



## HIGHWAY 395 NORTH TGM CODE ASSISTANCE PROJECT

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### MEMORANDUM

#### Code Amendments (Draft 1)

#### Umatilla County U.S. Highway 395 North Zoning Code

DATE 1/2/2019  
TO Umatilla County Planning Commission & Project Technical Advisory Committee  
FROM Emma Porricolo, Jamin Kimmell, and Darci Rudzinski, APG  
CC Project Management Team

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The purpose of this memorandum is to propose amendments to the Umatilla County Development Code (“UCDC”) consistent with the objectives of the Highway 395 Code Update project. The objectives of the project are identified in the background section of this memo. The code amendments are based on recommendations developed through stakeholder and public involvement activities. This memo is organized into three sections designed to provide context for the proposed code amendments:

- 1. Project Background.** This section provides background information on the project, lists the project objectives, and provides maps of the study area. For more detail on the background for the project and an evaluation of the plans, policies, and regulations that apply in the study area, see the *Evaluation of Existing Plans and Regulations Memorandum*.
- 2. Recommendations.** This section summarizes the recommended code amendments and outlines the sections of the UCDC that are proposed to be amended. For more detail on the recommendations, see the *Code Amendments Matrix Memorandum*.
- 3. Proposed Code Amendments.** This section includes the proposed code amendments in ~~strikeout~~ (text to be removed) and underline (text to be added) format. The section is annotated with commentary to provide additional information on proposed amendments and pose questions for discussion.

## 1. PROJECT BACKGROUND

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Umatilla County, in partnership with business and property owners, is working to improve the aesthetic character and economic vitality of the Highway 395 North corridor. The focus of this planning project is commercial and industrial zoned properties along the highway between the Urban Growth Boundary of the cities of Hermiston and Umatilla (see Figures 1 and 2). The County was awarded a grant for the project from the Transportation and Growth Management (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD).<sup>1</sup> The goal of this project is to create, and guide through adoption, amendments to the UCDC for the Highway 395 North Project Area. The stated project objectives include:

- *Create context-sensitive land use and design standards for the U.S. Highway 395 North frontage, that allow more flexibility in use, won't preclude more intensive urban development once the area is served by utilities, and create an attractive environment (including landscape, building, and site design, and landscape) that supports transit and active transportation modes, while accommodating the industrial and freight traffic common to the Project Area;*
- *Include access management standards for the Project Area, taking into account future planned parallel road networks, based on the recommendations of the TSP, the US 395 North Corridor Plan, and current best practices;*
- *Improve multi-modal connectivity in the Project Area in order to provide safe and comfortable active transportation options within the Project Area and between City of Hermiston and the City of Umatilla; and*
- *Recognize the importance of maintaining economically vibrant and livable downtowns in the cities of Hermiston and Umatilla, and not facilitate the creation of a highway commercial strip that could damage the vitality of those downtowns*

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<sup>1</sup> This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program. The TGM Program is a joint effort of the Oregon Department of Transportation ("ODOT") and DLCD. The goals of TGM are to strengthen the capability of local governments to effectively manage growth and comply with the Oregon Transportation Planning Rule (Oregon Administrative Rule 660-012-0000), to integrate transportation and land use planning, and to encourage transportation-efficient land uses that support modal choice and the efficient performance of transportation facilities and services. Specifically, TGM supports efficient use of land and resources; human-scaled, walkable communities; good connections between local destinations; and pedestrian, bicycle, and transit-oriented development.

Figure 1: Project Study Area

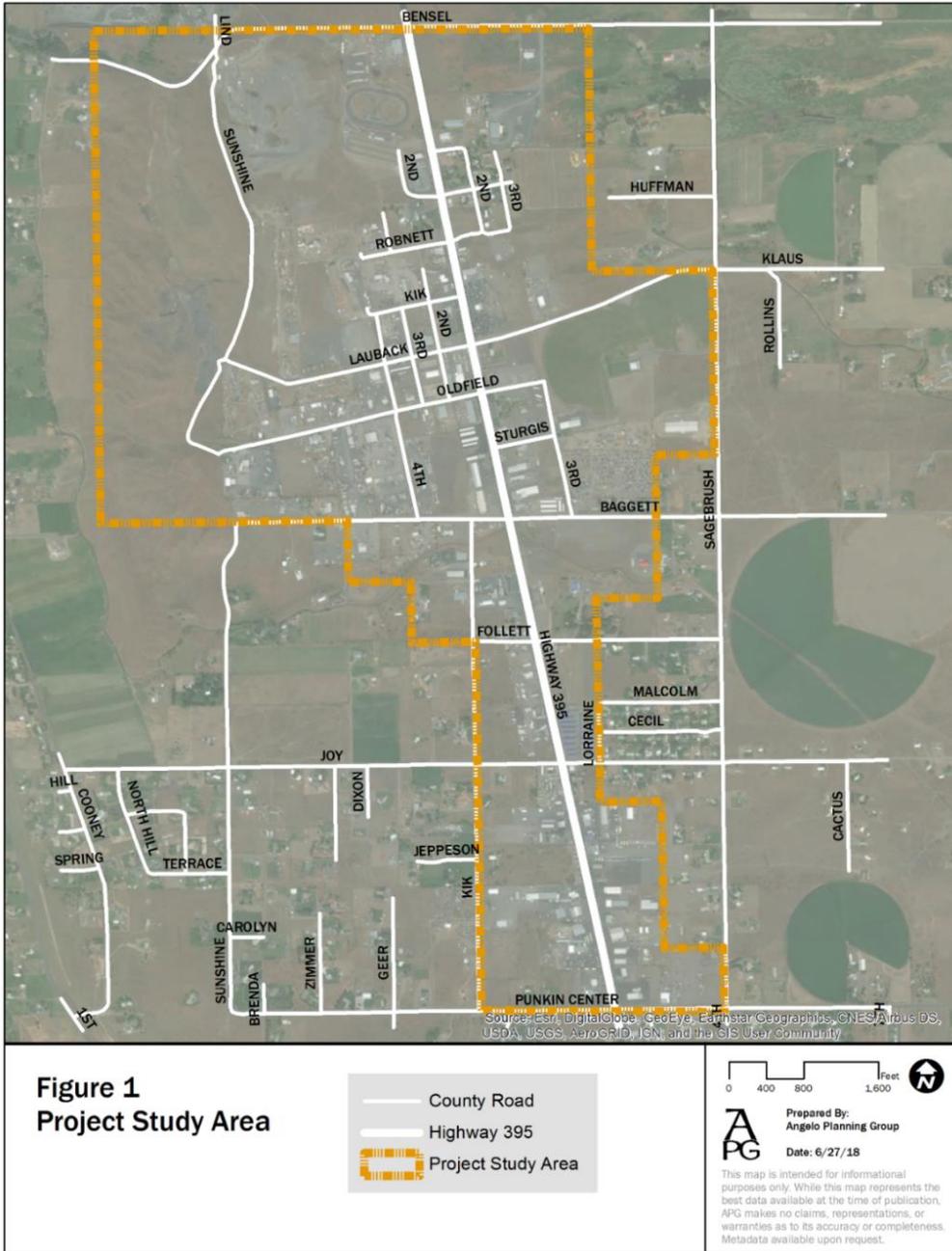
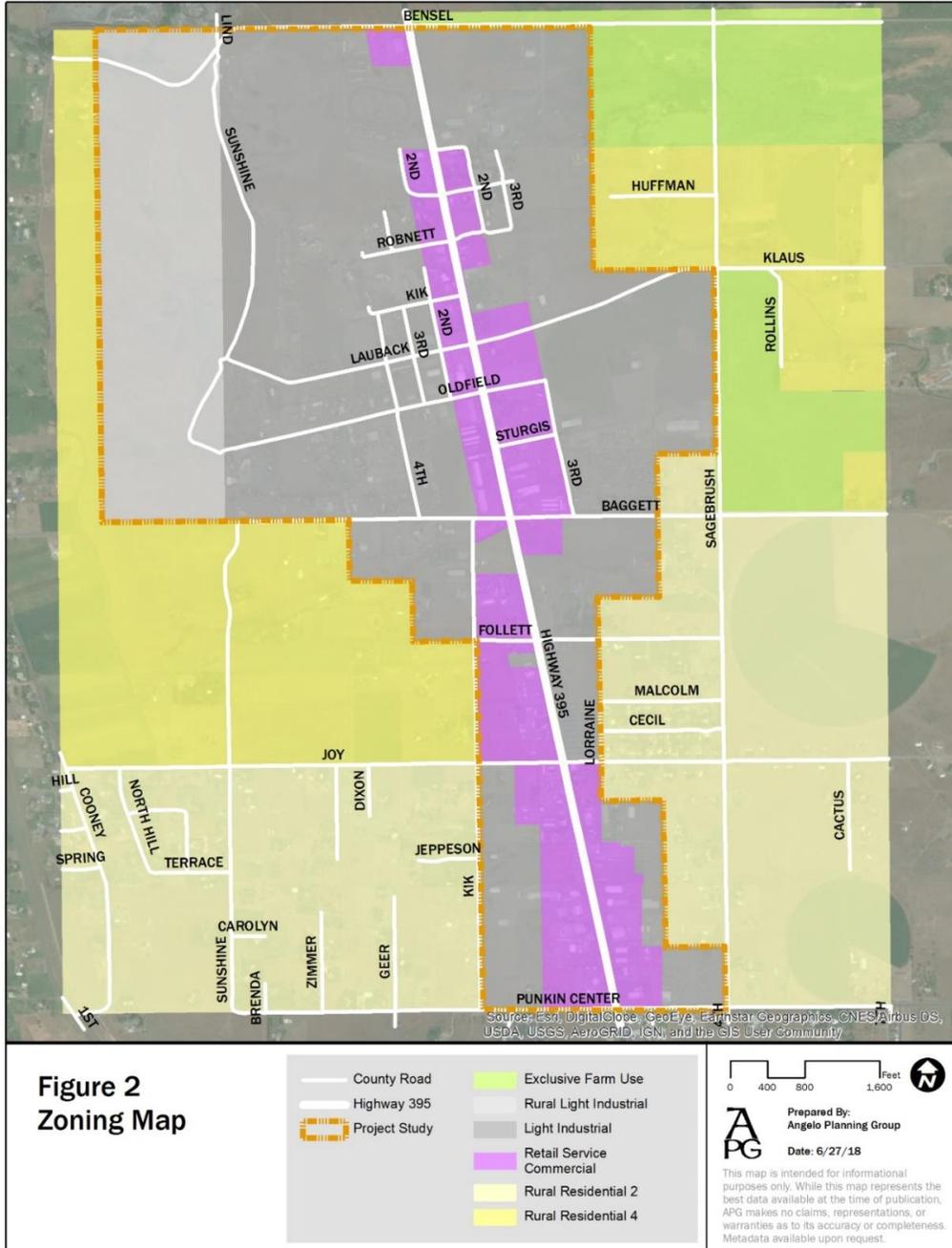




Figure 2. Zoning Map (Source: Evaluation of Existing Plans and Regulations Memo)



## 2. RECOMMENDATIONS

Recommended amendments to the UCDC are based upon the project objectives, the evaluation of existing plans and regulations, and feedback from the public. The proposed amendments focus additional requirements in areas that will have a large impact on the future form and function of the corridor. Table 1, below, outlines the sections of the UCDC that are proposed to be amended, and identifies the related recommendations that are being addressed by each amendment. This table serves as a guide for the proposed code language in section 3 of the memo.

*Table 1. Outline of Recommendations and Proposed Amendments*

UCDC Section	Recommendation
<b>GENERAL PROVISIONS</b>	
152.003 Definitions	Add definition for “Bulk Materials”, new term to be used in describing screening requirements.
<b>RSC, RETAIL/SERVICE COMMERCIAL ZONE</b>	
152.248 Limitations on uses	Modify screening standards to allow for display of merchandise but prohibit general outdoor storage and display of bulk goods inventory that does not need to be displayed.
152.249 Design review	Broaden Design Review requirement to ensure that both new developments and larger improvements to existing developments are subject to proposed design standards.
152.250 Dimensional and design standards	Amend to implement several key recommendations: <ol style="list-style-type: none"> <li>1. Implement maximum setback standards.</li> <li>2. Establish a requirement for window area.</li> <li>3. Establish landscaping requirements.</li> <li>4. Require parking lot lighting.</li> <li>5. Establish a design points system.</li> </ol>
<b>LI, LIGHT INDUSTRIAL ZONE</b>	
152.303 Conditional uses permitted general criteria	Amend use regulations in the LI zone in order to unify the commercial character of the corridor. This is achieved by allowing more commercial uses in the LI zoned properties and restricting industrial uses that do not contribute to the streetscape or are inconsistent with the active uses desired for the corridor. <ol style="list-style-type: none"> <li>1. Restrict “heavy” industrial uses on LI-zoned parcels with frontage on Highway 395.</li> <li>2. Allow RSC uses on LI-zoned parcels with Highway 395 frontage.</li> </ol>

<b>UCDC Section</b>	<b>Recommendation</b>
152.304 Limitations on use	Require properties in the LI zone with frontage on Highway 395 to meet the screening standards of the RSC zone.
152.305 Design review	Require properties in the LI zone with frontage on Highway 395 to meet the design and dimensional standards of the RSC zone.
<b>SIGN REGULATIONS</b>	
152.003 Definitions	Define new types of temporary signs and clarify under what circumstances these types of signs are permitted.
152.546 Types of signs	Modify sign regulations that apply to the corridor to encourage consolidation of signs and limit overall area of wall-mounted signs.
<b>OFF-STREET PARKING AND LOADING</b>	
152.560 Off-street parking requirements	Require bicycle parking for properties on the corridor.
<b>GENERAL PROVISIONS</b>	
152.018 Access management and street connectivity	Amend this section to implement two recommendations: <ol style="list-style-type: none"> <li>1. Modify access management requirements to improve safety and enhance mobility along Highway 395.</li> <li>2. Establish street connectivity standards in preparation for future development and street improvements in the areas east and west of Highway 395.</li> </ol>
152.021 Pedestrian access and circulation (new section)	Establish pedestrian circulation standards to promote more pedestrian activity along the corridor and create a safer and more comfortable experience for pedestrians.

### 3. PROPOSED CODE AMENDMENTS

#### § 152.003 DEFINITIONS.

[...]

**BULK GOODS AND MATERIALS.** Goods and materials that generally have little or no differentiation by type or model. The goods may be for sale or lease, but if so, they are the type that customers generally do not inspect and compare. Includes the storage of raw or finished goods (packaged or bulk), including gases, oil, chemicals, gravel; building materials, packing materials; salvage goods; and landscaping materials (except for plant nurseries).

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### RSC, RETAIL/SERVICE COMMERCIAL ZONE

#### *Sub-Sections*

152.245 Purpose

152.246 Uses permitted

152.247 Conditional uses permitted

152.248 Limitations on uses

152.249 Design review

152.250 Dimensional and design standards

#### § 152.245 PURPOSE.

The RSC, Retail/Service Commercial, Zone is designed to provide areas outside of urban growth boundaries where specific commercial activities require larger sites than are available inside an urban growth boundary and provide for retail and service- oriented commercial activities to accommodate rural residences. The RSC zone is intended to create and maintain a built environment that is conducive to pedestrian and bicycle accessibility, reducing dependency on the automobile for short trips. The zone is also intended to promote economic development by creating an attractive and safe commercial corridor through the application of design standards that require sufficient lighting, appropriate screening and landscaping, and high-quality building design. (Ord. 83-4, passed 5-9-83, Ord. 2019-XX, passed X-X-19)

#### § 152.246 USES PERMITTED.

[...]

#### § 152.247 CONDITIONAL USES PERMITTED.

[...]

#### § 152.248 LIMITATIONS ON USES.

In the RSC Zone, the following limitations and conditions shall apply:

(A) Outdoor storage. Outside storage areas shall be screened with a site-obscuring fence so that the area shall not be exposed to view from without the property; ~~except the outdoor display of merchandise is allowed as provided in subsection (B).~~

(B) Outdoor merchandise display. Outdoor display of merchandise is permitted, ~~except the Outside display or storage of any scrap or salvage material, damaged or inoperable vehicles, vehicles or equipment being serviced, bulk goods and materials, and other similar products shall be~~ shall not be exposed to view from without the property.

(C) The growing, harvesting or processing of marijuana is prohibited in this zone.

(Ord. 83-4, passed 5-9-83; Ord 2015-07, passed 9-22-15, Ord. 2019-XX, passed X-X-19)

### § 152.249 DESIGN REVIEW.

(A) An application for a zoning permit for a use permitted in § 152.246 of this chapter shall be accompanied by a site plan and, if applicable, a design review application.

(B) Applicability of Design Review Application. A Design Review application ~~may is not be~~ required if all the following circumstances exist ~~criteria can be met~~:

(1) The existing structure and business previously received a design review approval from the County Planning Department; ~~and,~~

(2) ~~No new construction is being requested on the subject property; and, The proposal does not include any of the following:~~

(a) A building addition or expansion of more than 500 square feet, or 10 percent of the existing floor area on the site, whichever is greater.

(b) A change of the exterior façade of a building, including any new or change to existing doors or windows, excluding changes in color, that exceeds 15 percent of the area of the existing façade.

(c) A change in on-site landscaping or pedestrian circulation area that exceeds 15 percent of the area of the site.

(d) An addition or change to existing on-site vehicular parking or circulation area that adds paving or parking spaces.

(3) A similar business will be operated on the subject property.

(C) Applicability of Design Standards.

(1) New developments are subject to all applicable design standards of §152.250.

(2) A project that increases building floor area within an existing development is subject to all applicable design standards of §152.250. The standards only apply to the building addition or expansion. Expansions or additions must not increase the length of an existing street-facing façade that does not conform to the maximum setback standard of § 152.250(C)(1), as illustrated in Figure 152.250-1.

(3) Modifications to exterior facades and site area within an existing development are subject to all applicable design standards of §152.250 to the extent where modifications

of the existing facade or site area is proposed. Only that portion of existing facade or site area that is proposed to be modified is subject to applicable design standards. Exterior facades that do not conform to the standards for ground floor window area pursuant to §152.250(E) must improve compliance with these standards where possible and, at a minimum, must not increase nonconformance.

~~(C) Submittal Requirements. The Planning Director or an authorized agent shall review the site plan Design Review application to determine if the application includes the following submittal requirements for completeness and compliance with the following requirements:~~

~~(1) The site plan shall consist of the following:~~

- ~~(a) An accurate map showing property lines, dimensions and location of buildings on the property both existing and proposed;~~
- ~~(b) Drawn at a scale no smaller than 1" = 100';~~
- ~~(c) Access points to county or state roads;~~
- ~~(d) Names of the owner and developer of the site.~~

~~(2) The Planning Director or an authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;~~

~~(1) Existing site conditions map. The existing site conditions shall include the following information, applicable to the site:~~

- ~~(a) A location map with the subject property and the surrounding property to a distance sufficient to determine the location of the development in the County, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions, and gross area shall be identified;~~
- ~~(b) Topographic contour lines at two-foot intervals for slopes, except where the Public Works Director determines that larger intervals will be adequate for steeper slopes;~~
- ~~(c) Identification of slopes greater than 15 percent, with slope categories identified in 5 percent increments (e.g., 0%-5%, >5%-10%, >10%-15%, >15%-20%, and so forth);~~
- ~~(d) The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;~~
- ~~(e) Potential natural hazard areas, including, as applicable, the base flood elevation identified on FEMA Flood Insurance Rate Maps or as otherwise determined through site specific survey, areas subject to high water table, and areas designated by the County or state as having a potential for geologic hazards;~~
- ~~(f) Areas subject to overlay zones;~~
- ~~(h) Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals, and ditches;~~

(i) The location, size, and species of trees and other vegetation (outside proposed building envelope) having a caliper (diameter) of 6 inches greater at 4 feet above grade;

(j) North arrow, scale, and the names and addresses of all persons listed as owners of the subject property on the most recently recorded deed and

(k) Name and address of project designer, engineer, surveyor, and/or planner, if applicable.

(2) Proposed site plan. The site plan shall include the following information, as the Planning Director deems applicable:

(a) The proposed development site, including boundaries, dimensions, and gross area;

(b) Features identified on the existing site analysis maps that are proposed to remain on the site;

(c) Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;

(d) The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;

(e) The location and dimensions of all existing and proposed structures, utilities, pavement, and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;

(f) The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;

(g) The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);

(h) Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;

(i) Loading and service areas for waste disposal, loading, and delivery;

(j) Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;

(k) Location, type, and height of outdoor lighting;

(l) Location of mail boxes, if known;

(m) Name and address of project designer, if applicable;

(n) Locations of bus stops and other public or private transportation facilities; and

(o) Locations, sizes, and types of signs.

(3) Architectural drawings. Architectural drawings shall include the following information, as the Planning Director deems applicable:

- (a) Building elevations with dimensions;
- (b) Building materials, colors, and type; and
- (c) Name and contact information of the architect or designer

(4) Landscape plan. The landscape plan shall include the following information, as the Planning Director deems applicable:

- (a) The location and height of existing and proposed fences, buffering, or screening materials;
- (b) The location of existing and proposed terraces, retaining walls, decks, patios, and shelters;
- (c) The location, size, and species of the existing and proposed plant materials (at time of planting);
- (d) Existing and proposed building and pavement outlines;
- (e) Specifications for soil at time of planting, irrigation if plantings are not drought tolerant (may be automatic or other approved method of irrigation), and anticipated planting schedule; and
- (f) Other information as deemed appropriate by the Planning Director. An arborist's report may be required for sites with mature trees that are to be retained and protected.

(5) Narrative. Letter or narrative report documenting compliance with the applicable requirements contained in §152.249(E).

(6) Deed restrictions. Copies of all existing and proposed restrictions or covenants, including those for roadway access control.

(7) Traffic Impact Analysis, when required by Section §152.019

(8) Other information determined by the Planning Director. The County may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), as necessary to determine a proposal's conformance with this Code.

~~(DE)~~ Design Review Standards-Requirements. The Planning Director or an authorized agent shall review the design review application for completeness and compliance with the following requirements:

- (1) An access permit has been issued by the County Road Department and/or ODOT for the subject property and applicable access, circulation, and street connectivity requirements are met as provided in § 152.018 and § 152.021;
- (2) Parking lots and spaces, off-street parking, and loading requirements are met as provided in § 152.560 through § 152.562;

(3) ~~Setbacks standards are met as provided in the particular zoning district where the subject property is located.~~ Applicable building, site design and dimensional standards are met as provided in § 152.250;

(4) Signs are permitted as provided in § 152.545 through § 152.548;

(5) Vision clearance standards are met as provided in § 152.011.

(Ord. 83-4, passed 5-9-83; Ord. 2014-04, passed 7-2-14; Ord. 2019-XX, passed X-X-19)

### **§ 152.250 DIMENSIONAL AND DESIGN STANDARDS.**

In the RSC Zone, the following dimensional and design standards shall apply:

(A) *Lot size.* The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality is provided which shows that an approvable subsurface disposal system can be located on less than one acre;

(B) *Minimum lot width.* The minimum average lot width shall be 100 feet with a minimum of five feet fronting on a dedicated county or public road or state highway;

(C) *Setback requirements.* The ~~minimum~~ setback requirements shall be as follows:

(1) Front yard: ~~twenty feet, except if the front yard area is used for off street parking space, then the front yard shall be a minimum of 40 feet;~~

(a) Minimum Setback: None.

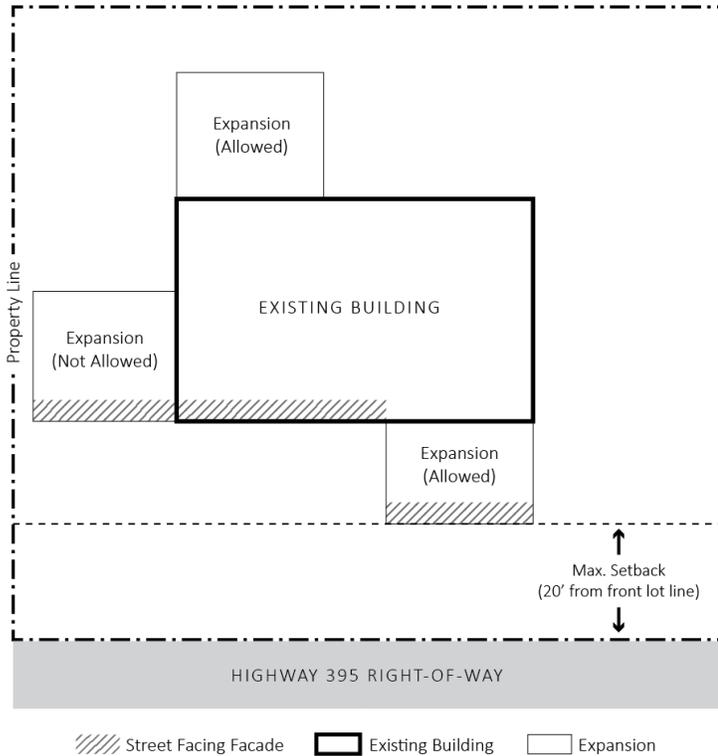
(b) Maximum Setback: twenty feet. For expansions and additions, see § 152.249(C)(2) and Figure 152.250-1.

(2) Side yard: minimum of ten feet, except if the lot abuts a property zoned for residential use, then the setback shall be 20 feet;

(3) Rear yard: minimum of twenty feet;

(4) The minimum side and rear yard setbacks may be modified upon the request of a property owner, pursuant to § 152.625 through 152.630. Under no circumstance shall the setback requirements be modified when the reduced setback would adjoin residentially zoned property.

**Figure 152.250-1. Applicability of Maximum Setback Standard for Expansions or Additions to Existing Buildings**



(D) *Stream setback.* To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drainfields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, at right angles to the high water line or mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the streams, lakes or wetland, but in no case closer than 50 feet;

(2) All structures, buildings or similar permanent fixtures shall be set back from the high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark.

(Ord. 83-4, passed 5-9-83; Ord. 2011-02, passed 3-17-11)

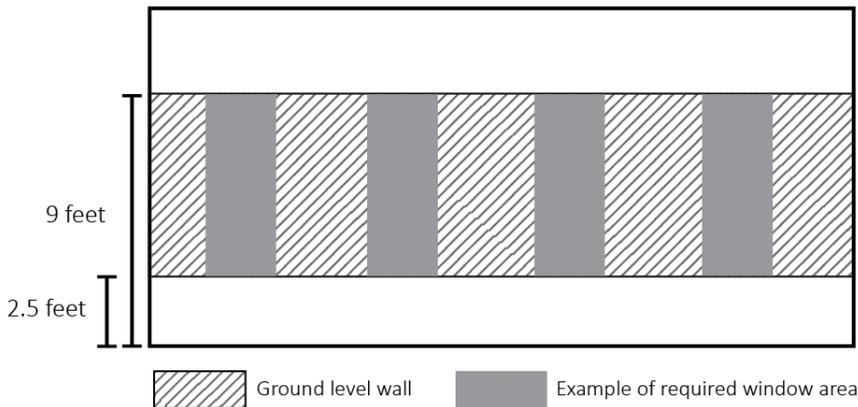
(E) Window area. To promote an interesting pedestrian experience and architectural variety in building exteriors, windows are required to make up a minimum area of any building façade that faces a public street.

(1) Minimum Area. Building façades facing a public street must have qualifying window features for at least 40 percent of the area of the ground level wall area (see Figure 152.250-1). Windows, display areas, and glass doorways are qualifying window features.

(2) Measurement. The ground level wall area is defined as the area above 30 inches and below 108 inches, as measured from finished grade.

(3) Transparency. Only ground floor window features that are clear or transparent are eligible to meet the minimum area requirement in § 152.250(E)(1).

**Figure 152.250-2. Measurement of Ground Floor Window Area**



(F) Landscaping.

(1) Minimum Site Landscape Area. At least 15 percent of the lot area must be landscaped according to the standards of this section.

(2) Planting Standards. The following are the minimum planting requirements for required landscaped areas:

(a) Trees. One (1) tree shall be provided for every fifteen-hundred (1,500) square feet of required landscaped area. A minimum of 50 percent of the required trees must be planted within 30 feet of the front lot line. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting. Tree species must be selected from the County's Approved Tree Species List or other tree species approved by the Planning Director.

(b) Shrubs. Shrubs shall be planted from a least two-gallon containers. Shrubs shall be spaced in order to provide the intended canopy cover within two years of planting.

(c) Ground Cover. Live ground cover consisting of low-height shrubs, perennials or ornamental grasses shall be planted in the portion of the landscaped area not occupied by trees or shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than 50 percent of the required landscape area.

(d) The Planning Director may allow credit toward the minimum landscape area for existing landscape area that is retained in the development if the existing landscape area meets the standard for minimum number of trees of subsection 2(a) and minimum area of live ground cover of subsection 2(c).

(3) Parking Lot Landscaping. In addition to the minimum site landscape area requirement, all parking areas with more than 20 spaces shall provide landscape islands that break up the parking area into rows of not more than 12 contiguous parking spaces.

(a) Minimum Dimensions. Landscape islands shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.

(b) Planting Standards. All landscape islands must be planted with one tree selected from the County's Approved Tree Species List or landscaping materials identified in § 152.50(F)(2)(b) and (c). All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within two years of planting, not less than 50 percent of the area within each landscape island(s) is covered with living plants.

(4) Plant Selection and Maintenance.

(a) Only plants that are appropriate to the local climate, exposure, and water availability will be eligible to meet the landscaping requirements. The availability of utilities and drainage conditions shall also be considered in the selection of planting materials.

(b) Plant species that do not require irrigation once established (naturalized) are preferred over species that require irrigation. Expansive areas of turf are discouraged.

(c) Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained where specimens are in good health, have desirable aesthetic characteristics, and do not present a hazard.

(d) Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment.

(G) Lighting. Lighting improves safety and enhances the attractiveness of areas visible to the public. The following requirements ensure adequate levels of outdoor lighting while minimizing negative impacts of light pollution. The intent of the required lighting levels is to provide illumination no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.

(1) Illumination of Vehicular Areas. Parking areas, vehicular circulation areas, and outdoor services areas, including vehicle quick service areas, shall be illuminated to a level that provides for safe vehicle and pedestrian movements.

(2) Fixture Standards.

(a) Where illumination grid lighting plans cannot be reviewed or if fixtures do not provide photometrics and bulbs are under 2,000 lumens, lighting plans will be evaluated based on the following guidelines:

(i) Poles should be no greater in height than four times the distance to the property line.

(ii) Maximum lumen levels should be based on fixture height.

(b) Light poles, except as required by a roadway authority or public safety agency, shall not exceed a height of 20 feet. This limitation does not apply to flag poles, utility poles, and streetlights.

(c) Except as provided for up-lighting of flags and permitted building-mounted signs, all outdoor light fixtures shall be directed downward, and have full cutoff and full shielding to preserve views of the night sky and to minimize excessive light spillover onto adjacent properties.

(d) Lighting shall be installed where it will not obstruct public ways, driveways, or walkways.

(e) Where a light standard or other raised source of light is placed over a sidewalk or walkway, a minimum vertical clearance of eight feet shall be maintained.

(f) Where a light standard or other raised source of light is placed within a walkway, an unobstructed pedestrian through zone not less than four feet wide shall be maintained.

(g) Lighting subject to this section shall consist of materials approved for outdoor use and shall be installed according to the manufacturer's specifications.

(H) Design Points System. In order to encourage pedestrian-friendly and sustainable design, while providing flexibility in style and implementation, all projects must include a combination of design features that achieves a minimum number of points, as set forth below.

(1) Minimum Point Requirement.

(a) New developments or complete redevelopment of an existing site must include elements from Table 152.250-1 that have a combined value of 12 or more points.

(b) A project that is limited to an increase in building floor area or modifications to exterior facades or site area within an existing development must include elements from Table 152.250-1 that have a combined value of 6 or more points.

(2) Design Features Matrix. Points are earned by including features from the following Design Features Matrix (Table 152.250-1).

**Table 152.250-1. Design Features Matrix**

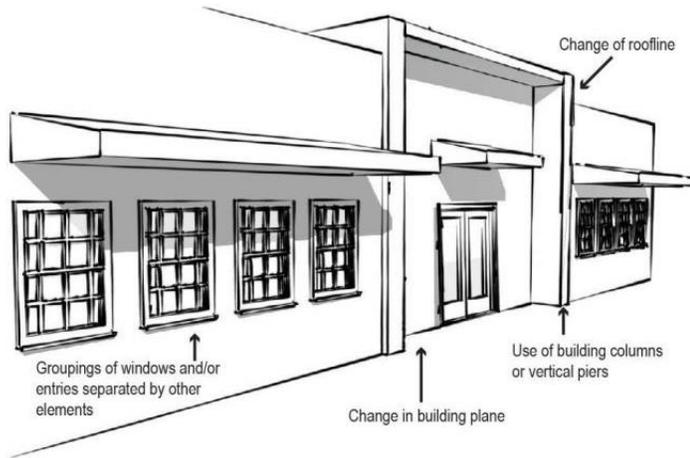
DESIGN FEATURE	POSSIBLE POINTS		
	0	1	2
<b>Building Design Features</b>			
<p><b>Natural siding materials.</b> May include:</p> <ul style="list-style-type: none"> <li>• Masonry, which includes natural and natural-looking stone, and rusticated brick or split-faced, colored concrete blocks.</li> <li>• Wood board siding or wood shingles. Fiber cement boards or fiber reinforced extruded composite boards are also acceptable provided they have the appearance of natural wood.</li> </ul>	Minimal or no use of natural materials (less than 5 percent of street-facing facade area, excluding area dedicated to windows)	5 to 40 percent of both total building facade area and street-facing facade area covered with natural siding materials (excluding area dedicated to windows)	Over 40 percent of both total building facade area and street-facing facade area covered with natural siding materials (excluding area dedicated to windows)
<p><b>Window area.</b> Windows promote an interesting pedestrian experience and architectural variety. See Figure 152.250-1.</p>	Window area meets base requirement of § 152.250(E)	41 to 50 percent of the area of the street-facing facade covered with windows.	Over 50 percent of the area of street-facing facade covered with windows.
<p><b>Detailed window treatments.</b> May include windows recessed at least 4 inches from facade, trim or moldings at least 3 inches in width, or projecting sills extending at least 2 inches from the window pane.</p>	No use of detailed window treatments	Use of detailed window treatments on all street-facing windows.	Use of detailed window treatments on all exterior windows.
<p><b>Weather protection.</b> May include awnings, covered porches, building overhangs, or other weather protection; must extend at least 4 feet in horizontal distance from the building wall and be constructed of durable materials in order to qualify.</p>	No weather protection at entrances or windows	Weather protection provided over the primary building entrance	Weather protection provided over all building entrances and required ground floor window areas
<p><b>Facade articulation.</b> Façade articulation helps ensure that building facades have variation and depth in the plane of the building in order to be more</p>	No horizontal articulation features	1 of the following treatments on street facing façade: a) Change in the roof or wall plane (4 ft	2 of more of the following treatments on a street facing façade: a) Change in the roof or wall plane (4 ft

DESIGN FEATURE	POSSIBLE POINTS		
	0	1	2
interesting and welcoming to pedestrians. See Figure 152.250-2.		minimum) b) Projecting or recessed elements c) Varying rooflines at 4 ft minimum d) Visible and prominent entrance (large entry doors, porches, protruding or recessed entrances).	minimum) b) Projecting or recessed elements c) Varying rooflines at 4 ft minimum d) Visible and prominent entrance (large entry doors, porches, protruding or recessed entrances).
<b>Facade composition (base-middle-top).</b> Facades that differentiate the “base”, “middle”, and “top” of the building are more interesting to view and create an attractive, traditional composition. See Figure 152.250-3.	No display of “base”, “middle”, and “top” composition.	Clear display of “base”, “middle” and “top” composition – distinction between sections with change of color.	Clear display of “base”, “middle” and “top” composition – distinction between sections with change of materials or break in wall plane.
<b>Site Design Features</b>			
<b>Parking location.</b> Parking areas that are located to the side or rear of buildings allow for a more appealing view from the street and a more comfortable pedestrian experience.	Some parking located between the street-facing facade and a public street.	All parking located to the side of the building	All parking located behind the building
<b>Shared parking with adjacent uses.</b> Sharing parking spaces with adjacent uses is a more efficient means of providing off-street parking and can reduce impervious surface area. Must meet requirements of § 152.562(D).	No shared parking	More than one space but less than half of required parking spaces shared with adjacent uses	More than half of required parking spaces shared with adjacent uses
<b>Trees.</b> Tree species that are appropriate for local climate are listed in § 152.250(F).	Number of trees meets base requirement of § 152.250(F).	20% above base requirement for on-site trees.	40% above base requirement for on-site trees.
<b>Additional landscaping.</b> Landscaped area beyond the minimum required by § 152.250(F) can soften the edges of a development, enhance sustainability, and create a more	Minimal or no additional landscaped area provided (less than 5% of gross lot area beyond base	5% to 10% additional gross lot area landscaped beyond base requirement.	More than 10% additional gross lot area landscaped beyond base requirement

DESIGN FEATURE	POSSIBLE POINTS		
	0	1	2
comfortable pedestrian experience.	requirement of § 152.250(F)		
<b>Plant selection.</b> Diversity of plant species creates more interesting landscape areas.	2 or fewer distinct plant species included in landscaping plan.	3 or more distinct plant species included in landscaping plan.	5 or more distinct plant species included in landscaping plan.
<b>Bicycle parking.</b> Dedicated bicycle parking encourages bicycling by offering convenient and secure parking options.	Number of bicycle parking spaces meets base requirement of § 152.560.	10% to 20% additional bicycle parking spaces provided beyond base requirement and at least half of all bike parking spaces are covered.	More than 20% additional bicycle parking spaces provided beyond the base requirement and at least half of all bike parking spaces are covered.
<b>Lighting.</b> Lighting can improve safety and enhance the attractiveness of a development in evening hours.	Lighting meets base requirement for parking lots as specified in § 152.250(G).	1 point may be assigned for one of the following outdoor lighting features: <ul style="list-style-type: none"> <li>• Pedestrian walkway lighting, pedestal- or bollard-style lighting</li> <li>• Accent lighting on structure</li> </ul>	2 points may be assigned for both of the following outdoor lighting features: <ul style="list-style-type: none"> <li>• Pedestrian walkway lighting</li> <li>• Accent lighting on structure</li> </ul>
<b>Electric vehicle charging station.</b> Manufacturer specifications for the charging station must be submitted with design review application.	Site does not include electric vehicle charging station.	--	Site includes electric vehicle charging station

(Ord. 2019-XX, passed X-X-19)

**Figure 152.250-2. Examples of Façade Articulation Methods**



**Figure 152.250-3. Example of Façade Composition (Base-Middle-Top)**



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## LI, LIGHT INDUSTRIAL ZONE

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### *Sub-Sections*

- 152.301 Purpose
- 152.302 Uses permitted
- 152.303 Conditional uses permitted general criteria
- 152.304 Limitations on use
- 152.305 Design review
- 152.306 Dimensional standards

### **§ 152.301 PURPOSE.**

The LI Light Industrial Zone is designed to provide areas for industrial use that are less intensive than heavy industrial uses, and are less offensive to adjacent land uses, and are compatible with certain commercial uses. It is designed to help the county expand and diversify its economic base. The LI Zone is appropriate for areas near major transportation facilities which are generally suited for industry and include highways, railroads, and waterways. (Ord. 83-4, passed 5-9-83)

### **§ 152.302 USES PERMITTED.**

(A) *Uses permitted outright.* In an LI Zone, the following uses and their accessory uses are permitted without a zoning permit:

(B) *Uses permitted with a zoning permit.* In an LI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to §152.025 and subject to the requirements of §§152.304 through 152.306 of this chapter:

### **§ 152.303 CONDITIONAL USES PERMITTED; GENERAL CRITERIA.**

(A) In a LI Zone, the following uses and their accessory uses are permitted, conditionally, subject to the requirements of §§ 152.610 through 152.616, 152.303 and 152.306 and upon the issuance of a zoning permit:

- (1) Accessory dwelling (one only) for the owner or operator of each existing permitted use as provided in §152.616 (X);
- (2) Automobile service station as provided in §152.616 (D);
- (3) Automobile, truck or motorcycle sales lot, limited to properties with frontage on Highway 395;
- (4) Automobile, truck, or motorcycle repair shop or parts store, limited to properties with frontage on Highway 395;
- ~~(5)~~ (5) Automobile wrecking yard as provided in §152.616 (E), except this use is prohibited on properties with frontage on Highway 395;
- ~~(6)~~ (6) Boarding, lodging or rooming house in conjunction with an industrial use located in the property as provided in § 152.616 (H);

- ~~(5)~~ (7) Commercial amusement establishment as provided in § 152.616 (P);
- ~~(6)~~ (8) Commercial gravel extraction and processing as provided in §152.616 (Q), except this use is prohibited on properties with frontage on Highway 395;
- ~~(7)~~ (9) Concrete block or pipe manufacturing as provided in §152.616 (U);
- ~~(8)~~ (10) Concrete manufacturing plant as provided in §152.616 (U);
- ~~(9)~~ (11) Day care center as provided in § 152.616 (V);
- ~~(40)~~ (12) Junkyard as provided in § 152.616 (E), except this use is prohibited on properties with frontage on Highway 395;
- ~~(41)~~ (13) Major manufacturing, repairing, compounding, fabricating, assembling, processing, or storage as provided in §152.616 (LL) industries having any one of the following characteristics:
- (a) Peak employment of more than 200 persons;
  - (b) Utilizing more than 20 acres of land;
  - (c) Requiring a total energy input which exceeds 6,826,000 British Thermal Units (BTU) for all energy sources combined (i.e. natural gas, propane, oil and electricity);
- ~~(42)~~ (14) Mobile home or trailer park as provided in § 152.616 (NN);
- ~~(43)~~ (15) Public or semi-public use as provided in § 152.616 (SS);
- ~~(44)~~ (16) Sand or gravel storage yard as provided in § 152.616 (XX), except this use is prohibited on properties with frontage on Highway 395;
- ~~(45)~~ (17) Wood processing facilities as provided in § 152.616 (GGG);
- ~~(46)~~ (18) Utility facility as provided in § 152.616 (CCC);
- ~~(47)~~ (19) Other buildings and uses similar to the list above which shall not have any different or more detrimental effect upon the adjoining neighborhood areas or districts than the buildings and uses specifically listed providing that it has the approval of the Planning Director or Planning Commission.
- [...]
- (Ord. 2019-XX, passed X-X-19)

#### § 152.304 LIMITATIONS ON USE.

(A) Screening Requirements.

(1) General Standards. All business, commercial and industrial activities, and storage allowed in an LI, Light Industrial, Zone shall be conducted wholly within a building or shall be screened from view from adjacent public roads or surrounding properties in farm, residential or commercial zones, unless the entire activity is conducted more than 500 feet from said surrounding property or road. Outdoor storage of farm and forest products or equipment shall not be subject to this limitation;

(2) Off-Street Loading Areas. All off-street loading areas shall be screened from view if adjoining properties are in a residential zone;

(3) Properties on Highway 395 Corridor. All properties in the LI zone with frontage on Highway 395 are exempt from the standards of this section and subject to the standards of § 152.248.

~~(B)~~ All noise, vibration, dust, odor, smoke, appearance or other objectionable factors involved in any activity shall comply with appropriate state and federal regulations.

~~(D)~~ The growing, harvesting or processing of marijuana is prohibited in this zone.

(Ord. 83-4, passed 5-9-83; Ord. 2005-09, passed 10-13-05; Ord. 2015-07, passed 9-22-15, Ord. 2019-XX, passed X-X-19)

### § 152.305 DESIGN REVIEW.

(A) An application for a zoning permit for a use permitted in § 152.302 of this chapter shall be accompanied by a site plan and, if applicable, a design review application.

(B) A Design Review application may not be required if the following circumstances exist:

(1) The existing structure and business previously received a design review approval from the County Planning Department; and,

(2) No new construction is being requested on the subject property; and,

(3) A similar business will be operated on the subject property.

(C) Properties on Highway 395 Corridor. All properties in the LI zone with frontage on Highway 395 are subject to the design review application requirements, standards, and approval criteria of the RSC zone, see § 152.249.

~~(D)~~ The Planning Director or an authorized agent shall review the site plan for completeness and compliance with the following requirements:

(1) The site plan shall consist of the following:

(a) An accurate map showing property lines, dimensions, and location of buildings on the property, both existing and proposed;

(b) Drawn at a scale no smaller than 1" = 100';

(c) Access points to county or state roads;

(d) Names of the owner and developer of the site.

(2) The Planning Director or his authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;

~~(E)~~ Design Review Standards.

The Planning Director or an authorized agent shall review the design review application for completeness and compliance with the following requirements:

(1) An access permit has been issued by the County Road Department and/or ODOT for the subject property;

- (2) Parking lots and spaces, off-street parking, and loading requirements are met as provided in § 152.560 through § 152.562;
- (3) Setbacks standards are met as provided in the particular zoning district where the subject property is located;
- (4) Signs are permitted as provided in § 152.545 through § 152.548;
- (5) Vision clearance standards are met as provided in § 152.011.
- (Ord. 83-4, passed 5-9-83; Ord. 2014-04, passed 7-2-14, Ord. 2019-XX, passed X-X-19)

[...]

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## SIGN REGULATIONS

### § 152.003 DEFINITIONS.

[...]

**A-FRAME SIGN.** A double-faced temporary sign composed of two sign boards attached at the top and separate at the bottom, not permanently attached to the ground.

[...]

**BALLOON SIGN.** A sign consisting of a membrane that relies on internal gaseous pressure or a semi-rigid framework for maintaining its form.

**BANNER SIGN.** A sign made of fabric or other nonrigid material with no enclosing framework.

[...]

### § 152.545 ZONING PERMIT REQUIRED TO ERECT, MOVE, OR ALTER SIGNS; EXEMPTIONS; PERMITTED SIGNS.

(A) No sign shall hereafter be erected, moved, or structurally altered without a zoning permit, except for a Type 1 and Type 3 sign, and without being in conformity with the provisions of this chapter. Official signs of the state, county or municipalities are exempt from all provisions of this chapter. All signs shall be on the same lot as the subject matter of the sign, except as specifically allowed otherwise.

(B) Allowed signs in the various zones are indicated by the following tables (for types of signs, see § 152.546):

<i>Zone</i>	<i>Types Allowed</i>
EFU-10, EFU-20, EFU-40, EFU, GF	1, 2, 3, 4, 5, 6
UC	1, 2, 3, 4, 5, 8, 9
RR-2, RR-4, RR-10	1, 2, 3, 4, 5, 6
MUF, FR, MR	1, 2, 3, 4, 5, 6
RSC, RRSC, CRC	1, 2, 3, 4, 5, 7, 8, 9, 10, 11

TC, RTC	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
AB	1, 3, 4, 5, 7, 8, 9, 11
LI	1, 3, 4, 5, 7, 8, 9, 10, 11, 12

(Ord. 83-4, passed 5-9-83 updated via Ord. 2008-09, passed 6-16-08, Ord. 2009-09, passed 12-8-09; Ord. 2012-02 passed 1-26-12; Ord. 2014-06, passed 7-2-14, (Ord. 2019-XX, passed X-X-19))

#### § 152.546 TYPES OF SIGNS.

(H) Type 8. Signs identifying the use of the premises or the sale of products produced on the premises, provided that any such sign shall be attached to, parallel with, and no larger than the wall on which it is mounted. In the RSC zone and for properties zoned LI with frontage on Highway 395 the total face area of Type 8 wall-mounted signs must not exceed 20 percent of the wall area of the wall on which the sign(s) are mounted.

(I) Type 9. One projecting or free-standing sign not to exceed 20 feet in height nor 65 square feet in area for each face. The minimum setback for any part of a sign shall be 10 feet, or shall be at the discretion of the Planning Director and shall be measured horizontally from the lot line to the nearest part of the sign. A projecting or freestanding sign shall be allowed only by a ruling of the Planning Director and shall be limited to those businesses for which an attached flat sign is not suitable due to the nature of the business or the characteristics of the lot. Signs mounted to fences are classified as free-standing signs. Type 9 signs on properties in the RSC zone and in the LI zone where the subject property has frontage on Highway 395 the following additional standards apply:

(a) Large Properties. When the lineal frontage of a property exceeds 300 feet, an additional freestanding sign shall be permitted for each 300 feet of lineal property frontage. Each freestanding sign must be at least 150 feet from any other freestanding sign on the same site along the lineal property frontage.

(b) Combined Signs. Two or more owners of adjacent separate properties may combine their respective frontages and erect one (1) freestanding sign with combined square footage per face of 100 square feet. No other freestanding signs shall be permitted on the premises and agreement between property owners for this purpose shall be recorded for posterity.

(c) Sign Construction. A free-standing sign shall be directly supported by poles or foundation supports in or upon the ground. No external cross braces, guy wires, "T" frames, "A" frames, "trusses," or similar bracing systems shall be used to buttress, balance, or support a freestanding sign.

(d) Temporary Signs. One temporary banner sign, balloon sign, or A-frame sign shall be permitted for each principal use and shall be limited to a display period of a maximum of 30 continuous days twice during the calendar year. Maximum sign area shall not exceed 50 square feet.

(Ord. 2019-XX, passed X-X-19)

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## OFF-STREET PARKING AND LOADING

### § 152.560 OFF-STREET PARKING REQUIREMENTS.

(A) Each use shall provide the following minimum off-street parking spaces. Each parking space shall be a minimum of nine feet wide and 20 feet in length.

(B) Off-street parking requirements.

[...]

(C) Bicycle parking requirements.

(1) Applicability. Bicycle parking spaces are required for new development, or changes of use, under the following conditions:

(a) A site with 10 or more off-street vehicle parking spaces

(b) All properties zoned RSC or LI that have frontage on Highway 395.

(2) Exemptions. This section does not apply to single-family and duplex housing, home occupations, and agricultural uses. The Planning Commission or Planning Director may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any patrons or employees arriving by bicycle.

(3) Standards. A minimum of two (2) bicycle spaces for the first 10 motorized vehicle parking areas is required, plus one (1) additional bicycle space for each additional 10 motorized vehicle parking spaces thereafter.

(4) Design. Unless otherwise identified in (3), bicycle parking shall consist of staple-design steel racks or other county-approved racks, lockers, or storage bins providing a safe and secure means of storing a bicycle.

(5) Location. For institutional, employment, and commercial uses, the designated area for bicycle parking shall be within 50 feet of a public entrance.

(6) Hazards. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles, and shall be located so as to not conflict with vision clearance standards of Section § 152.011.

(Ord. 2019-XX, passed X-X-19)

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## GENERAL PROVISIONS

152.018 Access management and street connectivity

152.019 Traffic impact study

152.020 Storage containers

152.021 Pedestrian access and circulation

**§ 152.018 ACCESS MANAGEMENT AND STREET CONNECTIVITY**

[...]

F) Joint Use Driveways and Cross Access.

(1) Adjacent commercial, retail, or office properties identified as major traffic generators (if both properties generate ~~ing~~ more than 400 daily trips, collectively, as defined by the Institute of Transportation Engineers Trip Generation Manual), shall provide a cross access drive and pedestrian access to allow circulation between sites.

(2) A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:

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

(b) A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles

(c) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.

(d) A unified access and circulation system plan for coordinated or shared parking areas is encouraged.

(3) Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.

(4) Pursuant to this section, property owners shall:

(a) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;

(b) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to Umatilla County and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;

(c) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

(5) Umatilla County may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:

(a) Joint access driveways and cross access easements are provided in accordance with this section.

- (b) The site plan incorporates a unified access and circulation system in accordance with this section.
- (c) The property owner enters into a written agreement with the county, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway
- (6) Umatilla County may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make the development of a unified or shared access and circulation system impractical.

[...]

(J) Street Connectivity

(1) Applicability. The following street connectivity standards applies to site developments proposed in the LI or RSC zone.

(2) Purpose. The purpose of these standards are to create an interconnected street network throughout the Highway 395 corridor in order to promote efficient and safe vehicular and pedestrian circulation.

(3) Block Length Standard. Developments in the RSC or LI zone must be designed to allow for a minimum block length of 100 feet and a maximum block length of 600 feet. Distances are measured from the edge of street rights-of-way.

(4) General Connectivity Standards

(a) Where the locations of planned streets are shown on a local street network plan, the development shall implement the street(s) shown on the plan.

(b) Where required local street connections are not shown on an adopted County street plan, or the adopted street plan does not designate future streets with sufficient specificity, the development shall provide for the reasonable continuation and connection of existing streets to adjacent developable properties, conforming to the standards of this Code.

(c) Existing street-ends that abut a proposed development site shall be extended with the development, unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code. In such situations, the applicant must provide evidence that the environmental or topographic constraint precludes reasonable street connection.

(d) Where a street connection cannot be made due to physical site constraints, approach spacing requirements, access management requirements, or similar restrictions; where practicable, a pedestrian access way connection shall be provided pursuant to § 152.648(12).

(e) Proposed streets and any street extensions required pursuant to this section shall be located, designed, and constructed to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands.

[...]

(Ord. 2019-XX, passed X-X-19)

### **152.021 PEDESTRIAN ACCESS AND CIRCULATION**

(A) Purpose. This section implements the pedestrian access and connectivity policies of the Umatilla County Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.

(B) Applicability. The provisions of this Section apply to:

(1) Properties in the RSC zone

(2) Properties in the LI zone that have frontage on Hwy 395 south of Bensel Road and north of E Punkin Center Road.

(C) Standards. Developments shall conform to all of the following standards for pedestrian access and circulation:

(1) Continuous Walkway System. A pedestrian walkway system shall extend throughout the development site and connect to adjacent existing or planned sidewalks, if any, and to all future phases of the development, as applicable.

(2) Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, transit stops, and public rights-of-way conforming to the following standards:

(a) The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.

(b) The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The county road master may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.

(c) The walkway network connects to all primary building entrances consistent with Americans with Disabilities Act (ADA) requirements.

(3) Vehicle/Walkway Separation. Except as required for crosswalks, per subsection (d), below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the county road master may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such

separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.

(4) Crosswalks. Where a walkway crosses a parking area or driveway (“crosswalk”), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material) or painted crosswalk striping. The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.

(5) Walkway Width and Surface. Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the county road master, and not less than five feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to County transportation standards.

(Ord. 2019-XX, passed X-X-19)