

A BILL FOR AN ORDINANCE AMENDING )  
ORDINANCE NO. 1773 DEALING WITH )  
SOLAR ACCESS. )

ORDINANCE BILL NO. 42  
for 1981  
ORDINANCE NO. 1867

WHEREAS, the City of Lebanon recognizes the possibility of major energy shortages in the future; and

WHEREAS, the City of Lebanon realizes that energy costs are escalating and will continue to do so in the future; and

WHEREAS, the City of Lebanon recognizes that it is important to the welfare of the residents of the City that nonrenewable energy sources be conserved and the use of renewable energy be encouraged;

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. That Section 1.040 of Ordinance No. 1773, enacted March 5, 1980 be amended to read as follows:

SECTION 1.040 DEFINITIONS

As used in this ordinance the following words and phrases shall mean:

- (1) Construction. The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this ordinance.
  - (a) TENSE: Words used in the present tense include the future tense.
  - (b) NUMBER: Words used in the singular include the plural, and words used in the plural include the singular.
  - (c) SHALL AND MAY: The word "shall" is mandatory; the word "may" is permissive.
  - (d) GENDER: The masculine shall include the feminine and neuter.
  - (e) HEADINGS: If there is any conflict or inconsistency between the heading of an article, section or

paragraph of this ordinance and the context thereof, the said heading shall not be deemed to affect the scope, meaning or intent of such context.

- (2) Abut. Contiguous to or immediately join. For example, two lots with a common property line are considered to be abutting.
- (3) Access. The way or means by which pedestrians and vehicles enter and leave property.
- (4) Accessory structure or accessory use. A structure or use incidental, appropriate and subordinate to the main use of property and located on the same lot as the main use.
- (5) Active solar energy system. A solar energy system that requires external mechanical power to move the collected heat.
- (6) Alley. A street which affords only a secondary means of access to property.
- (7) Alter. Any change, addition or modification in construction or occupancy.
- (8) Automobile wrecking yard. An area used for the dismantling, and/or wrecking of used motor vehicles, machinery or trailers, or the storage or sale of dismantled, obsolete or wrecked motor vehicles, machinery or trailers, or their parts, or the storage of motor vehicles unable to be moved under the power of the vehicle.
- (9) Building. Any structure used or intended for supporting or sheltering any use or occupancy.
- (10) Building or Planning Official. An employee of the City of Lebanon appointed by the City Council with duties and authority as designated by the Council including the enforcement of the provisions of this ordinance. The City Administrator or his designated agent.
- (11) City. The City of Lebanon, Oregon.
- (12) City Council. The City Council of the City of Lebanon, Oregon.
- (13) Club. A facility owned or operated for a social, educational, or recreational purpose, to which membership is required for participation and which is neither operated primarily for profit nor to render a service which is customarily carried on by a business.
- (14) Community Center. A facility owned and operated by a governmental agency or a non-profit community organization which is open to any resident of the neighborhood in which the facility is located or to any resident of the City or surrounding area,

provided that the primary purpose of the facility is for assembly, and provided further that no permanent or temporary commercial eating or drinking facilities shall be operated on the premises.

- (15) Condominiums. A type of residential development utilizing zero lot lines, individual ownership of units and common ownership of open space and other facilities, and which are regulated, in part, by state law (ORS-91.010 - 91.675).
- (16) Day Nursery. Any institution, establishment or place, including nursery schools or private kindergartens, in which are commonly received at one time for less than 24 hours per day six (6) or more non-resident children under the age of six (6) years for the purpose of being given care, supervision or training apart from a parent or legal guardian.
- (17) Density, gross. The number of dwelling units per total area of land, including land used for public improvements.
- (18) Density, net. The number of dwelling units per buildable area of land, excluding public rights-of-way.
- (19) Dwelling, multi-family. A building or portion thereof designed for occupancy by three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.
- (20) Dwelling, single-family. A detached building, other than a mobile home or trailer house, designed for and occupied by not more than one family.
- (21) Dwelling, two-family (duplex). A detached building designed for and occupied by not more than two (2) families living independently of each other.
- (22) Dwelling unit. A single unit providing complete independent living facilities, designed for occupancy by one (1) family, and including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- (23) Family. An individual or two (2) or more persons related by blood, marriage, legal adoption or legal guardianship living together in one dwelling unit using one kitchen and providing meals or lodging to not more than two (2) additional persons, excluding servants; or a group of not more than five (5) unrelated persons living together in one dwelling unit using one kitchen.
- (24) Fence, sight-obscuring. A continuous fence, wall, evergreen planting or combination thereof, constructed and/or planted so as to effectively screen the particular use from view.

- (25) Floor area. The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof, not provided with surrounding exterior walls, shall be the useable area under the vertical projection of the roof or floor above.
- (26) Grade (ground level). The average elevation of the finished ground level at the centers of all walls of a building, except that if a wall is parallel to and within five (5) feet (1.52 m) of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground level.
- (27) Height of Building. The vertical distance from grade on the northerly most face of the building to the highest point of the structure.
- (28) Home occupation. A lawful occupation carried on by a resident of a dwelling, where the occupation is secondary to the main use of the property as a residence.
- (29) Junk yard. An area where any person is engaged in breaking up, dismantling, sorting, storing, distributing, buying, selling, packing or bailing any scrap, waste material, junk or used equipment or machinery of any nature.
- (30) Lot. A single parcel or tract of land which, at the time of application for a building permit, is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control.
- (31) Lot area. The total horizontal area within the lot lines of a lot exclusive of public and private streets and easements of access to other property.
- (32) Lot, corner. A lot abutting on two (2) or more streets, other than an alley, at their intersection.
- (33) Lot, through. A lot with frontage on two streets which are approximately parallel.
- (34) Lot line. The property line bounding a lot.
- (35) Lot line, front. The lot line separating the lot from a street other than an alley, and in the case of a corner lot. Either lot line may be designated as the front lot line.
- (36) Lot line, rear. The lot line which is opposite and most distant from the front lot line.
- (37) Lot line, side. Any lot line not a front or rear lot line.

- (38) Lot width. The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.
- (39) Mobile home. A factory-assembled structure constructed so as to be readily movable on streets, that has living, sleeping, cooking, eating and plumbing facilities, is intended for human occupancy; is being used for residential purposes; bears an insignia issued by the Department of Commerce of the State of Oregon, and is not designed as a "recreational vehicle" as defined in the ANSI A119.1-71 Standards, as amended.
- (40) Mobile home park. A lot upon which two (2) or more mobile homes or trailer houses occupied for living or sleeping purposes are located, regardless of whether a charge is made for such accommodation.
- (41) Nonconforming structure or lot. A lawful existing structure or lot at the time this ordinance or any amendment thereto becomes effective which does not conform to the dimensional or similar standards of the zone in which it is located.
- (42) Nonconforming use. A lawful existing use at the time this ordinance or any amendment thereto becomes effective which does not conform to the use requirements of the zone in which it is located.
- (43) Nursing home. Any home, place or institution which operates and maintains, facilities providing convalescent or chronic care, or both, for a period exceeding 24 hours for two (2) or more ill or infirm patients not related to the nursing home administrator by blood or marriage.
- (44) Owner. Any person, agent, firm or corporation having a legal or equitable interest in the property.
- (45) Parking space. An off-street enclosed or unenclosed surfaced area of not less than 180 square feet (16.72 sq. m) in size, with minimum dimensions of 19 feet (5.79 m) by 9 feet (2.74 m) exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile, and connected with a street by a surfaced driveway which affords ingress and egress for automobiles.
- (46) Passive solar energy system. A solar energy system that uses natural and architectural components to collect and store solar energy without using any external mechanical power.
- (47) Person. Every natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government or any group or combination acting as a unit.

- (48) Planning Commission. The Planning Commission of the City of Lebanon, Oregon.
- (49) Professional Office. An office occupied by doctors, dentists, accountants, attorneys, optometrists, architects, professional engineers or surveyors or persons engaged in similar occupations.
- (50) Service station, automobile. A place or station designed and used primarily for the supply of motor fuel, oil, lubrication and accessories to motor vehicles, but excluding major repair and overhauling.
- (51) Shadow projection. The shadow projected by an object on December 21st at 44 degrees north latitude between the hours of 10 a.m. and 2 p.m.
- (52) Sign. Any medium including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising purposes.
- (53) Site Review Committee. A three member subcommittee of the Lebanon Planning Commission empowered to review and act upon requests proposed under the Site Review provisions of this ordinance. The Vice-Chairman of the Planning Commission shall serve as the Chairman of this subcommittee.
- (54) Solar Access. The availability of sunlight to a main structure or solar collector on a south wall or rooftop between the hours of 10 a.m. and 2 p.m. on December 21st at 44 degrees north latitude that allows for the operation of an active or passive solar energy system.
- (55) Solar collector. A device or combination of devices, structure or part of a device or structure that transforms direct solar energy into chemical, thermal, or electrical energy and that contributes significantly to a structure's energy supply.
- (56) Solar easement. A private or public agreement which protects the solar access of an actual or proposed solar collector or structure or which limits the obstruction of the solar access.
- (57) Solar energy system. Any device, structure, mechanism or series of mechanisms which uses solar radiation as a source for heating, cooling, or electrical energy.
- (58) Street. A public right-of-way designed for motor vehicular traffic.
- (59) Structural alteration. Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders, or structural change in the roof or in the exterior walls.

- (60) Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- (61) Use. The purpose for which land or a structure is designed, arranged or intended or for which it is occupied and maintained.
- (62) Yard. An open space on a lot which is unobstructed from the ground upward, except as otherwise provided in this ordinance.
- (63) Yard, front. A yard between side lot lines measured horizontally at right angles from the front lot line.
- (64) Yard, rear. A yard between side lot lines and measured horizontally, at right angles from the rear lot line.
- (65) Yard, side. A yard between the front and rear yard measured horizontally, at right angles from the side lot line.
- (66) Yard, street side. A yard adjacent to a street between the front yard and rear lot line measured horizontally at right angles from the street side lot line.

Section 2. That Section 2.110 of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

SECTION 2.110 REQUIRING PLANNED DEVELOPMENTS ON LARGE PARCELS  
 All proposed development of land greater than two acres shall be reviewed as a Planned Development utilizing the requirements and procedures outlined in the Planned Development section of this ordinance.

Section 3. That Section 4.020 (6) of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

SECTION 4.020 RESIDENTIAL MIXED DENSITY ZONE RM

(6) Minimum Site Area Per Multiple-Family Dwelling.

- (a) The minimum site area per dwelling unit shall be as follows for dwellings abutting arterials, collectors or highways as defined in the Comprehensive Plan and stated in Section 1.040.

SITE AREA PER DWELLING UNIT

| <u>UNIT TYPE</u> | <u>STANDARD</u> | <u>WITH 70% SOLAR PROTECTION</u> | <u>WITH 85% SOLAR PROTECTION</u> |
|------------------|-----------------|----------------------------------|----------------------------------|
| Studio           | 1361 sq. ft.    | 1225 sq. ft.                     | 1157 sq. ft.                     |
| One Bedroom      | 1815 sq. ft.    | 1634 sq. ft.                     | 1543 sq. ft.                     |
| Two Bedroom      | 2700 sq. ft.    | 2430 sq. ft.                     | 2295 sq. ft.                     |
| Three Bedroom    | 3960 sq. ft.    | 3564 sq. ft.                     | 3366 sq. ft.                     |
| Four or More     | 4840 sq. ft.    | 4356 sq. ft.                     | 4114 sq. ft.                     |

- (b) The minimum site area per dwelling unit for corner lots not abutting an arterial, collector or highway shall be as follows:

SITE AREA PER DWELLING UNIT

| <u>UNIT TYPE</u> | <u>STANDARD</u> | <u>WITH 70% SOLAR PROTECTION</u> | <u>WITH 85% SOLAR PROTECTION</u> |
|------------------|-----------------|----------------------------------|----------------------------------|
| Studio           | 2000 sq. ft.    | 1800 sq. ft.                     | 1700 sq. ft.                     |
| One Bedroom      | 3000 sq. ft.    | 2700 sq. ft.                     | 2550 sq. ft.                     |
| Two Bedroom      | 4000 sq. ft.    | 3600 sq. ft.                     | 3400 sq. ft.                     |
| Three Bedroom    | 5000 sq. ft.    | 4500 sq. ft.                     | 4250 sq. ft.                     |
| Four or More     | 6000 sq. ft.    | 5400 sq. ft.                     | 5100 sq. ft.                     |

Section 4. That Section 4.030 (6) of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

SECTION 4.030 RESIDENTIAL HIGH DENSITY ZONE RH

(6) Minimum Site Area Per Multiple Family Dwelling.

The minimum site area per dwelling unit shall be as follows for multiple family dwellings in the RH zone:

SITE AREA PER DWELLING UNIT

| <u>UNIT TYPE</u> | <u>STANDARD</u> | <u>WITH 70% SOLAR PROTECTION</u> | <u>WITH 85% SOLAR PROTECTION</u> |
|------------------|-----------------|----------------------------------|----------------------------------|
| Studio           | 1361 sq. ft.    | 1225 sq. ft.                     | 1157 sq. ft.                     |
| One Bedroom      | 1815 sq. ft.    | 1634 sq. ft.                     | 1543 sq. ft.                     |
| Two Bedroom      | 2700 sq. ft.    | 2430 sq. ft.                     | 2295 sq. ft.                     |
| Three Bedroom    | 3960 sq. ft.    | 3564 sq. ft.                     | 3366 sq. ft.                     |
| Four or More     | 4840 sq. ft.    | 4356 sq. ft.                     | 4114 sq. ft.                     |

Section 5. That Section 4.411 of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

SECTION 4.411 PURPOSE OF THE PLANNED DEVELOPMENT

The purpose of the Planned Development is to provide opportunities to create more desirable environments through the application of flexible and diversified land development standards under a comprehensive plan and program professionally prepared. The PD is intended to be used to encourage the application of new techniques and new technology, such as solar energy, development which will result in superior living or development arrangements with lasting values. It is further intended to achieve economics in land development, maintenance, street systems and utility net works while providing building groupings for privacy, usable and attractive open spaces, safe circulation and the general well being of the inhabitants.

Section 6. That Section 4.413 (1) of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:



(1) Elements of the Plan.

- (a) Vicinity map showing location of streets and lots in the area within 300 feet (91.44 meters) of the proposed development.
- (b) Existing land uses.
- (c) Proposed land uses including housing unit densities (number of units per acre, type of residence, and number of bedrooms by type of residence).
- (d) Building types and approximate bulk.
- (e) Vehicular and pedestrian access, circulation, and parking pattern. Status of street ownership.
- (f) Parks, playgrounds, and open spaces.
- (g) Existing natural features such as trees, streams, and topography.
- (h) Landscaping, screening, and fencing proposals.
- (i) Proposed method of solid waste disposal.
- (j) Proposed method for provisions of water supply and sewage disposal.
- (k) Proposed method for the handling of surface water drainage.
- (l) Proposed grading patterns.
- (m) Street and open space lighting proposals.
- (n) A shadow projection, if the developer is taking advantage of the solar density bonus.

Section 7. That Section 4.414 (4) of Ordinance No. 1773, enacted March 5, 1980 be amended to read as follows:

(4) The General Development Plan and Program shall contain the following elements:

(a) Plan Elements:

- 1. General development plan in conformance with the approved preliminary plan.
- 2. Existing and proposed contour map of the site to a scale commensurate with the size of the development.
- 3. Location, widths, and names of all existing or platted streets or other public ways, railroad and

utility right-of-way, parks, or other public open spaces and land uses within 300 feet (91.44 meters) of the development.

4. Existing sewers, water mains and other underground facilities within and adjacent to the development.
5. Proposed location and capacity of sewers or other disposal facilities, water mains and other underground utilities.
6. Proposed system for the handling of storm drainage.
7. A preliminary subdivision plan if the property is proposed to be subdivided.
8. A land use plan indicating the uses planned for the development.
9. Areas proposed to be dedicated or reserved for interior circulation, public parks, playgrounds, school sites, public buildings, or other uses dedicated or reserved to the public, if any.
10. Open space that is to be maintained and controlled by the owners of the property and the proposed uses thereof.
11. A traffic flow map showing the circulation pattern within and adjacent to the proposed development.
12. Location and dimensions of bikeways, pedestrian walkways, malls, trails, or easements.
13. Location, arrangement, number and dimensions of automobile garages and parking spaces, width or aisles, bays or angle of parking.
14. Location, arrangement, and dimensions of truck loading and unloading spaces, if any.
15. Preliminary architectural plans and elevations of typical buildings and structures, indicating the general height, bulk, appearance and number of dwelling units.
16. A preliminary tree planting and landscaping plan. All existing trees over six (6) inches (.15 meters) in diameter and groves of trees shall be shown. Trees to be removed by development shall be so marked.

17. The approximate location, height, materials of all walls, fences, and screen plantings. Elevation drawings of typical walls and fences shall be included.
18. The stages, if any, of development construction. Such stages shall be clearly marked on the General Development Plan.
19. A shadow projection, of the developer is taking advantage of the solar density bonus.

(b) Program Elements:

1. Narrative statement of the basic purposes of the planned development.
2. A completed environmental assessment if required by the Planning Commission.
3. Tables showing the total number of acres and the percentage of the total area which is designated for each type of use including each dwelling type, off-street parking, streets, parks, playgrounds, schools, and open spaces as shown on the proposed development plan.
4. Tables showing the overall density of the proposed residential development and showing density by dwelling types and any proposals for the limitation of density.
5. Drafts of appropriate restrictive covenants, including those regarding the maintenance of vegetation to protect the development's solar access and drafts of documents providing for the maintenance of any common open space, or required dedications or reservations of public open spaces and of any dedications of development rights.
6. A timetable indicating when utility and drainage facilities intended to serve the development are to be installed. If the development is to be constructed in stages, the timetable shall reflect this.
7. A statement regarding the proposed energy impacts and noise impacts of the development.

Section 8. That Section 4.416 of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

SECTION 4.416 FINAL PLAN & PROGRAM

- (1) Following approval of the PD by the Planning Commission, the applicant shall prepare a Final Plan and Program which shall be submitted to the Planning Official to check for compliance with the approved General Development Plan and Program.
- (2) If the Final Plan and Program is found to be in compliance, it shall be so certified by the Planning Commission Chairman and recorded by the applicant in the office of the City Recorder as the Final Development Plan along with all documents relating to dedications, improvements, agreements, restrictions, and associations which shall constitute the Final Program. Also included are copies of deeds and covenants to protect the development's solar access, if the developer has taken advantage of the solar density bonus.
- (3) The procedures set forth in the Lebanon Land Division Ordinance shall be followed if the property is to be divided or streets are to be dedicated unless exceptions have been formally granted by the Planning Commission.
- (4) All public site dedications, development rights to open spaces or other dedications for the entire site or approved staged portion shall be recorded prior to the issuance of any building permit.
- (5) Final copies of all approved articles governing operation and maintenance shall be placed on file with the City Recorder's office prior to the issuance of any building permit.
- (6) After an area has been approved as a PD, all building permits shall only be issued on the basis of the Final Plan and Program as recorded in the office of the City Recorder.

Section 9. That Sections 4.417 (5),(6)and (7) of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

SECTION 4.417 DEVELOPMENT STANDARDS

- (5) Solar Access Bonus. Planned developments within all residential areas may have their densities increased if certain conditions are met.

- (a) If 70% of the units in the development are guaranteed solar access protection through correct siting and proper placement of vegetation, density may be increased 10%. The developer will be required to provide a shadow projection for the development.
- (b) If 85% of the units in the development are guaranteed solar access protection through correct siting and proper placement of vegetation, density may be increased 15%. The developer will be required to provide a shadow projection for the development.
- (c) The following are to be considered as factors involved in correct siting and proper placement of vegetation:
  - (1) Lot configurations or east-west street patterns which allow for maximum solar orientation of dwelling units.
  - (2) Utilizing solar heating and cooling potentials (active and passive) in building orientation and architectural features.
  - (3) Use of plant materials or natural features to divert prevailing winter winds and reduce summer solar impact.
  - (4) Minimal road lengths and utility runs resulting from clustering of lots or units.
  - (5) Other energy-related siting and building design techniques

(6) Density. The following site area requirements prevail in

Planned Developments:

- (a) In mixed density residential areas not abutting a collector, arterial, or highway, the minimum site area is

SITE AREA PER DWELLING UNIT

| <u>UNIT TYPE</u> | <u>STANDARD</u> | <u>WITH 70% SOLAR PROTECTION</u> | <u>WITH 85% SOLAR PROTECTION</u> |
|------------------|-----------------|----------------------------------|----------------------------------|
| Studio           | 2000 sq. ft.    | 1800 sq. ft.                     | 1700 sq. ft.                     |
| One Bedroom      | 3000 sq. ft.    | 2700 sq. ft.                     | 2550 sq. ft.                     |
| Two Bedroom      | 4000 sq. ft.    | 3600 sq. ft.                     | 3400 sq. ft.                     |
| Three Bedroom    | 5000 sq. ft.    | 4500 sq. ft.                     | 4250 sq. ft.                     |
| Four or More     | 6000 sq. ft.    | 5400 sq. ft.                     | 5100 sq. ft.                     |

- (b) In mixed density residential areas abutting arterials, collectors, or highways, and in all residential high density areas, the minimum site area is

SITE AREA PER DWELLING UNIT

| <u>UNIT TYPE</u> | <u>STANDARD</u> | <u>WITH 70% SOLAR PROTECTION</u> | <u>WITH 85% SOLAR PROTECTION</u> |
|------------------|-----------------|----------------------------------|----------------------------------|
| Studio           | 1361 sq. ft.    | 1225 sq. ft.                     | 1157 sq. ft.                     |
| One Bedroom      | 1815 sq. ft.    | 1634 sq. ft.                     | 1543 sq. ft.                     |
| Two Bedroom      | 2700 sq. ft.    | 2430 sq. ft.                     | 2295 sq. ft.                     |
| Three Bedroom    | 3960 sq. ft.    | 3564 sq. ft.                     | 3366 sq. ft.                     |
| Four or More     | 4840 sq. ft.    | 4356 sq. ft.                     | 4114 sq. ft.                     |

- (c) At no time may the density of the development be greater than allowed by the Comprehensive Plan.

(7) Subdivision Lot Sizes. Minimum area, width, depth and frontage requirements for subdivision lots in a PD may be less than the minimum specified in the basic zone if in accordance with the approved General Development Plan and Program and the density standards of this section.

Section 10. That Section 5.010 (2) and (3) of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

ARTICLE 5.010 GENERAL PROVISIONS REGARDING ACCESSORY USES.

(2) An accessory structure of up to 500 square feet in a residential zone may be built to within five (5) feet of a side or rear lot line provided that:

- (a) The structure does not interfere with the solar access of the abutting property(ies). An applicant proposing an accessory structure that falls within the required side or rear set backs of the zone must provide a shadow projection to demonstrate that solar access on abutting properties will not be effected.
- (b) The structure is a minimum of 50 feet from the street abutting the front yard, 20 feet from the street abutting the street side yard, and 6 feet from the main building, with the exception of solar apparatus needed for the operation of an active solar energy system.
- (3) An accessory structure shall be detached from all other buildings by at least 6 feet, with the exception of solar apparatus needed for the operation of an active solar energy system.

Section 11. That Section 5.130 of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

SECTION 5.130 EXCEPTIONS TO BUILDING HEIGHT LIMITATIONS

Vertical projections such as chimneys, spires, domes, elevator shaft housing, tower aerials, flag poles, solar system apparatus and similar objects not used for human occupancy shall not exceed the building height by more than ten (10) feet providing that the abutting properties' solar access will not be impaired. The applicant proposing the vertical projection shall be required to submit a shadow projection demonstrating that solar access will be protected. Vertical projections which cast a shadow of less

than three (3) feet in width and are less than ten (10) feet in height do not require a shadow projection.

Section 12. That Section 5.150 of Ordinance No. 1773, enacted March 5, 1980, be added to read as follows:

5.150 SOLAR ENERGY USE

The use of solar energy systems, both active and passive, including solar collectors, storage facilities, and other necessary components for space heating and cooling, swimming pool heating, and water heating is a permitted use in accordance with the provisions of each zone.

Section 13. That Section 5.340 of Ordinance No. 1773, enacted March 5, 1980, be amended to read as follows:

SECTION 5.340 INFORMATION TO ACCOMPANY APPLICATION

The application for site plan approval shall be accompanied by a site plan showing the following:

- (a) Lot lines and dimensions;
- (b) Location of existing and proposed buildings or improvements;
- (c) Height of structure;
- (d) Off-street parking lot design, including ingress and egress points and proper drainage;
- (e) Street right-of-way line;
- (f) Setbacks;
- (g) Exterior lighting and signs;
- (h) Fencing, landscaping and underground irrigation system;
- (i) Shadow projections, if so required;
- (j) Any other data necessary to indicate the proposed development.



Section 14. EMERGENCY CLAUSE

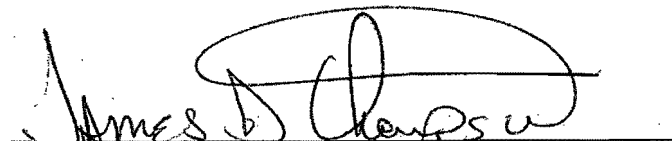
Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health, and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval of the Mayor.

Section 15. EFFECTIVE DATE

Passed by the Council by a vote of 5 for and 0 against and approved by the Mayor this 11<sup>th</sup> day of NOVEMBER 1981.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Recorder