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MAY 07 2025

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY
RECORDS

STATE OF OREGON

In the Matter of Amending)
Umatilla County Development) ORDINANCE NO. 2025-06
Code to Revise Dimensional and)
Design Standards for Projects)
Located Adjacent to Highway 395)
North Corridor)

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 the Community Development Department proposes changes to the Umatilla County Development Code (UCDC) Section 152.250, which would modify the dimensional and design standards required for a Design Review in the Retail Service Commercial (RSC) and Light Industrial (LI) zones for projects located adjacent to the Highway 395 North Corridor. #T-100-25.

WHEREAS the Umatilla County Planning Commission held a public hearing regarding the proposed amendments on March 27, 2025, 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 May 7, 2025, 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):

RSC, RETAIL/SERVICE
COMMERCIAL ZONE

§ 152.247 CONDITIONAL USES
PERMITTED.

In a RSC Zone, the following uses and their accessory uses are permitted, subject to the requirements of §§ 152.610 through 152.616,

152.248 and through 152.250 upon the issuance of a zoning permit:

(A) Accessory dwelling (one only) for the owner or operator of each existing permitted use as provided in § 152.616 (X);

(B) Animal hospital or veterinary clinic as provided in §152.616 (DDD);

(C) Commercial amusement

establishment as provided in §152.616 (P);

(D) Drug paraphernalia store, adult book store, adult movie house as provided in §152.616 (W);

(E) Mini-warehouses as provided in §152.616 (MM);

(F) Mobile home park, travel trailer park as provided in § 152.616 (NN);

(G) Tire repairing as provided in §152.616 (AAA);

(H) Utility facility as provided in §152.616 (CCC);

(I) Welding shop as provided in §152.616 (F);

(J) Other uses similar to the uses permitted or the conditional uses normally located in a Retail/Service Commercial Zone, provided that the use has the approval of the planning Director or Planning Commission.

(K) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(L) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(M) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

§ 152.250 DIMENSIONAL AND DESIGN STANDARDS.

In a 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) For corner properties with frontage along Highway 395, the highway is considered the front property line.

(~~e~~d) 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.

(e) Accessory structures used for storing maintenance vehicles and equipment, and other business-related items that are not intended for display, and that are directly related to an approved use occurring on the subject property are exempt from the maximum setback requirements of this section.

(f) Accessory structures used for storing maintenance vehicles and equipment, and other business-related items that are not intended for display, and that are directly related to an approved use occurring on the subject property shall be located behind the primary structure when practical.

(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.

(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. [Section Deleted]~~
~~(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

[Delete Figure]

(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. 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 152.250-3/2.

(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 deciduous tree; and 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.~~

Table 152.250-1. Design Features Matrix


DESIGN FEATURE		POSSIBLE POINTS		SUBTOTAL <i>Use this column to tally points</i>
Building Design Features				
Natural siding materials. May include: <ol style="list-style-type: none"> 1. Masonry, which includes natural and natural-looking stone, and rusticated brick or split-faced, colored concrete blocks. 2. 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. 		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)
		+0 points	+2 points	+ 3 points

DESIGN FEATURE	POSSIBLE POINTS			SUBTOTAL <i>Use this column to tally points</i>
Window area. Windows promote an interesting pedestrian experience and architectural variety. See Figure 152.250-4.	Window area meets base requirements of §152.250(E) <u>25 percent of the area of the front street-facing facade covered with windows</u> + 0 <u>2</u> points	At <u>26</u> to 50 percent of the area of the <u>front</u> street-facing facade covered with windows. + 3 points	Over 50 percent of the area of <u>the front</u> street-facing facade covered with windows. + 5 points	

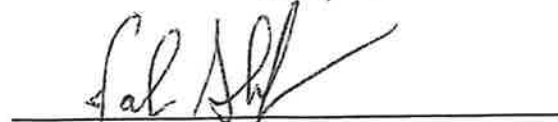
FURTHER by unanimous vote of those present, the Board of Commissioners deems this Ordinance necessary for the immediate preservation of public peace, health, and safety; therefore, it is adjudged and decreed that an emergency does exist in the case of this Ordinance and it shall be in full force and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

DATED this 7th day of May, 2025.

UMATILLA COUNTY BOARD OF COMMISSIONERS


 Celinda A. Timmons, Chair


 Daniel N. Dorran, Commissioner


 John M. Shafer, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS



Records Officer

