



Oregon

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

Date: June 30, 2016
Jurisdiction: City of Dundee
Local file no.: LURA 16-06
DLCD file no.: 002-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/30/2016. 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 42 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.: 002-16 {24377}
Received: 6/30/2016

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 Dundee

Local file no.: **LURA 16-06**

Date of adoption: 6/21/16

Date sent: 6/30/16

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): 4/5/16

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:

No change

Local contact (name and title): Jessica Pelz

Phone: 503-554-7744

E-mail: jessica.pelz@newbergoregon.gov

Street address: 621 SW 5th Street

City: Dundee

Zip: 97115-

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

Development Code amendment to add industrial development design standards. Adds new section 17.202.070 and amends sections 17.202.050, 17.302.050, and 17.302.060.

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:
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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 DLCD 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.

Ordinance No. 547-2016

CITY OF DUNDEE
ORDINANCE NO. 547-2016

**AN ORDINANCE AMENDING THE DUNDEE DEVELOPMENT CODE TO ADD
DESIGN STANDARDS FOR INDUSTRIAL DEVELOPMENT**

WHEREAS, the intent of the proposed industrial design standards is to create attractive employment areas within the community by having standards for the building design and site design, including landscaping, buffering and screening, outdoor storage and loading areas, and the aesthetics of the building wall itself.

WHEREAS, the proposed amendments would create a new Dundee Development Code section 17.202.070 Site and Building Design Standards in Industrial Zones, and would also amend several existing code sections, including 17.202.050 Fence Standards, 17.302.050 Minimum Landscape Area, and 17.302.060 Screening And Buffering.

WHEREAS, the Planning Commission held workshops to discuss the regulations and proposed amendments on November 18, 2015 and again on March 16, 2016. The Planning Commission held a public hearing to consider the proposed Development Code amendments and adopted an Order of Recommendation to the City Council on May 18, 2016. The Dundee City Council held a public hearing on June 21, 2016, to consider the proposed Development Code amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUNDEE HEREBY ORDAINS:

1. The Dundee Development Code is hereby amended as follows. The following language will be included in the Development Code as shown. Proposed additions to the Code are shown as underlined, deletions are shown as ~~strikethrough~~.

17.202.070 Site and building design standards in industrial zones. (proposed new code section)

The following standards apply to all development in the LI zone that is subject to site design review per chapter 17.402.

A. Building design. The intent of these standards is to create attractive employment areas within Dundee.

1. Architectural variation shall be provided for any wall facing a public street in order to break up the building mass. All walls facing a public street must have at least two of the following features; each feature must comprise at least 10% of the wall area.
 - a. Contrasting building colors;
 - b. Contrasting wall textures;
 - c. Changes in building materials;
 - d. Any of the following architectural features: awnings; columns; windows; arches; decorative relief, at least one inch in depth; pitched roof; other, as approved by the planning official.

2. Walls facing a public street must be constructed of one or more of the following building materials:
 - a. Brick or masonry;
 - b. Concrete or concrete block;
 - c. Wood or wood composite;
 - d. Architectural metal, provided the metal does not comprise more than 70% of the building wall facing the public street;
 - e. Stucco;
 - f. Other, as approved by the planning official.
 3. The main building entrance shall face a public street.
- B. Loading areas, outdoor storage, and trash enclosures.
1. Areas used for trash collection or compaction, parking of trucks or trailers, and loading areas shall be located to the rear or side of the main building, to minimize the view of these areas from the public street. Where it is not possible to locate these facilities on a non-street building side, these facilities shall be screened from public view by landscaping or an opaque fence.
 - a. The planning official may approve a loading area adjacent to the public right-of-way where loading operations are: a. short in duration (i.e. less than one hour); b. infrequent (i.e. less than three per day); c. would not obstruct traffic during peak traffic hours (morning and evening); d. would not interfere with emergency response services or pedestrian facilities.
 2. Areas used for outdoor storage shall not be located between a front building wall and a public street. Front building walls are defined as being where the main entrance to the building is located. Outdoor storage areas must be screened by an opaque fence or wall.
 3. Where a trash enclosure is required, the enclosure shall be composed of an opaque fence or freestanding masonry wall, with a gate. Gates need not be entirely opaque, but must include some elements to help screen the contents of the enclosure from view.
- C. Setbacks. Buildings within the industrial zone must be setback a minimum of 10 feet from property lines adjacent to a public street, and 20 feet from property lines adjacent to a residential zone. The area within the required setback adjacent to a public street must be entirely landscaped.
- D. Landscaping. Landscaping shall be used to create an attractive streetscape along property frontages. Landscaping within the front setback, between a building and the public street, shall include trees and a mix of shrubs, living groundcover, other appropriate plants, and grass, and may also include benches, sculptures, and stormwater management features such as rain gardens and bioswales. Landscaping used to meet the 10% requirement shall be visible from the public right-of-way.
- E. Walkway. A walkway shall be provided from the main building entrance to the nearest public sidewalk. The walkway shall be a minimum of 5 feet wide, and clearly delineated by the use of striping or contrasting paving materials, such as concrete or pavers. The walkway must be ADA compliant.

17.202.050 Fence standards. (proposed edits: deletions shown in ~~striketrough~~, additions shown in underline)

A. General Standards.

1. Fences and walls shall not be constructed of nor contain any material that could cause bodily harm, such as barbed wire, broken glass, spikes, electric or any other hazardous or dangerous materials; this includes link fencing with barbed ends at the top or sides; except that fences topped with barbed wire are allowed in ~~industrial~~, agricultural, and public zones.

7. In the LI zone, fences taller than six feet in height shall not be chain link. Fences over six feet in height shall be screened by a sight obscuring hedge.

B. Fence Heights in Residential and Commercial Zones.

7. In the LI zone, fences shall not exceed eight-feet tall, except where used for outdoor storage areas that are not adjacent to a public right-of-way.

17.302.050 Minimum landscape area. (proposed edits: deletions shown in ~~striketrough~~, additions shown in underline)

The minimum area requirements are as follows:

A. ~~C, and~~ CBD, LI, and P Zones.

1. In the CBD, LI, and P zones, a minimum of 10 percent of the gross lot area shall be landscaped.

2. In the C zone, a minimum of 15 percent of the gross lot area shall be landscaped.

5. The required landscape area for all zones must be visible from the public right-of-way.

~~C. LI and P Zones. A minimum of six ~~ten~~ percent of the gross lot area shall be landscaped. Within the LI zone, the required landscaping can be in conjunction with the parking lot landscaping requirements.~~

17.302.060 Screening and buffering. (proposed edits: deletions shown in ~~striketrough~~, additions shown in underline)

A. Required Screening. Screening shall be used to eliminate or reduce the visual impacts of the uses in subsections (A)(1) through (6) of this section:

1. Commercial and industrial uses when abutting residential uses;

2. Industrial uses when abutting commercial uses;

3. Service areas and facilities, including garbage and waste disposal containers, recycling bins, and loading areas;

4. Outdoor storage areas;

5. At- and above-grade electrical and mechanical equipment, such as transformers, heat pumps, and air conditioners;

6. Rooftop mechanical equipment;

~~6~~7. Any other area or use as required by this code.

C. Parking Lot Landscaping and Screening Standards. All new parking lots or expansions of existing parking lots, which for purposes of this section include areas of vehicle maneuvering, parking, and loading, shall be landscaped and screened as follows:

1. Screening Required. Parking lots shall be screened adjacent to lot lines as follows:

~~a. Any parking area for a use other than single family that is adjacent to an R-1 or R-2 district shall be screened by a five-foot landscaped strip. Where screening is required between zones, the screening shall be incorporated into the required buffer strip, and shall not be an additional requirement.~~

~~b. Any parking area within a commercial zone for a use other than single family that is within 20 feet of a public right-of-way shall be screened by a five-foot landscaped strip.~~

a. Any parking area or drive aisle adjacent to an interior lot line shall be screened by a five-foot landscaped strip. Where the parking area is located adjacent to an R-1 or R-2 zoning district, the landscaped strip shall also include an opaque fence to block light trespass from headlights onto adjacent properties. Where additional screening is required between zones, the screening shall be incorporated into the required buffer strip, and shall not be an additional requirement.

b. Any parking area adjacent to a front lot line along a public right-of-way shall be screened by a ten-foot landscaped strip.

2. The findings in support of these amendments, as shown in the attached Exhibit "A", are hereby adopted and by this reference incorporated.
3. This ordinance shall take effect on July 21, 2016, thirty days after its enactment.

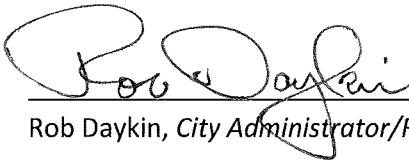
ADOPTED by the Dundee City Council this 21st day of June, 2016

Approved:



David Russ, Mayor

Attest:



Rob Daykin, City Administrator/Recorder

Exhibit “A”: Findings (LURA 16-06 – Industrial Design Standards)

Amendments are required to be consistent with all applicable local and state laws including the Dundee Comprehensive Plan and Statewide Planning Goals.

Dundee Comprehensive Plan

Economy. Goal: To maintain a level of economic development adequate to meet public need.

Objective (2): To assure that commercial and industrial developments preserve and enhance the aesthetic character and livability of Dundee.

Finding: The Development Code amendments would add design standards for industrial businesses. The new design standards would help Dundee preserve and enhance the aesthetic character and livability of Dundee by creating attractive new developments, which in turn can help spur new investment and reinvestment within the city.

Statewide Planning Goals

Goal 9: Economic Development (OAR 660-015-0000(9)) – To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

Finding: Dundee provides industrial land for a variety of economic development opportunities within the city. The proposed Code amendments would increase the aesthetic appeal of new industrial developments in Dundee, which in turn could draw more new investment, potentially creating new economic development opportunities for the city.