

ORDINANCE NO. 2893

TITLE: AN ORDINANCE TO AMEND ORDINANCE NO. 1735 BY THE ADDITION OF SECTION 15A TO PROVIDE FOR AUTOMOBILE PARKING REQUIREMENTS.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: That Section 15 of Ordinance No. 1735 shall be amended to add after the last paragraph thereof Section 15A as follows:

SECTION 15A) AUTOMOBILE PARKING REQUIREMENTS

13.1 Building Permit Contingent Upon Providing Parking Space.

The provisions and maintenance of off-street parking and loading facilities is a continuous obligation of the property owner. No building permit shall be issued, except for maintenance or alteration of existing structures until the applicant has presented satisfactory evidence in writing to the Building Inspector that he owns or has available for his use as required herein sufficient property to provide the parking required by this ordinance. When any parking area for three or more vehicles is to be established, a building permit shall be obtained therefor and the standards set forth herein shall be complied with.

13.11 Whenever a building permit has been granted and the plans so approved for off-street parking, the subsequent use of such property shall be deemed to be conditional upon the unqualified continuance and availability of the parking provisions contained in such plans.

13.12 No addition or enlargement of an existing building shall be permitted unless the parking requirements of the ordinance are met for the entire building.

13.2 Parking Facilities Assessment District.

The provisions of this ordinance shall be considered as satisfied upon compliance with the following conditions:

13.21 That the property is included in a "Parking Facilities Assessment District" organized for the purpose of providing off-street parking facilities as provided by the Oregon Revised Statutes 223.825.

13.22 That the plan for facilities to be provided by such "Parking District" shall be of equal or higher standards both in number and quality than required by this ordinance.

13.23 That the "Parking District" is making a timely effort to acquire such off-street parking facilities.

13.3 Alternate to Providing Required Off-Street Parking Spaces.

13.31 In lieu of providing actual parking spaces for off-street parking as hereinbefore required in this ordinance, the owner may pay to the City of Albany the sum of Two Dollars and Fifty Cents (\$2.50) per month per parking space required, with a 10% discount available if paid annually in advance.

13.32 The monies received by the City of Albany from payments made in lieu of providing parking spaces shall be placed in a segregated fund entitled "Off Street Parking Fund".

13.33 A fund is hereby created and entitled "Off Street Parking Fund" and monies placed therein shall be used only for the acquisition, leasing, operating, improving and maintenance of public parking lots within the City of Albany, Oregon.

13.34 If an owner shall fail to provide off-street parking as required by this ordinance, there shall be enforced a monthly charge of Two Dollars and Fifty Cents (\$2.50) per month for each parking space required to be furnished by the owner. The City of Albany, Oregon, may use such means of collection of such charge for parking spaces as may be provided by the laws of the State of Oregon or permitted by the charter and ordinances of the City of Albany, Oregon, and any delinquencies may be certified to the Tax Assessor

of Linn County, Oregon, for collection in the manner and as provided by 224.220 ORS. Charges shall be deemed to be delinquent and shall draw interest at the rate of 8% per annum, if not paid by the 20th day of the month the charge is effective.

13.35 All revenues realized from city operated parking lots, including those both presently existing and those established in the future, shall be paid into the off street parking fund.

13.4 General Requirements

13.41 Vacant lots or open land areas in any residential district may be used as a parking area for customer and employee vehicles, provided the standards for construction outlined herein are complied with. In addition, the Planning Commission may impose conditions, other than those set forth herein, for the protection of adjacent property or in the interest of the public welfare.

13.42 Where parking is not required on the same lot or on a contiguous lot the parking requirements of this ordinance may be met by the provisions of equivalent space in a commercial parking lot or equivalent space provided by Section 13.3

13.43 In the case of mixed uses within a building, or on a lot or any part thereof, the total requirements for off street parking space shall be the sum of the requirements of the various uses computed separately as specified herein and the space for one use shall not be considered as providing the required parking space for any other use.

13.44 Required parking spaces shall be available for the parking of operatable vehicles of residents, patrons, customers, and employees only and shall not be rented, leased or assigned to any other person or organization. Parking spaces shall be directly accessible to a public street or alley. No parking of trucks or other equipment on wheels or tracks for the conduct of any business activity shall be permitted on the required parking spaces.

13.45 Parking spaces in public streets or alleys shall not be eligible as fulfilling any part of the parking requirements. Alleys may be used as maneuvering space but not as parking space.

13.46 Any lot used for the parking of more than three automobiles prior to the adoption of this ordinance, or within newly annexed areas, within one year from the date of adoption of this ordinance or of annexation and notification by the City shall comply with Sections 13.0 of this ordinance.

13.47 No commercial vehicle of more than five (5) ton capacity nor more than one (1) commercial vehicle of less than five (5) ton capacity shall be allowed to park on any lot in a residential district.

13.48 In cases where parking spaces are not required to be located on the site the distance shall be measured in a straight line from the nearest point on the property to the nearest parking space.

13.49 In any business conducted on a drive-in basis, area used as drive-way to service customers shall not be construed as a parking area.

13.410 In any residential district, no parking space shall occupy the required front yard nor shall any motor vehicle, trailer, or trailer house, be parked in any required front yard.

13.411 Requirements for types of buildings and uses not specifically listed herein shall be determined by the council based upon the requirements of comparable uses listed.

13.412 Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking spaces when the hours of operation do not over-lap, providing satisfactory legal evidence is presented to the building inspector in the form of deeds, leases, or contracts to establish the joint use.

13.5 Design Standards for Parking Areas

13.51 A plan, drawn to scale, indicating how the off street parking requirement is to be fulfilled, shall accompany the request for a building or occupancy permit. The plan shall show all those elements necessary to indicate that the requirements are being fulfilled and shall include:

13.511 Delineation of individual parking spaces and circulation area necessary to serve spaces.

13.512 Access to streets and property to be served.

13.513 Curb Cuts.

13.514 Dimensions, continuity and substance of screening.

13.515 Grading, drainage, surfacing and sub-grading details.

13.516 Delineation of obstacles to parking and circulation in finished parking area.

13.517 Details of signs and bumper guards.

13.32 Each parking space shall be not less than 18 feet long and 8 $\frac{1}{2}$ feet wide together with such maneuvering and access space as is required for a standard American automobile.

13.33 All areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all weather use and so drained as to avoid flow of water across sidewalks. Surfacing shall be one of the following methods:

- (A) Asphaltic concrete
- (B) Cement concrete
- (C) Oil cake
- (D) Adequate gravel surfaces as approved by the City of Albany

13.54 Parking spaces along the outer boundaries shall be contained by a curb at least six inches high or a bumper guard so that no part of a vehicle shall extend over or beyond the property line.

13.55 Any artificial lighting which may be provided to illuminate parking area shall be so deflected as to not shine in adjoining lots in residential districts.

13.56 Parking and loading areas for conditional used adjacent to or within residential zones or adjacent to residential uses shall be enclosed, except on street sides by a masonry wall, solid wood fence, or compact ever-green hedge, having a height of not less than four (4) feet and not more than six (6) feet. Such wall, fence or hedge on street sides shall conform to setback requirements set forth in this ordinance except on property lines contiguous to an alley where no setback will be required. Such wall, fence or hedge shall be maintained in good condition and the required front and/or side shall be landscaped and properly maintained.

13.6 Off Street Parking Requirements

13.61 Dwellings

1. Single Family Dwellings - one space/dwelling unit.
2. Two family dwellings - one space/dwelling unit.
Multiply family dwellings - one space/dwelling unit.
3. Motels, tourist courts - one space for each guest room or suite of guest rooms.
4. Trailer court, mobile home court - One space for each trailer space or mobile home adjacent to such space.
5. Hotels - one space for each two (2) beds plus additional spaces as required for restaurants, bars, and public assembly room, within 500 feet.
6. Hospitals - One space for each three patient beds, plus one space for each resident doctor, plus one space for each six employees, including nurses not domiciled on the property.
7. Fraternity, rooming, and boarding houses - one space per dwelling unit plus four spaces for each five occupants.
8. Convalescent homes and sanitariums - one space for each five beds plus one space for each resident doctor plus one space for each six employees, including nurses not domiciled on the property.
9. Welfare and correctional institutions - one space for each ten beds for patients and/or inmates plus one space for each six employees not domiciled on the property.
10. Mortuaries - one space per five seats or ten feet of bench length, or with a minimum of one space per each 35 sq. ft. of assembly floor area.

13.62 Places of Public Assembly

1. Libraries - one space for each 400 sq. feet of reading room.
2. Churches - one space/twenty seats and/or one space/360 lineal inches of pew space in the main assembly room which may be within 500 feet of main entrance.

3. High schools, colleges, universities and commercial schools for adults - one space for each three employees including administrators, teachers and building maintenance personnel, plus one space for each ten (10) students in classrooms predicated upon the design capacity of the physical plant, or, one space per four seats or eight feet of bench length or 30 square feet in the auditorium or assembly room, whichever is greater, provided that if the requirements for the auditorium exceed the spaces otherwise required the excess space may be provided in areas having other uses during regular school hours.
4. Elementary, junior high, and other children's day schools - one space for each three (3) employees including administrators, teachers and building maintenance personnel, or one space per four seats, eight feet of bench length or 30 square feet in auditorium or assembly room, whichever is greater, provided that if the requirements for the auditorium exceed the spaces otherwise required the excess spaces may be provided in areas having other uses during regular school hours.
5. Other places of public assembly including private clubs, lodges, and fraternal buildings, assembly halls, exhibition halls, convention halls, auditoriums - one space per five seats or ten feet of bench length for spectators, and/or one space for each 75 square feet of floor area used for public assembly, but not containing fixed seats, which may be within 500 feet of such building.

13.63 Commerce and Industry

1. Retail stores, office buildings, commercial buildings, banks, personal service establishments and any other commercial establishment not specified herein - one space for each 500 square feet of floor area, exclusive of storage area, which may be within 500 feet from such building.
2. Service and repair shops and retail stores handling exclusively bulky merchandise and furniture - one space for each 700 square feet of floor area, not including storage areas.
3. Restaurants, bars, taverns, night clubs, and all other similar drinking and/or dining establishments - one space/100 square feet of floor area which, if not within residential area, may be within 250 feet from nearest point of such building.
4. Doctors offices, dentists offices, medical clinics, medical center, professional offices - one space for each 500 square feet.
5. Service stations - one space for each 500 square feet of gross land area.
6. Wholesale, manufacturing, industrial plants and warehouses, including storage buildings and yards, public utility buildings, and business service establishments not involving retail sales - one space for each three (3) employees and employers.
7. Drive In services - one space for each two (2) employees in addition to spaces provided for customer vehicles.

13.64 Commercial Amusement.

1. Stadiums and race tracks - one space per five seats or ten feet of bench length.
2. Indoor arenas and theatres - one space per five seats or ten feet of bench length.
3. Bowling alleys - two spaces per alley.
4. Dance Halls and skating rinks - one space per 50 square feet of patron area.
5. Golf driving ranges - one space per twenty (20) lineal feet of driving line.
6. Amusement parks, fairgrounds - one space per 1,000 square feet of patron serving area.

Section 21 That no other section of Ordinance No. 1735 shall be changed or re-numbered by this ordinance.

Passed by the Council: January 13, 1960

Approved by the Mayor: January 13, 1960

W. A. Fitzpatrick

Mayor

Effective Date: February 12, 1960

ATTEST:

Ernest W. Schand
City Recorder