



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

11/24/2009

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

**FROM:** Plan Amendment Program Specialist

**SUBJECT:** City of Clatskanie Plan Amendment  
DLCD File Number 001-09

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:** Monday, December 07, 2009

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:** Greg Hinkelman, City of Clatskanie  
Gloria Gardiner, DLCD Urban Planning Specialist  
Bill Holmstrom, DLCD Transportation Planner  
Gary Fish, DLCD Regional Representative

<paa> YA

# Notice of Adoption

**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: Clatskanie Local file number: N/A  
 Date of Adoption: November 4, 2009 Date Mailed: November 16, 2009  
 Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: 8-17-2009  
 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".

TSP and code amendments related to public transit, prepared by Kittleson for Columbia County.

Does the Adoption differ from proposal? Please select one Yes

Language amended in paragraph 9-11-8 "Pedestrian Access and Circulation", per council direction at October 21, 2009 meeting. The words "If deemed appropriate by the city" were added to sections, A. B. and C.

Section 9-3-7, changed not adopted.

Plan Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_  
 Zone Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_  
 Location: \_\_\_\_\_ Acres Involved: \_\_\_\_\_  
 Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable statewide planning goals:

- |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                                     |                          |                          |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                 | <b>2</b>                 | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                           | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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. 001-09 (17800) [15835]

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

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Local Contact: Greg Hinkelman

Phone: (503) 728-2622 Extension: 13

Address: PO Box 9

Fax Number: 503 - 728-3297

City: Clatskanie, Oregon Zip: 97016-0009

E-mail Address: ghinkelman@cityofclatskanie.com

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## 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, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@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 **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.



**City of Clatskanie**  
Council Agenda Item 2009-25

Meeting Date: November 4, 2009  
Subject: Ordinance 658, Amending the Clatskanie City Code to accommodate  
Public Transit  
Prepared By: Greg Hinkelman, City Manager

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**SUMMARY:** Columbia County underwent a comprehensive review of its public transit system funded by a federal grant. The county contracted with Kittelson & Associates out of Portland to develop a plan. The “Columbia County Community-Wide Transit Plan and US 30 Transit Access Plan” was completed in June 2009 and presented to the county commissioners for adoption. As part of the review, Kittelson & Associates reviewed each city’s development code and transportation plans. Kittelson made recommendations to each city as to how they could update their code to include permitted uses for Public Transportation. Included in this packet are copies of the existing code annotated as to where new code language could be adopted (Code Exhibit A). The recommendations to amending the City Code area as follows:

1. Include a definition of Public Transit facilities to section 1-3-2
2. Amend 9-5D-1 to include Public Transit Facilities
3. Amend 9-6B-1 to allow Public Transit facilities in a C-1 zone
4. Add paragraph 9-10-7 “Transit Improvements” (see Code Exhibit A for full language).
5. Add paragraph 9-11-8 “Pedestrian Access and Circulation” (see Code Exhibit A for full language). **Note: Language has been amended in this section per council direction at last meeting (Oct 21). The words “If deemed appropriate by the city” were added to sections A, B, and C.**
6. **Changes recommended for section 9-3-7 were removed per council direction.**

Items 1-5 above have been reviewed by the Planning Commission and they send on their recommendations for approval.

**RECOMMENDATION:** Approve Ordinance 658, amending the Clatskanie City Code to accommodate Public Transit.

City of Clatskanie  
Ordinance 658

Amending the City of Clatskanie Development Code  
With Respect to Public Transit

**Whereas**, Columbia County has recently completed a comprehensive review of its public transit system and adopted a transit plan; and

**Whereas**, as part of said review, Kittleson & Associates of Portland reviewed the development code and transportation plan of the City of Clatskanie; and

**Whereas**, Kittleson & Associates made recommendations to the City of Clatskanie concerning how its code could be updated to include permitted uses for Public Transportation; and

**Whereas**, the Proposed Changes have been reviewed and recommended by the Clatskanie Planning Commission;

**Now, therefore**, the City of Clatskanie adopts the Columbia County Community-Wide Transit Plan and US 30 Transit Access Plan and ordains as follows:

1. The following definition shall be added to Section 1-3-2, DEFINITIONS, GENERAL, of the Clatskanie Municipal Code:

“PUBLIC TRANSIT FACILITIES: Public transit facilities include one or more of the following: a bus stop, building shelter, or park-and-ride lot where bus service is accessed.”

2. The following language shall be added to subsection 9-5D-1(A) of the Clatskanie Municipal Code before the words “Residential facility” and after the words “Manufactured dwelling”:

“Public transit facilities.”

3. The following language shall be added to Section 9-6B-1 of the Clatskanie Municipal Code after subsection D:

“E. Public Transit Facilities.”

4. The following Section 9-10-7 shall be added to the Clatskanie Municipal Code:

“9-10-7 TRANSIT IMPROVEMENTS

A. Development proposals for sites that include existing or planned transit facilities, as shown in the adopted Clatskanie Transportation System Plan or County Transit Plan, may be required to provide the following:

1. A reasonably direct pedestrian connection, as defined by Section 9-11-8, between the transit facility and building entrances on the site.
2. A transit passenger landing pad accessible to disabled persons;
3. An easement or dedication for a passenger shelter or bench if such facility is identified in the Clatskanie Transportation System Plan or the adopted County Transit Plan.
4. Lighting at the transit facility.”

5. The following Section 9-11-8 shall be added to the Clatskanie Municipal Code:

“9-11-9 PEDESTRIAN ACCESS AND CIRCULATION

A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family detached housing (i.e., on individual lots), shall, if deemed appropriate by the City, provide a continuous pedestrian system.

B. Continuous Walkway System. The pedestrian walkway system shall, if deemed appropriate by the city, extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable.

C. Safe, Direct, and Convenient. Walkways within developments shall, if deemed appropriate by the city, provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

1. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

2. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

3. "Primary entrance" for commercial, industrial, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

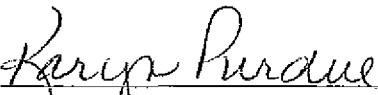
4. "Primary entrance" for residential buildings is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.

D. When proposed commercial, office, institutional or multi-family uses are located on a site within ¼ mile of an existing or planned transit stop, the proposed pedestrian circulation system must demonstrate a safe and convenient pedestrian route from building entrances to the transit stop or to a public right-of-way that provides access to the transit stop."

Passed by the Council of the City of Clatskanie this 4th day of November, 2009.



Diane Pohl, Mayor

Attest:   
Karyn Purdue, City Recorder

1<sup>st</sup> Reading: October 21, 2009

2<sup>nd</sup> Reading: November 4, 2009

ROLL CALL ON ADOPTION		AYE	NAY	ABSENT
Mayor:	Diane Pohl	X		
Councilors:	Kathy Engel	X		
	Larry Garlock	X		
	Steve Constans	X		
	Toby Harris	X		
	Ron Puzey	X		
	(Vacancy)			

**“CODE EXHIBIT A”**

**City of Clatskanie**

Amendments to the  
Clatskanie Municipal Code  
With respect to Public Transit



**Date:** August 22, 2009  
**To:** Planning Commission  
**From:** Greg Hinkelman, City Manager  
**Re:** Staff Report on Proposed Code amendments to accommodate Public Transit

**Summary:** Columbia County underwent a comprehensive review of its public transit system funded by a federal grant. The county contracted with Kittelson & Associates out of Portland to develop a plan. The "Columbia County Community-Wide Transit Plan and US 30 Transit Access Plan" was completed in June 2009 and presented to the county commissioners for adoption. As part of the review, Kittelson & Associates reviewed each city's development code and transportation plans. Kittelson made recommendations to each city as to how they could update their code to include permitted uses for Public Transportation. Included in this packet are copies of the existing code annotated as to where new code language could be adopted. Also included are excerpts (Pages 9-22 through 9-26) from the Kittelson report as to a recommendation of language and new sections to be added to our code.

**Recommendation:** Review the proposed language to be added to the development code and make a recommendation to the city council for language adoption.

This is  
Code Exhibit A

In addition to permitting transit-related uses, the city's Subdivision Ordinance (Title 17) requires that applicants show connections to public transit routes on the subdivision plan (17.10.020.D) and required street improvements include transit facilities (17.30.140.F). Pathways for non-motorized forms of transportation are required in residential and commercial subdivisions and partitions and these pathways must connect the proposed development to adjoining arterial or collector streets if they include transit stops (17.30.180.B.2).

Most of the physical improvements recommended in the CCCTP, including parking and street improvements and signage on or near US 30, are not anticipated to require land use approval or permitting.<sup>11</sup> Signage improvements to the existing bus facility at the intersection of US 30 and W. 2<sup>nd</sup> Street, as well as bus stop signs at the Rainier Senior Center should not require a sign permit, pursuant to Section 5.13 Signs.

Regarding coordination with the transit agency, Article 7, Administration, requires public hearing notification of Type II (limited land use) and Type III (quasi-judicial) decisions to "(a)ny other public agency or entity whose property, services or facilities may be affected". Pursuant to Article 6, Procedures and Review Criteria, amendments to the City's comprehensive plan or implementing ordinances (Type IV decisions) must be consistent with the Columbia County Transportation System Plan.

Rainier Recommendation: No code amendments are necessary to implement the CCCTP.

### Clatskanie

Clatskanie city residents are served by an existing fixed-route bus service, the Westport-Longview/Kelso line. The CCCTP recommends that the county service eliminate the Westport stop as a Columbia County Rider facility and have the Sunset Empire Transportation District provide this connection. The County's transit center in Clatskanie (the former Johnson Oil gas station) would continue to meet the needs of both Columbia County Rider and Sunset Empire passengers. This change would allow for a cost savings that could be used to expand service from three days to five days a week for Clatskanie residents. In addition, the CCCTP recommends new flex-route service from Vernonia to Clatskanie via Mist two days per week. The recommended service changes do not require local land use actions. Bus stop, parking, and street improvements also are not

<sup>11</sup> Pursuant to the city's sign code, signs that are located on or visible to travelers on State Highway 30 are subject to the regulations and permit requirements of ODOT (Section 5.13 Signs).

<sup>12</sup> Canopy signage does not require a permit in the city's commercial and institutional zones, pursuant to Table 1, but is subject to the requirements of Tables 2A and 2B. A bus stop sign at the Senior Center may be considered a pole sign, which is allowed without a permit in the West Rainier and Highway 30 commercial and industrial districts, as well as institutional properties. A bus stop sign also meets the city's definition of an "incidental" sign ("generally informational and that has a purpose secondary to the use of the premises on which it is located, such as 'no parking,'..."), which are allowed in all zoning districts.

↓  
For Planning  
&  
Council  
Approval

anticipated to require land use permitting.<sup>13</sup> Placing signage on the canopy of the existing Transit Center (old Johnson Oil gas station) should not require a permit, pursuant to Section 9-12-3, but will be subject to the requirements of the city's sign regulations.<sup>14</sup>

The CCCTP identifies pedestrian access issues at the transit facilities in Clatskanie. Currently, the city's Development Code (Title 9 Land Use and Development Code) does not require that development proposals provide for transit facilities or address pedestrian access to transit. Public transit facilities are not defined and are not included in the list of permitted uses under each zoning district. Currently, Title 9 also does not include any requirements for notification to other public agencies, such as Columbia County Rider, of proposals that could impact the services or facilities of public service providers.

Clatskanie Recommendations: While no code amendments are necessary to implement the CCCTP's service changes in Clatskanie, it is recommended that the Development Code be amended to allow existing public transit facilities (bus stops/transit center) in the zone(s) where they are located. To list public transit facilities as an allowed use, a definition for the term is required:

PUBLIC TRANSIT FACILITIES: Public transit facilities include one or more of the following: a bus stop, building, shelter, or park-and-ride lot where bus service is accessed.

Public transit facilities should be allowed uses in higher density residential zoning districts and in higher intensity commercial zoning districts where transit service currently exists or where it may be viable in the future. In Clatskanie, appropriate zoning districts to allow public transit facilities include the Multi-Family Residential Zone (MFR) and the C-1 General Commercial Use Zone:

9-5D-1: PERMITTED USES:

A. Uses Designated: In an MFR zone, the following uses, and their accessory uses, are permitted:

Public transit facilities.

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<sup>13</sup> Information signs or structures authorized by federal, state, county or city authority are not subject to the city's sign regulations, pursuant to Section 9-12-5 of the Development Code.

<sup>14</sup> Section 9-12-7.D. Awning Signage: The maximum sign area shall not exceed thirty percent (30%) of the awning area. The sign shall be integrated into the design and material of the awning on which it is located.

9-6B-1: PERMITTED USES:

In a C-1 zone, the following uses and their accessory uses are permitted:

E. Public transit facilities.

To ensure that planned transit improvements will be included in development plans as land in Clatskanie is developed and redeveloped, a new section is proposed for Chapter 10 Regulations and Standards:

New  
Paragraph/  
Section

→ 9-10-7 Transit Improvements

- A. Development proposals for sites that include existing or planned transit facilities, as shown in the adopted Clatskanie Transportation System Plan or County Transit Plan, may be required to provide the following:
1. A reasonably direct pedestrian connection, as defined by [new] Section 9-11-8, between the transit facility and building entrances on the site.
  2. A transit passenger landing pad accessible to disabled persons.
  3. An easement or dedication for a passenger shelter or bench if such facility is identified in the Clatskanie Transportation System Plan or the adopted County Transit Plan.
  4. Lighting at the transit facility.

To facilitate access to transit in the future, it is recommended that the Development Code be amended to require proposed development to provide pedestrian connections to existing and planned transit stops. A new section under Chapter 11, Parking, Loading and Access is proposed below. Additional code language regarding pedestrian circulation, including illustrations, can be found in Article 3, Community Design Standards, of the Oregon Transportation Growth Management's Model Development Code & User's Guide for Small Cities, 2nd Edition.

→ 9-11-8: Pedestrian Access and Circulation

New paragraph/  
Section

- A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian system.
- B. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable.

C. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

1. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
2. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
3. "Primary entrance" for commercial, industrial, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
4. "Primary entrance" for residential buildings is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.

D. When proposed commercial, office, institutional or multi-family uses are located on a site within ¼ mile of an existing or planned transit stop, the proposed pedestrian circulation system must demonstrate a safe and convenient pedestrian route from building entrances to the transit stop or to a public right-of-way that provides access to the transit stop.

Finally, it is recommended that the City's notification procedures be amended to include agency referral of proposals that require a quasi-judicial or legislative approval process and notification of hearings for these types of decisions. [NOTE: Adoption of new Subsection "C" will require renumbering of Section 9-3-7. Proposed language for notice of a Quasi-Judicial Hearing (existing Subsection D) is modeled after the City of Rainier's Zoning Ordinance, Article 7 Administration.]

9-3-7: PUBLIC HEARINGS:

C. Agency Notice of Application. Notice of the receipt of a complete application will be sent to interested agencies such as City departments, police and fire districts, school district, utility companies, and applicable city, county, and state agencies. Affected jurisdictions and agencies could include the Department of Environmental Quality, the Oregon Department of Transportation, and Columbia County Rider. Notice of projects affecting state transportation facilities will be sent to ODOT. Referrals will be sent to affected neighborhood associations.

E. Notice Of Public Hearings: Notice shall be provided in the following manner, depending on the type of action:

For C.A.,  
Council  
Approval  
Not Planning

1. Quasi-Judicial: The quasi-judicial land use hearing notice requirements shall be regulated under the Oregon Revised Statutes provided in accordance with the provisions of ORS 197.763 and as follows:

A. Notice shall be published in a newspaper of general circulation at least ten (10) days before the hearing. Based upon unforeseeable and special issues particular to the subject property, the City Council may at the time of scheduling the public hearing increase the public hearing notification area beyond the area specified by the code section being considered.

B. Notice shall be posted in three (3) conspicuous public places in the City at least twenty (20) days before the hearing;

C. Notice shall be sent by mail at least twenty (20) days before the hearing to:

1. The applicant or representative;

2. All property owners of record within two hundred fifty (250) feet of the boundaries of the subject property;

3. Any recognized neighborhood or community organizations whose boundaries include the site or whose resources may be impacted by the proposal

5. Any public agency or utility whose property, services or facilities may be affected, such as Columbia County, the Oregon Department of Transportation, and Columbia County Rider. The reviewing Staff shall determine the extent of notice to the additional public agencies or utilities based on perceived interest or impact.

### Scappoose

A number of physical improvements within the City of Scappoose are proposed in order to support recommended changes to fixed route service serving the city, as well as to facilitate the establishment of a new flex-route service to Vernonia within a 10-year planning horizon. Proposed improvements in the CCCTP are primarily associated with existing stops and park-and-rides and pertain to parking and street improvements that are not anticipated to require land use approval or permitting.<sup>15</sup> Recommendations in the CCCTP, which include new flex-route service to Vernonia within a 10-year planning horizon, should not entail any physical improvements that would require a city permitting process. While implementation of the CCCTP does not necessitate any immediate changes to the Scappoose Land Use and Development Code, minor code amendments to allow

<sup>15</sup> Recommended improvements include bus stop and park-and-ride signage. Pursuant to Chapter 17.114.0300.2 in the city's Development Ordinance, public signs, directional signs, or information signs or structures required or authorized by law, or by federal, state, county or city authority are exempt from the application, permit and fee requirements of the sign ordinance.

Transportation, and Columbia County Rider. Notice of projects affecting state transportation facilities will be sent to ODOT. Referrals will be sent to affected neighborhood associations.

E. Notice Of Public Hearings: Notice shall be provided in the following manner, depending on the type of action:

1. Quasi-Judicial: the quasi-judicial land use hearing notice requirements shall be .....provided in accordance with the provisions of ORS 197.763 and as follows:

A. Notice shall be published in a newspaper of general circulation at least ten (10) days before the hearing. Based upon unforeseeable and special issues particular to the subject property, the City council may at the time of scheduling the public hearing increase the public hearing notification area beyond the area specified by the code section being considers.

B. Notice shall be posted in three (3) conspicuous public places in the City at least twenty (20) days before the hearing;

C. Notice shall be sent by mail at least twenty (20) days before the hearing to:

1. The applicant or representative;

2. All property owners of record within two hundred fifty (250) feet of the boundaries of the subject property;

3. Any recognized neighborhood or community organizations whose boundaries include the site or whose resources may be impacted by the proposal

5. Any public agency or utility whose property, services or facilities may be affected, such as Columbia County, the Oregon Department of Transportation, and Columbia County Rider. The reviewing Staff shall determine the extent of notice to the additional public agencies or utilities based on perceived interest or impact.

#### 9-11-8: Pedestrian Access and Circulation

- A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian system.
  
- B. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable.
  
- C. Safe, Direct, and convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:
  - 1. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
  
  - 2. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
  
  - 3. "Primary entrance" for residential buildings is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.
  
- D. When proposed commercial, office, institutional or multi-family uses are located on a site within ¼ mile of an existing or planned transit stop, the proposed pedestrian circulation system must demonstrate a safe and convenient pedestrian route from building entrances to the transit stop or to a public right-of-way that provides access to the transit stop.

#### 9-3-7: PUBLIC HEARINGS:

C. Agency Notice of Application. Notice of the receipt of a complete application will be sent to interested agencies such as City departments, police and fire districts, school district, utility companies, and applicable city, county, and state agencies. Affected jurisdictions and agencies could include the Department of Environmental Quality, the Oregon Department of



## CHAPTER 5

## RESIDENTIAL ZONES

**ARTICLE D. MFR MULTI-FAMILY RESIDENTIAL ZONE**

## SECTION:

9-5D-1:	Permitted Uses
9-5D-2:	Conditional Uses
9-5D-3:	Standards
9-5D-4:	Parking Requirements
9-5D-5:	Landscaping Requirements

9-5D-1: **PERMITTED USES:**

- A. Uses Designated: In an MFR zone, the following uses, and their accessory uses, are permitted:

Accessory buildings.

Apartments.

Bed and breakfast inn.

Manufactured dwelling.

Residential facility.

Residential home.

Single-family dwelling.

Three-family dwelling.

Two-family dwelling. (1996 Code § 17.32.010; amd. 2004 Code)



Add Public transit facilities

## CHAPTER 6

## COMMERCIAL ZONES

**ARTICLE B. C-1 GENERAL COMMERCIAL USE ZONE**

## SECTION:

9-6B-1:	Permitted Uses
9-6B-2:	Conditional Uses
9-6B-3:	Standards
9-6B-4:	Parking Requirements
9-6B-5:	Landscaping Requirements

9-6B-1: **PERMITTED USES:** In a C-1 zone, the following uses and their accessory uses are permitted:

- A. Dwellings: Dwellings in conjunction with a business or attached to a commercial use. (1996 Code § 17.40.010)
- B. Within Enclosed Building: Any of the following uses, if conducted entirely within an enclosed building:

Animal hospital and boarding kennel, with no outside activities.

Antique shop.

Assisted living facilities.

Automobile repair.

Bank or office.

Blueprinting or photostating shop.

Business college or private school.

Catering.

Cleaning.

Frozen food locker.

Furniture sales or interior decorating studio.

Hotel/motel.

Jewelry store.

Lumber sales.

Newsstand.

Nursery.

Pawnshop or secondhand store.

Pet shop or taxidermist.

Restaurant, cafe or tavern.

Retail store.

Sign painting.

Theater.

Tire store.

Upholstery, cabinet or carpenter or plumbing shop. (1996 Code § 17.40.010; amd. Ord. 599, 11-3-1999; 2004 Code; Ord. 643, 3-1-2006)

C. Outdoor Uses: Outdoor uses for the following:

Automobile filling station.

Food service.

Outdoor goods.

Sale of one used personal vehicle owned by the property owner, lessee, or employee. (Ord. 643, 3-1-2006)

D. RV Park: Recreation vehicle park. (Ord. 580, 10-2-1996; amd. Ord. 643, 3-1-2006)

9-6B-2: **CONDITIONAL USES:** In a C-1 zone, the following uses may be permitted, with conditions, by the planning commission in accordance with section 9-14-2 of this title, and after a public hearing:

Adult businesses.

Automobile sales.

Automobile tire sales with outdoor storage.

Communication tower.

Lumberyard with outdoor storage.

Any other use determined by the planning commission to be similar in nature to the above uses, with any conditions deemed necessary to protect the public health, safety and welfare. (Ord. 643, 3-1-2006)

9-6B-3: **STANDARDS:** For standards in the C-1 zone, see section 9-10-1 of this title. (1996 Code § 17.40.020)

9-6B-4: **PARKING REQUIREMENTS:** For parking requirements in the C-1 zone, see chapter 11 of this title. (1996 Code § 17.40.030)

9-6B-5: **LANDSCAPING REQUIREMENTS:** For landscaping requirements in the C-1 zone, see section 9-10-6 of this title. (1996 Code § 17.40.040)

E. Public Transit Facilities

## CHAPTER 10

**REGULATIONS AND STANDARDS**

## SECTION:

- 9-10-1: Table Of Standards
- 9-10-2: Minimum Lot Size
- 9-10-3: Required Yards And Setbacks
- 9-10-4: Height Limitations
- 9-10-5: Limitation On Residential Structures
- 9-10-6: Landscaping Regulations

9-10-7 Transit Improvements

- 9-10-1: **TABLE OF STANDARDS:** The following table entitled "Table Of Standards" shows the lot area, width and depth, setbacks, percentage of coverage and building height requirements for each zone:

(see following page)

Table 9-10-1  
TABLE OF STANDARDS

<u>Zone</u>	<u>Minimum Lot Area (Square Feet)</u>	<u>Minimum Lot Dimension</u>		<u>Maximum Lot Coverage</u>	<u>Required Yard</u>			<u>Maximum Height Of Buildings</u>
		<u>Width</u>	<u>Depth</u>		<u>Front</u>	<u>Side</u>	<u>Rear</u>	
<b>Residential*</b>								
<b>R-10</b>								
Single-family	10,000 <sup>a,b</sup>	70	90	30%	20	10 each	20	2 <sup>1</sup> / <sub>2</sub> stories or 35 feet
Manufactured home	10,000 <sup>a,b</sup>	70	90	30%	20	10 each	20	
<b>R-7</b>								
Single-family	7,000 <sup>a,b</sup>	60	80	35%	20	8/10 <sup>d</sup>	20	2 <sup>1</sup> / <sub>2</sub> stories or 35 feet
Two-family	10,000 <sup>a</sup>	60	80	35%	20	8/10 <sup>d</sup>	20	
Three-family	15,000 <sup>a</sup>	60	80	40%	20	8/10 <sup>d</sup>	20	2 <sup>1</sup> / <sub>2</sub> stories or 35 feet
Manufactured home	7,000 <sup>a,b</sup>	60	80	35%	20	8/10 <sup>d</sup>	20	
<b>R-5</b>								
Single-family	5,000 <sup>a,b</sup>	50	80	35%	20	5/10 <sup>d</sup>	20	2 <sup>1</sup> / <sub>2</sub> stories or 35 feet
Two-family	10,000 <sup>a</sup>	50	80	35%	20	5/10 <sup>d</sup>	20	
Three-family	15,000 <sup>a</sup>	50	80	40%	20	5/10 <sup>d</sup>	20	2 <sup>1</sup> / <sub>2</sub> stories or 35 feet
Manufactured home	5,000 <sup>a,b</sup>	50	80	35%	20	5/10 <sup>d</sup>	20	
<b>MFR</b>								
Single-family	5,000 <sup>a,b</sup>	60	80	35%	20	8/10 <sup>d</sup>	15	2 <sup>1</sup> / <sub>2</sub> stories or 35 feet
Two-family	7,000 <sup>a</sup>	60	80	40%	20	8/10 <sup>d</sup>	15	
Three-family	11,000 <sup>a</sup>	60	80	40%	20	8/10 <sup>d</sup>	15	2 <sup>1</sup> / <sub>2</sub> stories or 35 feet
Four unit apartments	14,000 <sup>a</sup>	60	80	45%	20	8/10 <sup>d</sup>	15	
Five plus units	3,000/unit	60	80	50%	20	8/10 <sup>d</sup>	15	2 <sup>1</sup> / <sub>2</sub> stories or 35 feet
Manufactured home	5,000 <sup>a,b</sup>	60	80	35%	20	8/10 <sup>d</sup>	15	

\*Note: Residential homes and residential facilities are permitted uses in all residential zones.

<u>Zone</u>	<u>Minimum Lot Area (Square Feet)</u>	<u>Minimum Lot Dimension</u>		<u>Maximum Lot Coverage</u>	<u>Required Yard</u>			<u>Maximum Height Of Buildings</u>
		<u>Width</u>	<u>Depth</u>		<u>Front</u>	<u>Side</u>	<u>Rear</u>	
<b>Industrial</b>								
M-2	6,000	60	None	None	20	15°	15°	40 feet
M-1	None	None	None	None	20	15°	15°	60 feet <sup>f</sup>
<b>Commercial</b>								
NC	40,000 <sup>g</sup>	None	None	50%	20	10 <sup>d,e</sup>	None <sup>e</sup>	30 feet
C-1	None	None	None	None	20 <sup>h</sup>	5 <sup>d,e</sup>	None <sup>e</sup>	45 feet

Notes:

- a. Minimum lot area shown is for a lot with public sewer and public water. If, in the opinion of the county sanitarian, a lot is found to be insufficient for a private water system and/or private septic system, the area requirement shall be increased, and a redivision plan shall be submitted to show how the lot can be divided when public sewer and water are available to the site.
- b. Single-family dwellings on a lot of record having less than the minimum number of square feet required may be allowed if the lot is larger than 3,000 square feet.
- c. Yard requirements of 50 feet apply when use is adjacent to a residential zone.
- d. On the street side of a corner lot.
- e. The same setbacks as the adjoining residential zone shall apply.
- f. The planning commission may approve structures higher than this limit, if such is necessary for the operation of an allowed use.
- g. Maximum lot area.
- h. The front setback will be reduced to a distance equal to that which has been previously established by existing buildings on either side.  
(1996 Code § 17.68.010; amd. Ord. 599, 11-3-1999; 2004 Code)

9-10-2: **MINIMUM LOT SIZE:** All lots created within the city after the effective date hereof shall have a minimum width, depth and lot area as shown on table 9-10-1, the table of standards, for the zone indicated. It is not the intent of this title to deprive owners of substandard lots the use of their property. Lots of record lawfully created prior to the adoption of this title may be built on according to the following:

- A. **Connection To Public Water And Sewer:** Residential lots with substandard lot area may be built on if public sewer and public water are available to the site and the new residence is connected to these public facilities.
- B. **Minimum Area:** The residential lot has an area of more than three thousand (3,000) square feet.
- C. **Substandard Lot:** Only one residential unit is allowed on a substandard lot.
- D. **Setbacks:** A residentially zoned lot of record having less width or depth than required by this title may be occupied by one dwelling unit; provided, that either all required setbacks for yards are complied with, or a variance is granted by the planning commission.
- E. **Lots Without Public Sewer And/Or Water Availability:** Residential lots without public sewer and/or public water may be built on if:
  - 1. The minimum lot size for the residential lots without public sewer and public water is increased to forty thousand (40,000) square feet.
  - 2. Lots with public water, but no public sewer, shall have a minimum lot size of twenty thousand (20,000) square feet. (1996 Code § 17.68.020)
  - 3. These minimum lot sizes may be increased if the county sanitarian certifies that it is necessary for the proper installation of a septic system under DEQ rules. (1996 Code § 17.68.020; amd. Ord. 599, 11-3-1999)
  - 4. A redivision plan shall be filed with any requests for building permits on a residential lot without public sewer and/or water. The plan shall indicate how the lot can be redivided at such time that public sewer and public water are available to the site. (1996 Code § 17.68.020)



**9-10-3: REQUIRED YARDS AND SETBACKS:** In all zones except C-1, every building constructed after the effective date hereof shall maintain the setbacks listed in table 9-10-1, "Table Of Standards", of this chapter, for the zone indicated. Every part of the required yard shall remain unobstructed, with the following exceptions (see table 9-10-1, note h, for C-1): (1996 Code § 17.68.030; amd. Ord. 599, 11-3-1999)

- A. A new structure being located between two (2) existing buildings that were sited closer to the street than allowed for in this title may use an average of the depths of the two (2) existing front yards to establish the front setback.
- B. Porches, decks, terraces, and detached accessory buildings may be constructed in a required rear yard, but shall remain not less than five feet (5') from the property line. Accessory buildings structurally attached to the principal building may not be constructed into any required yard.
- C. Ordinary building projections, such as eaves, cornices and chimneys may project into the required yards by not more than twenty four inches (24"). (1996 Code § 17.68.030)

**9-10-4: HEIGHT LIMITATIONS:**

- A. **Certain Structures Excepted:** A building constructed after the effective date hereof shall not exceed the height listed in table 9-10-1, "Table Of Standards", of this chapter, for the zone indicated, unless it is included in the following list of structures, which are not subject to the building height limitations of this title: church spires, chimneys, cupolas, tanks, smokestacks, flagpoles, radio and television towers, communication towers, and other similar projections. (1996 Code § 17.68.040; amd. Ord. 605, 4-4-2001)
- B. **Addition To Existing Structure:** The height standard in table 9-10-1 of this chapter shall be an average height of the entire structure when applying to any additions to an existing structure. (2004 Code)
- C. **Variance To Requirement:** Anyone seeking an exception to the building height limitations shall apply for a variance. In addition to the variance standards, for every foot of height allowed by the planning commission beyond the established limit, six inches (6") shall be added to the required setbacks for the front, side and rear yards. (1996 Code § 17.68.040)

9-10-5

9-10-6

9-10-5: **LIMITATION ON RESIDENTIAL STRUCTURES:** In R-10, R-7 and R-5 zones, only one principal building shall be allowed on each lot. (1996 Code § 17.68.050)

9-10-6: **LANDSCAPING REGULATIONS:**

- A. **General Requirements:** All landscaping, screening and buffering required by this title and approved by the planning commission shall be installed prior to the issuance of any occupancy permits, or a bond shall be posted to ensure that it will be installed. All landscaping shall be maintained as originally approved by the planning commission, unless later altered with its approval. (1996 Code § 17.68.080; amd. Ord. 643, 3-1-2006)
- B. **Minimum Landscaping:** In each zone, the minimum amount of landscaping required shall be:
1. **Residentially Zoned Properties:** All residential lots built upon after the effective date hereof shall have the front yard and at least ten percent (10%) of the total lot area landscaped.
  2. **Nonresidential Use Abutting Residential Zone:** A minimum buffer of twenty feet (20') is required and a six foot (6') high fence or sight obscuring hedge is to be maintained along the common property line by the nonresidential property owner.
  3. **Commercially Zoned Properties:** In the commercial zones, all sites built upon after the effective date hereof shall have not less than fifteen percent (15%) of the lot area landscaped.
  4. **Industrially Zoned Properties:** In the industrial zones, all sites built upon after the effective date hereof shall have landscaping based on the size of the property. Sites up to twenty thousand (20,000) square feet in size shall have at least fifteen percent (15%) of the lot area landscaped.
- C. **Reduction In Requirements:** These requirements may be diminished by the planning commission pursuant to the variance procedure in section 9-14-1 of this title. (1996 Code § 17.68.080)

9-10-7 → New Paragraph / Section

## CHAPTER 11

**PARKING, LOADING AND ACCESS**

## SECTION:

- 9-11-1: Scope; Compliance With Regulations
- 9-11-2: Off Street Parking General Requirements
- 9-11-3: Plans Required
- 9-11-4: Joint Use Of Facilities
- 9-11-5: Location Of Spaces
- 9-11-6: Parking And Loading Standards
- 9-11-7: Number Of Parking And Loading Spaces Required

9-11-8 *Pedestrian Access + Circulation*

9-11-1: **SCOPE; COMPLIANCE WITH REGULATIONS:** The provision and maintenance of off street parking and loading spaces is a continuing obligation of the property owner. After the effective date hereof, every use commenced and every building erected or altered shall have permanently maintained parking spaces in accordance with the provisions of this title. No permits shall be issued until plans are presented to show that the required parking is, and will remain, available within two hundred feet (200') of the business location it serves. Where a use has been established prior to the effective date hereof and does not meet the terms imposed, all of the requirements of this title shall fully apply and be complied with at the time the use, or the occupancy of a building, changes. (Ord. 652, 6-4-2008)

9-11-2: **OFF STREET PARKING GENERAL REQUIREMENTS:** Off street parking spaces shall be provided and maintained as set forth in this chapter for all uses in all zones. Off street parking shall not be located in the required front yard, except in a residential driveway area. The required spaces shall be available for parking, and not used for storage, sale, repair or servicing of vehicles. Nothing in this title shall be interpreted to prevent the occasional use of parking areas for community events, special sales, public gatherings and similar activities not otherwise prohibited. The parking shall be provided at the time:

- A. A new building is ready for occupancy.
- B. A building or use existing on the effective date hereof is enlarged or expanded.
- C. There is a change in the use of a building with a corresponding change in the number of parking spaces required by this title. (Ord. 652, 6-4-2008)

9-11-3: **PLANS REQUIRED:** A plot plan, drawn to scale, shall be submitted in duplicate to the city manager with each application for a building permit, and shall contain the following:

- A. Dimension of the parking lot.
- B. Access to the streets and location of curb cuts.
- C. Location and size of parking spaces.
- D. Circulation pattern.
- E. Grade and drainage.
- F. Abutting property.
- G. A landscaping plan, including the location and names of all vegetation, size and location of fencing or other screening, to be approved by the city. (Ord. 652, 6-4-2008)

9-11-4: **JOINT USE OF FACILITIES:** Owners of two (2) or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces if hours of operation do not overlap and the city manager is provided with documentary evidence in the form of leases or contracts securing full access to such spaces for all parties. (Ord. 652, 6-4-2008)

9-11-5: **LOCATION OF SPACES:** Parking spaces required by this chapter shall be provided on the site of the primary use or within two hundred feet (200'); unless the planning commission determines that, on the basis of practical difficulties, the parking may be sited up to a maximum of three hundred feet (300') distant, measured in a straight line.

Loading spaces shall be located either on or abutting the property served. (1996 Code § 17.68.060; amd. Ord. 599, 11-3-1999; Ord. 643, 3-1-2006)

9-11-6: **PARKING AND LOADING STANDARDS:** The following standards shall apply to all properties, except those developed with single-family and two-family dwellings. Areas used for the parking or maneuvering of vehicles shall meet the following standards:

- A. **Surface:** A durable, hard and dustless surface that is maintained adequately for all weather uses and is drained to avoid flow of water across sidewalks.
- B. **Screening:** Screening and design to minimize the disturbance of residents living adjacent to the parking lot.
- C. **Average Grade:** Driveways more than one hundred fifty feet (150') in length will not exceed an average grade of twelve percent (12%). The driveway and driveway apron shall be built and maintained by the property owner according to specifications determined by the city based on slope and the presence of adjacent public facilities such as a sidewalk or paved street.
- D. **Location And Access:** Location and driveway access such that groups of more than four (4) parking spaces will not require backing movements or other maneuvering within a street right of way.
- E. **Loading Spaces, Dimensions:** Loading spaces shall provide a minimum vertical clearance of thirteen feet (13'); a width of at least twelve feet (12'); and a length of at least thirty five feet (35') in multi-family residential and commercial zones and sixty feet (60') in industrial zones.
- F. **Parking Spaces, Dimensions:** Each parking space shall be not less than eighteen feet (18') long and nine feet (9') wide, except for those spaces marked "Compact Only" which may be fifteen feet (15') long and seven and one-half feet (7.5') wide, and handicapped parking addressed in subsection G of this section. Up to twenty percent (20%) of required parking spaces may be designed for compact cars.
- G. **Handicapped Parking Spaces:** Where less than twenty (20) spaces are provided, at least one shall be for handicapped use, and where a greater number are provided, the ratio shall be one handicapped space for every fifty (50) spaces. Each handicapped space shall be at least twelve feet (12') wide and eighteen feet (18') long and be

posted with a wheelchair symbol and a sign indicating its limited use, per Oregon Revised Statutes 447.233. The handicapped spaces shall be located nearest to the main building entry.

- H. Access Dimensions: Access shall be provided by not more than one 45-foot wide curb cut driveway for each one hundred fifty feet (150') of street frontage, or fraction thereof, per site.
- I. Aisles: Aisles shall not be less than twenty five feet (25') in width for ninety degree (90°) parking, twenty feet (20') in width for sixty degree (60°) parking, twenty feet (20') in width for forty five degree (45°) parking, and twelve feet (12') in width for parallel parking.
- J. Parking Bays: All parking areas, except for truck loading areas, shall be divided into bays of not more than twenty (20) parking spaces. Between and at the end of each parking bay there shall be planters which have a minimum width of five feet (5') and be at least seventeen feet (17') in length. Each planter shall contain one major tree and ground cover.
- K. Separation Of Parking Areas: Parking areas shall be separated from the exterior wall of a structure, exclusive of paved pedestrian entranceways, by a five foot (5') wide strip of landscaping.
- L. Adjacent To Residential Zone; Setback; Sight Obscuring Hedge: Parking areas abutting any residential zone shall meet the building setback of the adjoining zone, and shall install along the common boundary line a sight obscuring hedge.
- M. Setback Areas: Parking areas shall be set back from a lot line adjoining a street. The setback area shall be landscaped.
- N. Landscaping: A minimum of ten percent (10%) of the parking area shall be landscaped and the maintenance of the landscaping shall be the owner's responsibility.
- O. Sight Obscuring Hedge Location: Parking and/or sight obscuring hedges or shrubbery shall not be located in vision clearance areas.
- P. Driveways: If the driveway is a one-way in or one-way out drive, then the driveway shall be a minimum width of ten feet (10') and shall have appropriate signage designating the driveway as a one-way connection. For two-way access, each land shall have a minimum width of ten feet (10'). Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view.

Construction and driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts. The length of driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on site circulation.

- Q. Marking: All areas used for parking shall be marked and continuously maintained. Handicapped parking spaces shall be marked with a wheelchair symbol.
- R. Drainage And Lighting: Adequate drainage shall be provided to dispose of the runoff generated by the impervious surface areas of the parking lot. The drainage system shall function so it will not adversely affect adjoining property. Lighting shall be provided in such a manner as to ensure the safety of the parking area without interfering with adjoining properties or creating traffic hazards on adjoining streets. (Ord. 652, 6-4-2008)

**9-11-7: NUMBER OF PARKING AND LOADING SPACES REQUIRED:**

**A. Residential Uses:**

Elderly or special housing projects	1 space per unit
Mobile home park or subdivision	2 spaces per unit, plus 1 guest space for every 2 units
Multi-family or apartment	2 spaces per unit, plus 1 visitor space per each 5 units
One-family, two-family or three-family dwelling	2 spaces per unit
Planned unit development	2 spaces per unit, plus 1 guest space for every 2 units

**B. Public And Semipublic Uses:**

Auditorium or meeting room	1 space for each 60 square feet of floor space
Church	1 space for each 80 feet of floor area

Elementary school	1 space per 12 classroom seats
High school	1 space for every 10 seats in each classroom
Library	1 space per 400 square feet of reading area, plus 1 for every 2 employees
Preschool, daycare or kindergarten	1 space per 2 employees, plus a driveway designed for the drop off and pick up of children

C. Commercial Uses: One loading space per twenty five thousand (25,000) square feet (or fraction thereof) of floor area, plus one parking space for every two (2) employees and public parking as follows:

Bank or office, including medical/dental	1 space per 300 square feet
Billiards/pool	1 space per table
Bowling alley	5 spaces per alley
Eating and drinking establishments	1 space per 100 square feet
Hospital, convalescent, nursing home, or other care or assisted living facility	1 space per 2 beds
Motel/hotel	1 space per guest unit
Repair garages and services	2 spaces per repair bay
Retail store	1 space per 400 square feet
Service or repair or retail handling of bulky merchandise (e.g., furniture)	1 space per 600 square feet
Theater	1 space for every 4 seats

D. Industrial Uses: One loading/delivery space per forty thousand (40,000) square feet (or fraction thereof) of floor area, plus parking as follows:

Manufacturing	1 space per each 2 employees on the largest shift
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Warehouse or storage 1 space per 5,000 square feet of gross leasable area

E. Unspecified Uses: Any use not specifically listed shall provide the requirements deemed equivalent or appropriate by the planning commission.

F. Bicycle Parking Spaces:

1. Multi-Family Residences: Every residential use of four (4) or more dwelling units shall provide at least one sheltered bicycle parking space for every two (2) units. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room, or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the required bicycle parking spaces shall be sheltered under an eave, overhang, an independent structure, or similar cover.

2. Schools: Elementary and middle schools, both public and private, shall provide one bicycle parking space for every ten (10) students and employees. High schools shall provide one bicycle parking space for every five (5) students and independent structure, or similar structure.

3. Downtown Areas: In downtown areas with on street parking, bicycle parking for customers shall be provided along the street at a rate of at least one space per use. Spaces may be clustered to serve up to six (6) bicycles; at least one cluster per block shall be provided. Bicycle parking spaces shall be located in front of the stores along the street, either on the sidewalks in specially constructed areas such as pedestrian curb extensions. Bicycle parking shall not interfere with pedestrian passage, leaving a clear area of at least five feet (5'). Customer spaces are not required to be sheltered. (Ord. 652, 6-4-2008)

9-11-8

New paragraph / Section

multi-family residential with density greater than two (2) units per lot.  
(Ord. 652, 6-4-2008)

9-3-4: **FEES:** To defray expenses incurred in connection with the processing of applications, report preparation, notice publications, and similar matters, the city may charge fees as established by resolution of the council. The filing of an application shall not be considered complete, nor shall action be taken to process it, until the required fee has been paid. (Ord. 652, 6-4-2008)

9-3-5: **PERMITTING OF SIMILAR USES:** The planning commission may permit a use that is not specifically named in the allowed uses listed for a zone, provided the use is of the same general type and similar in nature to those allowed, and is not already allowed in any other zone. (Ord. 652, 6-4-2008)

9-3-6: **QUASI-JUDICIAL HEARINGS:**

- A. Decisions: The planning commission shall conduct quasi-judicial hearings, and decide on the following:
1. Applications for temporary permits;
  2. Conditional use permits;
  3. Variances from the standards of the applicable zone; and
- B. Other Duties: The planning commission shall perform any other duties as provided by this title. (Ord. 652, 6-4-2008)

9-3-7: **PUBLIC HEARINGS:**

- A. Acceptance Of Applications: Applications shall be accepted only from property owners or their authorized agents. Applications may only be made using forms provided for that purpose by the city, and will not be considered complete until the required fee has either been paid or waived by decision of the council.

- B. Contents Of Application: At a minimum, the application will include:
1. A description of the land use action being applied for; and
  2. A site plan, drawn to scale, showing lot lines, the dimensions and location of existing and proposed structures, easements, street access, and structures abutting properties within ten feet (10') of the lot line.
- C. Quasi-Judicial Hearings: A hearing that will result in a determination as to the permissible use of a specific property shall be conducted as a quasi-judicial hearing. All parties are entitled to an opportunity to be heard, to present and rebut evidence, and to have a decision based on the evidence and supported by the findings of fact as part of the record.
1. The city manager shall review each application for completeness. If the application does not meet the applicable requirements, the city manager shall advise the applicant of the deficiencies prior to placing it on the planning commission's agenda. The applicant may withdraw the application at any point up to the time that the public hearing is opened. The planning commission may refuse to hear an incomplete application, and may return it to the applicant for additional information.
  2. The city manager may place the application on the planning commission's agenda for a public hearing to be held within forty (40) days of the date the application was found to be complete.
  3. Copies of the complete application shall be distributed by the city manager to members of the city staff and to the Clatskanie rural fire department and to affected agencies for their comments.
  4. Following the review period, the city manager shall coordinate and assemble the application data and reports and distribute to the planning commission, applicant, city staff and to the press, not less than five (5) days prior to the hearing date.
  5. The city shall take final action on an application within the time period required by state law, unless the applicant requests an extension, or the parties have agreed to mediation. An issue which may be the basis for an appeal to the land use board of appeals shall be raised not later than the close of the record at or following the final evidentiary hearing on the proposal. Such issues shall be

raised with sufficient specificity so as to afford the hearings body and the parties an adequate opportunity to respond to each issue.

- D. Legislative Hearings: A hearing on a proposed change that is general in nature or large in size of area and, therefore, affects a significant number of properties and owners, shall be conducted as a legislative hearing. The city council, planning commission, advisory board or record owner of property, may initiate the application process.
1. The procedures described in subsections C1 through C4 of this section shall apply.
  2. A minimum of two (2) hearings, one before the planning commission and one before the city council, is required except where only a hearing by the city council is required.
  3. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes chapter 197, applicable comprehensive plan policies and provisions of the implementing ordinances shall apply.
  4. Notice of the hearing shall be published in a newspaper of general circulation at least ten (10) days prior to the hearing. The procedures described in subsections E3 through N of this section shall apply.
- E. Notice Of Public Hearings: Notice shall be provided in the following manner, depending on the type of action:
1. Quasi-Judicial: The quasi-judicial land use hearing notice requirements shall be regulated under the Oregon Revised Statutes.
  2. Legislative: The legislative land use hearing notice requirements shall be regulated by subsection D of this section and under Oregon Revised Statutes.
  3. Contents Of Notice: The notice provided by the city shall:
    - a. Explain the nature of the application and the proposed use or uses which could be authorized;
    - b. List the applicable criteria;
    - c. Identify the subject property;

d. State the date, time and location of the hearing;

e. State that failure of an issue to be raised in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the land use board of appeals based on that issue; and

f. Include the name of local government representative to contact and the telephone number for additional information;

g. State that a copy of the application and all related documents will be available for inspection (at the counter) at no cost at least seven (7) days prior to the hearing and that the public may obtain copies, for their own use, at reasonable cost.

- F. **Owner Of Record:** The city shall use, for the purpose of ascertaining the property owners, the names and addresses of the owner of record, as shown in the current copy of the Columbia County assessor records.
- G. **Failure To Receive Notice:** Failure to send notice to an individual, or failure of a person to receive notice, shall not invalidate any proceeding.
- H. **Ex Parte Contacts:** Members of the hearing body shall not communicate with representatives of either the proponents or opponents in a land use action unless opportunity is provided for all parties involved (including the entire hearing body) to participate. At the commencement of the hearing, members of the hearing body shall reveal any prehearing contact they may have had with the applicant, the applicant's representative, or with anyone in opposition to the proposal.
- I. **Hearing Commencement, Statement:** At the commencement of the hearing a statement shall be made to those in attendance that:
1. Lists the applicable substantive criteria;
  2. States that testimony and evidence must be directed toward the criteria or toward some other criteria in the plan or land use regulations which the person believes to apply to the decision; and
  3. States that failure to raise an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond

to the issue precludes appeal to the land use board of appeals on that issue.

- J. **Planning Commission Action:** The planning commission shall, depending on the type of land use application involved, take the following action:
1. **Quasi-Judicial:** The planning commission shall, following a public hearing, approve or disapprove the request. If the decision is to approve, the planning commission may add conditions designed to guarantee fulfillment of public service demands created or increased by the proposed use, and mitigate any adverse effects upon surrounding property owners or the city.
  2. **Legislative:** The planning commission may recommend that the city council approve, deny or modify the proposed amendment.
  3. **Criteria:** The applicant has the burden of proof on all criteria. For all applications, it shall be established that:
    - a. The proposal conforms with the city comprehensive plan; and
    - b. The proposal complies with all applicable statutory and ordinance requirements and regulations.
  4. **Continuation:** A hearing may be continued, if necessary, to obtain more information. If the hearing body announces the date, time and place of the next meeting, no additional notice is required; however, to encourage citizen involvement, the city may choose to provide additional notice.
  5. **Findings:** The planning commission shall make findings, based upon the record before it, to support its decision.
- K. **Appeal Period:** The ten (10) day appeal period shall begin on the date the order is signed.
- L. **Notice Of Council Hearing:** Notice of a city council hearing shall be given in the same manner as described in subsection E of this section, depending on the type of land use action being requested.
- M. **Council Action:** For those land use actions requiring council approval, the planning commission's recommendation shall be considered during the hearing, and may be adopted, modified or rejected.

- N. Reapplication: Following denial of an application, or of an appeal, the applicant shall be required to wait a period of twelve (12) months before filing a similar request. (Ord. 652, 6-4-2008)

9-3-8: **AMENDMENTS:**

- A. ~~Initiation: Amendments to the text of this title, and/or to the city zoning map, may be initiated by:~~
- ~~1. A petition from the affected property owner, or such owner's authorized agent, filed with the city manager; or~~
  - ~~2. The planning commission on its own motion; or~~
  - ~~3. The council on its own motion.~~
- B. ~~Referral To Planning Commission: All requests for amendments, however initiated, shall be referred to the planning commission for a public hearing, which shall be scheduled within forty (40) days.~~
- C. ~~Notice Of Planning Commission Hearing:~~
- ~~1. Notice of the planning commission hearing on a proposed amendment shall be given in the manner as for a legislative action, described in section 9-3-7 of this chapter.~~
  - ~~2. If an application would change the zone of property which includes all or part of a mobile home park as defined in Oregon Revised Statutes 446.003, the city council shall give written notice by first class mail to each existing mailing address for tenants of the mobile home park at least twenty (20) days but not more than forty (40) days before the date of the first hearing on the application. The city council may require an application. The city council may require an applicant for such a zone change to pay the cost of such notice.~~
- D. ~~Failure To Receive Notice: Failure to send notice to an individual, or failure of a person to receive notice, shall not invalidate any proceeding.~~
- E. ~~Ex Parte Contacts: The restrictions described in subsection 9-3-7H of this chapter shall apply.~~

**City of Clatskanie  
Ordinance No. 659**

**An Ordinance Amending Goal 12 of the Clatskanie Transportation System Plan  
Adopted under Ordinance 652, June 4, 2008**

**Whereas**, Columbia County has recently completed a comprehensive review of its public transit system and adopted a transit plan; and

**Whereas**, as part of said review, Kittleson & Associates, Inc, a Transportation Planning/Traffic Engineering firm of Portland made recommendations on amending the current city transportation plan to accommodate a county wide transit plan; and

**Whereas**, the Planning Commission has recommended the proposed new and additional language to Goal 12 of the Clatskanie Transportation System Plan (Transit Exhibit A attached)

- 1- Amend language of Goal 12, Paragraph 10
- 2- Add paragraphs 12, 13 & 14 to Goal 12..


**Now, therefore**, the City of Clatskanie ordains as follows:

The language set forth in Section 9 of the Columbia County Community-Wide Transit Plan and US 30 Transit Access Plan, dated June 2009, which is attached hereto as Transit Exhibit A, incorporated herein and made a part of this Ordinance, shall be added to Goal 12 of the City of Clatskanie Transportation System Plan.

Passed by the Council of the City of Clatskanie this 4<sup>th</sup> day of November, 2009.

Attest:

  
\_\_\_\_\_  
Karyn Burdue, City Recorder

  
\_\_\_\_\_  
Diane Pohl, Mayor

1<sup>st</sup> Reading: October 21, 2009

2<sup>nd</sup> Reading: November 4, 2009

ROLL CALL ON ADOPTION		AYE	NAY	ABSENT
Mayor:	Diane Pohl	X		
Councilors:	Kathy Engel	X		
	Larry Garlock	X		
	Toby Harris	X		
	Steve Constans	X		
	(Vacancy)			



**“TRANSIT EXHIBIT A”**

**City of Clatskanie**

Amendments to Goal 12  
Of the  
Clatskanie Transportation System Plan

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## Clatskanie

The City of Clatskanie's 1997 Transportation System Plan includes a transit plan. This section of the TSP does not have enumerated goal or policy statements. As listed in the Final Technical Memorandum #1 – Plans, Goals, and Policies, policy statements that can be inferred from language in the transit plan include:

- Utilize demand-responsive or paratransit in Clatskanie area.
- Increase two or three vehicles, in addition to replacement of old vehicles, to support the growing population in this area.
- Support COLCO in investigating coordination of service between Clatskanie, Rainier, and Sauvie Island with a possible Cowlitz Transit Authority connection between Rainier and Longview/Kelso.
- Develop the terminal for transit service in Clatskanie on North Nehalem Street in the section between US 30 and the Clatskanie River bridge.

The City of Clatskanie's TSP updated the transportation policies in the city's comprehensive plan, as outlined in Section 6, Land Use Ordinance Modifications. As amended, the Goal 12 Transportation policies of the Comprehensive Plan that address transit include the following:

### GOAL 12: TRANSPORTATION

#### POLICIES:

10. The City supports the effects of COLCO to meet the needs of citizens who are transportation disadvantaged.
11. The City will implement the TSP to achieve a multi-modal transportation system including highway, rail, water, public transportation and pedestrian and bicycle facilities.

The TSP was adopted prior to the Columbia County Transit Division assuming the role of county transit provider. Notably, it does not reflect the existing Westport-Longview/Kelso fixed-route bus service that serves city residents or the fact that the county has a transit center in Clatskanie.

Clatskanie Recommendations: The city's transit plan should be modified to reflect the County's recent planning process (see Recommended Amendments for all Jurisdictions section in this memorandum) and current transit conditions in Clatskanie. In addition, the following policy modifications are recommended:

10. The City supports the effects-of-COLCO efforts of Columbia County to meet the needs of citizens who are transportation disadvantaged.
12. The City will work with Columbia County to appropriately site new bus stops and park-and-ride lots within city limits in support of the county-wide public transit system. Transit improvements within city limits shall be guided by the

findings and recommendations of the Columbia County Community-wide Transit Plan, as adopted by Columbia County.

13. The City will participate in Columbia County's efforts to promote and implement carpool/vanpool programs for reducing commuter vehicular travel demand along Highway 30 (to Portland).

14. The City will encourage increased opportunities for local and regional public transit routes and facilities.

### Scappoose

The 1997 City of Scappoose TSP includes the following transit-related goal and policies:

GOAL 3: Increase the use of Alternative Travel Modes Through Improved Safety and Service

#### Objectives

- F. Evaluate the need for passenger rail transportation and other mass transit alternatives for travel to Portland and Astoria, for commuting and recreation purposes.
- G. Identify the need for a carpool/vanpool program for reducing commuter vehicular travel demand along Highway 30 (to Portland).

The TSP includes a public transportation plan section, but this section does not have enumerated goal or policy statements. As included in the Final Technical Memorandum #1 – Plans, Goals, and Policies, background information from the public transportation plan and policy statements that can be inferred from this section of the TSP includes the following:

- COLCO transportation provides demand-responsive bus service for elderly and disadvantaged citizens in the county for travel to Portland, St. Helens, and throughout Scappoose.
- No inter-city transit service is provided to Scappoose.
- Without intercity bus service, Scappoose's transportation system does not follow the guidelines of the Oregon Transportation Plan (OTP).
- It is likely that inter-city transit service along Highway 30 will be re-instituted in the next one or two years. In addition, there may be an increasing need for on-demand transportation services as the area population grows.

Adopted city transit policy pre-dates the Columbia County Rider program. City policy language does not anticipate a County-operated, fixed-route transit service and does not acknowledge the County's role in promoting and implementing carpool and vanpool programs.

## Land Use Ordinance Modifications

The final adopted TSP will become an element of the Clatskanie Comprehensive Plan. Implementing the TSP will require amendments to the Comprehensive Plan policies and to the implementing ordinances of the Comprehensive Plan. These currently consist of the Zoning Ordinance and the Land Division Ordinance.

This section contains the recommended amendments. It contains the recommended language for amendment to the Goal 12 - Transportation policies of the Comprehensive Plan and the recommended language for several sections of the Zoning Ordinance. No amendments were determined to be necessary to the Land Division Ordinance. New language is marked in **bold** and deleted language is ~~eressed-out~~.

### GOAL 12: TRANSPORTATION

#### POLICIES:

1. The City shall utilize American Public Works Association (APWA) standards for road construction. These standards may be interpreted or modified only by the city engineer.
2. A sidewalk improvement plan ~~will be~~ **has been** developed and will be utilized to insure the timely repair of existing sidewalks and the construction of a **connected system of** new sidewalks **according to the pedestrian plan** ~~when needed~~.
3. The City will require the construction of adequate pedestrian facilities in all new subdivisions and planned developments.
4. The city engineer shall approve the **adopted Columbia County** standard to be met by all private roads built as part of a major partition, prior to the issuance of any permits for structures to be served by the road.
5. When a street or road is proposed in an area of steep slope, slide hazard or flood hazard, the Planning Commission shall require the developer to submit a plan prepared and stamped by a registered engineer that documents how the road can be safely constructed.
6. The construction of any road with a grade in excess of 12% must be approved by the City Council.
7. **The city may require that any all** subdivision ~~and or~~ planned development applications shall include a traffic impact statement indicating the potential on-site and off-site impacts of the proposed development, and the need for off-site road improvements and traffic signals.
8. The City will consider the probable development pattern of future growth into the UGB

- when considering whether a proposed street has an appropriate design capacity.
9. The City ~~shall~~ **has planned** an integrated system of local collector and arterial streets and roads properly related to land use and other elements of the Comprehensive Plan.
  10. The City supports the effects of COLCO to meet the needs of citizens who are transportation disadvantaged.
  11. **The City will implement the TSP to achieve a multi-modal transportation system including highway, rail, water, public transportation and pedestrian and bicycle facilities.**

The following is recommended language that should be added into the Comprehensive Plan to ensure the implementation of the Transportation Planning Rule:

### **Approval Processes for Transportation Improvements**

The Transportation System Plan (the "Plan") is an element of the City of Clatskanie Comprehensive Plan. It identifies the general location of transportation improvements. Changes in the specific alignment of proposed transportation projects shall be permitted without amendment of the Plan if the new alignment falls within a transportation corridor identified in Plan.

The following actions, when taken in accordance with the Plan, shall be permitted without the need for approval by the Planning Commission or City Council:

Operation, maintenance, repair, and preservation of existing transportation facilities (except where specifically regulated).

Dedication of right-of-way, authorization of construction and the construction of facilities and improvements in accordance with the roadway standards stated in the Plan.

Changes in the frequency of transit, rail and airport services.

Construction of climbing and passing lanes within the right of way existing as of July 1, 1987.

Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

Temporary public road and highway detours that will be abandoned and restored to original condition of use at such time as no longer needed.

Minor betterment of existing public road and highway related facilities, such as rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to



City of Clatskanie  
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Clatskanie, OR 97016



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DLCD  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540