

RECEIVED

JUL 15 2020

UMATILLA COUNTY THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY  
RECORDS

STATE OF OREGON

In the Matter of Amending )  
Umatilla County Development ) ORDINANCE NO. 2020-05  
Code for US Highway 395 North )  
Sections )

WHEREAS the Board of Commissioners has ordained Ordinance No. 83-04, adopting the County Land Development Ordinance, codified in Chapter 152 of the Umatilla County Code of Ordinances;

WHEREAS on November 6, 2019, the Board adopted Ordinance No. 2019-09, to improve the aesthetic character and economic vitality of the Highway 395 North corridor;

WHEREAS the Planning Department staff has proposed a few revisions to the setback standards and landscape design standards, relaxing some of the standards for properties zoned Retail Service Commercial and Light Industrial along the Highway 395 North corridor;

WHEREAS the Umatilla County Planning Commission held a public hearing regarding the proposed amendments on June 25, 2020, and forwarded the proposed amendments to the Board of Commissioners with a recommendation for adoption;

WHEREAS the Board of Commissions held a public hearing on July 15, 2020, to consider the proposed amendments, and voted to approve the amendments to the Land Development Ordinance.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the adoption of the following amendments to the County Land Development Ordinance, codified in Chapter 152 of the Umatilla County Code of Ordinances, to amend as follows (Strikethrough text is deleted; Underlined/Italicized text is added):

**§ 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.

(B) *Setback requirements.* The setback requirements shall be as follows:

(1) Front yard:

(a) Minimum Setback: ten feet,

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

(c) Buildings related to automobile, truck or motorcycle sales lots are exempt from the maximum setback requirements when the front of the lot is used for automobile, truck or motorcycle merchandise display.



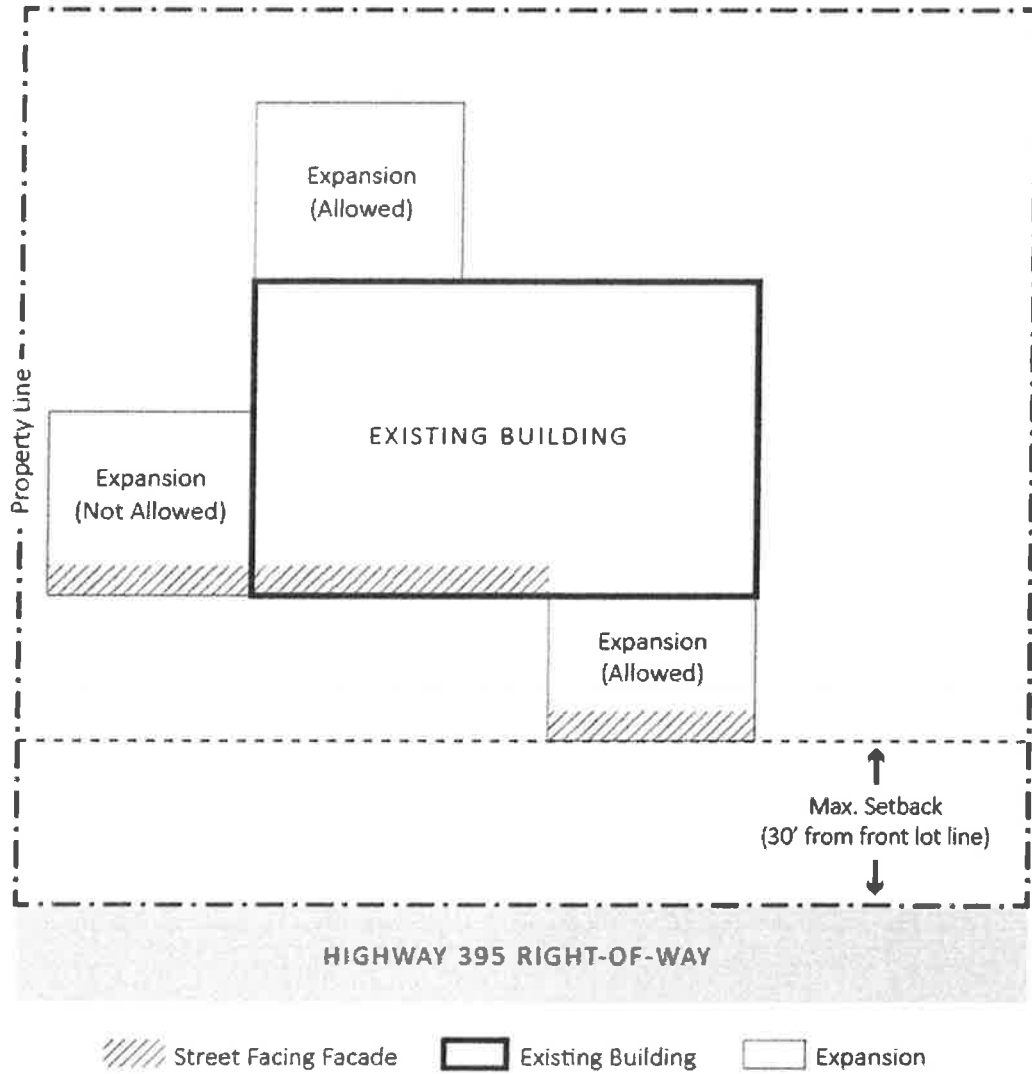
(2) Side yard: minimum of ten feet, except if the lot abuts a property zoned for residential use, then the setback shall be 20 feet;

(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.

(5) Vision clearance standards, found in § 152.011, may require greater setbacks those in 152.250(C), pursuant to §152.005(B), which determines that the most restrictive provision shall apply.

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



(C) *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.

(D) *Window area.* Windows are required to make up a minimum area of any building façade that faces a public street.

(1) *Applicability.* Proposals that include one or more of the following are subject to the standards of this section, § 152.250(D):

(a) New construction of a building or structure.

(b) A building addition or expansion more than 500 feet, or 10 percent of the existing floor area on the site, whichever is greater. The standards of §152.250(D) only apply to the area of building expansion or addition.

(c) Change to exterior of building (e.g., new or replacement of windows, doors, siding), excluding changes in color, that exceeds 15% of the area of the existing façade. The standards of § 152.250(D) only apply to the area of change in the building exterior.

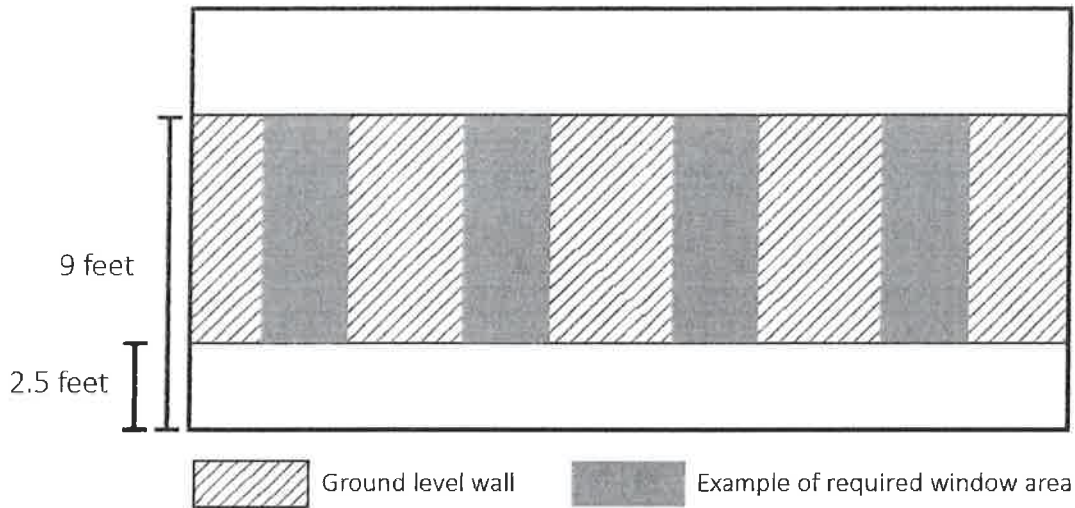
(2) *Minimum Area.* Building facades facing a public street must have qualifying window features for at least 40 percent of the area of the ground level wall area (see Figure 152.250-2). Windows, display areas, and glass doorways are qualifying window features.

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

(4) *Transparency.* Only ground floor window features that are clear or transparent are eligible to meet the

minimum area requirement in § 152.250(D)(2).

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



(E) *Landscaping.*

(1) Applicability. Proposals that includes one or more of the following are subject to the standards of this section, § 152.250(E):

(a) New construction of building or structure.

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

(c) Change in landscaping areas that exceeds 15% of the existing landscaping area.

(d) Change in on-site parking that exceeds 15% of the existing parking area.

(2) Minimum Site Landscape Area. At least 15 percent of the lot area must be landscaped according to the standards of this section. Irrigated landscaping shall not exceed one-half acre.

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

(a) Trees. One tree shall be provided for every 1,500 square feet of required landscaped area. If the calculation of the number of plantings results in a fraction of 0.5 or greater, the applicant shall round up to the next whole number. If the calculation of the number of plantings results in a

fraction of 0.4 or less, the applicant shall round down to the next whole number. A minimum of 50 percent of the required trees must be planted within 30 feet of the front lot line, and located outside of the Clear Zone, pursuant to § 152.250(E)(3)(d). Evergreen trees shall have a minimum planting height of six 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.~~ Meet the requirements identified in §152.250(E)(5).

(b) Shrubs. Shrubs shall be planted from at 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) All landscaping over two feet high, as measured from the

ground level elevation, must be placed outside of the ODOT Highway Design Manual Clear Zone, pursuant to and as determined by ODOT.

(e) The Planning Director may allow credit toward the minimum site 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).

(4) 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. See example in Figure 152.250-3.

(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, other trees species approved by the Planning Director~~ deciduous tree, or landscaping materials identified in



§152.250(E)(3)(b) and (c). All other required parking lot landscape areas not including islands or 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.

(5) Plant Selection and Maintenance.

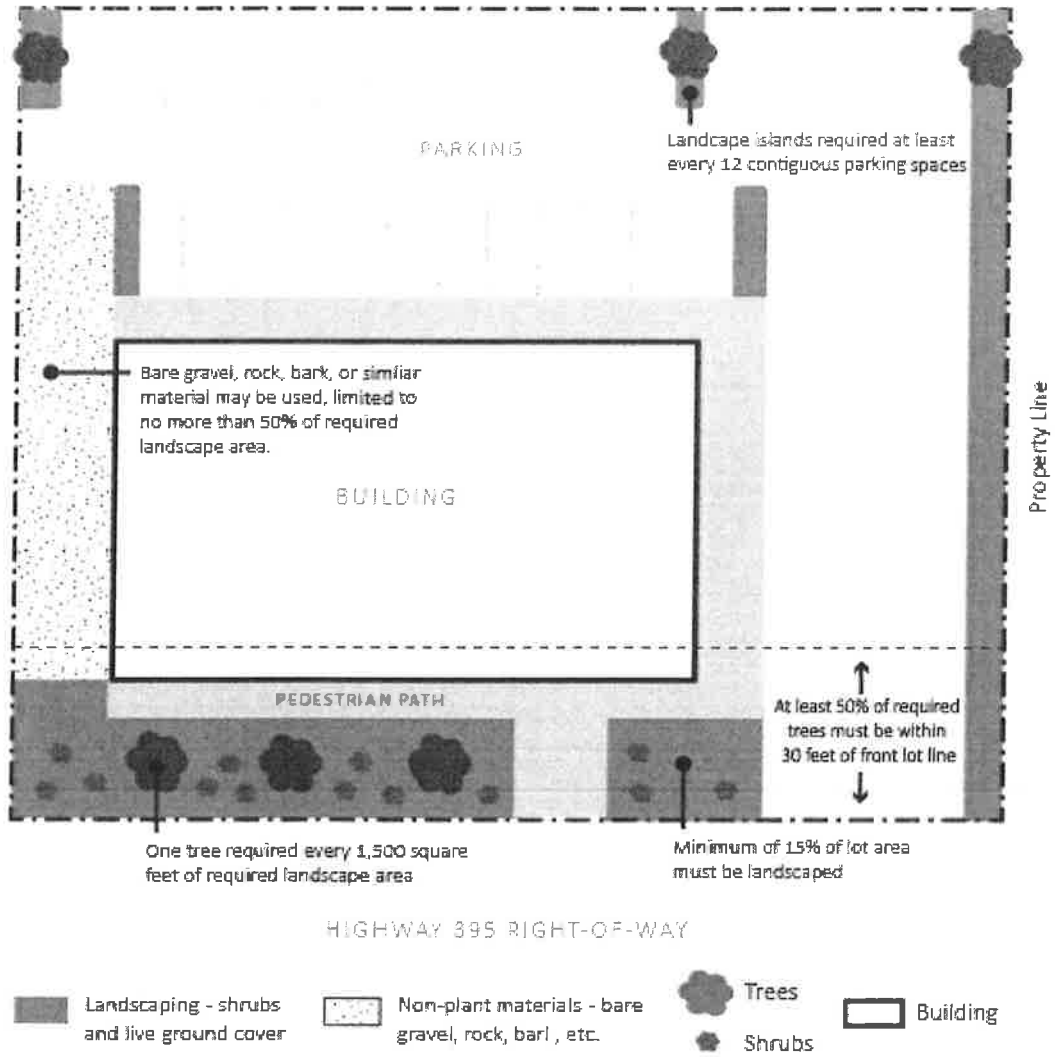
(a) Only plants that are appropriate to the local climate, exposure, and water availability will be eligible to meet the landscaping requirements. The availability of utilities and drainage conditions shall also be considered in the selection of planting materials.

(b) Plant species that require little or no 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

**Figure 152.250-3. Landscaping Requirements Example**





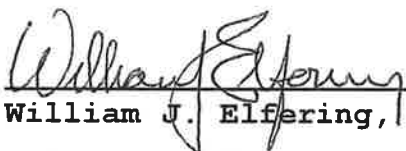
FURTHER by unanimous vote of those present, the Board of Commissioners deems this Ordinance necessary for the immediate preservation of public peace, health, and safety; therefore, it is adjudged and decreed that an emergency does exist in the case of this Ordinance and it shall be in full force and effect from and after July 15, 2020.

DATED this 15<sup>th</sup> day of July, 2020.

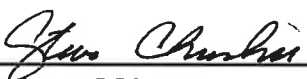
UMATILLA COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
John M. Shafer, Chair

  
\_\_\_\_\_  
George L. Murdock, Commissioner

  
\_\_\_\_\_  
William J. Elfering, Commissioner

ATTEST:  
OFFICE OF COUNTY RECORDS

  
\_\_\_\_\_  
Records Officer

