



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

10/23/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Cottage Grove Plan Amendment
DLCD File Number 002-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Saturday, November 04, 1009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Amanda Ferguson, City of Cottage Grove
Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Thomas Hogue, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner

<paa> YA

Notice of Adoption

In person electronic mailed

DEPT OF

OCT 16 2009

LAND CONSERVATION AND DEVELOPMENT

**THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**

Jurisdiction: **City of Cottage Grove**

Local file number: **DCTA 1-09**

Date of Adoption: **10-12-09**

Date Mailed: **10-13-09**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: 04-30-09

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amended Title 14 Development Code to create a Business Park (BP) District.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 002-09 (17548) [15763]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Amanda Ferguson**

Phone: 541-942-3340

Extension:

Address: 400 Main Street

Fax Number: 541-942-1267

City: Cottage Grove

Zip: OR

E-mail Address: planner@cottagegrove.org

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing larry.french@state.or.us.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **twenty-one (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to larry.french@state.or.us - **Attention: Plan Amendment Specialist**.

Updated March 17, 2009

Ordinance No. 2986

AN ORDINANCE AMENDING TITLE 14 OF THE COTTAGE GROVE MUNICIPAL
CODE AND ORDINANCE NO. 2959,
IMPLEMENTING ECONOMIC OPPORTUNITIES ANALYSIS.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend the city-wide Title 14 Cottage Grove Development Code, adopted through Ordinance No. 2959, to create the Business Park (BP) District.

Section 2. Economic Opportunities Analysis. The City Council adopted the 2009 Economic Opportunities Analysis (EOA) and a revised Cottage Grove Comprehensive Plan Economic Development Element through Resolution 1713. This ordinance identifies those changes to the Cottage Grove Development Code necessary to implement the EOA's recommendations. The EOA recommends the creation of a Business Park District as an implementing zone for the Industrial Lands Comprehensive Plan designation. The EOA also recommends modifications to the Commercial development code to implement the 2009 Economic Development element.

Section 3. Business Park District. The Business Park District is intended for use upon properties brought into the Cottage Grove Urban Growth Boundary to meet lands needs identified in the 2009 Economic Opportunities Analysis. The Business Park District is intended to allow for mixed light industrial and service commercial uses, with limited supporting retail, in a master planned campus-like setting. This ordinance adopts amendments to Title 14 Cottage Grove Development Code that identify the purpose of the BP District, Land Uses allowed in the BP District, and development standards for the BP District.

Section 4. Procedural Compliance. This amendment is in compliance with 14.4.7.500-600 of the Municipal code of the City of Cottage Grove and is based upon the City Council determination, after a Planning Commission public hearing and recommendation, that this amendment is a proper implementation of the comprehensive land use plan and, therefore, is in the public interest and for the health, safety and welfare of the residents of the City of Cottage Grove.

Section 5. Amendment. Title 14 of the Cottage Grove Municipal Code and Section "C" of Ordinance No. 2959 is hereby amended as follows:

A. p. 1-44

Insert the following **bold** text into Chapter 1.4 – Use Categories, Table of Contents:

- 1.4.370 Business Park Commercial Retail**
- 1.4.380 Business Park Commercial Service**

B. p. 1-66

Insert the following **bold** text into Chapter 1.4 – Use Categories:

1.4.370 Business Park Commercial Retail

- A. Characteristics. Business Park Commercial Retail uses are characterized by retail sales that generally serve Business Park employees and nearby employees within a mile of the Business Park.**
- B. Accessory uses. Accessory uses may include offices, storage, or repackaging.**
- C. Examples. Examples include sale of office or business supplies or machines; sale of consumer home and business goods including gifts, groceries, printed material, stationary and flowers.**
- D. Exceptions.**
 - 1. Business Park Commercial Retail uses cannot cumulatively exceed 10 percent of a Business Park’s total projected floor area.**
 - 2. Individual Business Park Commercial Retail uses cannot exceed 20,000 square feet in floor area.**

1.4.380 Business Park Commercial Service

- A. Characteristics. Business Park Commercial Service uses are characterized by business and personal services that generally serve employees of the Business Park itself and nearby employees within a mile of the Business Park.**
- B. Accessory uses. Accessory uses may include retail sales of related products (e.g. shampoo sold from a hair salon), offices and storage areas.**
- C. Examples. Examples include business and professional services; entertainment services such as restaurants, cafés, fitness centers, yoga/pilates studios, health gyms; personal services such as hair, tanning, nails and massage; financial services such as bank and investment advisors; business**

equipment repair services; and personal services such as hair salons, tailors and cleaning services; childcare and domestic pet daycare.

D. Exceptions.

1. Drive through access is not permitted.

C. p. 2-2

Remove ~~strike-through~~ text and insert the following **bold** text into Table 2.1.110 Land Use Districts:

Industrial	Light Industrial (M-1) Heavy Industrial (M-2) Business Park (BP)
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D. p. 2-52

Insert the following **bold** text into Section 2.3.100 Commercial Districts – Purpose:

These districts are intended to:

- Implement design standards/guidelines that maintain and enhance the City’s historic architecture; **and**
- **Protect large commercial sites for their intended commercial use as prescribed in the Cottage Grove Economic Opportunities Analysis (2009).**

E. p. 2-74

Insert the following **bold** text into Chapter 2.3 Commercial Districts:

2.3.190 Commercial Districts – Large Site Master Planning Requirements

Commercial land added to the Cottage Grove Urban Growth Boundary (UGB) to meet commercial land needs identified in the Cottage Grove Economic Opportunities Analysis (2009) shall be assigned a Master Planned Development (PD) overlay zone under Chapter 4.5 Master Planned Developments following annexation.

A. The minimum development area covered by this master plan shall be 10 acres.

F. Pg. 2-75

Remove ~~strike-through~~ text and insert the following **bold** text into Section 2.4.100 Industrial Districts Purpose:

Chapter 2.4 accommodates a range of industrial and commercial land uses in **three** Industrial Districts, Light Industrial (M-1) and Heavy Industrial (M-2). **Both** These districts are intended to provide for land use compatibility while providing a high-quality environment for businesses and employees. The industrial districts are also intended to provide suitable locations for heavy industrial uses (e.g., raw materials processing; and manufacturing, assembly, packaging or distribution of heavy or large goods) that would not otherwise be compatible in other districts. **The Business Park District is intended to allow for mixed light industrial and service commercial uses, with limited supporting retail, in a master planned campus-like setting.**

Chapter 2.4 guides the orderly development of industrial areas based on the following objectives:

- Provide for efficient use of land and public services;
- Provide appropriately zoned land with a range of parcel sizes for industry;
- Provide transportation options for employees and customers;
- Locate business services close to major employment centers;
- Ensure compatibility between industrial uses and nearby commercial and residential areas;
- Provide appropriate design standards to accommodate a range of industrial users;
- Provide attractive locations for business to locate; **and**
- Accommodate mixed-use development of light industrial areas; **and**
- **Protect employment sites for their intended use as identified in the Cottage Grove Economic Opportunities Analysis.**

G. p. 2-76

Insert a third column labeled "Business Park (BP)" and the following **bold** text into Table 2.4.110 Land Use in Industrial Districts:

TABLE 2.4.110 Land Use in Industrial Districts (M-1, M-2, BP)

USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Light Industri al (M-1)	Heavy Industrial (M-2)	Business Park (BP)
Residential Categories			
Household Living			
All Residential Uses	N	N	N
Commercial Categories			
Drive-up/Drive-in/Drive-through (drive-up windows,	N	N	N

kiosks, ATM's, similar uses/facilities), per Section 2.3.190			
Bed and Breakfast Inn	N	N	N
Educational Services, not a school (e.g., tutoring or similar services)	N	N	MP
Entertainment, Major Event	N	N	N
Office - Primary use	N	N	MP
- Accessory Use	P	P	P
Outdoor recreation, Commercial	N	N	N
Parking Lot (when not an accessory use)	CU	CU	N
Quick Vehicle Servicing. (See also Drive-Up/Drive-In/Drive-Through Uses, per Section 2.3.190)	N	N	N
Vehicle Repair	CU	CU	N
USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Light Industrial (M-1)	Heavy Industrial (M-2)	
Retail Sales and Service - Accessory to primary use	CU	CU	N
	P	P	N

Self-Service Storage			
Industrial Categories			
Light Industrial Service	P	P	MP
Medium/Heavy Industrial Service	N	N	N
Light Manufacturing and Production - fully enclosed (e.g., office) - not enclosed	P CU	P P	MP N
Medium/Heavy Manufacturing and Production	N	P	N
Warehouse and Freight Movement	N	P	N
Waste-Related	CU	P	N
Wholesale Sales	S	S	MP
<u>Business Park Retail Commercial</u>	N	N	MP
<u>Business Park Service Commercial</u>	N	N	MP
Institutional Categories			
Basic Utilities	P	P	MP
Colleges	N	N	N
USE Categories (Examples of uses are in Chapter 1.4; definitions are in Chapter 1.3)	Light Industrial (M-1)	Heavy Industrial (M-2)	
Community Service	CU	P	MP

Family Daycare (12 or fewer children) under ORS 657A.250	P	P	N
Daycare, adult or child (exceeding 12)	N	N	MP
Pedestrian Amenities	P	P	P
Parks and Open Space	N	N	N
Parks and Open Space, when designated on an adopted Specific Area Plan, or when part of a Master Plan	P	P	P
Religious Institutions and Houses of Worship	N	N	N
Schools	N	N	N
Other Categories			
Accessory Structures (with a permitted use)	P	P	MP
Small Animals, limited to 3 cats and/or dogs, pot-bellied pigs, rabbits, chickens or similar size animal (excluding roosters and swine)	P	P	N
Nurseries and similar commercial horticulture (indoor or outdoor)	CU	N	N
Buildings and Structures exceeding Height Limits in Table 2.3.120	CU	CU	MP
Wireless Telecommunication Facilities	CU	CU	MP
Rail Lines and Utility Corridors, except those existing prior to effective date of Development Code are allowed.	CU	CU	MP

Temporary Uses, per standards in Section 4.9.100 - Temporary Job Trailers	P	P	P
Transportation Facilities (operation, maintenance, preservation and construction)	P	P	P

H. p. 2-79

Remove ~~strike-through~~ text and insert the following **bold** text into Section 2.4.120 Industrial Districts – Setback Yards; Industrial Buffers:

C. Front and Street Yard Setbacks.

- 3. Business Park (BP) District: Minimum of 25 feet from designated arterial streets, 20 feet from collector streets, and 15 feet from local streets.**

D. Rear Yard Setbacks.

- ~~1. Light Industrial (M-1) District Adjacent to a Commercial or Industrial District: Minimum of 10 feet where adjacent to a Commercial or Industrial District, except common wall buildings with 0-setback are allowed;~~
- ~~2. Heavy Industrial (M-2) District: Minimum of 10 feet where adjacent to a Commercial or Industrial District, except common wall buildings with 0-setback are allowed;~~
- ~~2. Industrial District (M-1 or M-2) Abutting a Residential District: Minimum of 20 feet, and conformance with the R/R-1 height step-down standards in Section 2.2.170.C.~~

- F. Minimum Landscape Area (% site area). The minimum landscape area for **M-1 and M-2** Industrial Districts shall be 5%. **The minimum landscape area for BP Industrial District shall be 20%**. Landscape area may include plant areas and some non-plant areas as allowed under Section 3.2.300.D.

I. Pg. 2-80

Insert the following **bold** text into Section 2.4.130 Industrial Districts – Lot Coverage:

- C. Business Park (BP) District: Maximum lot coverage, including all impervious surfaces, 70 percent.**

J. Pg. 2-80

Insert the following **bold text** into Section 2.4.140 Industrial Districts – Site Layout and Design:

- A. **Development Compatibility.** Industrial uses and developments shall be oriented on the site to minimize adverse impacts (e.g., noise, glare, smoke, dust, exhaust, vibration, etc.) and to provide compatibility with adjacent uses to the extent practicable. The following standards shall apply to all development in the **Business Park and Light and Heavy Industrial Districts**:

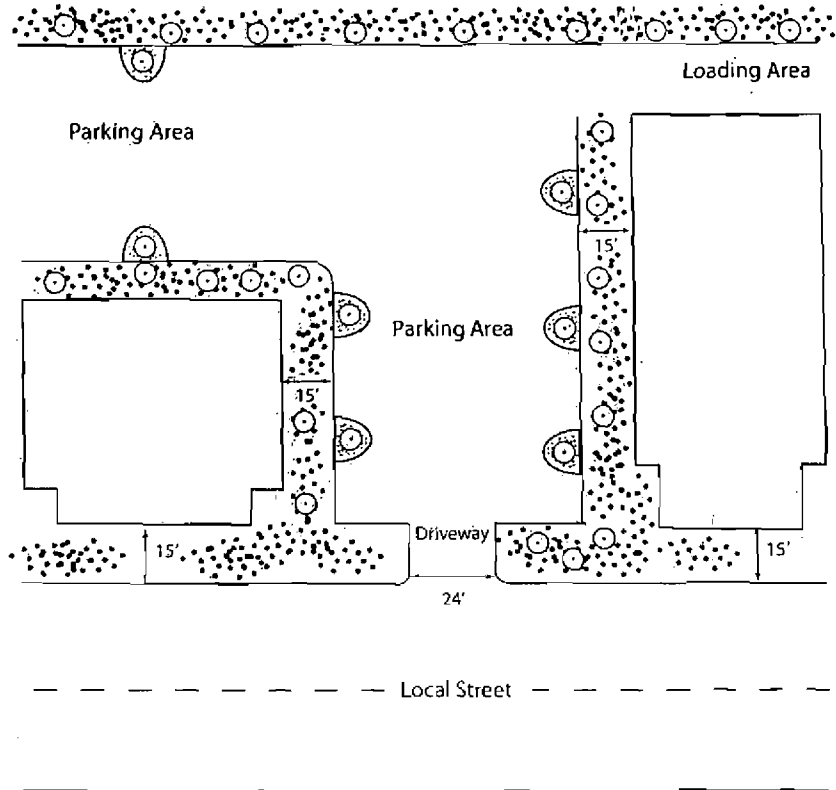
K. Pg. 2-81

Insert the following **bold text** into Section 2.4.140 Industrial Districts – Site Layout and Design:

C. Special Use Standards – BP Districts Only. All development within the BP District must comply with the following standards:

1. **Master Plan.** All development must be preceded by an approved master plan as provided in Chapter 4.5, Master Planned Developments.
2. **Indoor Activity.** All business activity must be conducted completely indoors, with the exception of outdoor seating associated with restaurants and outdoor recreation areas.
3. **Building Separation.** Except for common wall buildings, buildings must be separated from one another by at least 30 feet of landscaped area.
4. **Common Space.** At least 10 percent of the total required landscape area must be common open space available to all tenants and owners in the Business Park. Parking lot buffering and property line buffering may not be used to meet common open space requirements.
5. **Vehicular Areas.**
 - a. **Except for approved driveways, paved areas intended for vehicular use shall meet building setback standards and shall be landscaped.**
 - b. **Parking and loading areas generally shall be located behind buildings. The Planning Commission may approve parking and loading areas between buildings provided there is at least 30 feet of landscaped area separating the buildings as shown on Figure 2.4.140.C.**

Figure 2.4.140.C – Building Separation with Parking



6. **Signage.** No sign shall be permitted within the BP without a sign permit as provided in Chapter 3.8. A sign concept plan showing the locations, general size, style and materials of signs must be submitted as part of the planned development proposal pursuant to Chapter 4.5, Master Planned Developments.
7. **Prohibited Impacts from Uses in Business Parks.**
 - a. Noise, vibration, air or water pollution that exceed DEQ standards.
 - b. Air emissions, including smoke, particulate matter, and noxious gases that are readily discernable to the human senses (without instruments) outside of the Business Park. Vehicles that use state highways and landscaping equipment are exempt from this standard.

L. p. 2-83

Insert the following bold text into Chapter 2.4:

2.4.160 Industrial Districts – Large Site Master Planning Requirements

Industrial land added to the Cottage Grove Urban Growth Boundary (UGB) to meet industrial land needs identified in the Cottage Grove Economic Opportunities Analysis (2009) shall be assigned a Master Planned Development (PD) overlay zone under Chapter 4.5, Master Planned Developments following annexation.

- A. The minimum development area covered by this master plan shall be 20 acres.**

M. Pg. 3-112

Insert the following bold text into Chapter 3.8 Signs:

3.8.610 Business Park District Signs

The following sign standards have been established for Business Park (BP) districts:

- A. Master Planning. No sign shall be permitted within the BP District without a sign permit as provided in Chapter 3.8. A sign concept plan showing the locations, general size, style and materials of sign must be submitted as part of the planned development proposal pursuant to Chapter 4.5, Master Planned Developments.**
- B. Business Park Identification. Business parks may have 1 sign along each adjacent street frontage. Signs along street frontages are limited to the name of the business park and the management company, must be ground signs, and shall not exceed 50 square feet in size and 7 feet in height.**
- C. Business Identification. One directory sign is allowed for each building, at the building's main point of entry, and shall include only the name of the businesses and/or their suite or building numbers. Directory signs must be ground signs, and may not exceed 25 square feet in size and 5 feet in height. Each business may have 1 wall sign not to exceed 40 square feet.**
- D. Uniformity. All signs must generally be similar in size, color, shape and in other aspects of appearance, to assist in providing a uniform theme for the development.**

N. p. 4-67


Insert the following **bold** text into Section 4.5.110 Master Planned Development – Applicability:

6. **Business Park developments.**
7. **Commercial developments added to the UGB to meet land needs identified in the Cottage Grove Economic Opportunities Analysis (2009) (10 acres or greater).**
8. **Industrial developments added to the UGB to meet land needs identified in the Cottage Grove Economic Opportunities Analysis (2009) (20 acres or greater).**

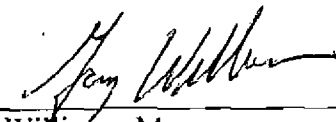
PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 12th
DAY OF OCTOBER, 2009.

Attest:

Approved:



Richard Meyers, City Manager
Dated: Oct. 12, 2009



Gary Williams, Mayor
Dated: Oct 12, 09

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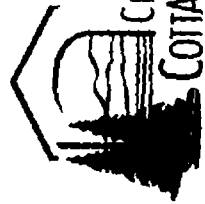
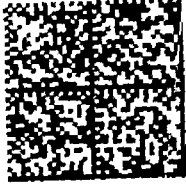
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10/14/2009

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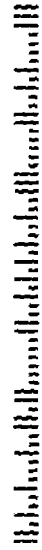
COMMUNITY DEVELOPMENT

CITY OF

COTTAGE GROVE

400 E. Main St.
Cottage Grove, OR 97424-2033

TO:



Attn: Plan Amendment Specialist
DLCD
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540