirely off-street.

6. Use Limitations. In a C-3 Zone, the following use limitations shall apply to all multi-family residential and non-residential uses permitted under this section.

- a. No non-residential use shall be permitted to operate for business between the hours of 10:00 p.m. and 7:00 a.m.
- b. All multi-family residential or non-residential uses permitted by this section shall be screened from abutting residential uses by densely planted trees and shrubs or sight-obscuring fence unless otherwise approved by the Commission.
- c. No non-residential use or multi-family dwelling use permitted by this section shall require the backing of traffic onto a public street or alley right-of-way to accommodate ingress or egress to any premises.
- d. There shall not be more than one ingress and one egress from any property accomodating a use permitted by this section.
- e. No use shall be permitted if it will cause sound, noise, vibration, odor or flashing perceptible without instruments more than 200 feet from the boundaries of the originating premises.

7. Site Design. In a C-3 Zone, the site design of any permitted use shall make the most effective use reasonably possible of existing structures and landscaping, building placement, ingress and egress,

additional landscaping and screening, and other site improvements to minimize the effects and intrusions into the character of existing developments and land uses in the immediate area.

8. Additional Standards and Requirements. In approving a multi-family residential or non-residential use in a C-3 Zone, the Commission may require additional standards and requirements considered necessary to protect the best interests of the surrounding and adjacent area. Such may include, but is not limited to the following:

- a. Additional lot size or setback requirements.
- b. Limitations on the placement of structures and the heights thereof.
- c. Limitations on vehicular parking areas and ingress and egress.
- d. Limitations on the placement and type of signs.
- e. Require additional landscaping and screening.

C. Section 3.070 is amended to read as follows:

Section 3.070. NEIGHBORHOOD COMMERCIAL ZONE. C-4. In a C-4 Zone, the following regulations shall apply:

1. Uses Permitted Outright. In a C-4 Zone, the following uses and their accessory uses are permitted outright.
  - a. General merchandise, grocery store, delicatessen, meat market or bakery.
  - b. Artist, book, music, photography, stationery store or gallery.
  - c. Dressmaking, tailor shop or shoe repair shop.
  - d. Drug, sundry variety or hobby store.
  - e. Florist or gift shop.
  - f. Television, radio or home appliance repair shop with sales of same items a secondary use.

- g. Offices for accountants, architects, engineers, lawyers, real estate and insurance agents, dentists, doctors, optometrists, chiropractors, and osteopaths.
- h. Plumbing, electrical, building contractor and other construction related businesses; provided there is no outside storage (i.e. the business is wholly enclosed within a building).
- i. Residential use, excluding mobile homes on individual lots.
- j. Beauty and barber shops.
- k. Land Development.
- l. Home occupation conducted in an existing dwelling or in a structure accessory to the dwelling provided that all other limitations on home occupations are complied with.

2. Conditional Uses Permitted. In a C-4 Zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of this section and Article 6 of this ordinance.

- a. Clothes cleaning establishment or laundromats.
- b. Nurseries and garden supply stores provided all outside storage and display is adequately screened.
- c. Church
- d. Public or private school, kindergarten or childrens day nursery.
- e. Public or private park, playground or similar recreational facility.
- f. Small animal veterinary clinic wholly enclosed within a building.
- g. Restaurant or cafe provided no alcoholic beverages are served and does not include drive-ins.



- h. Roadside stand for the sale of farm products.
- i. Mobile home park.

3. Use Limitations. In a C-4 Zone, permitted uses shall be subject to the following limitations.

- a. No use shall be located on a parcel or lot which is within 800 feet of three or more residential dwelling structures unless also within 400 feet (measured along a street or road right-of-way) of structures used for non-residential purposes.
- b. No use shall be permitted which is likely to generate more than 15 auto trips both to and from the premises during the busiest hour of the day, or more than 100 auto trips daily both to and from the premises unless directly served by an arterial or collector street.
- c. No use shall be permitted which is likely to generate more than 25 auto trips both to and from the premises during the busiest hour of the day or more than 200 auto trips both to and from the premises daily.
- d. All parking demand created by any use permitted under the provisions of this section shall be accommodated on the subject premises entirely off-street; minimum standards for off-street parking requirements shall be in accordance with the provisions of this ordinance.
- e. No use permitted by this section shall require the backing of traffic onto a public or private street, road or alley right-of-way to accommodate ingress or egress to any use or the premises thereof.
- f. There shall not be more than one ingress and one egress from properties accommodating uses permitted by this

section per each 300 feet of street frontage or fraction thereof. If necessary to meet this requirement, permitted uses shall provide for shared ingress and egress.

- g. All uses permitted by this section shall be screened from abutting residential uses by densely planted trees and shrubs or sight-obscuring fencing.
- h. No use shall be permitted if it will cause sound, noise, vibration, odor or flashing perceptible without instruments more than 200 feet from the boundaries of the originating premises.
- i. No use shall be permitted to operate for business between the hours of 11:00 p.m. and 7:00 a.m. except as approved by the Commission.

4. Dimensional Standards. In a C-4 Zone, the following dimensional standards shall apply to all uses:

- a. No use permitted by this section, including buildings, storage areas or facilities, and required parking area, shall exceed more than 70% of the land area designed for such use.
- b. The minimum building setback from a street right-of-way line shall be 20 feet unless a greater setback is required for compliance with the Comprehensive Plan criteria or policies.
- c. The minimum setback between a structure and a property line abutting a residential lot shall be 25 feet.
- d. The minimum setback between a structure and an existing use permitted by this section shall be 3 feet from the property line and at least 10 feet from a structure on the adjoining property.

- e. The maximum building height for any structure permitted in conjunction with a use permitted by this section shall be 30 feet.
- f. The minimum lot size shall be no less than the minimum lot area allowed in the adjoining zones.
- g. No use permitted by this section shall be permitted on a lot with a street frontage of less than 50 feet.

5. Site Design. In a C-4 Zone, the site design of any permitted use shall make the most effective use reasonably possible of the site topography, existing landscaping, and building placement so as to preserve existing trees and natural features, preserve vistas and other views from public ways, minimize visibility of parking areas from public ways, and minimize intrusion into the character of existing developments and land uses in the immediate area.

E. Section 3.080 is amended to read as follows:

Section 3.080. RECREATION COMMERCIAL ZONE, C-5. In a C-5 Zone, the following regulations shall apply.

- 1. Uses Permitted Outright. In a C-5 Zone, the following uses and their accessory uses are permitted outright.
  - a. General merchandise, grocery store, or delicatessen.
  - b. Artist, book, music or photography store or gallery.
  - c. Drug, sundry variety or hobby store.
  - d. Rock shop, gift shop or specialty shop.
  - e. Sporting goods and bait shop.
  - f. Offices for real estate and insurance agents.
  - g. Television, radio or appliance sales and service.
  - h. Residential use, excluding mobile homes on individual lots.

i. Beauty and barber shops.

2. Conditional Uses Permitted. In a C-5 Zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of this section and Article 6 of this ordinance.

- a. Laundromats or clothes cleaning establishments.
- b. Recreation vehicle sales and service including boats, travel trailers, motorcycles, and snowmobiles etc.
- c. Church
- d. Public or private school, kindergarten, or childrens day nursery.
- e. Public or private park, playground, golf course and driving range, pitch'n'putt golf, miniature golf, and similar recreational facility excluding an amusement park.
- f. Automobile and other recreation vehicle gasoline service station.
- g. Eating or drinking establishment, excluding a drive-in restaurant, provided that for any establishment serving alcoholic beverages the primary business shall be a cafe or restaurant.
- h. Traveler's accomodation facilities including motels, campgrounds, and overnight trailer parks.
- i. Home occupation conducted in an existing dwelling or in a structure accessory to the dwelling provided that all other limitations on home occupations are complied with.

3. Use Limitations. In a C-5 Zone, permitted uses shall be subject to the following limitations:

- a. No use shall be located on a parcel or lot which is

within 800 feet of three or more residential dwelling structures unless also within 400 feet (measured along a street or road right-of-way) of structures used for non-residential purposes.

- b. No use shall be permitted which is likely to generate more than 15 auto trips both to and from the premises during the busiest hour of the day, or more than 100 auto trips daily both to and from the premises unless directly served by an arterial or collector street.
- c. No use shall be permitted which is likely to generate more than 25 auto trips both to and from the premises during the busiest hour of the day, or more than 200 auto trips both to and from the premises daily.
- d. All parking demand created by any use permitted under the provisions of this section shall be accommodated on the subject premises entirely off-street; minimum standards for off-street parking requirements shall be in accordance with the provisions of this ordinance.
- e. No use permitted by this section shall require the backing of traffic onto a public or private street, road or alley right-of-way to accommodate ingress or egress to any use or the premises thereof.
- f. There shall not be more than one ingress and one egress from properties accommodating uses permitted by this section per each 300 feet of street frontage or fraction thereof. If necessary to meet this requirement, permitted uses shall provide for shared ingress and egress.
- g. All uses permitted by this section shall be screened from abutting residential uses by densely planted trees and shrubs or sight-obscuring fencing.

- h. No use shall be permitted if it will cause sound, noise, vibration, odor or flashing perceptible without instruments more than 200 feet from the boundaries of the originating premises.
- i. No use shall be permitted to operate for business between the hours of 11:00 p.m. and 7:00 a.m. except as approved by the Commission.

4. Dimensional Standards. In a C-5 Zone, the following dimensional standards shall apply to all uses.

- a. No use permitted by this section, including buildings, storage areas or facilities, and required parking area, shall exceed more than 70% of the land area designed for such use.
- b. The minimum building setback from a street right-of-way line shall be 50 feet unless a greater setback is required for compliance with the Comprehensive Plan criteria or policies.
- c. The minimum setback between a structure and a property line abutting a residential lot shall be 25 feet.
- d. The minimum setback between a structure and an existing use permitted by this section shall be 3 feet from the property line and at least 10 feet from a structure on the adjoining property.
- e. The maximum building height for any structure permitted in conjunction with a use permitted by this section shall be 25 feet.
- f. In no case shall a use permitted by this section be permitted on a lot or parcel less than that minimum lot area set forth in the adjoining or area zones.

- g. No use permitted by this section shall be permitted on a lot with a street frontage of less than 50 feet.

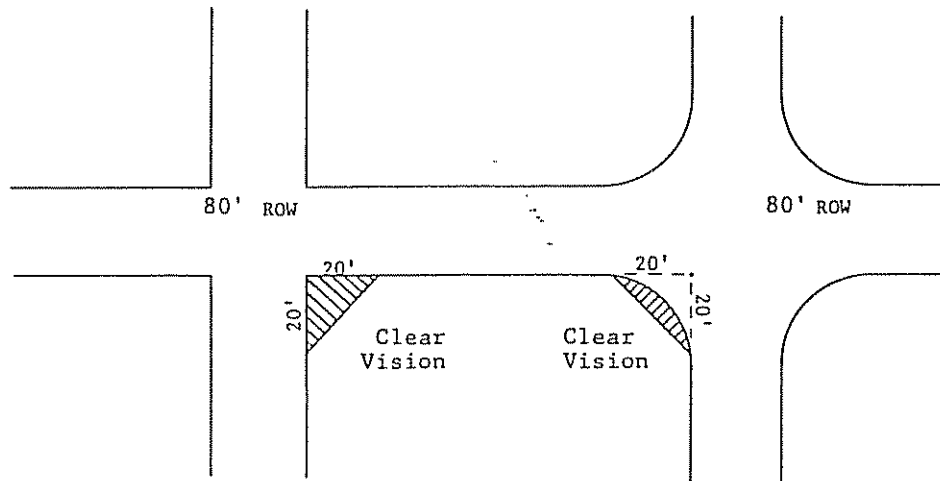
5. Site Design. In a C-5 Zone, the site design of any permitted use shall make the most effective use reasonably possible of the site topography, existing landscaping, and building placement so as to preserve existing trees and natural features, preserve vistas and other views from the public ways, minimize visibility of parking areas from public ways, and minimize intrusion into the character of existing developments and land uses in the immediate area.

6. Use Criteria. In addition to the standards and regulations set forth by this section relative to a permitted use under this section, and in addition to standards and regulations that may be set forth by Article 6 or other sections of this ordinance relative to a specific use, the following criteria shall be considered by the Commission in approving or denying an application for a use permitted under this section.

- a. An application for a use permitted by this section shall be denied if, in the findings of the Commission, the proposed use is not related to or sufficiently dependent upon the recreational resources of the City.
- b. An application for a use permitted by this section shall be denied if the applicant fails to demonstrate that the proposed location is essential relative to the recreation sector to be served and to the benefit of the general public relative to the full development of the recreational resources of the City.
- c. An application for a use permitted by this section shall be denied if not declared to be in compliance with the applicable Comprehensive Plan policies and use designations.

F. Section 4.030 is amended by the following deletion and additions:

1. The word "not" in the first sentence is deleted.
2. The phrase "See illustration below" is added at the end of paragraph with the following graphic illustration:



G. Section 4.040 is amended by the following two additions at the end of the Section paragraph:

1. The provisions of this section shall be exempted for uses permitted outright in a C-1 Zone which occupy an existing building on a parcel of land which contains no room for parking. For those parcels of land which do have room for parking, the standards of this section shall apply.
2. Subsection 8 - to read: Requirements for a building or development not specifically listed herein shall be determined by the Planning Director or Planning Commission based upon the requirements of comparable uses listed.



H. Section 4.050 is amended by deleting Subsection 2 and inserting the following:

Parking spaces in a public street, including an alley, shall not be eligible as fulfilling any part of the parking requirement.

I. Section 4.060 is amended to read as follows:

Section 4.060 DESIGN AND IMPROVMENT STANDARDS FOR PARKING LOTS.

1. For those uses which require off-street parking, a plan drawn to scale indicating how the off-street parking and loading requirements is to be fulfilled, shall accompany the application for site plan review or conditional use permit. The plan shall show all those elements necessary to indicate that these requirements are being fulfilled and shall include but not be limited to:

- a. Delineation of individual parking spaces.
- b. Circulation area necessary to serve spaces.
- c. Access to streets, alleys, and properties to be served.
- d. Curb cuts.
- e. Dimensions, continuity and substance of screening.
- f. Grading, drainage, surfacing and subgrading details.
- g. Delineations of all structures or other obstacles to parking and circulation on the site.

2. Unless otherwise authorized, required parking spaces shall be improved and available for use at the time of final building inspection.

3. Except for a single or two-family dwelling, more than three parking spaces shall be served by a driveway designed and constructed to facilitate the flow of traffic on and off the site, with due regard to pedestrian and vehicle safety, and shall be clearly and permanently marked and defined. In no case shall two-way

and one-way driveways be less than twenty feet and twelve feet in width respectively.

4. The following off-street parking development standards shall apply except for parking in conjunction with single and two-family dwellings.

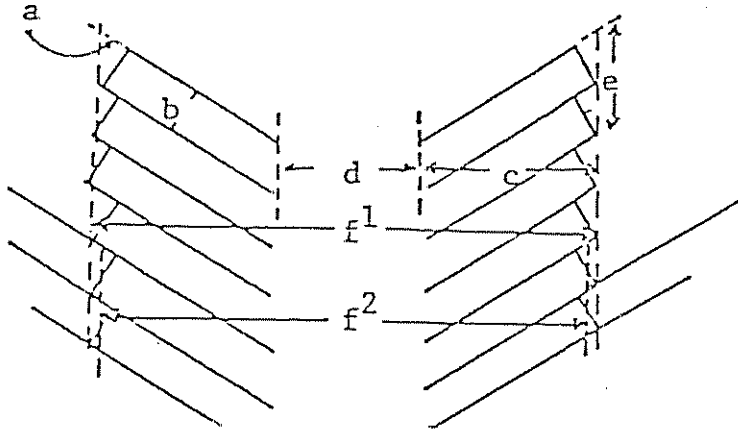
- a. Parking areas, aisles and turnarounds shall be paved with concrete, asphaltic or comparable surfacing.
- b. Parking areas, aisles and turnarounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.
- c. Spaces shall be permanently and clearly marked.
- d. Approaches shall be paved with concrete surfacing and inspected by the City Street Superintendent.  
In the event that a street is not paved, the approach may be maintained to the same standard as the street until the street is paved.
- e. Wheel stops and bumper guards shall be provided where appropriate for spaces abutting a property line or building, and no vehicle shall overhang a public right-of-way or other property line.
- f. Artificial lighting which may be provided shall be deflected so as not to shine directly into adjoining dwellings or other types of living units and so as not to create a hazard to the public use of a street.
- g. Except for parking in connection with dwelling, parking and loading areas adjacent to or within a residential

zone or adjacent to a dwelling (not owned by the applicant or on the same parcel of land) shall be designed to minimize disturbance to residents by the erection between the uses of a sight-obscuring fence or planted screen of not less than five feet in height except where vision clearance is required.

- h. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
- i. Driveways 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 30 feet from their intersection.
- j. The standards set forth in the table that follows shall be the minimum for parking lots approved under this ordinance (all figures are in feet except as noted).

a	b	c	d	e	f <sup>1</sup>	f <sup>2</sup>
parking angle	stall width	stall to curb (19' long stall)	aisle width	curb length per car	center-to-center width of two-row bin with access road between curb-to-curb	overlap c-c
0°	8'6"	8.5	12.0	23.0	29.0	-
20°	8'6"	14.5	11.0	24.9	40.0	32.0
30°	8'6"	16.9	11.0	17.0	44.8	37.4
40°	8'6"	18.7	12.0	13.2	49.4	42.9
45°	8'6"	19.4	13.5	12.0	52.3	46.3
50°	8'6"	20.0	12.5	11.1	52.5	47.0
60°	8'6"	20.7	18.5	9.8	59.9	55.6
70°	8'6"	20.8	19.5	9.0	61.1	58.2
80°	8'6"	20.2	24.0*	8.6	64.4	62.9
90°	8'6"	19.0	25.0*	8.5	63.0	-

\* Two-way circulation



J. Article 9 is amended as follows:

- 1) Existing Sections 9.050, 9.060, 9.070 are renumbered to 9.060, 9.070, and 9.080.
- 2) Section 9.050 is to read as follows:

Section 9.050 Administrative Approvals

1. An applicant who is subject to the site review process shall submit to the Planning Director the necessary documents as required by this section and other applicable sections of this ordinance.
2. The Planning Director, or his designee, shall review all drawings, plans and specifications submitted for review. If the Planning Director finds that they meet all other requirements of this ordinance, he shall then give staff approval. The Director shall make a decision within five (5) working days upon receiving an application.
3. A decision of the Planning Director may be appealed to the Planning Commission by the aggrieved party. The

appeal shall be filed in writing within seven (7) days after the Director has rendered a decision.

4. If an appeal is filed the matter shall be placed on the agenda for the next regularly scheduled Commission hearing. The Commission shall consider the appeal and shall affirm, modify and affirm, or reverse the decision of the director.
5. Site review approved shall be void after two (2) years unless a building permit has been issued and substantial construction has taken place.

SECTION 3. CONFORMITY WITH THE LAW.

This Ordinance will not in any way substitute for, nor eliminate the necessity for conformity with any and all laws or rules of the State of Oregon or its agencies, or any ordinance, rule or regulation of the City of Prineville.

SECTION 4. SEPARABILITY.

If any section, subsection, sentence, clause or phrase of any portion of this Ordinance is for any reason held invalid, or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. PREVIOUS ZONING ORDINANCE VALIDATED.

The Prineville City Zoning Ordinance No. 807, adopted the 22nd day of August, 1978, all by the Council of the City of Prineville, herein before adopted, is hereby validated, and shall remain in full force and effect until amended, revised or repealed in the manner provided for by said ordinance or state statute.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall be in full force and effect immediately on the date set forth in the emergency clause herein.

SECTION 7. EMERGENCY CLAUSE.

In order to carry out the recommendations of the Planning Commission with the greatest expediency and recognizing the benefits to be derived from these amendments, it is appropriate and necessary that the terms and conditions of this amendatory Ordinance, which effectuates the amendment of the Prineville City Zoning Ordinance No. 807, become effective immediately; therefore, an emergency is hereby declared and this Ordinance shall become effective upon adoption by the Prineville City Council and approved by the Mayor in recognition of promoting the public health, safety and welfare that will be realized by the expeditious provision for a more comprehensive, convenient, and efficient ordinance which insures compatibility with the Comprehensive Plan of Prineville.

First Reading

July 28, 1981

Second Reading & Passed


July 28, 1981

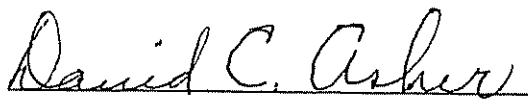
AYES 7

NAYES 0

Passed by the City Council and endorsed by me the 28<sup>th</sup> day of July, 1981.

Signed this 31<sup>st</sup> day of July, 1981.

  
Henry Hartley, City Administrator

  
David Asher, Mayor