



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 11/21/2014
Jurisdiction: City of Clatskanie
Local file no.: 2014-01
DLCD file no.: 001-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 11/17/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 36 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
 File No.: 001-14 {22324}
 Received: 11/17/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Clatskanie

Local file no.: **2014-01**

Date of adoption: Oct 29, 2014

Date sent: Nov 17, 2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): June 17, 2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Added Category "Permitted with Notice Uses", moved letter K in "Permitted with Notice Uses" to "Conditional Use"

Local contact (name and title): Greg Hinkelman

Phone: (503) 728-2622

E-mail: ghinkelman@cityofclatskanie.com

Street address: 95 N. Nehalem

City: Clatskanie

Zip: 97016-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Created a new Zone category, "Employment District Zone" within Clatskanie Municipal Code. Title and chapter is 9-9G

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
---------------------------	--------------	----------------

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCDD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

CITY OF CLATSKANIE

ORDINANCE 672

AN ORDINANCE ESTABLISHING A NEW CHAPTER 9G IN THE CLATSKANIE MUNICIPAL CODE ENTITLED "EMPLOYMENT DISTRICT ZONE".

WHEREAS, Title 9 of the Clatskanie Municipal Code provides for various zoning districts and regulations for the city; and

WHEREAS, Title 9 does not include a district primarily for employment opportunity in residential or commercial areas of the city; and

WHEREAS, the Planning Commission has conducted a public hearing and recommends that the City Council adopt said Ordinance; and

WHEREAS, the Council of the city of Clatskanie now wished to establish such a zone;

NOW, THEREFORE, the City of Clatskanie ordains as follows:

CHAPTER 9G

ED-Employment District

Employment District Zone, City of Clatskanie

ED-Employment District

The district is designed to provide for a variety of employment opportunities such as office, retail, or manufacturing in an aesthetic environment and having a minimal impact on surrounding uses.

Permitted Uses: In the ED zone, the following uses and their accessory uses are permitted:

- A. Banks, savings, credit union, stocks, mortgages, finance and insurance;
- B. Conference facilities and meeting rooms;
- C. Employment training and business services;
- D. Offices, including real estate and government;
- E. Postal services-public and private;
- F. Printing, publishing, bookbinding, graphic and photographic reproduction, blueprinting or photo processing, photo engraving;
- G. Software development;

Permitted With Notice Uses:

In an ED zone, the following uses may be permitted by the City Manager after public notice, pursuant to section 9-3-7, and public input has been received. The City Manager may refer the application to the full planning commission upon his discretion. Decisions made by the City Manager under this section shall be subject to appeal, pursuant to section 9-3-9.

- A. Art stores, galleries, photography studios and shops;
- B. Bakeries, retail;
- C. Barber shops, beauty shops, and other personal services;
- D. Custom dressmaking, tailoring;
- E. Drug stores, pharmacies;
- F. Grocery, fruit or vegetable stores;
- G. Office equipment (sales and service);

- H. Specialty retail shops, including but not limited to florist, music, gifts, confectionery, books, stationary, hobby, jewelry, bath and kitchenware, shoes, linen, furniture, hardware, garden supply, appliances and electronics stores and delicatessens;
- I. Internet fulfillment;
- J. Child care facilities;
- K. Research and development offices and laboratories, related to scientific, educational, electronics, manufacturing and communications endeavors.

Conditional Use:

In an ED zone, the following uses may be permitted by the Planning Commission in accordance with 9-14-2 of this title, and after a public hearing.

- A. Trade schools and technical and professional institutes, business schools, job training, vocational rehabilitation, exclusive or elementary, secondary, and full curricula colleges and universities;
- B. Clinics, outpatient, infirmary services;
- C. Medical centers and emergency service facilities;
- D. Distributing, wholesaling and warehousing;
- E. Dry cleaners.
- F. Light manufacturing, design, processing, assembly, packaging, fabrication and treatment of products made from previously prepared or semi-finished materials.

Dimensional Standards

- A. Minimum lot areas: None
- B. Maximum building height: 30 feet
- C. Minimum required setbacks: 20 feet front setback. No side or rear yard setbacks are required, except that a 30-foot setback shall be required wherever the ED zone abuts any type of commercial or residential zone.
- D. Maximum allowed setbacks: No maximum limit
- E. Maximum site coverage of the building and parking lot: 80%
- F. Minimum landscape requirement (including the parking lot): 15%
- G. The design and development of the landscaping in this district shall be in compliance with section 9-10-6.

The Planning Commission, after a public hearing pursuant to section 9-3-7, may permit alternative dimensional standards proposed by the applicant that do not substantially deviate from these standards provided they protect surrounding and nearby properties from adverse impacts to a similar or greater degree.

Performance Standards

- A. Air Quality Emissions/Odor Control will conform to City Code 9-13-5(B) with no off site odor produced.
- B. Noise Levels will conform to city code 5-1D-3 (typical to residential measured at the property line).
- C. Passenger car, single unit truck and tractor trailer truck trips per day/trip caps are subject to city review and approval.
- D. Off Street parking requirement of 1 space per employee on the largest shift.
- E. No outdoor storage
- F. Waste Disposal will conform to city code 8-5-1 through 8-5-4.
- G. Lighting restrictions shall be .4 ft candles at property line and lighting shall conform to city code 9-9D-5-10
- H. Hours of Operations will be 7am to 6pm with regular after hours work subject to prior written City approval.
- I. Sewer Discharges are restricted to typical personal usage waste flows and no cleaning products, chemical discharges or other atypical sewer discharges are permitted.
- J. Signage shall conform to standards outlined in city code 9-12-7.
- K. No storage of NFPA materials classed higher than Health 2; Flammability 1; and Reactivity 1.
- L. A business or businesses in each use category, alone or in combination, shall not exceed 50% of the total gross floor area of all of the other permitted, permitted with notice and conditional uses within the ED development site or complex. The total gross floor area of two or more buildings may be used, even if the buildings are not all on the same parcel or owned by the same property owner, as long as they are part of the same development site, as determined by the City Manager.

Adopted by the Council and certified by the Mayor this 29th day of October, 2014.

Attest: Karyn Purdue
Karyn Purdue, City Recorder

Diane Pohl
Diane Pohl, Mayor

1st Reading: October 1, 2014
2nd Reading: October 29, 2014

ROLL CALL ON ADOPTION:

	AYE	NAY	ABSENT
Mayor: Diane Pohl	X		
Councilors: Steve Constans	X		
Kathy Engel	X		
Toby Harris	X		
Jim Morgan	X		
Ron Puzey	X		
Travis Zea	X		