



# 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

10/15/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Hines Plan Amendment  
DLCD File Number 001-12

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: Thursday, November 01, 2012

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 Acknowledgment or 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 than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Ramona Hoffman, City of Hines  
Gordon Howard, DLCD Urban Planning Specialist  
Grant Young, DLCD Regional Representative  
Thomas Hogue, DLCD Economic Development Policy Analyst

<paa> YA



FORM **2**

**DLCD**

# Notice of Adoption

In person  electronic  mailed

**DEPT OF**

OCT 12 2012

**LAND CONSERVATION  
AND DEVELOPMENT**

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: CITY OF HINES

Local file number: 12-001

Date of Adoption: 8/28/12

Date Mailed: 10/9/12

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 4/10/12

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".  
We revised our Comprehensive plan to be more specific on what is allowed in our Industrial zone, to include food, agricultural, and timber processing plants. We now require building permits and site plans for any development or land use in the Commercial zone. We changed the allowable size for an accessory building from 14 feet to 15 feet in height, and from 600 square feet to 800 square feet in our Residential zone.

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...

35-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. 001-12 (19282) [17208]

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

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Local Contact: Ramona Hofman Phone: 541-573-2251 Extension:  
Address: P.O. Box 336 Fax Number: 541-573-5827  
City: Hines, OR Zip: 97738 E-mail Address: rh@highdesertair.com

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## ADOPTION SUBMITTAL REQUIREMENTS

**This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**CITY OF HINES  
ORDINANCE NO. 300**

**AN ORDINANCE AMENDING SECTION 2.1, SECTION 3.1, SECTION 3.4 AND SECTION 3.6 OF THE HINES COMPREHENSIVE PLAN, AND DECLARING AN EMERGENCY.**

WHEREAS, the Common Council of the City of Hines, Oregon, has considered and voted to adopt changes to the Zoning Section of its Comprehensive Plan, and identified specific zones and permitted uses therein,

THEREFORE, the City of Hines ordains, as follows:

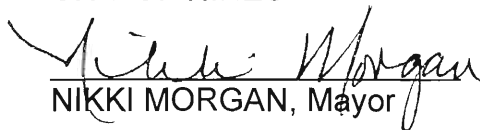
Section 1. ADOPTION. Changes to Section 2.1, entitled "COMPLIANCE WITH ORDINANCE PROVISIONS"; Section 3.1 "SINGLE FAMILY RESIDENTIAL ZONE 'RS'"; Section 3.4 "COMMERCIAL ZONE 'C'"; and Section 3.6 "INDUSTRIAL ZONE 'I'" are adopted as follows:

(See Exhibit "A")

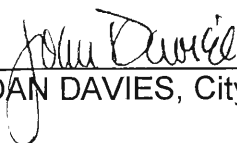
Section 2. EMERGENCY. This Ordinance is necessary for the public peace, health and safety; an emergency is declared to exist; and this ordinance takes effect upon its passage.

READ, CONSIDERED and PASSED by a vote of 5 for and 0 against, this 28<sup>th</sup> day of August, 2012.

CITY OF HINES

By:   
NIKKI MORGAN, Mayor

ATTESTED TO BY:

  
JOAN DAVIES, City Administrator

**EXHIBIT "A"**

**SECTION 2.1 – COMPLIANCE WITH ORDINANCE PROVISIONS.**

- (1) The land may be used, and a structure or part of a structure may be constructed, reconstructed, altered, occupied or used, only as this ordinance shall permit.
- (2) A building permit is required for all structures containing more than 200 square feet. In order to obtain the City approval of a building permit for a single-family or duplex dwelling unit and/or accessory structures, a plot plan must be prepared and presented, along with the building permit application, to the City Administrator.

The plot plan shall include the lot dimensions; proposed and existing structures, including dimensions and height of building; proposed and existing setbacks from all property lines; driveway locations and off-street parking areas; water and sewer locations; and sidewalk locations.

All other proposed uses require preparation and submission of a site plan. Sample plot plans/site plans are available at City Hall.

- (3) A building permit is required for ALL structural changes and construction in the Commercial Zone. A permit will be issued upon land use, site review and construction plan approval by the appropriate authorities.

SECTION 2.2 – ESTABLISHMENT OF LAND USE ZONE. This ordinance hereby establishes the following land use zones for the City:

Residential: Single—family	RS
Residential: Large Lot	RL
Residential: Multi-Family	RM
Commercial	C
Commercial: Downtown	CD
Industrial	I
Open Space/Public Facilities	P

SECTION 2.3 – LOCATION OF ZONES. The boundaries of the zones listed in this ordinance are indicated on the Hines Zoning Map.

**SECTION 3.1 – SINGLE FAMILY RESIDENTIAL ZONE "RS".**

**USES.** Buildings or structures hereafter erected, structurally altered, enlarged or moved, and land hereafter used, in the "RS" Residential Zone shall comply with the following regulations:

- (1) PERMITTED USES:
  - (A) Single-family dwellings, including manufactured homes, meeting the standards of Section 4.7. Each dwelling unit shall utilize two (2) of the following design features to provide visual relief along the front of the residence.

1. Dormers
2. Gables
3. Recessed entries
4. Covered porch entries
5. Cupolas
6. Pillars or posts
7. Bay window (minimum 12-inch projection)
8. Eaves (minimum six-inch projection)
9. Off-sets in building face or roof (minimum 16 inches)

- (B) Accessory uses and accessory buildings which are customarily incidental to the above uses. Detached accessory buildings shall not be located within the required setback areas or less than six and one-half (6-1/2) feet from the main building. Accessory uses and accessory buildings are those which are clearly incidental and subordinate to the primary use of the main building. The height of accessory buildings shall be limited to fifteen (15) feet. The area of an accessory building shall be limited to 800 square feet.

### **SECTION 3.4 – COMMERCIAL ZONE “C”.**

USES. Buildings and structures hereafter erected, structurally altered, enlarged or moved, or land hereafter used in the “C” Commercial Zone, shall comply with the following regulations. A building permit is required for ALL structural changes and construction in the Commercial Zone. A permit will be issued upon land use, site review and construction plan approval by the appropriate authorities.

(1) PERMITTED USES. Subject to site plan approval. The intent of this provision is to ensure public safety, aesthetic quality and compatibility of uses, all as set forth in this Ordinance. Therefore, the commission shall review and approve a site plan for any development in the Commercial Zone, prior to issuance of a permit for development in said Zone.

- (A) Retail trade establishments in which the operation takes place solely within an enclosed building.
- (B) Business, governmental or professional offices
- (C) Financial institution
- (D) Personal and business services such as barber shop, tailoring shop, printing shop, laundry or electrical repair shops.
- (E) Transportation Improvements:
  1. Normal operation, maintenance, repair and preservation activities of existing transportation facilities.

2. Installation of culverts, pathways, medians, fencing, guardrails, lighting and similar types of improvements within the existing right-of-way.
3. Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.
4. Landscaping as part of a transportation facility.
5. Emergency measures necessary for the safety and protection of property.
6. Acquisition of right-of-way for public roads, highways and other transportation improvements designated in the Transportation System Plan, except for those that are located in exclusive farm use or forest zones.
7. Construction of a street or road as part of an approved subdivision or land partition, consistent with the applicable land division ordinance.

(F) Lodging; Motels

### **SECTION 3.6 – INDUSTRIAL “I”.**

The purpose of the “I” Industrial Zone is to provide areas for the making of commodities by manufacturing, assembling, fabrication or compounding by manual labor or machinery. The term includes physical or chemical processes or combinations thereof. Permitted uses are subject to site plan approval. The intent of this provision is to ensure public safety, aesthetic quality and compatibility of uses, as set forth in this Ordinance. Therefore, the commission shall review and approve a site plan for any development in the Industrial Zone, prior to issuance of a permit for development in said zone.

#### (1) PERMITTED USES.

- (A) Light industrial is defined as those activities identified above which occur totally within an enclosed structure. There is no odor, vibration, dust or noise discernible to the human sensory perception, beyond the exterior walls of the structure. Goods are not generally displayed, and retail sales do not generally occur on-site. However, retail sales are allowed as accessory and subordinate to the permitted use.
- (B) Uses may include, but are not limited to, offices; parking; storage; welding and machine shops; repair of tools; electric motors; scientific or professional instruments; sales, repair, storage, salvage or wrecking of heavy machinery and equipment; metal (ferrous and non-ferrous) building materials; autos, trucks and aircraft; vehicle towing and storage; tire re-treading or re-capping; truck stops; building, heating, plumbing or electrical contractors; printing, publishing and lithography; exterminators; recycling

operations; janitorial and building maintenance services; fuel and oil distributors; solid fuel yards; research and development laboratories; laundry, dry-cleaning and carpet-cleaning operations; photofinishing operations; food processing plants including slaughter houses, agricultural processing and similar uses; lumber mills and associated uses.

(C) Transportation Improvements meeting Supplemental Provisions:

1. Normal operation, maintenance, repair and preservation activities of existing transportation facilities.
2. Installation of culverts, pathways, medians, fencing, guardrails, lighting and similar types of improvements within the existing right-of-way.
3. Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.
4. Landscaping as part of a transportation facility.



**CITY OF HINES**

101 E. BARNES • P.O. BOX 336  
HINES, OREGON 97738



Plan Amendment Specialist  
DLCD  
635 Capitol Street NE Ste. 150  
Salem, OR 97301