



Oregon

Theodore R. Kubongoski, 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

01/21/2014

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Rogue River Plan Amendment
DLCD File Number 002-13

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. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, February 04, 2014

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: Lois De Benedetti, City of Rogue River
Gordon Howard, DLCD Urban Planning Specialist
Josh LeBombard, DLCD Regional Representative

<paa> N



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

GATE STAMP

JAN 16 2014

This Form 2 must be mailed to DLCD within 20-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

For Office Use Only

Jurisdiction: **City of Rogue River**

Local file number: **11/12/2013**

Date of Adoption: **11/21/2013**

Date Mailed: **12/19/2013**

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

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".

Update zoning ordinance chapter 17 adding definitions and regulations for mobile food carts and mobile vendors.

Does the Adoption differ from proposal? No, no explanation is necessary

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
<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"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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. 002-13 (20035) [17732]

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

None known

Local Contact: **Bonnie Honea**

Phone: (541) 582-4401 Extension: 106

Address: **PO Box 1137**

Fax Number: 541-582-937

City: **Rogue River**

Zip: 97537-

E-mail Address: planner@cityofrogueriver.org

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 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.

(17 hits)

Chapter 17.30 C-1 COMMERCIAL DISTRICT

Sections:

- 17.30.010 Purpose.
- 17.30.020 Permitted uses.
- 17.30.030 Accessory uses.
- 17.30.040 Conditional uses.
- 17.30.050 Area, width, height, and yard requirements.
- 17.30.060 General requirements.
- 17.30.070 Signs and lighting premises.
- 17.30.080 Off-street parking.
- 17.30.090 Hydrologist, soil engineer, engineer, and/or geologist.

17.30.010 Purpose.

This district is designed to encourage, stabilize, improve, and protect the characteristics of the Rogue River commercial core and to promote the establishment of new and complementary commercial and service land uses. [Ord. 09-360-O; Ord. 373 § 3.040(1), 1982].

17.30.020 Permitted uses.

All uses are subject to Chapter 17.115 RRMC, Site Plan Review.

A. Business, financial and professional offices and banks.

B. Medical, dental and optical clinics.

C. Retail stores and service establishments which supply commodities or provide services primarily to meet the needs of the neighborhood and community, including:

1. Personal service establishments such as beauty and barber shops, laundromat, cleaning and laundry shops and services, and dyeing establishments.
2. Retail stores such as hardware stores, garden shops, drug stores, antique shops, clothing stores, and grocery stores.
3. Indoor restaurant, cafe, delicatessen, bakery, soda fountain, including sale of liquor, beer or other alcoholic beverages for consumption on the premises, not including entertainment or dancing.
4. Light service shops such as picture framing studios, and tailoring.
5. Theater; provided, that such use is conducted within a building.
6. Commercial parking lots for passenger vehicles, subject to the requirements of Chapter 17.70 RRMC.

7. Copying and printing shops and services.

D. Mortuary.

E. Single residence in conjunction with a commercial use.

F. Maintenance, repair, improvement, expansion and renovation of existing residences.

G. New garage and storage building for existing residence.

H. Mobile businesses, when:

1. Comprised of 200 square feet or less of enclosed space;
2. Are 100 percent self-contained; and
3. Are removed from the premises each night. [Ord. 09-360-O; Ord. 373 § 3.040(2), 1982].

17.30.030 Accessory uses.

The following uses are permitted as accessory to an existing use in the C district.

A. Seasonal uses when set up and removed within 45 days of the specified holiday or season. A seasonal use shall not last for more than 45 calendar days, shall not encroach upon any traffic percent maneuvering, ingress or egress ways, and shall not cover more than 10 percent of the required off-street parking area for the commercial use. [Ord. 09-360-O; Ord. 373 § 3.040(3), 1982].

17.30.040 Conditional uses.

The following uses and accessory uses are permitted when authorized in accordance with Chapters 17.100 and 17.115 RRMC:

A. Restaurants and any establishment which includes dancing and entertainment.

B. Outdoor restaurant or restaurant with outdoor seating areas.

C. Bowling alleys, auditoriums, skating rinks, dance halls, and drive-in theaters.

D. Recreational vehicle parks.

E. Veterinary clinic.

F. Automobile service stations, auto body shop, muffler shop, mechanic shop, new and used car sales, boat and trailer sales.

G. Vehicle and equipment rental and storage yards.

H. Mini-storage facilities.

I. Churches, parochial and private schools, including nursery schools, classrooms or training centers.

J. Business, dancing, trade, technical or similar schools, classrooms or training centers.

K. Residential care facilities.

L. An additional residence, meeting the high density residential (R-2) development standards in Chapter 17.25 RRMC.

M. Public and quasi-public utility buildings, lodges and clubs, structures and uses as appropriate to and compatible with the purpose of the C-1 district.

N. Service shops such as upholsterer and appliance repair.

O. Publishing and lithography shops and services.

P. Building material sales yard, excluding concrete or asphalt batch mixing plants.

Q. Cabinet, carpentry, electrical, furniture, plumbing, and heating supply shops and services.

R. Small engine repairs such as, but not limited to, lawn mowers, weed eaters and chainsaws. This is not to be confused with car, truck or any other type of motor vehicle repair.

S. Hotels and motels.

T. Other similar uses, when found to be consistent with the intent of this district by the planning commission. [Ord. 09-360-O; Ord. 373 § 3.040(4), 1982].

17.30.050 Area, width, height, and yard requirements.

A. The maximum building height is 40 feet.

B. Each new parcel must front on and have access to a publicly owned and maintained road for a minimum of 40 feet, except when the parcel is served by a flagpole approved under RRMC 16.20.030, or a private road created and approved through a partition, subdivision or planned unit development.

C. There are no requirements for lot area or width, or for yard setbacks except as necessary to meet the off-street parking and loading requirements or as a condition of approval. [Ord. 09-360-O; Ord. 373 § 3.040(4), 1982].

17.30.060 General requirements.

A. No use shall be permitted and no process, equipment or materials shall be used which are found by the planning commission to be harmful to persons living or working in the vicinity or by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibrations, illumination, glare, or unsightliness or to involve any hazard of fire or explosions.

B. All business, services and processes shall be conducted entirely within a completely enclosed structure, or in an area immediately adjacent thereto, provided the area of such outside use is paved and does not exceed 10 percent of the area of the enclosed commercial use and is entirely on privately owned property. Off-street parking and loading areas, gasoline stations, outdoor dining, entertainment or recreation areas, and garden shops, Christmas tree sales lots, bus stations, automobile sales, and trailer sales or rentals need not be within an enclosed structure.

C. Open storage of materials attendant to a permitted use or conditional use shall be permitted only within a paved area surrounded or screened by an approved solid wall or an approved site screening fence six feet in height; provided, that no materials or equipment, except vehicles, shall be stored to a height greater than that of the wall or fence.

D. Where a site adjoins or is located across an alley from a residential district, a solid wall or fence, six feet in height, shall be located on the property line common to such districts, except in a required front yard, where it must be inside the property line.

E. All new development shall be required to provide half street improvements along all frontage roads, including curbs, gutters, sidewalks and storm drain facilities, and pavement to the center line of the road(s).

F. Any developer working in any public right-of-way within the city limits shall provide the city with a certificate of insurance in the amount of \$1,000,000 naming the city as an additional insured. Public utilities are exempt from this subsection. [Ord. 09-360-O; Ord. 373 § 3.040(5), 1982].

17.30.070 Signs and lighting premises.

A. All signs located within the C-1 commercial district shall comply with Chapter 17.85 RRMC, specifically RRMC 17.85.090, Commercial and industrial regulations.

B. Outdoor lighting standards and fixtures for illumination of premises shall be so designed and installed that direct rays are not toward or parallel with a public street or highway or directed toward any residential uses. [Ord. 10-368-O § 2; Ord. 09-360-O; Ord. 373 § 3.040(6), 1982].

17.30.080 Off-street parking.

All uses shall provide off-street parking facilities as required in Chapter 17.70 RRMC except when located within a special district organized to provide common public parking areas. [Ord. 09-360-O; Ord. 373 § 3.040(7), 1982].

17.30.090 Hydrologist, soil engineer, engineer, and/or geologist.

Any developer developing in the city limits may be required to pay for a state of Oregon licensed hydrologist, soil engineer, engineer, and/or geologist who is hired by the city to review the development plans to ensure that all requirements and specifications of the city are met. [Ord. 09-360-O; Ord. 373 § 3.040(8), 1982].

The Rogue River Municipal Code is current through Ordinance 13-381-O, passed August 22, 2013.

Disclaimer: The City Administrator/Recorder's Office has the official version of the Rogue River Municipal Code. Users should contact the City Administrator/Recorder's Office for ordinances passed subsequent to the ordinance cited above.



**CITY OF
ROGUE RIVER**

P.O. Box 1137 · Rogue River, Oregon 97537-1137

RETURN SERVICE REQUESTED



JAN 16 2014

Attn: Plan Amendment Specialist
Department of Land Conservation
and Development
635 Capitol Street NE
Ste 150
Salem OR 97301-2540

973012540



TREE CITY USA