

Umatilla County

Board of County Commissioners



BOARD OF COMMISSIONERS' MEETING

Wednesday, November 6, 2019

Umatilla County Courthouse, Room 130

- A. Call to order

- B. Chair's introductory comments and opening statement

- C. Business item:

UMATILLA COUNTY DEVELOPMENT CODE UPDATES. For the past year, Umatilla County has been working on amendments to the Umatilla County Development Code (UCDC) to improve the aesthetic character and economic vitality of the Highway 395 North Corridor. The proposed Code Amendments would apply to Commercial and Light Industrial Zoned properties adjacent to this corridor. Amendment procedures include UCDC Sections 152.750-152.753.

- D. Adjournment

Umatilla County

Department of Land Use Planning



DIRECTOR
Robert Waldher

MEMO

LAND USE
PLANNING,
ZONING AND
PERMITTING

TO: Umatilla County Board of Commissioners
FROM: Bob Waldher, Director
DATE: October 30, 2019

CODE
ENFORCEMENT

RE: November 6, 2019 BCC Hearing
Text Amendment #T-19-081

SOLID WASTE COMMITTEE

SMOKE
MANAGEMENT

GIS AND
MAPPING

RURAL
ADDRESSING

LIAISON, NATURAL
RESOURCES &
ENVIRONMENT

Background Information

For the past year, Umatilla County has been working on amendments to the Umatilla County Development Code (UCDC) to improve the aesthetic character and economic vitality of the Highway 395 North Corridor. The proposed text amendment would apply to Commercial and Light Industrial zoned properties adjacent to this corridor.

The proposed amendments have been reviewed by County Counsel, the project Technical Advisory Committee and Planning Commission through a robust public involvement process. A summary of the public meetings as well as a project evaluation memo are included as attachments. In addition, several letters of support have been received and are included as attachments.

The Planning Commission, at their October 24, 2019 hearing (see attached meeting minutes), recommended approval by the Board of Commissioners. Since some of the proposed code amendments are considered more restrictive, a Measure 56 Notice (see attached) was provided to affected landowners.

Criteria of Approval

Amendment procedures are outlined in UCDC Sections 152.750-152.753. An overview of the project and a summary of the recommended code amendments are attached.

Conclusion

The proposed amendments are presented to the Board of Commissioners to consider them for adoption.

Attachments

The following attachments have been included for review by the Planning Commission:

- Recommended Code Amendments
- Planning Commission Meeting Minutes
- Measure 56 Notice
- Letters of Support
- Evaluation Memo and Summary of Public Meetings



HIGHWAY 395 NORTH TGM CODE ASSISTANCE PROJECT

MEMORANDUM

Code Amendments (Final Adoption Draft)

Umatilla County U.S. Highway 395 North Zoning Code

DATE 6/3/19
TO Umatilla County Planning Commission & Project Technical Advisory Committee
FROM Emma Porricolo, Jamin Kimmell, and Darci Rudzinski, APG
CC Project Management Team

The purpose of this memorandum is to propose amendments to the Umatilla County Development Code (UCDC) consistent with the objectives of the Highway 395 Code Update project. The objectives of the project are identified in the background section of this memo. The code amendments are based on recommendations developed through stakeholder and public involvement activities. This memo is organized into three sections designed to provide context for the proposed code amendments:

- 1. Project Background.** This section provides background information on the project, lists the project objectives, and provides maps of the study area. For more detail on the background for the project and an evaluation of the plans, policies, and regulations that apply in the study area, see the *Evaluation of Existing Plans and Regulations Memorandum*.
- 2. Recommendations.** This section summarizes the recommended code amendments and outlines the sections of the UCDC that are proposed to be amended. For more detail on the recommendations, see the *Code Amendments Matrix Memorandum*.
- 3. Proposed Code Amendments.** This section includes the proposed code amendments in ~~strikeout~~ (text to be removed) and underline (text to be added) format. The section is annotated with commentary to provide additional information on proposed amendments and pose questions for discussion.

1. PROJECT BACKGROUND

Umatilla County, in partnership with business and property owners, is working to improve the aesthetic character and economic vitality of the Highway 395 North corridor. The focus of this planning project is commercial and industrial zoned properties along the highway between the Urban Growth Boundary of the cities of Hermiston and Umatilla (see Figures 1 and 2). The County was awarded a grant for the project from the Transportation and Growth Management (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD).¹ The goal of this project is to create, and guide through adoption, amendments to the UCDC for the Highway 395 North Project Area. The stated project objectives include:

- *Create context-sensitive land use and design standards for the U.S. Highway 395 North frontage, that allow more flexibility in use, won't preclude more intensive urban development once the area is served by utilities, and create an attractive environment (including landscape, building, and site design, and landscape) that supports transit and active transportation modes, while accommodating the industrial and freight traffic common to the Project Area;*
- *Include access management standards for the Project Area, taking into account future planned parallel road networks, based on the recommendations of the TSP, the US 395 North Corridor Plan, and current best practices;*
- *Improve multi-modal connectivity in the Project Area in order to provide safe and comfortable active transportation options within the Project Area and between City of Hermiston and the City of Umatilla; and*
- *Recognize the importance of maintaining economically vibrant and livable downtowns in the cities of Hermiston and Umatilla, and not facilitate the creation of a highway commercial strip that could damage the vitality of those downtowns*

¹ This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program. The TGM Program is a joint effort of the Oregon Department of Transportation (ODOT) and DLCD. The goals of TGM are to strengthen the capability of local governments to effectively manage growth and comply with the Oregon Transportation Planning Rule (Oregon Administrative Rule 660-012-0000), to integrate transportation and land use planning, and to encourage transportation-efficient land uses that support modal choice and the efficient performance of transportation facilities and services. Specifically, TGM supports efficient use of land and resources; human-scaled, walkable communities; good connections between local destinations; and pedestrian, bicycle, and transit-oriented development.

Figure 1: Project Study Area

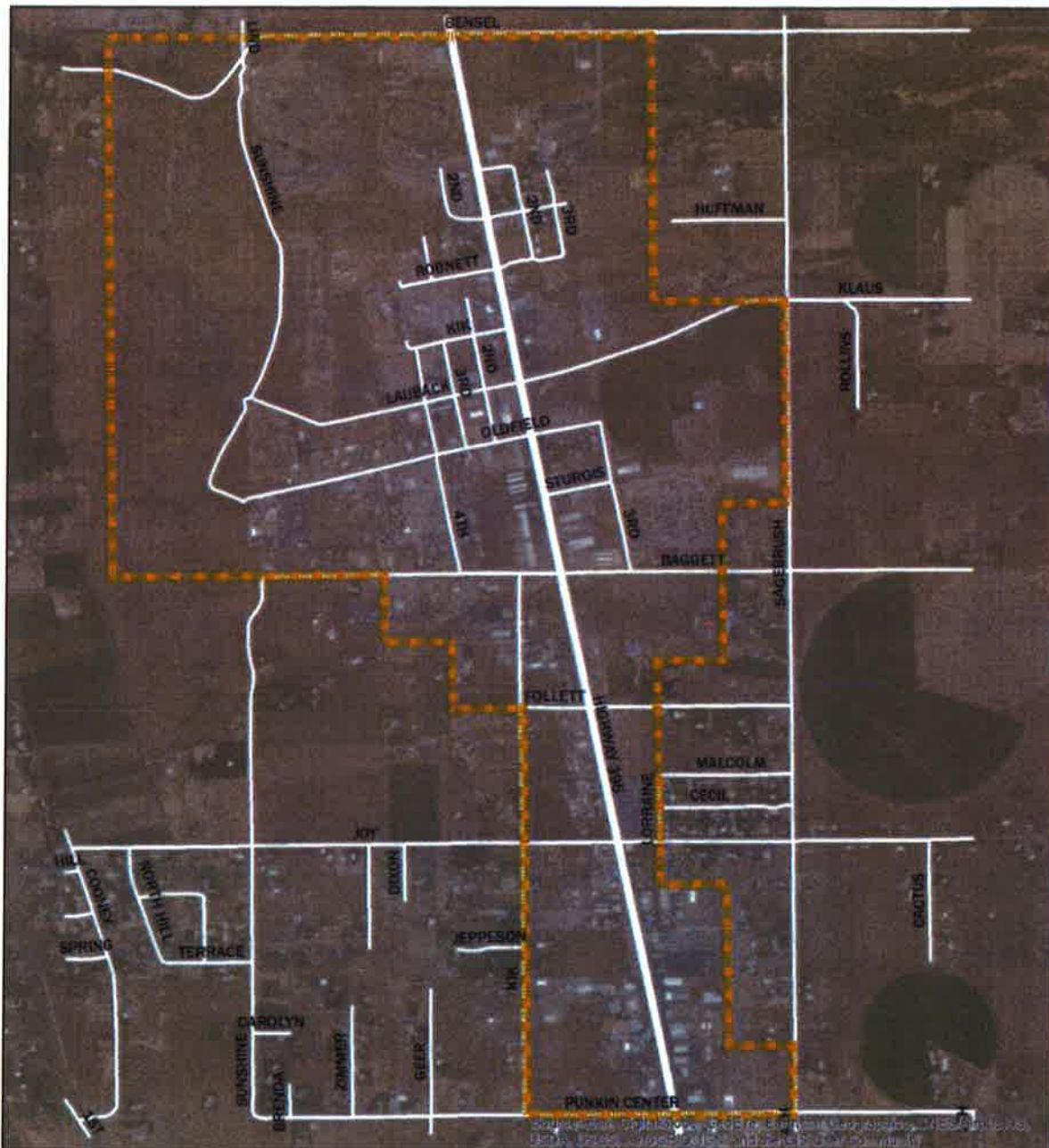


Figure 1
Project Study Area

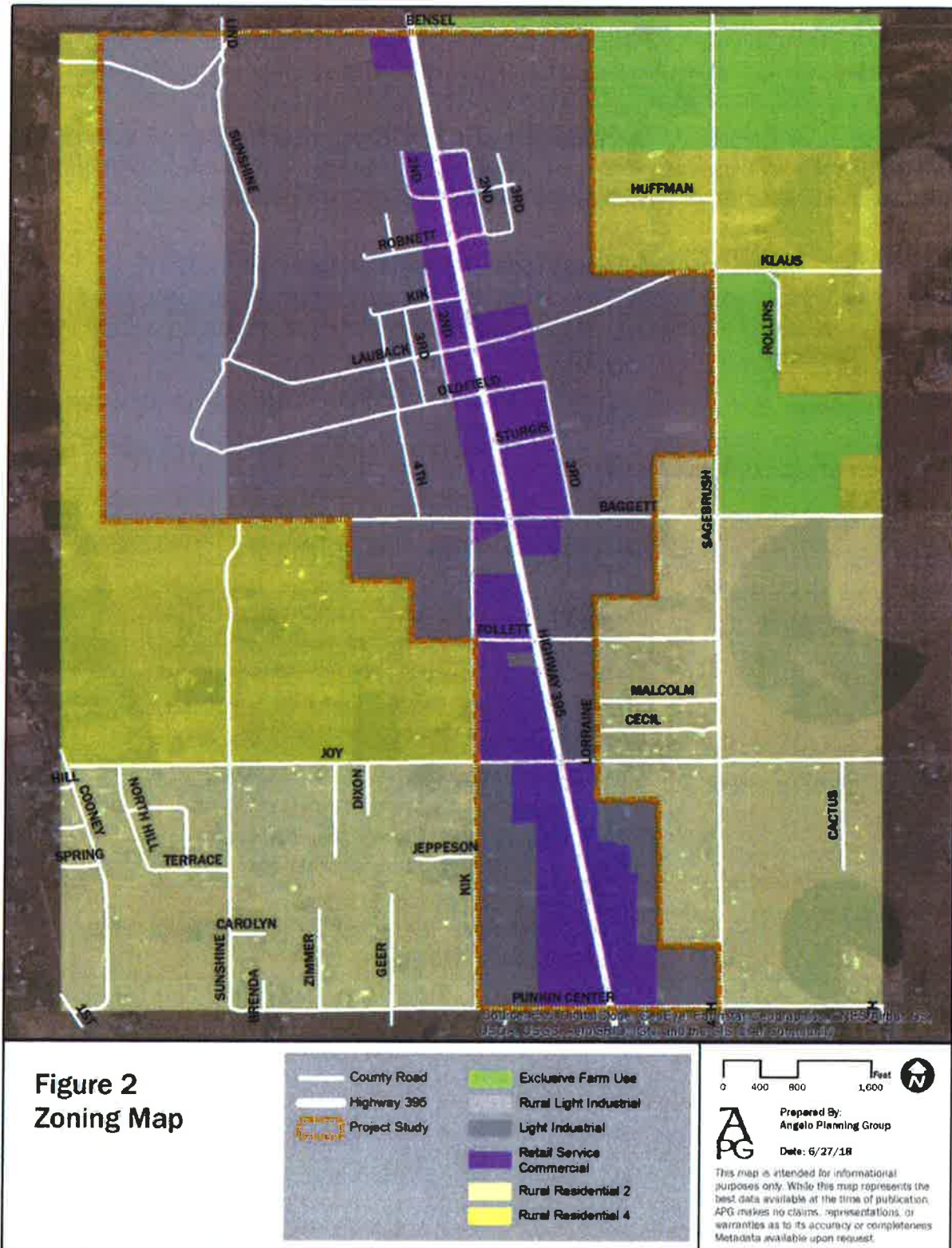
	County Road
	Highway 395
	Project Study Area



APG
Prepared By:
Anglin Planning Group
Date: 6/27/18

This map is intended for informational purposes only. While this map represents the best data available at the time of publication, APG makes no claims, representations, or warranties as to its accuracy or completeness. Metadata available upon request.

Figure 2. Zoning Map (Source: Evaluation of Existing Plans and Regulations Memo)



2. RECOMMENDATIONS

Recommended amendments to the UCDC are based upon the project objectives, the evaluation of existing plans and regulations, and feedback from the public. The proposed amendments focus additional requirements in areas that will have a large impact on the future form and function of the corridor. Table 1, below, outlines the sections of the UCDC that are proposed to be amended, and identifies the related recommendations that are being addressed by each amendment. This table serves as a guide for the proposed code language in section 3 of the memo.

Table 1. Outline of Recommendations and Proposed Amendments

UCDC Section	Recommendation
GENERAL PROVISIONS	
152.003 Definitions	Add definition for "Bulk Materials," new term to be used in describing screening requirements.
RSC, RETAIL/SERVICE COMMERCIAL ZONE	
152.248 Limitations on uses	Modify screening standards to allow for display of merchandise but prohibit general outdoor storage and display of bulk goods inventory that does not need to be displayed.
152.249 Design review	Broaden Design Review requirement to ensure that both new developments and larger improvements to existing developments are subject to proposed design standards. Add provisions to create a procedure for design review in the RSC zone which includes a pre-application conference, notice, and submittal requirements.
152.250 Dimensional and design standards	Amend to implement several key recommendations: <ol style="list-style-type: none"> 1. Implement maximum setback standards. 2. Establish a requirement for window area. 3. Establish landscaping requirements. 4. Require parking lot lighting. 5. Add standards for drive-up and drive-through facilities. 6. Establish a design points system.

UCDC Section	Recommendation
LI, LIGHT INDUSTRIAL ZONE	
152.303 Conditional uses permitted general criteria	<p>Amend use regulations in the LI zone in order to unify the commercial character of the corridor. This is achieved by allowing more commercial uses in the LI zoned properties and restricting industrial uses that do not contribute to the streetscape or are inconsistent with the active uses desired for the corridor.</p> <ol style="list-style-type: none"> 1. Restrict "heavy" industrial uses on LI-zoned parcels with frontage on Highway 395. 2. Allow RSC uses on LI-zoned parcels with Highway 395 frontage.
152.304 Limitations on use	Require properties in the LI zone with frontage on Highway 395 to meet the screening standards of the RSC zone.
152.305 Design review	Require properties in the LI zone with frontage on Highway 395 to meet the design and dimensional standards of the RSC zone.
SIGN REGULATIONS	
152.003 Definitions	Define new types of temporary signs and clarify under what circumstances these types of signs are permitted and limit flashing or moving signs.
152.546 Types of signs	Modify sign regulations that apply to the corridor to encourage consolidation of signs and limit overall area of wall-mounted signs.
OFF-STREET PARKING AND LOADING	
152.560 Off-street parking requirements	Require bicycle parking for properties on the corridor.
GENERAL PROVISIONS	
152.018 Access management and street connectivity	<p>Amend this section to implement two recommendations:</p> <ol style="list-style-type: none"> 1. Modify access management requirements to improve safety and enhance mobility along Highway 395. 2. Establish street connectivity standards in preparation for future development and street improvements in the areas east and west of Highway 395.

UCDC Section	Recommendation
152.021 Pedestrian access and circulation (new section)	Establish pedestrian circulation standards to promote more pedestrian activity along the corridor and create a safer and more comfortable experience for pedestrians.

3. PROPOSED CODE AMENDMENTS

GENERAL PROVISIONS

§ 152.003 DEFINITIONS.

[...]

BULK GOODS AND MATERIALS. Goods and materials that generally have little or no differentiation by type or model. The goods may be for sale or lease, but if so, they are the type that customers generally do not inspect and compare. Includes the storage of raw or finished goods (packaged or bulk), including gases, oil, chemicals, gravel; building materials, packing materials; salvage goods; and landscaping materials (except for plant nurseries), including sod, wood chips, sand, gravel, mulch, and topsoil.

§ 152.021 RULES FOR ROUNDING OF NUMBERS.

(A) Whenever these regulations require consideration of aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction, the results will be rounded as prescribed below:

(1) Rounding to Whole Numbers. When quantities in these regulations are expressed as whole numbers, fractions of one-half (1/2) or greater shall be rounded up to the nearest whole number and fractions of less than one-half (1/2) shall be rounded down to the nearest whole number.

(2) Linear Dimensions. Linear dimensions that do not require computation, such as heights, setbacks, and parking space dimensions, shall not be rounded.

RSC, RETAIL/SERVICE COMMERCIAL ZONE

Sub-Sections

152.245 Purpose

152.246 Uses permitted

152.247 Conditional uses permitted

152.248 Limitations on uses

152.249 Design review

152.250 Dimensional and design standards

§ 152.245 PURPOSE.

The RSC, Retail/Service Commercial, Zone is designed to provide areas outside of urban growth boundaries where specific commercial activities require larger sites than are available inside an urban growth boundary and provide for retail and service- oriented commercial activities to accommodate rural residences. The RSC zone is intended to create and maintain a built environment that is conducive to pedestrian and bicycle accessibility, reducing dependency on the automobile for short trips. The zone is also intended to promote economic development by creating an attractive and safe commercial corridor through the application of design standards that require sufficient lighting, appropriate screening and landscaping, and high-quality building design. (Ord. 83-4, passed 5-9-83, Ord. 2019-XX, passed X-X-19)

§ 152.246 USES PERMITTED.

[...]

§ 152.247 CONDITIONAL USES PERMITTED.

[...]

§ 152.248 LIMITATIONS ON USES.

In the RSC Zone, the following limitations and conditions shall apply:

(A) Outdoor storage. Outside storage areas shall be screened with a site-obscuring fence so that the area shall not be exposed to view from without the property, except the outdoor display of merchandise is allowed as provided in subsection (B).

(B) Outdoor merchandise display. Outdoor display of merchandise is permitted, except the Outside display or storage of any scrap or salvage material, damaged or inoperable vehicles, vehicles or equipment being serviced, bulk goods and materials, and other similar products shall be shall not be exposed to view from outside the property.

(C) The growing, harvesting or processing of marijuana is prohibited in this zone.

(Ord. 83-4, passed 5-9-83; Ord 2015-07, passed 9-22-15, Ord. 2019-XX, passed X-X-19)

§ 152.249 DESIGN REVIEW.

(A) An application for a zoning permit for a use permitted in § 152.246 of this chapter shall be accompanied by a site plan and, if applicable, a design review application.

(B) Applicability of Design Review Application. A Design Review application ~~may is not be~~ required if the proposal includes one or more of the following circumstances exist:

(1) ~~The existing structure and business previously received a design review approval from the County Planning Department; and,~~

- ~~(2) No new construction is being requested on the subject property; and;~~
- ~~(3) A similar business will be operated on the subject property.~~
- (1) New construction of building or structure.
- (2) A building addition or expansion of more than 500 square feet, or 10 percent of the existing floor area on the site, whichever is greater.
- (3) A change of the exterior façade of a building, including any new or change to existing doors or windows, excluding changes in color, that exceeds 15 percent of the area of the existing façade.
- (4) A change in on-site landscaping, either additional or replacement, that exceeds 15 percent of the existing landscaped area.
- (5) An addition to existing on-site vehicular parking or circulation area that adds paving or parking spaces that exceeds 15 percent of the existing parking area.

(C) Applicability of Design Standards - General.

- (1) New developments are subject to all applicable design standards in §152.250.
- (2) Proposals that meet one or more of the thresholds for Design Review in §152.249 (B)(2)-(5) are subject to all applicable standards, as specified in the Applicability provisions in §152.250(D)-(H).
- (3) The following is exempt from design standards in §152.250:
 - (a) Maintenance of a building, structure, or site in a manner that is consistent with previous approvals.
 - (b) Regular maintenance, repair, and replacement of materials (e.g., exterior painting, roof, siding, awnings, etc.), parking restriping, repaving (limited to an area that does not exceed 15 percent of the existing parking area pursuant to 152.249.B(5)), and similar maintenance or repair of existing structure(s) and site improvements.
- (4) A project that increases building floor area, as described in §152.249(B)(2), within an existing development is subject to all applicable design standards of §152.250. The standards only apply to the building addition or expansion. Expansions or additions must not increase the length of an existing street-facing facade that does not conform to the maximum setback standard of § 152.250(B)(1), as illustrated in Figure 152.250-1.

(D) Procedure.

- (1) Pre-application.
 - (a) The purpose of the pre-application conference is to acquaint County staff and outside agencies and service providers with a potential application, and to acquaint the applicant with the requirements of this Code, the Comprehensive Plan, and other relevant criteria and procedures. Any comments or commitments made by any member of County staff during this pre-application conference are only preliminary

in nature. It is not intended to be an exhaustive review of all potential issues, and the conference does not bind or preclude the County from enforcing all applicable regulations or from applying regulations in a manner differently than may have been indicated in the pre-application conference.

(b) Prior to submission of a Design Review application, the applicant shall request the Planning Director or authorized agent to arrange a pre-application conference. The request shall include three copies of a preliminary sketch of the proposal and other general information needed to explain the development. The conference shall provide for an exchange of information regarding procedures, applicable elements of the Comprehensive Plan, zoning, development, and design review requirements.

~~(CE) Submittal Requirements. The Planning Director or an authorized agent shall review the site plan Design Review application to determine if the application includes the following submittal requirements for completeness and compliance with the following requirements:~~

~~(1) The site plan shall consist of the following:~~

~~(a) An accurate map showing property lines, dimensions and location of buildings on the property both existing and proposed;~~

~~(b) Drawn at a scale no smaller than 1" = 100';~~

~~(c) Access points to county or state roads;~~

~~(d) Names of the owner and developer of the site.~~

~~(2) The Planning Director or an authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;~~

(1) Existing site conditions map. The existing site conditions shall include the following information, applicable to the site:

(a) A location map with the subject property and the surrounding property to a distance sufficient to determine the location of the development in the County, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions, and gross area shall be identified;

(c) The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;

(d) Areas subject to overlay zones;

(e) Site features, including existing structures, pavement, large rock outcroppings, wetland, drainage ways, canals, and ditches;

(e) The location, size, and species of trees and other vegetation (outside proposed building envelope) having a caliper (diameter) of 6 inches greater at 4 feet above grade;

(f) North arrow, scale, and the names and addresses of all persons listed as owners of the subject property on the most recently recorded deed and

(g) Name and address of project designer, engineer, surveyor, and/or planner, if applicable.

(2) Proposed site plan. The site plan shall include the following information, as the Planning Director deems applicable:

(a) The proposed development site, including boundaries, dimensions, and gross area;

(b) Features identified on the existing site analysis maps that are proposed to remain on the site;

(c) Features identified on the existing site map, if any, that are proposed to be removed or modified by the development;

(d) The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;

(e) The location and dimensions of all existing and proposed structures, utilities, pavement, and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;

(f) The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;

(g) The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);

(h) Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;

(i) Loading and service areas for waste disposal, loading, and delivery;

(j) Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;

(k) Location, type, and height of outdoor lighting;

(l) Location of mail boxes, if known;

(m) Name and address of project designer, if applicable;

(n) Locations of bus stops and other public or private transportation facilities; and

(o) Locations, sizes, and types of signs.

(3) Architectural drawings. Architectural drawings shall include the following information, as the Planning Director deems applicable :

(a) Building elevations with dimensions;

(b) Building materials and type; and

(c) Name and contact information of the architect or designer

(4) Landscape plan. The landscape plan shall include the following information, as the Planning Director deems applicable:

- (a) The location and height of existing and proposed fences, buffering, or screening materials;
- (b) The location of existing and proposed terraces, retaining walls, decks, patios, and shelters;
- (c) The location, size, and species of the existing and proposed plant materials (at time of planting);
- (d) Existing and proposed building and pavement outlines;
- (e) Specifications for soil at time of planting, irrigation if plantings are not drought tolerant (may be automatic or other approved method of irrigation), and anticipated planting schedule; and

(5) Narrative. Letter or narrative report documenting compliance with the applicable requirements contained in §152.249(E).

(6) Deed restrictions. Copies of all existing and proposed restrictions or covenants, including those for roadway access control.

(7) Traffic Impact Analysis, when required by Section §152.019.

(8) Other information determined by the Planning Director. The County may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), as necessary to determine a proposal's conformance with this Code.

~~(D)~~ Design Review Standards-Requirements. The Planning Director or an authorized agent shall review the design review application for completeness and compliance with the following requirements:

- (1) An access permit has been issued by the County Road Department and/or ODOT for the subject property and applicable access, circulation, and street connectivity requirements are met as provided in § 152.018 and § 152.021;
 - (2) Parking lots and spaces, off-street parking, and loading requirements are met as provided in § 152.560 through § 152.562;
 - (3) ~~Setbacks standards are met as provided in the particular zoning district where the subject property is located~~ Applicable building, site design, and dimensional standards are met as provided in § 152.250;
 - (4) Signs are permitted as provided in § 152.545 through § 152.548;
 - (5) Vision clearance standards are met as provided in § 152.011.
- (Ord. 83-4, passed 5-9-83; Ord. 2014-04, passed 7-2-14; Ord. 2019-XX, passed X-X-19)

§ 152.250 DIMENSIONAL AND DESIGN STANDARDS.

In the RSC Zone, the following dimensional and design standards shall apply:

(A) *Lot size.* The minimum lot size shall be one acre.

~~(B) *Minimum lot width.* The minimum average lot width shall be 100 feet with a minimum of five feet fronting on a dedicated county or public road or state highway;~~

~~(C)~~(B) *Setback requirements.* The ~~minimum~~ setback requirements shall be as follows:

(1) Front yard: ~~twenty feet, except if the front yard area is used for off-street parking space, then the front yard shall be a minimum of 40 feet;~~

(a) Minimum Setback: ten feet.

(b) Maximum Setback: thirty feet. For expansions and additions, see § 152.249(C)(2) and Figure 152.250-1.

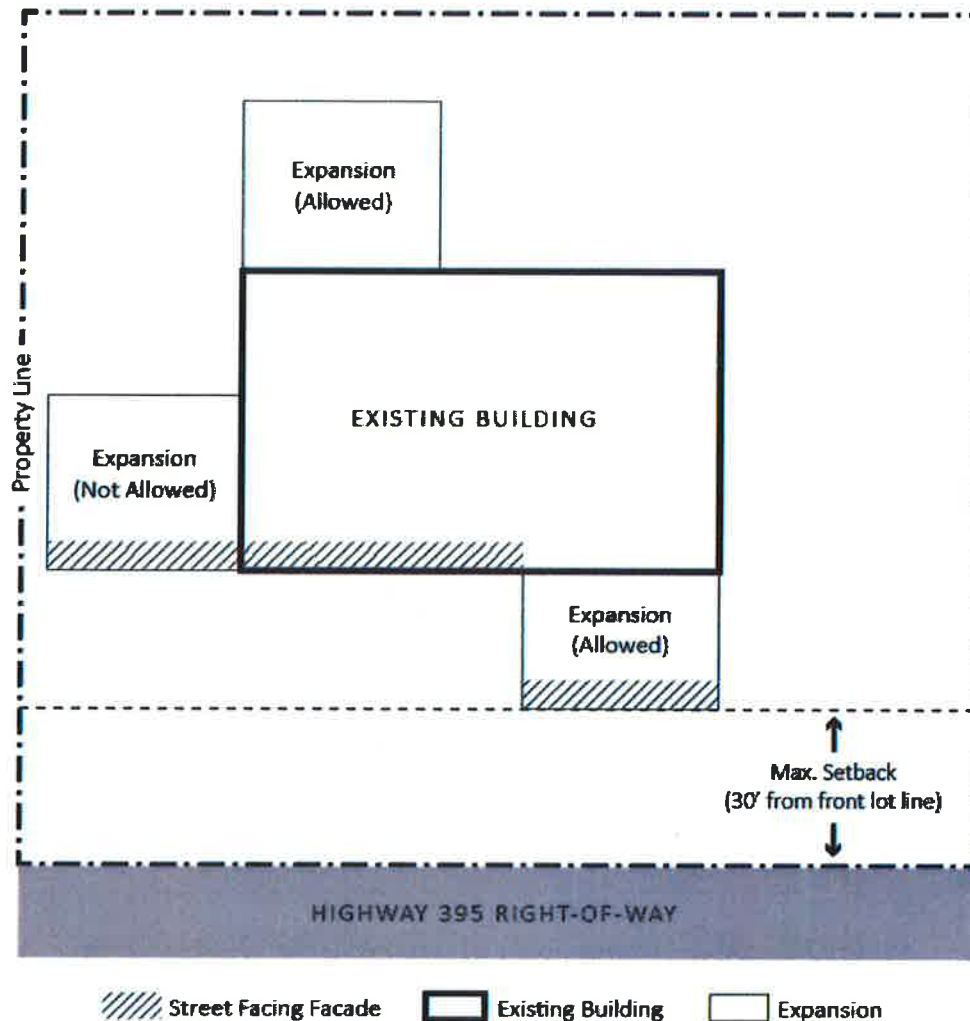
(2) Side yard: minimum of ten feet, except if the lot abuts a property zoned for residential use, then the setback shall be 20 feet;

(3) Rear yard: minimum of twenty feet;

(4) The minimum side and rear yard setbacks may be modified upon the request of a property owner, pursuant to § 152.625 through 152.630. Under no circumstance shall the setback requirements be modified when the reduced setback would adjoin residentially zoned property.

(5) Vision clearance standards, found in § 152.011, may require greater setbacks those in 152.250(C), pursuant to §152.005(B), which determines that the most restrictive provision shall apply.

Figure 152.250-1. Applicability of Maximum Setback Standard for Expansions or Additions to Existing Buildings



~~(D)~~(C) *Stream setback.* To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

- (1) All sewage disposal installations, such as septic tanks and septic drainfields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, at right angles to the high water line or mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the streams, lakes or wetland, but in no case closer than 50 feet;

(2) All structures, buildings or similar permanent fixtures shall be set back from the high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark.

(Ord. 83-4, passed 5-9-83; Ord. 2011-02, passed 3-17-11)

(D) Window area. Windows are required to make up a minimum area of any building façade that faces a public street.

(1) Applicability. Proposals that include one or more of the following are subject to the standards of this section, § 152.250(D):

(a) New construction of a building or structure.

(b) A building addition or expansion more than 500 feet, or 10 percent of the existing floor area on the site, whichever is greater. The standards of §152.250(D) only apply to the area of building expansion or addition.

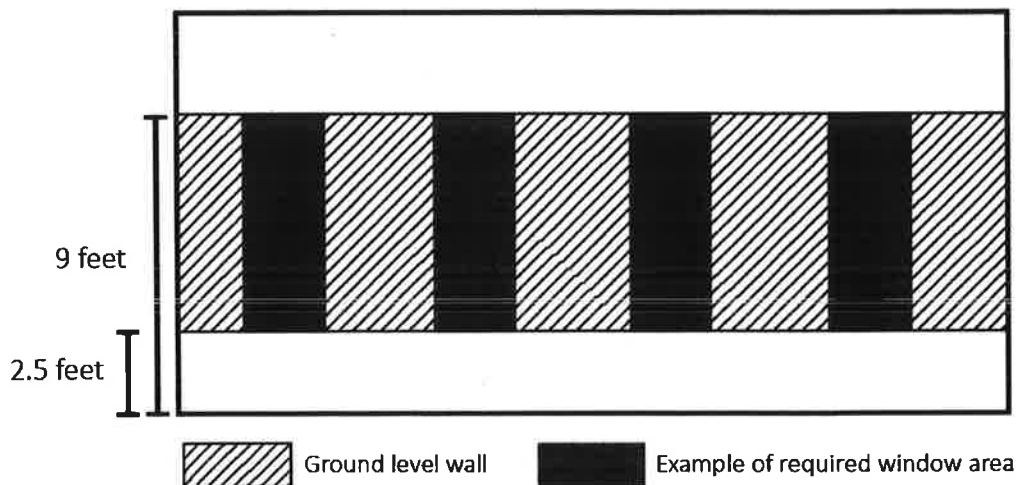
(c) Change to exterior of building (e.g., new or replacement of windows, doors, siding), excluding changes in color, that exceeds 15% of the area of the existing façade. The standards of § 152.250(D) only apply to the area of change in the building exterior.

(2) Minimum Area. Building facades facing a public street must have qualifying window features for at least 40 percent of the area of the ground level wall area (see Figure 152.250-2). Windows, display areas, and glass doorways are qualifying window features.

(3) Measurement. The ground level wall area is defined as the area above 30 inches and below 108 inches, as measured from finished grade.

(4) Transparency. Only ground floor window features that are clear or transparent are eligible to meet the minimum area requirement in § 152.250(D)(2).

Figure 152.250-2. Measurement of Ground Floor Window Area



(E) Landscaping.

(1) Applicability. Proposals that includes one or more of the following are subject to the standards of this section, § 152.250(E):

(a) New construction of building or structure.

(b) A building addition or expansion more than 500 feet, or 10 percent of the existing floor area on the site, whichever is greater.

(c) Change in landscaping areas that exceeds 15% of the existing landscaping area.

(d) Change in on-site parking that exceeds 15% of the existing parking area.

(2) Minimum Site Landscape Area. At least 15 percent of the lot area must be landscaped according to the standards of this section.

(3) Planting Standards. The following are the minimum planting requirements for required landscaped areas:

(a) Trees. One tree shall be provided for every 1,500 square feet of required landscaped area. If the calculation of the number of plantings results in a fraction of 0.5 or greater, the applicant shall round up to the next whole number. If the calculation of the number of plantings results in a fraction of 0.4 or less, the applicant shall round down to the next whole number. A minimum of 50 percent of the required trees must be planted within 30 feet of the front lot line, and located outside of the Clear Zone, pursuant to § 152.250(E)(3)(d). Evergreen trees shall have a minimum planting height of six feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting. Tree species must be selected from the County's Approved Tree Species List or other tree species approved by the Planning Director.

(b) Shrubs. Shrubs shall be planted from at least two-gallon containers. Shrubs shall be spaced in order to provide the intended canopy cover within two years of planting.

(c) Ground Cover. Live ground cover consisting of low-height shrubs, perennials or ornamental grasses shall be planted in the portion of the landscaped area not occupied by trees or shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than 50 percent of the required landscape area.

(d) All landscaping over two feet high, as measured from the ground level elevation, must be placed outside of the ODOT Highway Design Manual Clear Zone, pursuant to and as determined by ODOT.

(e) The Planning Director may allow credit toward the minimum site landscape area for existing landscape area that is retained in the development if the existing landscape area meets the standard for minimum number of trees of subsection 2(a) and minimum area of live ground cover of subsection 2(c).

(4) Parking Lot Landscaping. In addition to the minimum site landscape area requirement, all parking areas with more than 20 spaces shall provide landscape islands that break up the parking area into rows of not more than 12 contiguous parking spaces. See example in Figure 152.250-3.

(a) Minimum Dimensions. Landscape islands shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.

(b) Planting Standards. All landscape islands must be planted with one tree selected from the County's Approved Tree Species List, other trees species approved by the Planning Director, or landscaping materials identified in § 152.50(E)(3)(b) and (c). All other required parking lot landscape areas not including islands or not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within two years of planting, not less than 50 percent of the area within each landscape island(s) is covered with living plants.

(5) Plant Selection and Maintenance.

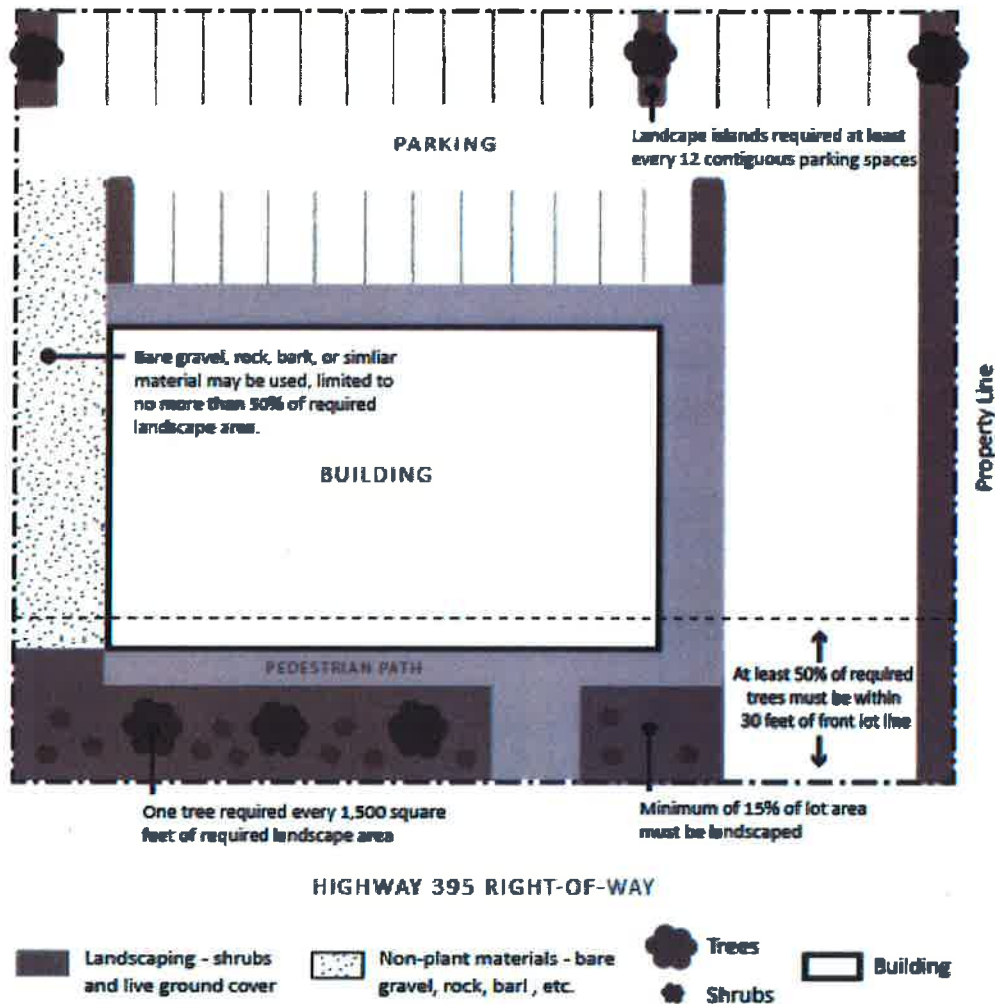
(a) Only plants that are appropriate to the local climate, exposure, and water availability will be eligible to meet the landscaping requirements. The availability of utilities and drainage conditions shall also be considered in the selection of planting materials.

(b) Plant species that require little or no irrigation once established (naturalized) are preferred over species that require irrigation. Expansive areas of turf are discouraged.

(c) Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained where specimens are in good health, have desirable aesthetic characteristics, and do not present a hazard.

(d) Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment.

Figure 152.250-3. Landscaping Requirements Example



(F) Lighting. Lighting improves safety and enhances the attractiveness of areas visible to the public. The following requirements ensure adequate levels of outdoor lighting while minimizing negative impacts of light pollution. The intent of the required lighting levels is to provide illumination no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.

(1) Applicability. Proposals that include one or more of the following are subject to the standards of this section, § 152.250(F):

(a) New construction of building or structure.

(b) Change in on-site parking that exceeds 15% of the existing parking area.

(2) Illumination of Vehicular Areas. Parking areas, vehicular circulation areas, and outdoor services areas, including vehicle quick service areas, shall be illuminated to a level that provides for safe vehicle and pedestrian movements.

(3) Fixture Standards.

(a) Light poles, except as required by a roadway authority or public safety agency, shall not exceed a height of 20 feet. This limitation does not apply to flag poles, utility poles, and streetlights.

(b) Except as provided for up-lighting of flags and permitted building-mounted signs, all outdoor light fixtures shall be directed downward, and have full cutoff and full shielding to preserve views of the night sky and to minimize excessive light spillover onto adjacent properties.

(c) Lighting shall be installed where it will not obstruct public ways, driveways, or walkways.

(d) Where a light standard or other raised source of light is placed over a sidewalk or walkway, a minimum vertical clearance of eight feet shall be maintained.

(e) Where a light standard or other raised source of light is placed within a walkway, an unobstructed pedestrian through zone not less than four feet wide shall be maintained.

(f) Lighting subject to this section shall consist of materials approved for outdoor use and shall be installed according to the manufacturer's specifications.

(G) Drive-through design.

(1) Applicability. Proposed development that includes a drive-up and/or drive-through facility (i.e. driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) is subject to all of the following standards:

(a) The drive-up or drive-through facility must be located at least 50 feet from any existing residential zoned property.

(b) The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated in Figure 152.250-4 (below).

(c) The drive-up or drive-through facility shall not be oriented to a street corner.

(d) The drive-up or drive-through facility shall not be located within 20 feet of a street right-of-way.

(e) Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.

(f) If ATMs are provided, at least one ATM shall be located adjacent to and accessible from a planned or existing sidewalk.

- (g) Bicycle and pedestrian access to the drive-up or drive-through facility shall be allowed and indicated with signage and pavement markings.

Figure 152.250-4. Drive-up and Drive-through Facilities Example

Acceptable

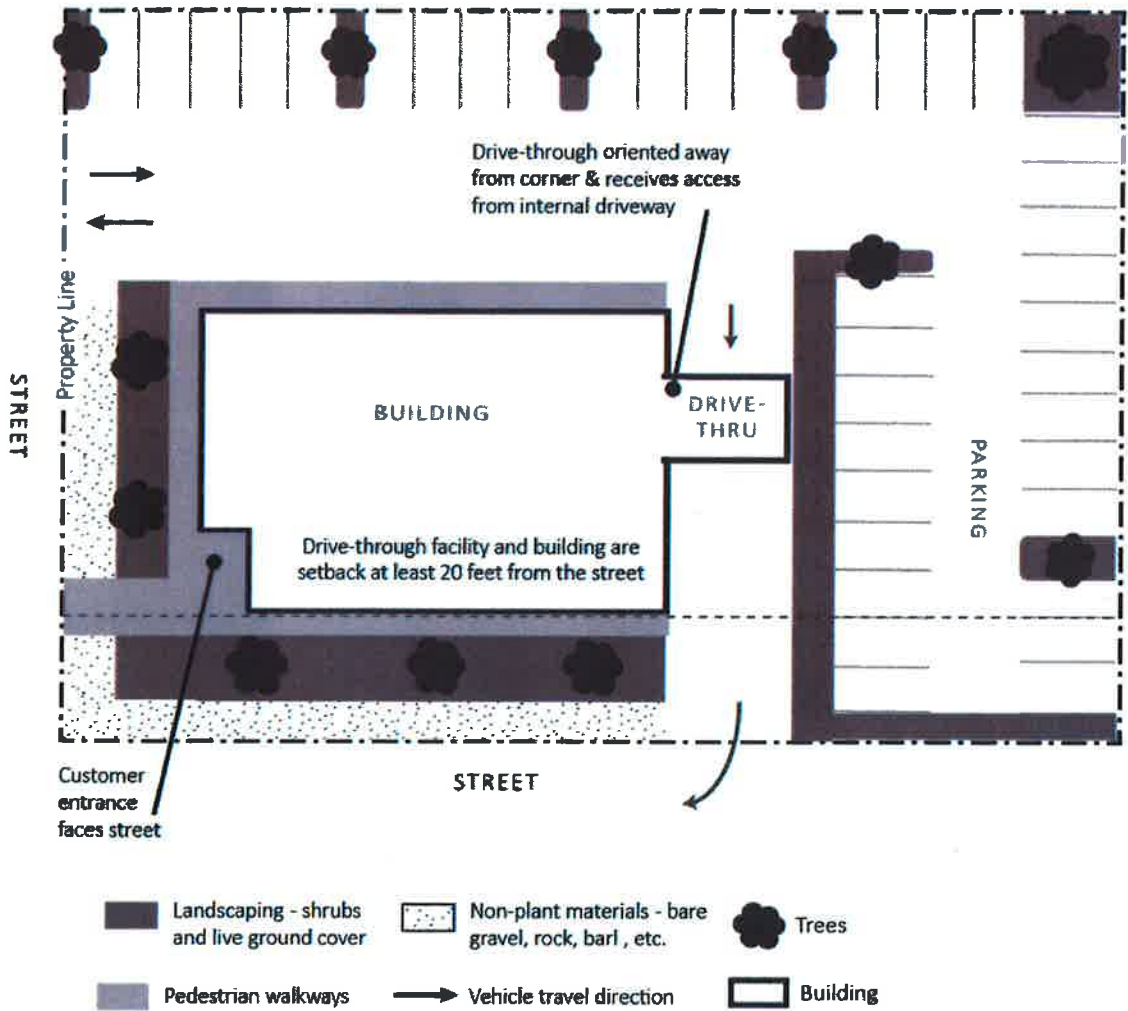
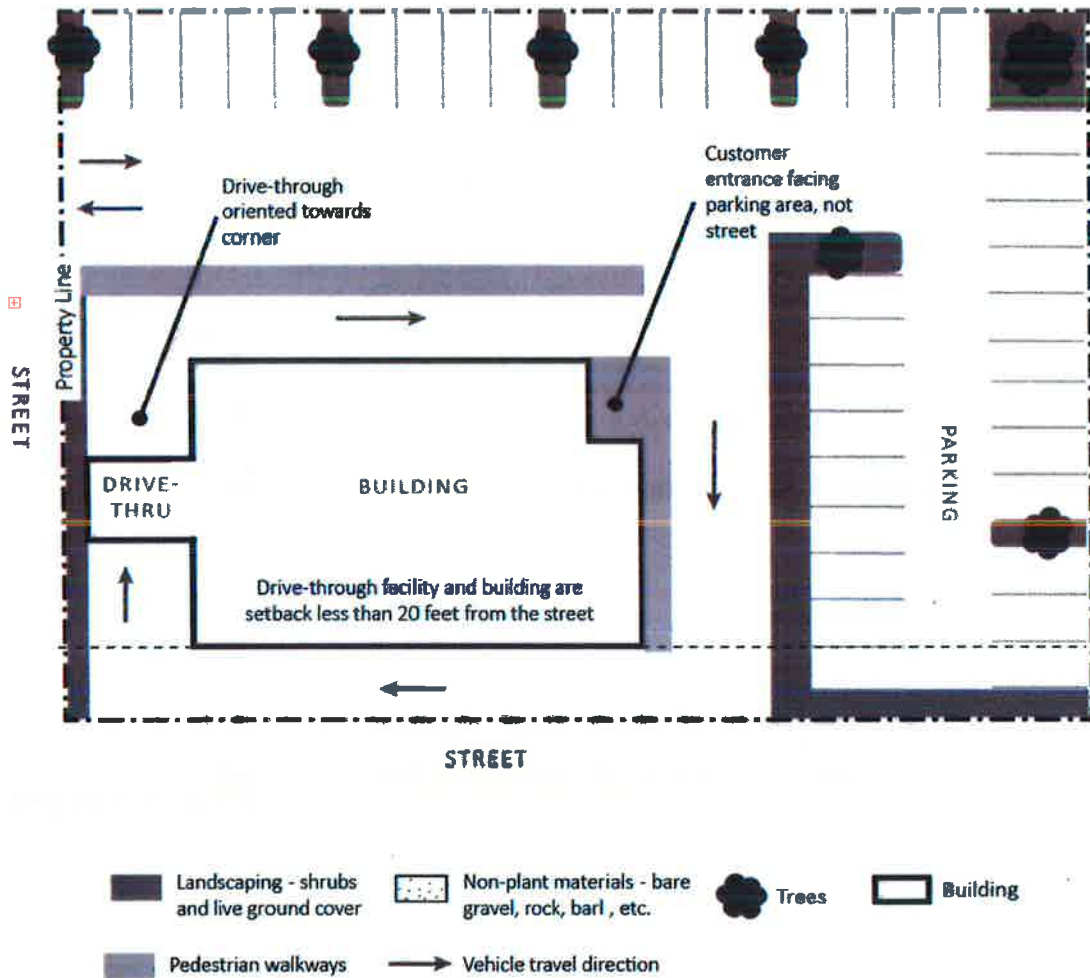


Figure 152.250-4. Drive-up and Drive-through Facilities Example (con't.)

Not Acceptable



(H) Design Points System. In order to encourage pedestrian-friendly and sustainable design, while providing flexibility in style and implementation, all projects must include a combination of design features that achieves a minimum number of points, as set forth below.

(1) Applicability. The following projects are subject to the standards of this section, § 152.250(H):

(a) New construction of building or structure.

(b) A building addition or expansion more than 500 feet, or 10 percent of the existing floor area on the site, whichever is greater.

(c) Change to exterior of building (e.g., new or replacement of windows, doors, siding), excluding changes in color, that exceeds 15% of the area of the existing façade.

(d) Change in landscaping areas that exceeds 15% of the existing landscaping area.

(e) Change in on-site parking that exceeds 15% of the existing parking area.

(2) Minimum Point Requirement.

(a) New developments or complete redevelopment of an existing site must include elements from Table 152.250-1 that have a combined value of 20 or more points.

(b) Projects for which the one or more of the applicability criteria in §152.250(H)(1)(b) – (e) apply must include elements from Table 152.250-1 that have a combined value of 6 or more points.
(3) Design Features Matrix. Points are earned by including features from the following Design Features Matrix (Table 152.250-1).

Table 152.250-1. Design Features Matrix

DESIGN FEATURE	POSSIBLE POINTS			SUBTOTAL <i>Use this column to tally points</i>
Building Design Features				
<p>Natural siding materials. May include:</p> <ul style="list-style-type: none"> • Masonry, which includes natural and natural-looking stone, and rusticated brick or split-faced, colored concrete blocks. • Wood board siding or wood shingles. Fiber cement boards or fiber reinforced extruded composite boards are also acceptable provided they have the appearance of natural wood. 	<p>Minimal or no use of natural materials (less than 5 percent of street-facing facade area, excluding area dedicated to windows)</p> <p style="text-align: right;">+0 points</p>	<p>5 to 40 percent of both total building facade area and street-facing facade area covered with natural siding materials (excluding area dedicated to windows)</p> <p style="text-align: right;">+2 points</p>	<p>Over 40 percent of both total building facade area and street-facing facade area covered with natural siding materials (excluding area dedicated to windows)</p> <p style="text-align: right;">+ 3 points</p>	
<p>Window area. Windows promote an interesting pedestrian experience and architectural variety. See Figure 152.250-1.</p>	<p>Window area meets base requirement of § 152.250(E)</p> <p style="text-align: right;">+0 points</p>	<p>41 to 50 percent of the area of the street-facing facade covered with windows.</p> <p style="text-align: right;">+ 3 points</p>	<p>Over 50 percent of the area of street-facing facade covered with windows.</p> <p style="text-align: right;">+ 5 points</p>	
<p>Detailed window treatments. May include windows recessed at least 4 inches from facade, trim or moldings at least 3 inches in width, or projecting sills extending at least 2 inches from the window pane.</p>	<p>No use of detailed window treatments</p> <p style="text-align: right;">+0 points</p>	<p>Use of detailed window treatments on all street-facing windows.</p> <p style="text-align: right;">+1 points</p>	<p>Use of detailed window treatments on all exterior windows.</p> <p style="text-align: right;">+ 2 points</p>	
<p>Weather protection. May include awnings, covered porches, building overhangs, or</p>	<p>No weather protection at entrances or windows</p>	<p>Weather protection provided over the primary building entrance</p>	<p>Weather protection provided over all building entrances and required ground floor</p>	

DESIGN FEATURE	POSSIBLE POINTS			SUBTOTAL <i>Use this column to tally points</i>
other weather protection; must extend at least 4 feet in horizontal distance from the building wall and be constructed of durable materials in order to qualify.	+0 points	+ 2 point	window areas + 3 points	
Façade articulation. Façade articulation helps ensure that building facades have variation and depth in the plane of the building in order to be more interesting and welcoming to pedestrians. See Figure 152.250-2.	No horizontal articulation features +0 points	One of the following treatments on street facing façade: a) Change in the roof or wall plane (4 ft minimum) b) Projecting or recessed elements c) Varying rooflines at 4 ft minimum d) Visible and prominent entrance (large entry doors, porches, protruding or recessed entrances). + 2 points	Two or more of the following treatments on a street facing façade: a) Change in the roof or wall plane (4 ft minimum) b) Projecting or recessed elements c) Varying rooflines at 4 ft minimum d) Visible and prominent entrance (large entry doors, porches, protruding or recessed entrances). + 3 points	
Façade composition (base-middle-top). Facades that differentiate the “base,” “middle,” and “top” of the building are more interesting to view and create an attractive, traditional composition. See Figure 152.250-3.	No display of “base,” “middle,” and “top” composition. +0 points	Clear display of “base,” “middle,” and “top” composition – distinction between sections with change of color. + 2 points	Clear display of “base,” “middle,” and “top” composition – distinction between sections with change of materials or break in wall plane. + 3 points	
Site Design Features				
Parking location. Parking areas that are located to the side or rear of buildings allow for a more appealing view from the street and a more comfortable pedestrian experience.	Some parking located between the street-facing facade and a public street. +0 points	All parking located to the side, or side and rear of the building + 3 points	All parking located behind the building + 5 points	

DESIGN FEATURE	POSSIBLE POINTS			SUBTOTAL <i>Use this column to tally points</i>
<p>Shared parking with adjacent uses. Sharing parking spaces with adjacent uses is a more efficient means of providing off-street parking and can reduce impervious surface area. Must meet requirements of § 152.562(D).</p>	<p>No shared parking</p> <p style="text-align: center;">+ 0 points</p>	<p>More than one (1) space but less than half of required parking spaces shared with adjacent uses</p> <p style="text-align: center;">+ 4 points</p>	<p>More than half of required parking spaces shared with adjacent uses</p> <p style="text-align: center;">+ 5 points</p>	
<p>Trees. Tree species that are appropriate for local climate are listed in § 152.250(E).</p>	<p>Number of trees meets base requirement of § 152.250(E).</p> <p style="text-align: center;">+ 0 points</p>	<p>25% above base requirement for on-site trees.</p> <p style="text-align: center;">+ 3 points</p> <p>Additional trees are located within 30 feet on the property line but located outside clear zone pursuant to § 152.250(E)(2)(d).</p> <p style="text-align: center;">+ 1 point</p>	<p>50% above base requirement for on-site trees.</p> <p style="text-align: center;">+ 4 points</p> <p>Additional trees are located within 30 feet on the property line but located outside clear zone pursuant to § 152.250(E)(2)(d).</p> <p style="text-align: center;">+ 1 point</p>	
<p>Additional landscaping. Landscaped area beyond the minimum required by § 152.250(E) can soften the edges of a development, enhance sustainability, and create a more comfortable pedestrian experience.</p>	<p>Minimal or no additional landscaped area provided (less than 5% of gross lot area beyond base requirement of § 152.250(E))</p> <p style="text-align: center;">+ 0 points</p>	<p>5% to 10% additional gross lot area landscaped beyond base requirement.</p> <p style="text-align: center;">+ 3 points</p>	<p>More than 10% additional gross lot area landscaped beyond base requirement.</p> <p style="text-align: center;">+ 4 points</p>	
<p>Plant selection. Diversity of plant species creates more interesting landscape areas.</p>	<p>Two or fewer distinct plant species included in landscaping plan.</p> <p style="text-align: center;">+ 0 points</p>	<p>Three or more distinct plant species included in landscaping plan.</p> <p style="text-align: center;">+ 3 points</p>	<p>Five or more distinct plant species included in landscaping plan.</p> <p style="text-align: center;">+ 4 points</p>	

DESIGN FEATURE	POSSIBLE POINTS			SUBTOTAL <i>Use this column to tally points</i>
Bicycle parking. Dedicated bicycle parking encourages bicycling by offering convenient and secure parking options.	Number of bicycle parking spaces meets base requirement of § 152.560. + 0 points	10% to 20% additional bicycle parking spaces provided beyond base requirement and at least half of all bike parking spaces are covered. + 1 point	10% to 20% additional bicycle parking spaces provided beyond the base requirement and all bike parking spaces are covered. + 2 points	
Lighting. Lighting can improve safety and enhance the attractiveness of a development in evening hours.	Lighting meets base requirement for parking lots as specified in § 152.250(F). + 0 points	1 point may be assigned for the following outdoor lighting features: <ul style="list-style-type: none"> • Pedestrian walkway lighting, pedestal- or bollard-style lighting + 3 points	2 points may be assigned for both of the following outdoor lighting features: <ul style="list-style-type: none"> • Pedestrian walkway lighting • Accent lighting on structure + 4 points	
Electric vehicle charging station. Manufacturer specifications for the charging station must be submitted with design review application.	Site does not include electric vehicle charging station. +0 points	Site includes electric vehicle charging station. + 1 point		
TOTAL POINTS:				

(Ord. 2019-XX, passed X-X-19)

Figure 152.250-2. Examples of Façade Articulation Methods

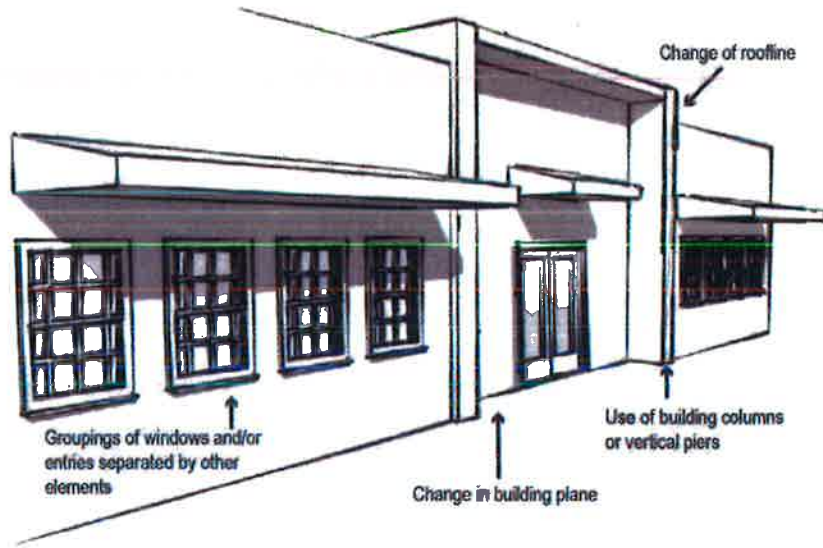
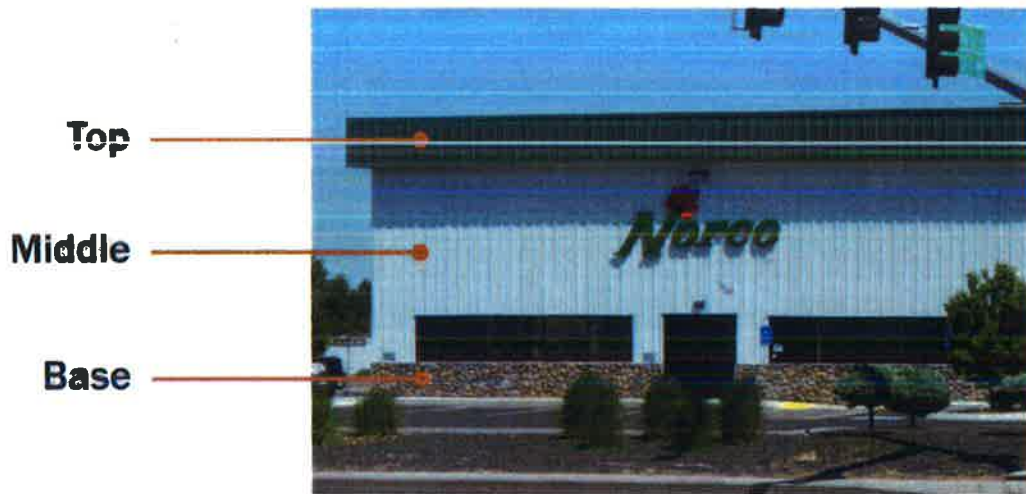


Figure 152.250-3. Example of Façade Composition (Base-Middle-Top)



LI, LIGHT INDUSTRIAL ZONE

Sub-Sections

152.301 Purpose

152.302 Uses permitted

152.303 Conditional uses permitted general criteria

152.304 Limitations on use

152.305 Design review

152.306 Dimensional standards

§ 152.301 PURPOSE.

The LI Light Industrial Zone is designed to provide areas for industrial use that are less intensive than heavy industrial uses, and are less offensive to adjacent land uses, and are compatible with certain commercial uses. It is designed to help the county expand and diversify its economic base. The LI Zone is appropriate for areas near major transportation facilities which are generally suited for industry and include highways, railroads, and waterways. (Ord. 83-4, passed 5-9-83)

§ 152.302 USES PERMITTED.

(A) *Uses permitted outright.* In an LI Zone, the following uses and their accessory uses are permitted without a zoning permit:

(B) *Uses permitted with a zoning permit.* In an LI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to §152.025 and subject to the requirements of §§152.304 through 152.306 of this chapter:

§ 152.303 CONDITIONAL USES PERMITTED; GENERAL CRITERIA.

(A) In a LI Zone, the following uses and their accessory uses are permitted, conditionally, subject to the requirements of §§ 152.610 through 152.616, 152.303 and 152.306 and upon the issuance of a zoning permit:

(1) Accessory dwelling (one only) for the owner or operator of each existing permitted use as provided in §152.616 (X);

(2) Automobile service station as provided in §152.616 (D);

(3) Automobile, truck, or motorcycle sales lot, limited to properties with frontage on Highway 395;

(4) Automobile, truck, or motorcycle repair shop or parts store, limited to properties with frontage on Highway 395;

~~(5)~~ (5) Automobile wrecking yard as provided in §152.616 (E), except this use is prohibited on properties with frontage on Highway 395;

~~(4)~~ (6) Boarding, lodging or rooming house in conjunction with an industrial use located in the property as provided in § 152.616 (H);

- ~~(5)~~ (7) Commercial amusement establishment as provided in § 152.616 (P);
- ~~(6)~~ (8) Commercial gravel extraction and processing as provided in §152.616 (Q), except this use is prohibited on properties with frontage on Highway 395;
- ~~(7)~~ (9) Concrete block or pipe manufacturing as provided in §152.616 (U); except for properties with frontage on Highway 395, where this use is permitted only when conducted wholly outdoors;
- ~~(8)~~ (10) Concrete manufacturing plant as provided in §152.616 (U), except this use is prohibited on properties with frontage on Highway 395;
- ~~(9)~~ (11) Day care center as provided in § 152.616 (V);
- ~~(10)~~ (12) Junkyard as provided in § 152.616 (E), except this use is prohibited on properties with frontage on Highway 395;
- (11) (13) Major manufacturing, repairing, compounding, fabricating, assembling, processing, or storage as provided in §152.616 (LL) industries having any one of the following characteristics:
- (a) Peak employment of more than 200 persons;
 - (b) Utilizing more than 20 acres of land;
 - (c) Requiring a total energy input which exceeds 6,826,000 British Thermal Units (BTU) for all energy sources combined (i.e. natural gas, propane, oil and electricity);
- ~~(12)~~ (14) Mobile home or trailer park as provided in § 152.616 (NN);
- ~~(13)~~ (15) Public or semi-public use as provided in § 152.616 (SS);
- ~~(14)~~ (16) Sand or gravel storage yard as provided in § 152.616 (XX), except this use is prohibited on properties with frontage on Highway 395;
- ~~(15)~~ (17) Wood processing facilities as provided in § 152.616 (GGG);
- ~~(16)~~ (18) Utility facility as provided in § 152.616 (CCC);
- ~~(17)~~ (19) Other buildings and uses similar to the list above which shall not have any different or more detrimental effect upon the adjoining neighborhood areas or districts than the buildings and uses specifically listed providing that it has the approval of the Planning Director or Planning Commission.

[...]

(Ord. 2019-XX, passed X-X-19)

§ 152.304 LIMITATIONS ON USE.

(A) Screening Requirements.

- (1) General Standards. All business, commercial and industrial activities, and storage allowed in an LI, Light Industrial, Zone shall be conducted wholly within a building or shall be screened from view from adjacent public roads or surrounding properties in farm,

residential or commercial zones, unless the entire activity is conducted more than 500 feet from said surrounding property or road. Outdoor storage of farm and forest products or equipment shall not be subject to this limitation;

(2) Off-Street Loading Areas. All off-street loading areas shall be screened from view if adjoining properties are in a residential zone;

(3) Properties on Highway 395 Corridor. All properties in the LI zone with frontage on Highway 395 are exempt from the standards of this section and subject to the standards of § 152.248.

~~(B)~~ All noise, vibration, dust, odor, smoke, appearance or other objectionable factors involved in any activity shall comply with appropriate state and federal regulations.

~~(C)~~ The growing, harvesting or processing of marijuana is prohibited in this zone.

(Ord. 83-4, passed 5-9-83; Ord. 2005-09, passed 10-13-05; Ord. 2015-07, passed 9-22-15, Ord. 2019-XX, passed X-X-19)

§ 152.305 DESIGN REVIEW.

(A) An application for a zoning permit for a use permitted in § 152.302 of this chapter shall be accompanied by a site plan and, if applicable, a design review application.

(B) A Design Review application may not be required if the following circumstances exist:

- (1) The existing structure and business previously received a design review approval from the County Planning Department; and,
- (2) No new construction is being requested on the subject property; and,
- (3) A similar business will be operated on the subject property.

(C) Properties on Highway 395 Corridor. All properties in the LI zone with frontage on Highway 395 are subject to the design review application requirements, standards, and approval criteria of the RSC zone, see § 152.249.

~~(D)~~ The Planning Director or an authorized agent shall review the site plan for completeness and compliance with the following requirements:

- (1) The site plan shall consist of the following:
 - (a) An accurate map showing property lines, dimensions, and location of buildings on the property, both existing and proposed;
 - (b) Drawn at a scale no smaller than 1" = 100';
 - (c) Access points to county or state roads;
 - (d) Names of the owner and developer of the site.
- (2) The Planning Director or his authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;

~~(E)~~ Design Review Standards.

The Planning Director or an authorized agent shall review the design review application for completeness and compliance with the following requirements:

- (1) An access permit has been issued by the County Road Department and/or ODOT for the subject property;
 - (2) Parking lots and spaces, off-street parking, and loading requirements are met as provided in § 152.560 through § 152.562;
 - (3) Setbacks standards are met as provided in the particular zoning district where the subject property is located;
 - (4) Signs are permitted as provided in § 152.545 through § 152.548;
 - (5) Vision clearance standards are met as provided in § 152.011.
- (Ord. 83-4, passed 5-9-83; Ord. 2014-04, passed 7-2-14, Ord. 2019-XX, passed X-X-19)

[...]

SIGN REGULATIONS

§ 152.003 DEFINITIONS.

[...]

A-FRAME SIGN. A double-faced temporary sign composed of two sign boards attached at the top and separate at the bottom, not permanently attached to the ground.

[...]

BALLOON SIGN. A sign consisting of a membrane that relies on internal gaseous pressure or a semi-rigid framework for maintaining its form.

BANNER SIGN. A sign made of fabric or other nonrigid material with no enclosing framework.

[...]

§ 152.545 ZONING PERMIT REQUIRED TO ERECT, MOVE, OR ALTER SIGNS; EXEMPTIONS; PERMITTED SIGNS.

(A) No sign shall hereafter be erected, moved, or structurally altered without a zoning permit, except for a Type 1 and Type 3 sign, and without being in conformity with the provisions of this chapter. Official signs of the state, county or municipalities are exempt from all provisions of this chapter. All signs shall be on the same lot as the subject matter of the sign, except as specifically allowed otherwise.

(B) Allowed signs in the various zones are indicated by the following tables (for types of signs, see § 152.546):

<i>Zone</i>	<i>Types Allowed</i>
EFU-10, EFU-20, EFU-40, EFU, GF	1, 2, 3, 4, 5, 6
UC	1, 2, 3, 4, 5, 8, 9
RR-2, RR-4, RR-10	1, 2, 3, 4, 5, 6
MUF, FR, MR	1, 2, 3, 4, 5, 6
RSC, RRSC, CRC	1, 2, 3, 4, 5, 7, 8, 9, 10, 11
TC, RTC	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
AB	1, 3, 4, 5, 7, 8, 9, 11
LI	1, 3, 4, 5, 7, 8, 9, 10, 11, 12

(Ord. 83-4, passed 5-9-83 updated via Ord. 2008-09, passed 6-16-08, Ord. 2009-09, passed 12-8-09; Ord. 2012-02 passed 1-26-12; Ord. 2014-06, passed 7-2-14, (Ord. 2019-XX, passed X-X-19))

§ 152.546 TYPES OF SIGNS.

(H) Type 8. Signs identifying the use of the premises or the sale of products produced on the premises, provided that any such sign shall be attached to, parallel with, and no larger than the wall on which it is mounted. In the RSC zone and for properties zoned LI with frontage on Highway 395 the total face area of Type 8 wall-mounted signs must not exceed 20 percent of the wall area of the wall on which the sign(s) are mounted.

(I) Type 9. One projecting or free-standing sign not to exceed 20 feet in height nor 65 square feet in area for each face. The minimum setback for any part of a sign shall be 10 feet, or shall be at the discretion of the Planning Director and shall be measured horizontally from the lot line to the nearest part of the sign. A projecting or freestanding sign shall be allowed only by a ruling of the Planning Director and shall be limited to those businesses for which an attached flat sign is not suitable due to the nature of the business or the characteristics of the lot. Signs mounted to fences are classified as free-standing signs. The following additional standards apply to Type 9 signs on properties in the RSC zone and in the LI zone where the subject property has frontage on Highway 395:

(a) Large Properties. When the lineal frontage of a property exceeds 300 feet, an additional freestanding sign shall be permitted for each 300 feet of lineal property frontage. Each freestanding sign must be at least 150 feet from any other freestanding sign on the same site along the lineal property frontage.

(b) Combined Signs. Two or more owners of adjacent separate properties may combine their respective frontages and erect one freestanding sign with combined square footage per face of 100 square feet. No other freestanding signs shall be permitted on the premises and agreement between property owners for this purpose shall be recorded for posterity.

(c) Sign Construction. A free-standing sign shall be directly supported by poles or foundation supports in or upon the ground. No external cross braces, guy wires, "T"

frames, "A" frames, "trusses," or similar bracing systems shall be used to buttress, balance, or support a freestanding sign.

(d) Temporary Signs. One temporary banner sign, balloon sign, or A-frame sign shall be permitted for each principal use and shall be limited to a display period of a maximum of 30 continuous days twice during the calendar year. Maximum sign area shall not exceed 50 square feet.

§ 152.547 LIMITATIONS ON SIGNS.

(A) No sign shall be placed as to interfere with visibility or effectiveness of any official traffic sign or signal, or with driver vision at any access point or intersection.

(B) No sign shall be illuminated by flashing light. Any sign that contains or is illuminated by a light source that produces a brilliant flash and darkness on an alternating basis, resulting in a pulsating effect designed primarily to attract attention, or any sign that produces apparent motion of the visual image, including but not limited to illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation, or any similar effect of animation that is designed or operated in a manner primarily to attract attention is prohibited.

(C) No sign shall contain, include, or be composed of any conspicuous animated part.

(D) Light from signs shall be directed away from and not be reflected upon adjacent premises.

(E) Signs shall be maintained in a neat, clean and attractive condition.

(Ord. 2019-XX, passed X-X-19)

OFF-STREET PARKING AND LOADING

§ 152.560 OFF-STREET PARKING REQUIREMENTS.

(A) Each use shall provide the following minimum off-street parking spaces. Each parking space shall be a minimum of nine feet wide and 20 feet in length.

(B) Off-street parking requirements.

[...]

(C) Bicycle parking requirements.

(1) Applicability. Bicycle parking spaces are required for new development, or changes of use, under the following conditions:

(a) A site with 10 or more off-street vehicle parking spaces

(b) All properties zoned RSC or LI that have frontage on Highway 395.

(2) Exemptions. This section does not apply to single-family and duplex housing, home occupations, and agricultural uses.

(3) Standards. A minimum of two bicycle spaces for the first 10 motorized vehicle parking areas is required, plus one additional bicycle space for each additional 10 motorized vehicle parking spaces thereafter.

(4) Design. Unless otherwise identified in (3), bicycle parking shall consist of staple-design steel racks or other County-approved racks, lockers, or storage bins providing a safe and secure means of storing a bicycle.

(5) Location. For institutional, employment, and commercial uses, the designated area for bicycle parking shall be within 50 feet of a public entrance.

(6) Hazards. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles, and shall be located so as to not conflict with vision clearance standards of Section § 152.011.

(Ord. 2019-XX, passed X-X-19)

GENERAL PROVISIONS

152.018 Access management and street connectivity

152.019 Traffic impact study

152.020 Storage containers

152.021 Pedestrian access and circulation

§ 152.018 ACCESS MANAGEMENT AND STREET CONNECTIVITY

[...]

F) Joint Use Driveways and Cross Access.

(1) Adjacent commercial, retail, or office properties identified as major traffic generators (if both properties generateing more than 400 daily trips, collectively, as defined by the Institute of Transportation Engineers Trip Generation Manual), shall provide a cross access drive and pedestrian access to allow circulation between sites.

(2) A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:

(a) A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.

- (b) A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles
 - (c) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.
 - (d) A unified access and circulation system plan for coordinated or shared parking areas is encouraged.
- (3) Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.
- (4) Pursuant to this section, property owners shall:
- (a) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
 - (b) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to Umatilla County and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
 - (c) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.
- (5) Umatilla County may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
- (a) Joint access driveways and cross access easements are provided in accordance with this section.
 - (b) The site plan incorporates a unified access and circulation system in accordance with this section.
 - (c) The property owner enters into a written agreement with the county, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway
 - (6) Umatilla County may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make the development of a unified or shared access and circulation system impractical.

[...]

(J) Street Connectivity

- (1) Applicability. The following street connectivity standards apply to site developments proposed in the LI or RSC zone.
- (2) Purpose. The purpose of these standards is to create an interconnected street network throughout the Highway 395 corridor in order to promote efficient and safe vehicular and pedestrian circulation.

(3) Block Length Standard. Developments in the RSC or LI zone must be designed to allow for a minimum block length of 100 feet and a maximum block length of 600 feet. Distances are measured from the edge of street rights-of-way.

(4) General Connectivity Standards

(a) Where the locations of planned streets are shown on a local street network plan, the development shall implement the street(s) shown on the plan.

(b) Where required local street connections are not shown on an adopted County street plan, or the adopted street plan does not designate future streets with sufficient specificity, the development shall provide for the reasonable continuation and connection of existing streets to adjacent developable properties, conforming to the standards of this Code.

(c) Existing street-ends that abut a proposed development site shall be extended with the development, unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code. In such situations, the applicant must provide evidence that the environmental or topographic constraint precludes reasonable street connection.

(d) Where a street connection cannot be made due to physical site constraints, approach spacing requirements, access management requirements, or similar restrictions, a pedestrian access way connection shall be provided pursuant to § 152.648(12).

(e) Proposed streets and any street extensions required pursuant to this section shall be located, designed, and constructed to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands.

[...]

(Ord. 2019-XX, passed X-X-19)

152.021 PEDESTRIAN ACCESS AND CIRCULATION

(A) Purpose. This section implements the pedestrian access and connectivity policies of the Umatilla County Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.

(B) Applicability. The provisions of this Section apply to:

(1) Properties in the RSC zone

(2) Properties in the LI zone that have frontage on Hwy 395 south of Bensel Road and north of E Punkin Center Road. (C) Standards. Developments shall conform to all of the following standards for pedestrian access and circulation:

(1) Continuous Walkway System. A pedestrian walkway system shall extend throughout the development site and connect to adjacent existing or planned sidewalks, if any, and to all future phases of the development, as applicable.

(2) Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, transit stops, and public rights-of-way conforming to the following standards:

(a) The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.

(b) The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The county road master may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.

(c) The walkway network connects to all primary building entrances consistent with Americans with Disabilities Act (ADA) requirements.

(3) Vehicle/Walkway Separation. Except as required for crosswalks, per subsection (d), below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the County road master may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.

(4) Crosswalks. Where a walkway crosses a parking area or driveway (“crosswalk”), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material) or painted crosswalk striping. The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.

(5) Walkway Width and Surface. Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the county road master, and not less than six feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to County transportation standards.

(Ord. 2019-XX, passed X-X-19)

DRAFT MINUTES

**HIGHWAY 395 NORTH
CORRIDOR
DEVELOPMENT CODE
UPDATES**

**PLANNING COMMISSION HEARING
October 24, 2019**

DRAFT MINUTES
UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, October 24, 2019, 6:30 pm
Umatilla County Justice Center, Media Room, 4700 NW Pioneer Place, Pendleton, OR

** ** ** **

COMMISSIONERS

PRESENT: Don Wysocki, Vice Chair, Molly Tucker Hasenbank, Tammie Williams, Jon Salter, Tami Green, Lyle Smith
ABSENT: Suni Danforth, Chair, Gary Rhinhart, Hoot Royer
STAFF: Bob Waldher, Planning Director; Elizabeth Ridley, Planner/GIS; Tierney Dutcher, Administrative Assistant

** ** **

NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. RECORDING IS AVAILABLE AT THE PLANNING OFFICE

CALL TO ORDER

Commissioner Wysocki called the meeting to order at 6:30 p.m. and read the Opening Statement.

NEW HEARING

UMATILLA COUNTY DEVELOPMENT CODE UPDATES. For the past year, Umatilla County has been working on amendments to the Umatilla County Development Code (UCDC) to improve the aesthetic character and economic vitality of the Highway 395 North Corridor. The proposed code amendments would apply to Commercial and Light Industrial Zoned properties adjacent to this corridor. The Planning Commission will make a recommendation to the Umatilla County Board of County Commissioners (BCC). Amendment procedures include UCDC Sections 152.750-152.753.

Commissioner Wysocki called for any abstentions, bias, conflicts of interest, declarations of ex-parte contact or objections to jurisdiction. There were none.

STAFF REPORT

Bob Waldher, Planning Director, stated that the Highway 395 project began in 2015 starting with an economic development study of the corridor. As a result of the study, a recommendation was made to review the Development Code for areas adjacent to Highway 395 and adopt additional design standards to the corridor. The goal was to make the area look better aesthetically, as well as set the corridor up for success as it continues to grow and expand in the future into the Urban Growth Area (UGA) for the City of Umatilla and Hermiston.

Mr. Waldher stated that they formed a committee comprised of various business owners and land owners along the corridor. As a group, they chose to move forward with the recommendation made to adopt additional design standards. Other recommendations made as a result of the economic development study include domestic water for fire protection and traffic concerns. In

the future they plan to come up with ways to mitigate those additional issues, but for now they are focusing on the design standards.

Mr. Waldher stated that the committee applied and was selected to receive a Transportation and Growth Management Code Assistance Grant. As part of the Grant process they were provided with a consultant and technical experts from the Department of Land Conservation and Development (DLCD) and Oregon Department of Transportation (ODOT) to help examine the code to determine which changes should be considered to make it more attractive and promote economic development in the corridor. The objectives include: create context-sensitive land use and design standards for the U.S. Highway 395 North frontage, implement access management standards for the project area taking into account future planned parallel road networks, improve multi-modal (pedestrian and bike traffic) connectivity in the project area in order to provide safe and comfortable active transportation options, and recognize the importance of maintaining economically vibrant and livable downtowns in the cities of Hermiston and Umatilla.

Mr. Waldher stated that the committee incorporated a robust public involvement process including two public workshops and two Planning Commission work sessions. The Planning Commission will make a recommendation to the BCC and they will make a decision whether to adopt the updates at their hearing scheduled for November 6, 2019.

Mr. Waldher stated that, for this project the primary concern is with the commercial and light industrial use parcels that front Highway 395. He directed the Planning Commission to page 1-2 in the packet which contains a memo from Angelo Planning Group. The memo outlines the project background and recommendations, as well as the proposed code amendments. The code amendments are presented in a strikeout and underlined format to indicate removal and addition to the code language.

Mr. Waldher stated that the key recommendations for the project include: implement maximum setback standards, establish a requirement for window area, establish landscaping requirements, require parking lot lighting, add standards for drive-up and drive-through facilities, establish a design points system, and use regulations to enhance economic development.

Mr. Waldher stated that implementing maximum setback standards will help create more visually interesting and attractive streetscape, provide safer and more convenient access for people arriving on foot or bike, help slow traffic on the street and provide a limited parking or merchandise display area in front of buildings. The proposed development requirements for new buildings include a minimum setback of 10 feet (ft.) and a maximum setback of 30 ft.

Mr. Waldher stated that the group recommended establishing landscaping requirements. He pointed out that the landscaping standards are quite low in the current code and most people don't bother. They believe establishing landscaping guidelines for the corridor will make a huge difference in enhancing the visual appeal and pedestrian comfort. Recommendations include consideration of native plant species which can withstand the climate. He reiterated that these

standards will only be required for those requesting approval for new construction or expansion of existing buildings.

Mr. Waldher stated that the group recommended standards to incorporate onsite lighting to enhance safety and comfort. They discussed design features to mitigate negative effects like light pollution, glare and spillover to adjacent properties. Design standards for lighting will make the parking lots, walkways and outdoor service areas safer for consumers and pedestrians in the evenings. He also pointed out that, at this time the code does not address standards for drive-through businesses. It was determined that safety standards should be set to ensure drive-throughs are well designed to minimize vehicle conflict points and other dangers caused by slowing traffic on the highway.

Mr. Waldher explained that they have developed a design points system requiring proposed new development to achieve a certain number of points by incorporating design elements from the design point system list. No specific elements of design will be required of the business owner, but a total number of points must be achieved. The group felt this would allow flexibility for a wide variety of building types and uses.

Mr. Waldher asked the Planning Commission to review the proposed code changes beginning on page 8 in the packet and passed out a letter of support provided by Steve Watkins, TAC Chairman. Additionally, he explained that he received feedback from an individual who expressed that he did not support the proposal. He felt that business owners should be responsible for making changes on their own terms and believes they will eventually see changes overtime. Mr. Waldher stated that his suggested method has not worked well in the past and without set standards, the corridor is not likely to change much over time.

Public Agencies: Staff received a letter of support from City of Umatilla, Senior Planner, Brandon Seitz. Mr. Seitz was a member of the project Technical Advisory Committee (TAC) and wrote that the City of Umatilla believes the proposed code amendments will help improve the aesthetic characteristics of the corridor while promoting economic development opportunities.

Commissioner Wysocki added the two letters of support to the record; the letter from City of Umatilla (Exhibit A) and the letter from Steve Watkins (Exhibit B).

DELIBERATION & DECISION

Commissioner Williams made a motion to recommend approval of the Highway 395 Code Amendments to the Board of County Commissioners. Commissioner Hasenbank seconded the motion. Motion passed with a vote of 6:0.

ADJOURNMENT

Commissioner Wysocki adjourned the meeting at 6:51 p.m.

Respectfully submitted,

Tierney Dutcher,
Administrative Assistant

DRAFT

The public is invited to attend and testify at a public hearing for the Highway 395 North - Umatilla County Development Code Amendment Project.

For the past year, Umatilla County has been working on amendments to the Umatilla County Development Code to improve the aesthetic character and economic vitality of the Highway 395 North Corridor.

The proposed Development Code amendments relax standards in some cases and add standards in others. You are receiving this notice since the amendments may apply to property you own.

Planning Commission Public Hearing Information

Date: Thursday, October 24, 2019

Time: 6:30 pm

**Place: Umatilla County Justice Center Media Room
4700 NW Pioneer Place
Pendleton, OR 97801**

Board of Commissioners Public Hearing Information

Date: Wednesday, November 6, 2019

Time: 9:00 am

**Place: Umatilla County Courthouse, Room 130
216 SE 4th Street
Pendleton, OR 97801**

Contact: Robert Waldher, Planning Director by phone at (541) 278-6252 or email at planning@umatillacounty.net

Copies of all documents pertaining to the hearing listed above, and all relevant criteria are available for inspection at no cost and will be duplicated at printing cost. A copy of the staff report will be available for inspection or duplicated at least seven days before the hearing. A complete hearing packet will also be posted on the county website at www.umatillacounty.net. Hearings are governed by Section 152.772 of the Umatilla County Development Code.



Welcome to
Umatilla County

Robert Waldher <robert.waldher@umatillacounty.net>

/Y395 Code Amendments - Planning Commission Hearing

Steve and Tamie Watkins <ccclub1@eotnet.net>
To: Robert Waldher <robert.waldher@umatillacounty.net>

Thu, Oct 24, 2019 at 11:18 AM

To: Bob Walder Umatilla County Planning Director

From Steve Watkins TAC Chairman

Thank you for the meeting notice of the Umatilla County Planning Commission set for 10/24/2019. I cannot attend this meeting but, I would like to submit the following statement for the record if possible:

It should be noted that the Code Amendments scope, is focused on parcels, that were once referred to as the ugliest 5-miles in the State of Oregon. That being said, the majority of property stakeholders have participated in and "approve" of the Code Amendments proposed herein by the Umatilla County Planning Commission.

As a committee (TAC) we have provided opportunities for current property owners to make improvements but have also not mandated improvements to this group. The amendments proposed are primary focused on new construction and expansion/remodels. The Hwy 395 Revitalization Projects primary objectives, as formulated by the stakeholders, is to; slow traffic flows, improve inlet and outlet access to businesses, add minimum landscaping, signage and other building beautification requirements, improve business lighting and add accommodations for pedestrian and bicycle public access. All of these items are contained in the proposed code amendments. I strongly support and encourage the Umatilla County Planning Commission to adopt the Code Amendments as presented and move them forward for Commission approval. Thank You.

Respectfully,

Steve Watkins



City of Umatilla

700 6th Street, PO Box 130, Umatilla, OR 97882
City Hall (541) 922-3226 Fax (541) 922-5758

October 24, 2019

Bob Waldher, Planning Director
Umatilla County Land Use Planning
214 SE Fourth Street
Pendleton, OR 97801

Re: Umatilla County Text Amendment #T-19-081

Dear Mr. Waldher:

I am writing to express the City of Umatilla comments regarding the above-referenced application. Please enter these comments into the record for consideration by your Planning Commission and the Board of Commissioners.

The City was a member of the Technical Advisory Committee for the Highway 395 North TGM Code Assistant Project and supports the recommendations as presented in the code amendments (final adoption draft) memorandum prepared by Angelo Planning Group. The City believes the proposed amendments will help improve the aesthetic characteristics of the corridor while promoting economic development opportunities.

While the City is not yet ready to move forward with a code amendment project. The City is pursuing options to develop an area management plan for the portion of Highway 395 that is located within the City's Urban Growth Boundary. We hope to expand on the Highway 395 North Project to develop a consistent look and design throughout the corridor.

Thank you for providing the City with the opportunity to comment on this matter.

Respectfully,


Brandon Seitz
Umatilla Senior Planner



HIGHWAY 395 NORTH TGM CODE ASSISTANCE PROJECT

MEMORANDUM

Evaluation of Existing Plans and Regulations Umatilla County U.S. Highway 395 North Zoning Code

DATE 7/2/18
 TO Project Management Team
 FROM Darci Rudzinski and Jamin Kimmell, Angelo Planning Group
 CC File

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INTRODUCTION

The goal of this Transportation and Growth Management (“TGM”) Code Assistance project¹ is to create and guide through adoption amendments to the Umatilla County Development Code (“UCDC”) for the Highway 395 North Project Area (Figure 1). The stated project objectives include:

- *Create context-sensitive land use and design standards for the U.S. Highway 395 North frontage, that allow more flexibility in use, won’t preclude more intensive urban development once the area is served by utilities, and create an attractive environment (including landscape, building, and site design, and landscape) that supports transit and active transportation modes, while accommodating the industrial and freight traffic common to the Project Area;*
- *Include access management standards for the Project Area, taking into account future planned parallel road networks, based on the recommendations of the TSP, the US 395 North Corridor Plan, and current best practices;*
- *Improve multi-modal connectivity in the Project Area in order to provide safe and comfortable active transportation options within the Project Area and between City of Hermiston and the City of Umatilla; and*
- *Recognize the importance of maintaining economically vibrant and livable downtowns in the cities of Hermiston and Umatilla, and not facilitate the creation of a highway commercial strip that could damage the vitality of those downtowns.*

This memo will summarize planning documents that have bearing on transportation and land use planning along the corridor, focusing on key information that can guide project advisors in refining implementation strategies for the study area. Specific to the project goal of drafting Development Code amendments that further corridor economic development, multi-modal mobility, and aesthetics, this memo will offer a close examination of requirements pertinent to development and re-development in the corridor. Requirements and recommendations related to properties directly fronting the highway will address both land use and transportation, while recommendations for properties off the corridor but within the study area will focus on multi-modal connectivity.

Table 1 includes the relevant plans and studies reviewed for this project. Following the table are brief plan summaries. The memorandum concludes with a review of the Umatilla County Development Code for requirements that apply to property development within the study area. This code review explores regulatory tools that could be used to realize the type of change desired for the area. The expectation is that this project will result in changes that will improve the

¹ This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program. The TGM Program is a joint effort of the Oregon Department of Transportation (“ODOT”) and DLCD. The goals of TGM are to strengthen the capability of local governments to effectively manage growth and comply with the Oregon Transportation Planning Rule (Oregon Administrative Rule 660-012-0000), to integrate transportation and land use planning, and to encourage transportation-efficient land uses that support modal choice and the efficient performance of transportation facilities and services. Specifically, TGM supports efficient use of land and resources; human-scaled, walkable communities; good connections between local destinations; and pedestrian, bicycle, and transit-oriented development.

character and potentially modify allowed uses in the corridor. The outcome will be proposed modifications that are consistent with the corridor’s current rural nature and that do not preclude higher intensity uses at some future time, if and when the urban growth boundary is expanded.

Table 1: Key Documents

Document/Item	Link
Umatilla County Comprehensive Plan (1983, Amended)	http://www.co.umatilla.or.us/planning/pdf/Umatilla_County_Ccomp_Plan.pdf
Umatilla County Transportation System Plan (2002)	http://www.co.umatilla.or.us/planning/pdf/Umatilla_County_TSP_June_02.pdf Appendices and TSP figures: http://www.co.umatilla.or.us/planning/Planning_Documentss.html
Hermiston-Umatilla Highway 395 Land Use / Transportation Plan (1995)	http://www.oregon.gov/ODOT/Planning/TPOD/facility_plan/corridor/US_395_umatilla_to_hermiston_corridor_plan_land_1995.pdf
Highway 395 North Corridor Plan (2000)	Background_Docs\US_395_North_Corridor_Plan_Vols._II_III_2000.pdf
Highway 395 North Economic Development / Planning Study (2015)	http://www.co.umatilla.or.us/planning/pdf/395%20North%20Report%20%28Final%202-25-15%29.pdf
Umatilla County Development Code (Revised, 2016)	http://www.co.umatilla.or.us/planning/pdf/Umatilla_County_Development_Code.pdf
Umatilla County Zoning Ordinance (Old 1972 code)	http://www.co.umatilla.or.us/planning/pdf/1972_Umatilla_Zoning_Code_Reformatted.pdf

Figure 1: Project Study Area



DOCUMENT SUMMARY

Umatilla County Comprehensive Plan (1983, Amended)

The Umatilla County Comprehensive Plan contains policies that are intended to guide growth and development over a long-range (20-year) planning horizon. These policies are based on the specific qualities and characteristics of the county and reflect local plans and needs for future improvements. The comprehensive plan reflects and is intended to be consistent with the Statewide Planning Goals.

The Comprehensive Plan describes the County's 1993 goal exception to allow non-resource uses on certain rural lands; areas along Highway 395, between the north Urban Growth Boundary of Hermiston and the south Urban Growth Boundary of Umatilla are designated as Retail, Service, Commercial (RSC) and Light Industrial (LI). The 2004 Goal Exception to Goal 14 (Urbanization) documented that the "development patterns in the Highway 395 area demonstrate that the lands within that area are already developed at or else are irrevocably committed to urban levels of development in satisfaction of OAR 660-014-0030."²

The RSC Zone is described as unique due to its proximity to local and regional markets, being located between the cities of Hermiston and Umatilla and within a 30-minute drive of the Tri-Cities in Washington State. The LI Zone is described as accommodating the businesses that support, build, repair, transport product, inventory parts, design, engineer, and install processing/ manufacturing lines for the industrial development in western Umatilla County.

Chapter 12, Economy of the County, articulates the County's goals for economic development and job creation. Policies that are the most relevant to employment and land development in the Highway 395 Corridor are as follows:

Chapter 12: Economy of the County

3. To encourage industrial diversification, modify from pre-designated industrial areas as appropriate.

5. In close proximity to cities, yet outside of urbanizable areas, limit commercial development to those areas that meet the requirements of Goal 2 and ORS 197.732 for an exception in resource areas. Commercial development shall also be limited to land demanding activities that require few public services.

These economy-related policies indicate the need for flexibility in designating employment lands in order to meet the County's industrial needs, while at the same time recognizing the need to limit commercial activities near urban areas. Policy 5 recognizes the pressure to urbanize land in close proximity to cities. It is consistent with the county's policies protecting resource lands, stating only those lands that meet the requirements of a goal exception will be considered for commercial

² Umatilla County Comprehensive Plan, Revision Date: June 7, 2017, page 18-354

development. In addition, commercial development must be limited to those uses that put the least demand on public services.

The following transportation policies will also need to be considered during this planning project:

Chapter 15: Transportation

1. The Transportation System Plan (TSP) is an element of this Comprehensive Plan and identifies the general location of transportation improvements, changes in specific alignment of proposed County Road and highway projects that will be permitted without plan amendment.

5A. New development proposals will be reviewed for consistency with the County and Cities' Transportation System Plans.

5B. County shall protect the function of existing or planned roadways or roadway corridors through the application of appropriate land use regulations.

7. Access onto state highways shall be limited, consolidated, and otherwise be controlled as much as feasible. Access control shall emphasize coordination of traffic and land use patterns through the use of frontage roads and access collection points (see OAR 734.051). ODOT will be provided notice of land use applications and development permits that have access or frontage onto State Highways.

26. Umatilla County shall encourage the development of bikeways and pedestrian accessways to existing and potential activity centers.

Recommendations to modify zoning along the corridor within the study area, or to change the development requirements for properties within the study area, will need to be consistent with the adopted Comprehensive Plan policies or will need to be accompanied by proposed changes to existing policy. The policies are generally consistent with the stated goals of the project, which are to support multi-modal transportation, adopt access management standards that ensure a safe and efficient highway, and to align land use regulations to protect and enhance the local transportation system.

Umatilla County Transportation System Plan (2002)

The Umatilla County TSP guides the management of existing transportation facilities and the design and implementation of future facilities in Umatilla County for the next 20 years. This TSP constitutes the transportation element of the county's Comprehensive Plan and satisfies the requirements of the Oregon Transportation Planning Rule (TPR) (OAR 660-12-045). It identifies transportation projects for implementation under the Umatilla County Capital Improvement Program (CIP) and inclusion in the Oregon Department of Transportation (ODOT) Statewide Transportation Improvement Program (STIP).

The TSP also acknowledges past planning efforts for the Highway 395 corridor, including the 1997 US Highway 395 North (Umatilla-Stanfield) Draft Corridor Strategy and the US 395 North Corridor Plan that succeeded it.³ These documents are addressed later in this memorandum.

Among the goals and objectives in the adopted TSP that are most relevant to the study area are those that address transportation mobility, access, and the relationship between transportation and planned land uses. Those goals and objectives are found in Chapter 2 of the TSP and are included below.

Goal 1

Preserve the function, capacity, level of service, and safety of the local streets, county roads, and state highways.

Objectives

Develop access management standards.

Develop alternative, parallel routes.

Promote alternative modes of transportation.

Promote transportation demand management programs.

Promote transportation system management.

Develop procedures to minimize impacts to and protect transportation facilities, corridors, or sites during the development review process.

Goal 2

Ensure that the road system within the county is adequate to meet public needs, including those of the transportation disadvantaged.

Objectives

- A. Develop a countywide transportation plan.*
- B. Meet identified maintenance level of service standards on the county and state highway systems.*
- C. Evaluate the transportation needs and land use characteristics of the unincorporated communities within the county to ensure adequate mobility for these areas.*
- D. Develop and adhere to a 20-year road program for maintenance and improvement of the existing county road system (including bridges).*

³ See US 395 Corridor Strategies section, Umatilla County Transportation System Plan 2002, p. 1-6

- E. Review and revise, if necessary, road cross-section standards for local, collector, and arterial roads to enhance safety and mobility.*
- F. Work with ODOT to develop access management strategies for Highways US 395, US 730, OR 11, OR 37, OR 74, OR 204, OR 207, OR 244, and Highways 332, 334, 335, and 339.*
- G. Evaluate the need for traffic control devices, particularly along the highways.*
- H. Evaluate areas where safety is a concern.*
- I. Use the development review process to protect future right of way and to ensure roadway improvements are provided in a timely manner and are constructed to county standards.*

Goal 3

Improve coordination among the cities of Umatilla County, the Oregon Department of Transportation (ODOT), the US Forest Service (USFS), the Federal Highway Administration (FHWA), and the county.

Objectives

- B. Cooperate with ODOT in the implementation of the Statewide Transportation Improvement Program (STIP).*
- D. Take advantage of federal and state highway funding programs.*

Goal 4

Increase the use of alternative modes of transportation (walking, bicycling, and public transportation) through improved access, safety, and service.

Objectives

- B. Provide sidewalks or shoulders and safe crossings on collectors and arterials.*
- D. Seek Transportation and Growth Management (TGM) and other funding for projects evaluating and improving the environment for alternative modes of transportation.*

The TSP identifies county transportation needs over a 20-year planning horizon; future needs were identified for the forecast year 2018. The TSP's road system plan outlines a series of roadway and bridge improvements recommended for construction within Umatilla County over the planning horizon. The plan includes all county-specified projects recommended for implementation in Chapter 6 (Improvement Options). The Road System Plan also includes other projects recommended for implementation in other completed city TSPs and corridor plans, including the US 395 North Corridor Plan. Table 7-6 lists roadway improvements in the western part of the county. The list includes intersection improvements on Highway 395 at Bensel Road, Joy Lane, and Baggett

Lane.⁴ Another relevant project, listed in the Pedestrian System Plan, calls for installing sidewalks on Bensel Road, from Umatilla River Road to US 395 (Project No. 55).⁵

The TSP's Transportation Demand Management section underscores the County's commitment to enhance opportunities for travel by modes other than the automobile. This section notes the US 395 North Corridor Plan's recommendation to develop a Transportation Management Association (TMA). The TMA would consist of representatives from businesses along the US 395 corridor, from I-84 to US 730. The purpose of the association is to increase public involvement to improve mobility through the corridor by identifying, evaluating, and ultimately implementing TDM strategies that encourage alternative means of travel other than the automobiles.

This code assistance project will explore access management standards within the project area, taking into account future planned parallel road networks. The TSP's Access Management section articulates the County's interest in enhancing safety and mobility by limiting the number of potential conflict points between vehicles entering and exiting driveways and through-vehicles on the arterial roads. Other techniques listed in the TSP include shared access points between adjacent properties, providing access via collector or local roads, and constructing frontage roads to separate local traffic from through traffic.

Table 7-5, Recommended Access Management Standards, describes "recommended general access management guidelines" by roadway functional classification.⁶ Highways function as the County's arterials and Table 7-5 defers to the Oregon Highway Plan for access management standards on Highway 395.⁷ Private driveway spacing on Punkin Center Road, the only major collector in the study area, is 500 feet. This minimum driveway spacing standard is lower than the ODOT standards that apply to Highway 395.⁸

Hermiston-Umatilla Highway 395 Land Use / Transportation Plan (1995)

The Hermiston-Umatilla Highway 395 Land Use / Transportation Plan addressed needed improvements to Highway 395 between US 730 and Feedville Road. Goals of the plan centered on enhancing safety through traffic and access control treatments and improving local multi-modal circulation. Objectives included ensuring that Highway 395 provides a viable transportation

⁴ Projects 29, 30 and 31 in Table 7-6 Roadway Improvement and Bridge Replacement Projects – Transportation District 1 (Western County), Umatilla County Transportation System Plan 2002, p. 7-16. These projects are footnoted as recommended in the US 395 North Corridor Plan.

⁵ Umatilla County Transportation System Plan 2002, p. 7-23

⁶ Umatilla County Transportation System Plan 2002, p. 7-8

⁷ Highway 395 is categorized as having Statewide importance and should operate at a v/c ratio of 0.70 or better in rural areas. Access management standards are in Oregon Highway Plan Table 14: Access Management Spacing Standards for Statewide Highways with Annual Average Daily Traffic (AADT) of More Than 5,000 Vehicles. Table Note 5 specifies that public road connections are preferred over private driveways; however, where driveways are allowed and where land use patterns permit, the minimum access management spacing for driveways is 150 feet.

⁸ See Table 7-2, Functional Classification of Roads in Umatilla County, Umatilla County Transportation System Plan 2002, p. 7-3. There are no minor collectors in the study area.

alternative to Interstate 82 and furthering better urban design and economic development on the corridor.⁹

The plan documents existing and future (2015) conditions and provides recommended access management policies and land use ordinance modifications in anticipation of a Highway 395 Overlay Zone. Under Recommended Transportation Improvements, Bensel Road, Bagget Lane, and Punkin Center Lane are all identified as needing to be developed or improved to provide important east-west connectivity in the study area and access to routes paralleling the highway.¹⁰ The Circulation Plan and Functional Classifications describe the layout of key east-west roads (Bensel Road, Baggett Lane, and Punkin Center Road) and north-south (Sunshine Lane, Sagebrush Road) roads through the study area at one-mile spacing. The plan recommends utilizing existing right-of-way to develop a collector system at one-mile intervals along Highway 395 as land develops in the area. This spacing allows for the installation of traffic signals at the intersections of Bowdin Lane, Bensel Road, Bagget Lane, and Punkin Center Road (now complete) and, after further development within the area, at Klaus Road and Joy Lane.¹¹

The Land Use / Transportation Plan also includes a Bikeway Plan. The Bikeway Plan identifies continuous east-west and north-south routes to provide safe and efficient bicycle transportation within the corridor. This includes a bike path/lane on Punkin Center Road and Highway 395 and a posted route (shared roadway) designation on Bensel Road. A bike path/lane route is described as either an exclusive 5- to 6-foot paved bike lane adjacent to the vehicular travel lanes or a separate pathway that is restricted for bicycle/pedestrian or bike only traffic. A posted bike route typically has no dedicated bike lanes or path but should maintain 14-foot outside travel lanes for joint vehicular/bicycle use.

The Hermiston-Umatilla Highway 395 Land Use / Transportation Plan includes access management strategies for consolidating access points over time and bringing the corridor into greater compliance with the OHP standards.¹² The Review Policy and Procedure section provides guidance to land use permitting authorities along the corridor. It includes a list of information jurisdictions should require for preliminary site plan review related to the proposed location of access points and

⁹ See Study Goals, Hermiston-Umatilla Highway 395 Land Use / Transportation Plan, p. 5.

¹⁰ Hermiston-Umatilla Highway 395 Land Use / Transportation Plan, p. 31

¹¹ Hermiston-Umatilla Highway 395 Land Use / Transportation Plan, p. 40

¹² See Future Land Use Actions and Review Policy, Hermiston-Umatilla Highway 395 Land Use / Transportation Plan, p. 51-54. Note that the 1999 Oregon Highway Plan (OHP) establishes mobility standards for the state highway system. The Access Management Plan in the Hermiston-Umatilla Highway 395 Land Use / Transportation Plan is based on the classification of Highway 395 as a Regional Highway. The highway is currently categorized as having Statewide importance and is governed by Table 14 in the Oregon Highway Plan. The 2000 US 395 North Corridor Plan includes Objective C3.1 "Support the reclassification of the highway level of importance category as envisioned in the Oregon Highway Plan Update. The 2004 County TSP identifies Highway 395 as a highway of Statewide importance (see Umatilla County Transportation System Plan 2002, p. 4-4.)

trip generation. This section also includes a series of questions to help evaluate the adequacy of the transportation system to support proposed subdivisions and proposals subject to site plan review.¹³

The Land Use / Transportation Plan also identifies new or improved parallel and intersecting transportation facilities that could help reduce the reliance on Highway 395 for local traffic circulation. The list includes the Sagebrush-Fourth Street Extension, a parallel north-south route that could serve the expanding residential areas along Theater Lane and the Umatilla County Rural Exception Area between Punkin Center Road and Bensel Road. As described in the plan, this route will provide separate pedestrian and bicycle facilities to ensure safe travel for school children to/from the residential areas and the schools in downtown Hermiston. East-west routes in the current Code Assistance project's study area include the multi-modal Punkin Center Road, Bensel Road as a posted bike route, and Baggett Road and Joy Lane, the reconstruction of which is expected to be predicated on the development of the Umatilla County Rural Exception Area.

The Plan recommends that the County adopt an overlay ordinance and provides sample code language to maintain the State's access management requirements for Highway 395 and to develop a standard for access onto County roadways.¹⁴

Highway 395 North Corridor Plan (2000)

The Highway 395 North Corridor Plan (Corridor Plan) addresses a section of US 395 extending from the city of Echo (south of I-84) to US 730 in the city of Umatilla. Building on the 1997 Highway 395 North (Umatilla-Stanfield) Draft Corridor Strategy, the plan includes transportation system improvement projects and an access management plan for the entire US 395 north corridor. The Corridor Plan (Volume 1) includes an overview of existing and future conditions on the corridor, specific management objectives for all the issues identified in the Plan, and solutions for each objective.

Key findings¹⁵ with specific relevancy to the Code Assistance project include:

- *Sidewalks on both sides of US 395 are concentrated in urbanized portions of Hermiston and Stanfield. US 395 is a barrier to safe pedestrian crossings.*
- *US 395 is generally not suitable for bicycle travel due to high traffic volumes and four-foot shoulders throughout the corridor.*
- *Proximity of the corridor to a major freight rail hub is expected to attract development served by rail freight. There is adequate rail capacity to increase the frequency of trains that travel north through the corridor to the Port of Umatilla.*

¹³ See Future Land Use Actions and Review Policy, Hermiston-Umatilla Highway 395 Land Use / Transportation Plan, p. 55-57

¹⁴ See Sample Language for the Highway 395 Access Management Overlay Zone, Hermiston-Umatilla Highway 395 Land Use / Transportation Plan, p. 57-72.

¹⁵ See Executive Summary, Highway 395 North Corridor Plan, p. E.S. 2.

- *Investment in management techniques, such as driveway consolidation, traffic signalization, and parallel route improvements, for US 395 have a more beneficial impact on congestion, travel time and safety than geometric or capacity improvements.*
- *Extensive vacant land that is zoned for commercial and industrial development exists along the corridor.*
- *Robust job growth is occurring in the corridor, which is stabilizing the existing agricultural-based economy.*

Based in part on these findings, the Corridor Plan outlines recommendations under three key management themes: Enhance Travel Safety, Manage Access, and Promote Alternative Modes.¹⁶ The following objectives are highlighted under Promote Alternative Modes: safe pedestrian crossings and development of multi-use paths and other pedestrian and bicycle; expand and enhance transit service in the Corridor through coordination of transit providers; and transportation demand management managed through the establishment of employee-based rideshare programs.¹⁷

Key to the Manage Access theme is applying the OHP policies and spacing standards. This is captured in the following Corridor Objective: “Apply 1999 ODOT access management policy to identify locations for new local road and driveway connections to accommodate adjacent land uses (G 1.1).”¹⁸ Other congestion management objectives include traffic signal synchronization (C1.2), consolidating/relocating/altering existing private driveway access (C1.4), and supporting cross-access easements (C1.5).

Corridor Objectives also speak to the need to balance economic development aims with mobility, including:

H1.1 Manage access to the highway to balance economic viability of adjacent commercial properties and undeveloped parcels with the operational integrity of the highway.

*H1.2 Identify parallel roads and local connections to new development adjacent to the highway to provide appropriate routes for local traffic and preserve capacity on US 395 North for through traffic.*¹⁹

Chapter IV provides detail on implementing the objectives, including a matrix of solutions for each objective, a prioritized list of all the solutions, and maps showing the location of all the solutions in

¹⁶ See Overall Management Direction, Highway 395 North Corridor Plan, p. III.1.

¹⁷ See Subsection 2.3 Promote Alternative Modes, Highway 395 North Corridor Plan, p. III.3. Also Corridor Plan Objectives related to pedestrian crossing at Puntkin Center Road (A.3.2), bike access “north to Highway 730” (A2.3), transit (A1.1, A1.2), and TDM (C4.2).

¹⁸ See Corridor Plan Objectives, Highway 395 North Corridor Plan, p. III.6.

¹⁹ See Corridor Plan Objectives, Highway 395 North Corridor Plan, p. III.9.

the Corridor. “Strategic” projects include intersection improvements at Bensel Road, Bagget Road, and Joy Lane.²⁰ Projects identified as Strategic would be expected to be funded if the funding levels available at the time of plan adoption were increased or new revenue sources were developed. Other improvements in the project study area include sidewalks on Bensel Road from the Umatilla River to Highway 395 (Project 48 on the Unconstrained list) and a modernization project to reconstruct and pave Bensel Road from N. Ott to Highway 395 (Project 48 on the Unconstrained list). This project has been partially implemented, with paving completed on Bensel Road from US 395 to Sagebrush Road. The Corridor Plan Supporting Document (Volume 2) includes specific location mapping for each project, as well as Traffic Conditions and Access Spacing maps.

Highway 395 North Economic Development / Planning Study (2015)

The goal of the Highway 395 North Economic Development / Planning Study (Study) is to “evaluate, project, enhance and revitalize property values and development potential along the highway corridor.”²¹ The Study summarizes existing conditions in an area along Highway 395, between the cities of Hermiston and Umatilla, which is the same study area for the Code Assistance project (Figure 1). This “Information Baseline” (Section II), includes property ownership, a business and employment profile, roadway inventory, and an evaluation of the type and market value of employment land along the corridor. A series of stakeholder interviews were conducted to inform the Study, the summary of which is organized under “Strengths and Weaknesses.”²² Strengths include location (proximity to Tri-Cities and Hermiston, highway visibility), availability of large sites, and lower taxes. Barriers to development include lack of municipal water and sewer, poor internal street networks, and inflexible zoning. Identified opportunities that resulted from these insights include the following that have particular relevancy for the Code Assistance project:

- *Longer term potential for added dining, lodging and large footprint retail center uses – if required utility and transportation infrastructure can be provided*
- *Reduced speeds, selective signalization, landscaping, sidewalk extensions, and/or lighting on 395 North*
- *Creation of an internal paved road network for east-west and north-south streets on both sides of 395*
- *Facade improvements and reduced front yard storage for businesses directly fronting 395*

²⁰ Projects 7, 8 and 9, Strategic Funding Project Matrix, Chapter IV. Corridor Mapping and Decision Details, Highway 395 North Corridor Plan. Improvements include traffic signals and geometric improvements (curb returns, sidewalks, and repaving approaches. Of the three intersections, only Bagget Road has been improved with curb and sidewalk. None of the intersections are signalized.

²¹ 395 North Introduction, Highway 395 North Economic Development / Planning Study, p.1.

²² Highway 395 North Economic Development / Planning Study, p.14.

Specific actions that are important to encourage property reinvestment, business expansion, and new development are listed under the “Tool Box” heading.²³ Action items that will be revisited as part of the current planning project include:

- *Need for direct involvement with ODOT both with respect to safety and landscaping/beautification improvements extended north in segments or along the full length of the 395 North corridor to Bensel Road (and possibly eventually to SR 730)*
- *Consideration of public/private roles, funding resources and priority streets for short/long-term improvement that would parallel 395 North (as with Kik Road or Sunshine Lane to the west of 395 or Sagebrush Road to the east), as well as for significant east-west streets (Joy Lane, Baggett Lane, Klaus Road, and Bensel Road)*
- *Expanding the vision beyond the district’s primary employment role to perhaps include parks or open space area that serves the community and improves area appeal*

The study explored three redevelopment scenarios for the future of the project area: A) maintain the status quo of low density development and no improvements to the image and safety of U.S. Highway 395 North; B) County and property owners partner to facilitate development and livability in the Project Area, consistent with its status as an exception area outside the urban growth boundary; and C) add the area to the urban growth boundaries of the cities of Hermiston and Umatilla and annex it into the cities.²⁴ The study’s recommendations are based on Scenario B, with the expectation that incorporation (Scenario C) would eventually occur.²⁵

The Implementation Agenda includes short-, mid-, and long-term actions that are consistent with initially achieving Scenario B and transitioning to urban incorporation in the longer-term. Short-term (1-3 years) implementation items include preparing a highway corridor refinement plan and reviewing and revising policies and requirements related to re/development along the corridor. A Corridor refinement plan planning project is the purview of ODOT and, as previous plans before, would be developed in partnership with the County and the Cities of Umatilla and Hermiston. The Study identifies that it should include long-term right-of-way, access, signalization, and design standards, as well as potentially addresses sidewalk/pedestrian access, landscaping, speed and safety considerations. The current Code Assistance project is expected to reinforce specific highway-related recommendations from the Study but will be limited in modifying specific requirements related to the “public realm” of Highway 395. The specific focus of the current planning project is to implement the Study’s recommendation to develop design standards or form-

²³ Highway 395 North Economic Development / Planning Study, p.16.

²⁴ III. Redevelopment Scenarios, Highway 395 North Economic Development / Planning Study, p.14.

²⁵ See Preferred Scenario, Highway 395 North Economic Development / Planning Study, p. 31.

based zoning for industrial and commercial uses, development requirements that pertain to the “private realm” along Highway 395. With the expectation that in the long term the study area will be included in the urban growth boundaries of the cities of Hermiston and Umatilla, the development code standards should help preserve the possibility for future infill once denser development is feasible. The Study recommended increasing the flexibility of use-based classifications to be more responsive to market needs, such as allowing a mix of uses on the same property or allowing for existing uses to transition over time. This project will execute the Study’s direction to explore ways to minimize the impacts of development while at the same time accommodating desired uses.²⁶

Umatilla County Development Code (Revised, 2016)

The County Development Code implements the land use and transportation policies contained within the County Comprehensive Plan and TSP. The county zoning designations within the study area are Retail/Service Commercial (RSC) and Light Industrial (LI). Allowed uses and standards applicable in these zones are contained in Sections 152.245-2.50 and 152.301-3.06 respectively. These sections have been reviewed for potential barriers or opportunities to implement the desired changes along the corridor in the study area. The outcome of this review is included later in this memorandum.

Section 152.018 in the Development Code includes access management and street connectivity standards;²⁷ recommendations related to multimodal connectivity within the study areas and connections to an across Highway 395 will need to be reviewed against current county code requirements. Also related to development in the area is Section 152.019, which details when a traffic impact analysis is required and the requirements for such an analysis. Pursuant to Section 152.751 of the code, any amendments to the code text or zoning map that result from this planning process must be consistent with the County Comprehensive Plan and Land Use Map.

Umatilla County Zoning Ordinance (Old 1972 code)

The Zoning Ordinance is applicable in the urban growth areas of the cities in Umatilla County. Its provisions do not apply to the study area but are used within the Urban Growth Boundary (UGB) managed by the City of Umatilla, in areas north of the study area. In the future, portions of the study area may be included in the City of Umatilla UGB. For the purposes of this project, the recommended changes to the Umatilla County code that relate to the Study Area can be compared

²⁶ Options explored in the Study to achieve this flexibility include form-based and performance zoning. However, the comparison of these methods to more traditional use-based (Euclidean) zoning indicates that neither are particularly well suited to the study area. Form-based zoning is noted as being more prevalent in areas with a clearly established character that is intended to be maintained. Both form- and performance-based methods are more time consuming to develop and to administer and potentially more complicated for the applicant. The current Code Assistance project will focus on context-sensitive land use and design standards specific to the U.S. Highway 395 North frontage to allow more flexibility in use.

²⁷Note that Section 152.010, Access to Buildings; Private Driveways and Easements, specifically limits access points in commercial and industrial zones, access points to one every 200 feet.

to similar regulations for urban growth areas in order to ensure an appropriate balance of uses and level of design standards.

DEVELOPMENT CODE EVALUATION

Zoning Districts and Use Regulations

The study area includes two zoning districts: Retail/Service Commercial (RSC) and Light Industrial (LI). The purpose statements of each zone are summarized in Table 2 below.

Table 2: Zoning District Purpose Statements

Retail/Service Commercial	Light Industrial
<p>The RSC, Retail/Service Commercial, Zone is designed to provide areas outside of urban growth boundaries where specific commercial activities require larger sites than are available inside an urban growth boundary and provide for retail and service-oriented commercial activities to accommodate rural residences.</p>	<p>The LI Light Industrial Zone is designed to provide areas for industrial use that are less intensive than heavy industrial uses, and are less offensive to adjacent land uses, and are compatible with certain commercial uses. It is designed to help the county expand and diversify its economic base. The LI Zone is appropriate for areas near major transportation facilities which are generally suited for industry and include highways, railroads, and waterways.</p>

These purpose statements are generally consistent with the descriptions of the zones in the *Umatilla County Comprehensive Plan*. The boundaries of the zones generally reflect the market demand for commercial uses to be located on the highway corridor for visibility, while industrial zones are mostly located off the corridor (Figure 2). The RSC zone is only applied to properties within the study area, while the LI zone is also applied to an area near the junction of Interstate 82 (McNary Highway) and Interstate 84. Thus, any changes to the base zone LI regulations would also affect these properties.

The *Highway 395 North Economic Development/Planning Study* recommended revisions to existing use regulations to provide:

1. *Commercial use designation along the full frontage of the 395 North corridor between Punkin Center Road and Bensel Road.*
2. *Flexibility for light industrial as well as commercial use along the corridor subject to design and/or performance standards for improved on-site landscaping, less visible outdoor storage, and property maintenance/upkeep.*

3. *Continued allowance for heavier industrial uses for properties not fronting on 395 North including greater flexibility for outdoor storage, but with encouragement of improved property maintenance especially along street frontages.*²⁸

These goals generally indicate a desire to reduce differences in use regulations between the LI zone and the RSC zone, providing greater flexibility for property owners to take advantage of economic opportunities. The goals also recognize the importance of improving and maintaining aesthetic standards in order to mitigate the visual impact of allowing for a wide range of uses, many of which may involve outdoor activities and storage.

Table 3 summarizes use regulations in the RSC and LI zones. The RSC zone generally allows for a wide range of commercial uses, and a limited set of industrial uses. Alternatively, the LI zone allows for a wide range of industrial uses—including some heavy manufacturing as a conditional use—and a limited set of commercial uses. The uses are generally consistent with the stated purpose of the zones; however, as identified by the Highway 395 Study, there may be opportunities to modify use regulations to better match market demand and achieve the goals of the project.

Table 3: Use Regulations in the RSC and LI Zones

P = Permitted; N = Not Permitted; C = Conditional

Use	RSC	LI
COMMERCIAL USES		
Animal hospital or veterinary clinic	C	P
Automobile service station	P	C
Automobile, truck or motorcycle repair shop or parts store	P	N
Automobile, truck or motorcycle sales lot	P	N
Boarding, lodging or rooming house in conjunction with an industrial use	N	C
Commercial amusement establishment	C	C
Custom meat cutting, curing, and cold storage locker	P	P
Day care center	N	C
Drug paraphernalia store, adult book store, adult movie house	C	N
Eating or drinking establishment	P	N
Financial institution	P	N
Food store	P	N
Gift store	P	N
Green house or nursery	P	P
Information center	P	P
Mini-warehouses	C	P
Motel, hotel	P	N

²⁸ Highway 395 North Economic Development / Planning Study, p.37

Use	RSC	LI
Office building	P	P
Retail sales outlets	P	N
Service-oriented businesses	P	N
Sporting goods or bait shop	P	N
Tire repairing	C	P
INDUSTRIAL USES		
Automobile wrecking yard	N	C
Blacksmith or machine shop	P	P
Bottling works	P	P
Commercial gravel extraction and processing	N	C
Concrete block or pipe manufacturing	N	C
Concrete manufacturing plant	N	C
Contractor's equipment storage yard	N	P
Food products manufacturing	N	P
Grain elevator or flour mill	N	P
Hauling, freighting and trucking yard or terminal	N	P
Ice or cold storage plant	N	P
Junkyard	N	C
Major manufacturing, repairing, compounding, fabricating, assembling, processing, or storage	N	C
Manufacturing, compounding, assembling or treatment of products made from the following prepared materials: bond, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paint (no boiling), paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood and yarns, but not including rendering plant	N	P
Plumbing or sheet metal shop	P	P
Sand or gravel storage yard	N	C
Truck sales, service, storage and maintenance	N	P
Welding shop	C	P
Wholesale businesses (no manufacturing)	P	P
Wood processing facilities	N	C
INSTITUTIONAL USES		
Public or semi-public uses	P	C
Utility facility	C	C
RESIDENTIAL USES		
Accessory dwelling	C	C
Mobile home park, travel trailer	C	C

Figure 2: Zoning Map



This analysis highlights four potential approaches to revise use regulation to provide more flexibility for development. The amendments are not discrete alternatives; the project may include a combination of each approach.

1. **Rezone LI properties with frontage on Highway 395 to RSC.** This would allow for additional properties on the corridor to capitalize on the advantage of a highly visible location. This change would impact approximately 16 of the 51 properties that have frontage on the corridor (31%). This project should explore the potential scope of this zone change: which properties are suited for commercial uses? Additionally, the impacts of the change need to be closely evaluated, including the impact on the overall supply of industrial land in the County, the impact on the local transportation system, and the number of uses that would become non-conforming as a result of the change. This zone change would require a transportation analysis in order to demonstrate compliance with the Transportation Planning Rule (TPR).
2. **Allow a wider range of commercial uses in the LI zone.** Properties zoned LI located off the corridor may still be suitable for commercial uses that are currently prohibited or require a conditional use permit. Expanding the permitted uses in the LI zone is another approach to providing more flexibility for development. The specific types of commercial uses that are suitable for the LI zone should be informed by stakeholder and community engagement and be suitable for a rural industrial area with limited public services. These amendments may also trigger the requirement to demonstrate TPR compliance. These amendments would also apply to other properties zoned LI in the County; therefore, the uses would also not to be suitable for those areas, or the amendments would need to be written to apply only to properties in the study area or properties that front Highway 395. If an overlay zone is developed for the study area, these use regulations can be included in that zone in order to limit applicability to the study area.
3. **Allow wider range of industrial uses in the RSC zone.** Some industrial uses may be suitable for sites with frontage on the highway corridor, particularly sites that mix industrial uses with retail sales, service, or office uses. The specific types of industrial uses should be informed by stakeholder and community engagement. As industrial uses are more likely to include outdoor storage or activity, new or revised design standards—particularly screening and landscaping—should be paired with this allowance.
4. **Create an overlay zone that modifies use regulations.** Rezoning properties or amending the use regulations of the base zones may impact more properties than is necessary or desired. An alternative approach is to create an overlay zone that only covers the properties that need more flexible use regulations. The overlay zone could modify the use regulations of the base zone. The boundary would likely be drawn to encompass properties that front the Highway 395 corridor and would include properties zoned both RSC and LI. The boundaries of the overlay zone could be designed specifically to apply to only those properties where changes are desired.

Lot and Development Standards

Table 4 summarizes the lot and development standards that apply in the RSC and LI zones. The standards are largely the same in both zones, except for the minimum street frontage standard, which is smaller in the RSC zone. The minimum lot size in both zones is relatively large compared to urbanized commercial and industrial areas. The rationale for the large minimum lot size requirement is to ensure sufficient area for a septic system, as the County does not provide sewer service in the study area. Development on smaller lots may be permitted if the applicant can demonstrate that a septic system can be developed on the smaller lot area. Given County and state policies pertaining to orderly urbanization and adequate provision of urban services, this minimum lot size standard is not recommended to be modified as part of this project. However, this project will explore building siting standards that can facilitate future lot division if the area is brought into the UGB (see Building Orientation section below).

The minimum setback requirements are relatively large but are unlikely to constrain development given the minimum lot size of one acre. However, the minimum front setback requirement of 20 feet—and 40 feet if parking areas are located in front of the building—may be unnecessarily large. A smaller front setback would allow for and encourage parking lots to be sited to the side and rear of buildings, which has the following benefits:

- Creates a more interesting and comfortable experience for pedestrians on the street.
- Reduces the sense of “visual clutter” that is created by the presence of parking lots, outdoor storage areas, fencing, and signs, which dominate the view from the highway.
- Increases visibility of commercial uses and may reduce the need for standalone signs (signs could be mounted on buildings and still be visible from the street).

Table 4: Lot and Development Standards

Standard	RSC	LI
<i>Minimum lot size*</i>	One acre	One acre
<i>Minimum lot width</i>	100 feet	100 feet
<i>Minimum street frontage</i>	5 feet	25 feet
<i>Minimum setbacks</i>		
- <i>Front</i>	20 feet 40 feet if parking in front yard	20 feet 40 feet if parking in front yard
- <i>Side</i>	10 feet 20 feet if abutting residential	10 feet 20 feet if abutting residential
- <i>Rear</i>	20 feet	20 feet
* May be reduced with DEQ approval that a subsurface disposal system can be located on less than one acre		

Building Orientation

Outside of the minimum setback requirements, the Umatilla County Development Code does not regulate the placement and orientation of buildings on a site. Building orientation can have a significant impact on both the aesthetic appeal of a development and the function of pedestrian and bicycle access and circulation. Buildings that are placed closer to the street—and with entrances that face the street—are safer and more convenient to access for people arriving on foot or bike. Buildings can also be more visually interesting and attractive than parking and storage areas. Ensuring these uses are behind or to the side of the building allows the focus to be on building architecture, which can present a coherent visual composition, convey a sense of permanence and order, and contribute to a distinctive sense of place. Lastly, placing buildings close to the street has potential to slow traffic speeds, as the presence of the buildings increases the perception of risk for drivers and provides more opportunities to notice the surroundings (this effect is known as “visual friction”).

Most buildings on the Highway 395 corridor are set back at least 35 feet from the street, and many are set back up to 120 feet (Figure 3). Given the high speed and volume of traffic on the highway, placing a building too close to the street may not be desirable due to noise and vibration impacts. However, there may be sites where placing the building within 10 or 15 feet from the street is appropriate and should be allowed and encouraged. Reducing the minimum front setback, as identified above, would facilitate this outcome.

Figure 3: Examples of Existing Building Orientation



Figure 4: Examples of Pedestrian-Friendly Buildings in Commercial/Industrial Areas



If the project stakeholders and community believe that placing future buildings and additions closer to the highway is a high priority, then building orientation standards may be appropriate. There are two types of building orientation standards that may be considered:

1. **Maximum front setback (or “build-to-line”).** A maximum setback line requires buildings to be placed no greater than a set distance from the street. The standard is commonly applied to a portion of the front elevation of the building (such as 50%-75%), allowing for a portion of the building to be setback at a greater distance. Maximum setbacks are typically applied on traditional storefront shopping streets, where buildings historically fronted the sidewalk. A maximum setback could also be applied to limit the amount of parking area between the building and the street. For example, a maximum setback of 40 to 60 feet could limit parking to one or two rows parallel to the street.
2. **Prohibition on parking between the building and the street.** Alternatively, a standard could be adopted that prohibits parking from being located between the building and the street in general. In most situations, this will lead to buildings being placed relatively close to the street so as to conserve land on the site. The space between the street and the building could be used for landscaping, courtyards or plazas, or perhaps outdoor merchandise display. The applicability of this standard to auto sales uses—which are prominent on the corridor—would need to be clearly defined. Any new building orientation standard would depart significantly from the existing development pattern on Highway 395; thus, the applicability of the standard to additions and renovations would need to be clearly defined.

Building siting and orientation standards may also facilitate future lot division should this area be brought into either UGB of the City of Hermiston or City of Umatilla. Inclusion in the UGB would allow for urban services in the area, which in turn could enable smaller lot sizes.²⁹ Building siting standards would encourage or require new buildings to be placed so that legal and functional lots

²⁹ In particular, sewer systems would replace on-site septic systems.

could be created on the remainder of the site. This project should explore if this is an appropriate time to adopt these standards based on the likelihood of future urbanization.

Building Design

The Umatilla County Development Code does not include building design standards. There are a range of building design standards that may be appropriate for the study area, and each can be tailored to the development economics and design goals for the area. These potential building standards are summarized and evaluated in Table 5. These standards could be implemented in the base zones in the study area or could be part of an overlay zone that applies only to a part of the study area. A set of the design standards could be required for all development or the standards could be treated as a menu of options, with a requirement that each development incorporate a minimum number of design features. The standards could also be assigned points and a minimum total point score be required – this would allow for flexibility in meeting the requirement while providing the County the option to encourage certain features by assigning them more points. Such a menu may also include landscape or site design features, as described below.

Figure 5: Examples of Existing Building Design



Table 5: Evaluation of Potential Building Design Standards

Standard	Description	Evaluation
<i>Articulation</i>	Ensures variety in building facades and avoids blank walls by requiring “breaks” in the wall plane of the building (recesses or extensions) at a minimum distance and minimum depth. Can be met with many features: columns, recessed windows, awnings, etc.	This standard would reduce the visual impact of blank walls and create more visual interest. The standard can be designed to be relatively stringent to ensure a high degree of articulation or can be relatively flexible and designed to simply avoid blank walls. The standard is a good fit for industrial-style buildings that are large and often have few windows. It will need to be tailored to prominent building types on the corridor (such as corrugate metal, see Figure 5).

Standard	Description	Evaluation
<i>Base-Middle-Top Design</i>	<p>“Base-middle-top” design is a term used to describe building facades that clearly demarcate the base of building (usually from grade to 30 inches), middle, and the top (usually by a roof treatment such as a cornice). This is a traditional building form that creates an aesthetically pleasing composition.</p>	<p>The standard can be met in a number of ways, providing flexibility for developers, and usually results in a more attractive and complete building design. The standard can be written in a numeric and objective manner that defines the minimum dimensions of each zone (base, middle, and top). However, some discretion may be required in determining what constitutes a “change in material” or demarcation between the zones.</p>
<i>Window Area</i>	<p>Creates visual interest by requiring a minimum area or width of the building façade be composed of windows or glass doorways. Windows open up views into activity and merchandise and create more interesting facades.</p>	<p>This standard is most important on streets where buildings are placed close to the sidewalk and buildings are oriented to pedestrians. The standard is less effective when buildings are set back far from the street, as windows cannot effectively provide views into activity or merchandise at larger distances. If building orientation standards are adopted that require buildings be placed relatively close to the street, then window area standards would make sense. Otherwise, a general articulation standard may be more effective.</p>
<i>Weather Protection</i>	<p>Requires weather protection (awnings, canopies, etc.) along a minimum portion of the façade of the building when adjacent to a sidewalk or internal walkway. Creates a more comfortable experience for pedestrians and visual interest.</p>	<p>The corridor lacks sidewalks in most locations and it is unlikely that new development fronts the sidewalk; thus, this standard would likely be limited to internal walkways adjacent to buildings. Weather protection has multiple benefits: pedestrian comfort and façade articulation. The standard can be written stringently to require it along most of the façade or more simply limited to above windows or entrances.</p>
<i>Entry Design</i>	<p>Creates a welcoming environment and a sense of transition from public to private by architecturally emphasizing the main entrance to the building. Can be met with multiple features: recessed doorway, canopies, transom windows, light fixtures, pilasters or columns that frame the doorway, etc.</p>	<p>This type of standard is not difficult to meet, as most commercial buildings are designed to emphasize the location of the main entrance for customer convenience. The standard also provides variety in the building façade. The standard should be tailored to the prominent building types on the corridor. The standard should be written to ensure sufficient emphasis of the main entrance while maintaining simplicity of administration.</p>

Standard	Description	Evaluation
<i>Materials</i>	Exterior material standards limit the use of undesirable materials and encourage or require the use of more desirable materials. The standards are typically written to define materials as “primary” and “secondary”. There is no limit to primary materials, and secondary materials are limited to a maximum percent of the area of the façade.	Material standards are a direct and effective way to prevent buildings that look unfinished, temporary, or monotonous. The standards often prohibit or limit the use of corrugate metal, which is widely used on buildings in the corridor today. The list of materials that are limited or prohibited should be informed by stakeholder and community outreach and sensitive to the development economics of the area. A flexible approach may be to require a high-quality base material (stone, brick, etc.) that is differentiated from the rest of the elevation, but not prohibit any specific materials on the rest of the elevation.

Landscaping Standards

The Umatilla County Development Code does not establish any landscape design standards. Landscape design standards are essential to creating aesthetically appealing and pedestrian-friendly development, particularly in areas of low density development where paved and open areas account for most of the streetscape (see Figure 6). Landscaping is also important—particularly trees—to create shade on a site and reduce “heat island” effects that are caused by wide areas of impervious surface. Increasing tree and vegetation cover lowers surface and air temperatures by providing shade and cooling through evapotranspiration. As with building design standards, there are multiple types of landscape standards that work together to ensure a complete and varied landscape design. These standards are summarized and evaluated in Table 6.

Figure 6: Examples of Existing Landscape Conditions



Figure 7: Examples of Effective Landscape Design



Table 6: Evaluation of Potential Landscape Design Standards

Standard	Description	Evaluation
<i>Landscape Area</i>	Landscape area standards define the minimum area(s) of the site that must be landscaped. The standard may apply to all areas of the site not covered by building or pavement, a minimum percentage of the area of the site, or both.	Given the large size of most properties in the study area, the minimum landscape area will need to be sensitive to costs of providing landscaping. However, a general standard that landscaping must be provided in all areas not covered by building or pavement may encourage paving areas that could otherwise be landscaped, in order to save costs. A minimum area standard could be targeted to areas that are most visible from the highway, such as “15 percent of the area within 60 feet of the front lot line”.
<i>Planting Standards</i>	Planting standards primarily define the acceptable species, size, and spacing of landscape plantings, including ground cover, trees, and shrubs. The standards may also address irrigation, erosion control, preservation of existing trees, and other landscape concerns.	Minimum planting standards are essential for ensuring that areas designated to meet the minimum landscape area requirement are planted with a sufficient density and variety of ground cover, shrubs, and trees to be aesthetically appealing. A critical standard is to set the minimum area where non-plant ground cover can be used (bark dust, rocks, etc.). The planting standards will need to account for both climate conditions and water availability in the study area.

Standard	Description	Evaluation
<i>Parking Lot Landscaping</i>	Parking lot landscaping standards establish standards for minimizing the visual impact of large parking lot areas. The standards typically address the interior of the parking lot by requiring landscape islands or a minimum landscape area. A separate standard is defined for the perimeter of the parking lot, where one function of the landscaping is to screen the street and abutting properties from the impact of headlights shining out.	Parking lots are a dominant feature of the streetscape along the corridor. Parking lot landscaping standards will have a significant impact on the aesthetics of the corridor. A critical question will be the applicability of the standard: will the standard apply to paved outdoor storage or merchandise display, including vehicle sales lots? As with the general planting standards, parking lot standards will need to account for climate conditions and water availability.

Screening and Fence Standards

The Umatilla County Development code establishes basic standards for screening of outdoor uses and activities in the LI and RSC zones. The standards are part of the *Limitations on Uses* sections in the two zones.³⁰ These standards are summarized in Table 7. The standards require screening of outdoor storage and outdoor activities. Outdoor storage is defined as “the keeping in an unroofed area of any goods, junk, material, merchandise or vehicles in the same place for more than 24 hours.”³¹ Off-street loading areas are required to be screened in the LI zone, but not in the RSC zone. Building mechanical equipment (utility vaults, air compressors, generators, antennae, etc.) are not required to be screened in either zone.

Table 7: Summary of Screening Standards

Screened Item	RSC	LI
Outdoor storage	Y	Y*
Outdoor industrial or commercial activity	N	Y
Off-street loading area	N	Y
Building mechanical equipment: ground-mounted	N	N
Building mechanical equipment: wall-mounted	N	N
Building mechanical equipment: roof-mounted	N	N
<i>Y = Screening required, N = No screening required</i>		
<i>* Exception provided for farm and forest products and equipment</i>		

The screening requirement does not address the design or method of screening (fences, walls, berms, landscape plantings, etc.). Given that unscreened outdoor storage areas are prominent on

³⁰ Section 152.248 in the RSC zone and Section 152.304 in the LI zone.

³¹ Section 152.003, Definitions.

the corridor, much development of the corridor may pre-date this requirement (and is non-conforming) or the requirement has not been uniformly applied at either development review or as outdoor storage is added to a site where it was not proposed at the time of development (Figure 8). Additionally, some developments may have proposed chain link fencing as a form of screening.

Figure 8: Examples of Existing Outdoor Storage Uses



This review highlights an opportunity to better define and delineate screening requirements in the study area. There are two key objectives to address:

- **Refine the list of items that are required to be screened.** The current standard requires screening of outdoor storage areas, which includes outdoor display of merchandise. Many businesses in the study area currently display merchandise outdoors and likely find that this is an important marketing strategy for their business. It may be appropriate for the code to establish specific standards for screening of outdoor merchandise display. The standard may require a lower level of screening than outdoor storage or apply different standards to different types of merchandise (e.g. building materials vs. auto sales). Additional refinements may include screening of mechanical equipment and more clearly defining the types of outdoor work activities that are required to be screened.
- **Establish screening design standards.** The code does not define acceptable methods of screening. A more clear and objective approach set minimum standards (type, amount) and include varying levels of screening that would be applied differently based on the item to be screened. The standards would establish minimum requirements for both landscape screens and fence/wall screens. Landscape screening standards typically define the linear spacing and/or size of trees, height of shrubs, and amount of ground cover plants. Fence/wall screening standards define the height, materials, and the extent to which the fence is sight-obscuring.

Lighting Standards

Umatilla County does not currently have standards for outdoor lighting. Lighting standards can both help to ensure sufficient illumination in areas where it enhances safety and comfort—parking lots, walkways, and building entrances—and can mitigate some of the negative impacts of outdoor

lighting, including glare, spillover on adjacent properties, and overall light pollution. Well-designed lighting may also enhance the attractiveness of a corridor from the view of passing drivers and business customers. Lighting standards can vary widely in complexity – some establish general and discretionary criteria while other standards are more prescriptive and technical. This project will explore the relative importance of lighting standards to achieving project goals, as well as the appropriate level of complexity. Generally, lighting standards should address the following outcomes:

- **Minimum illumination levels.** Lighting standards should address which areas of the site should be illuminated. Parking lots, walkways or other pedestrian areas, and building entrances are commonly required to be lit; specific minimum illumination levels may be established for each area.
- **Mitigation of glare, spillover, and light pollution.** A range of standards can be adopted to protect against the negative impacts of outdoor lighting. These standards may include maximum height of light poles and requirements that light fixtures be directed downward and have full cutoff and shielding.³² The standards may be prescriptive, in that they regulate the features of the light fixture, or performance-oriented, in that they regulate the resulting light levels on the site.

Sign Regulations

Umatilla County has established sign regulations that apply to properties in the study area.³³ The regulations define twelve (12) sign types and regulate the allowed sign types in each zoning district. The RSC and LI zones are among the most permissive in terms of sign regulations; the RSC zone allows sign types 1-11 and the LI zone allows sign types 1-12. Sign type 12 pertains to businesses located along I-84 and I-82, which are outside the study area; therefore, the sign regulations for both zones in the study area are equivalent. Sign types 1-5 are permitted in all zone districts and generally include small, low-impact signs (name plates, address signs) or temporary signs connected to a political campaign or sale of property. As these sign types are allowed in all zones, it would not be appropriate to restrict them in the RSC or LI zone.

There may be opportunities to enhance the aesthetic appearance of the corridor—reducing the sense of “visual clutter” caused by too many signs—by addressing the following sign types:

- **Multiple wall-mounted signs.** Sign types 6-8 regulate signs attached or mounted to building walls. Sign types 6 and 7 limit the number of building-mounted signs to one per building or one per street, respectively. Sign type 8 supersedes these standards and allows for an unlimited number of wall-mounted signs. Sign type 8 is permitted in the RSC and LI zones.

³² “Full cutoff” refers to a luminaire that emits no direct uplight due to the design of the fixture.

³³ Section 152.545 through 152.548

There may be instances where too many wall-mounted signs detract from the aesthetic character of the zone.

- **Free-standing signs.** Sign types 9-11 allow for free-standing (pole-mounted) signs or signs that are mounted to a building but project out from the wall. Sign type 9 allows for one free-standing sign where a wall-mounted sign is not suitable and sign type 11 allows for one free-standing sign that includes signs for multiple businesses. Sign type 10 allows for off-premise billboards (see below). Given that many buildings are setback far from the street along the corridor, free-standing signs are necessary. However, there may be an opportunity to better define the circumstances under which free-standing signs are permitted. Current language states that a free-standing sign may be approved by the Planning Director where a wall-mounted sign is “not suitable due to the nature of the business or characteristics of the lot.” This is a discretionary criterion that may result in more free-standing signs than are necessary. A more objective standard may be appropriate.
- **Billboards.** Sign type 10 are free-standing, off-premise billboard signs. Billboards are permitted in the RSC and LI zone and there are several located along the corridor. Billboards may contribute to the perception of the corridor as a place to “drive through” rather than a place to slow down and notice local businesses. This project should explore whether billboard restrictions may be an appropriate and effective strategy to achieve project goals.

There are many non-conforming signs located on the corridor. Most signs that look more permanent in nature seem to conform with County sign regulations. However, there are a number of signs that appear temporary and do not conform to the sign code. The following sign types common on the corridor may be non-conforming :

- Temporary free-standing signs, such as fabric flag signs and A-frame signs, that are in addition to a permanent free-standing sign. Temporary free-standing signs are only permitted in connection with a political campaign, construction notice, or lease/sale of property.
- Fabric banners attached to fences. These signs would not be considered wall-mounted signs as they are not attached to the building. They are classified as a free-standing sign and many properties with these signs also have a permanent free-standing sign.
- Fabric banners attached to buildings. These signs may actually be classified as sign type 8 and conform with code; however, the temporary nature of the fabric material is less attractive than a wall-mounted sign constructed of more durable materials.

Pedestrian and Bicycle Access and Circulation

The Umatilla County Development Code does not establish any standards for internal pedestrian or bicycle access and circulation on development sites. Excepting a short segment on the south end of Highway 395, the corridor and other study area streets do not have sidewalks or bike facilities; however, there is evidence of pedestrian and bicycle use of the corridor, usually on informal

roadside paths. In the future, a sidewalk or multi-use path may be developed if right-of-way and funding is available. Thus, it is appropriate for the County to require that private development create an internal circulation system for pedestrians and bicycles to access the site from the street. Implementation of this standard may also promote people walking between businesses on the street, even if they originally drove to the corridor.

Bicyclists benefit from the pedestrian circulation system as they may choose to use internal walkways to be separated from cars in vehicle parking and circulation areas. A pedestrian access and circulation standard will typically address the following requirements:

- **Safe, direct, and convenient connections.** The standard would require walkways to connect from the street to all primary building entrances, parking areas, other outdoor use areas, and adjacent development sites.
- **Vehicle separation.** Walkways must be curbed to provide separation from vehicles, or if at-grade with vehicle areas, must use bollards to provide physical separation.
- **Crosswalks.** Walkways that cross vehicle circulation areas must be either paved with a contrasting material (such as concrete to contrast with asphalt), painted with ladder striping,
- **Materials and width.** Walkways are typically required to be concrete or other durable surface, meet ADA requirements, and be at least 4-5 feet in width.

Access Management

Access management refers to a set of techniques and strategies for controlling access to and from a roadway in order to preserve and enhance the safety and operations of the facility. Properties within the study area are subject to the County's development code provisions related to access management.³⁴ The code refers to the County's TSP for access spacing standards—the minimum distance between access points on a roadway—for each functional class of roadway. Access spacing standards for arterial roadways—which are all State Highways—are established by ODOT.³⁵

ODOT access management standards are adopted in OAR 734-051. Highway 395 is classified as a Statewide Highway and has a posted speed limit of over 55 miles per hour; therefore, the minimum spacing for driveway approaches is 1,320 feet (one-quarter mile).³⁶ Proposals to add new driveway connections to the Highway 395 are required to obtain an ODOT highway approach permit; this usually occurs when a property redevelops or new development occurs on vacant lots that front the highway. The requirement may also be triggered by a change of use of an existing property.

Beyond the access spacing standards, the County code generally establishes two levels of access control standards:

³⁴ Umatilla County Development Code, Section 152.018

³⁵ Umatilla County Transportation System Plan, Table 7-5, p. 7-8

³⁶ OAR 734-051-4020, Table 3

1. Adjacent commercial and office uses that are major trip generators (exceeding 400 trips per day) are *required* to provide a joint use driveway and create a cross-access corridor or service drive in order to meet access spacing standards.
2. All other uses are required to provide joint use driveways and cross-access easements *wherever feasible*.

The County is permitted to either reduce the required access spacing below the adopted standard or waive the requirements in full wherever the development of a shared access and circulation system are shown to be impractical.³⁷

ODOT's procedure for allowing deviations from access spacing standards is generally consistent with the County code provisions. Generally, ODOT allows for an approach to deviate from the access spacing standards where there are no other reasonable alternatives, where the proposal results in a net reduction of access points on the corridor, or where the proposal moves toward conformance with the standard.³⁸

Currently most driveways are more closely spaced than the ODOT standard of 1,320 feet. Many driveways are spaced less than 100 feet apart. Therefore, most new development, changes of use, or redevelopment on the corridor will likely be required to seek a deviation from access spacing standards and may be required to provide access on a side street or via a joint use driveway and a cross-access easement. In order to supersede ODOT's standards for granting a deviation, the County would need to adopt more stringent conditions under which a deviation from access spacing standards is permitted. This project should consider if more stringent standards are a high priority for the corridor and, if so, coordinate with ODOT to develop these standards.³⁹

Street Connectivity

A recommendation of the *Highway 395 North Economic Development/Planning Study* was to develop an internal street network throughout the study area. Parallel streets to Highway 395 are limited in length currently, and many local service streets are unpaved and not constructed to County standards (see Figure 1). This internal network is essential to creating an efficient, safe, and convenient transportation system to serve existing and future development in the area.

The Umatilla County Development Code does not establish any standards for street connectivity. Section 152.018 is titled "Access Management and Street Connectivity," but the section only addresses access management standards. Street connectivity standards ensure that developments

³⁷ Section 152.018(F)(5) and (6)

³⁸ OAR 734-051-3050

³⁹ Pursuant to 734-051-1040, local access management standards may supersede ODOT's standards if they are deemed to be more stringent than ODOT standards. The County's current code provisions are generally consistent with ODOT standards. If access control is a high priority for the segment of Highway 395 in the study area, the City may consider adopting more stringent standards than ODOT currently requires.

do not preclude the creation or extension of streets where they are needed to ensure an acceptable level of street connectivity in the area. The standards typically address:

- **Maximum block size/street spacing standards.** This standard defines the maximum distance between streets in a zone. Within the study area, the spacing standard is expected to be different for east-west streets that connect to Highway 395 than for north-south streets that connect to County roadways.
- **Limitation on cul-de-sacs and accessway requirements.** These standards limit the circumstances under which a cul-de-sac may be proposed in order to ensure the ability to extend streets in the future. Where cul-de-sacs must be provided, the standard requires that a pedestrian/bicycle accessway (multi-use path) be provided through the end of the cul-de-sac to connect to any streets, parks, or public pathways.
- **Future street plan and connectivity requirement.** These standards require submittal of a future street plan where a development abuts developable land. Additionally, the requirement establishes that street stubs shall be constructed to provide for future extension of the street.

A key consideration regarding street connectivity requirements is the possibility of establishing a maximum block size/spacing standard. Issues to consider include the minimum and average size of development sites in both the LI and RSZ zone, the spacing standard that is applicable to Highway 395, and the desired level of street connectivity to achieve multi-modal objectives throughout the study area.



HIGHWAY 395 NORTH TGM CODE ASSISTANCE PROJECT

MEMORANDUM

Community Meeting #1 Summary

Umatilla County U.S. Highway 395 North Zoning Code

DATE 8/23/18
TO Project Management Team
FROM Emma Porricolo and Darci Rudzinski, APG
CC

The first community meeting for the Highway 395 North TGM Code Assistance Project was held on Tuesday, August 21, 2018, from 5:00 PM to 7:00 PM at the Stafford Hansell Government Center in Hermiston, Oregon. There were 21 attendees, including project staff, representing a range of stakeholders. The meeting was an open house with informational and interactive posters throughout the room and included a brief thirty-minute presentation providing background on the project from Darci Rudzinski of APG.

The interactive posters were used to receive feedback on building and site design standards, access and circulation, and uses along the corridor. The first exercise was a map of the study area which allowed for location-specific comments. Several topics were mentioned in the exercise, most noted specific locations for topics discussed on other posters. Further, there was an exercise which requested comments on what uses should be allowed or prohibited in the two zones along the corridor. There were no responses to that exercise.

Participants were encouraged to provide feedback on their priorities for building and site design standards through a dot exercise. The most popular responses for building design elements was façade articulation, for site design elements it was lighting and screening. The exercises also asked, “for new buildings and significant renovations, should the County provide guidelines regarding preferred design elements or require specific design features as a condition of approval of land use applications?” All respondents said they preferred guidelines, rather than requirements, for implementation of site and building design standards. Through discussions several attendees agreed improvements to the safety and visual appeal of the corridor are needed but opposed strict regulations of site and building design standards to reach those goals. One attendee suggested incorporating a building and site design scoring matrix in the code as an approach to regulation,

referencing the Architectural Features Design Matrix in Dundee's Development Code (Table 17.202.060).¹

Additionally, there was a dot exercise to prioritize access and circulation elements. The most popular improvements chosen were sidewalks and access management. The exercise sparked a discussion in which several attendees expressed safety concerns including, but not limited to, the number of conflict points along the corridor, travel speeds on the highway, and lack of street lighting. A common suggestion for safety improvements was improving and increasing the roads and access to back roads to alleviate the safety concerns previously listed. Some roads mentioned were Sagebrush Road, Bensel Road, Bagget Lane, and 4th Street.

¹ The Architectural Features Design Matrix was developed for the City of Dundee to encourage pedestrian-oriented building and site design features and sustainable design without being overly prescriptive about the details and allowing for flexibility and creativity on each site. This approach is not intended to impose a design theme and it also provides flexibility to use different features to achieve a minimum number of overall points.



HIGHWAY 395 NORTH TGM CODE ASSISTANCE PROJECT

MEMORANDUM

Community Meeting #2 Summary

Umatilla County U.S. Highway 395 North Zoning Code

DATE April 17, 2019
TO Project Management Team
FROM Emma Porricolo and Darci Rudzinski, APG
CC

The second community meeting for the Highway 395 North TGM Code Assistance Project was held on Wednesday, April 3, 2019 from 5:30 PM to 7:00 PM at the Stafford Hansell Government Center in Hermiston, Oregon. There were 17 attendees, including project staff, representing a range of stakeholders. The meeting was structured as an informational presentation with questions prompting discussions throughout the presentation, and time for attendees to complete the survey.

Darci Rudzinski (Angelo Planning Group) lead the meeting, she began the meeting by introducing the project team and requested all attendees introduce themselves and their affiliation to the project area. She informed the group of the agenda for the meeting, a presentation during which attendees could interject with questions at any point. She asked that afterwards they complete a survey. The presentation began with an overview of the project's objectives and tasks. Darci then went into detail on a few key topics, providing background information, the objective of each proposed code amendment, and a summary of the proposed code amendments. The topics covered were the following: use regulations, landscaping, building setbacks, lighting, drive-throughs, signage, design points system, and active transportation. The group discussions on each of the topics are summarized below.

1. Use Regulations
 - No comments
2. Landscaping
 - Requirement of 15% of the lot must be landscaped seems like a lot.
 - What if there is a large site and location? Response: Standards are intended to be proportional to lot size, also sites along the corridor are typically smaller lots (~1 acre).
 - Is some of the landscaping required to be at the front of the lot?

- Response: Only requirements for front lot landscaping is 50% of required trees must be within 30 feet of right-of-way.
 - Concern about required trees blocking signage for businesses.
 - Response: Bob Waldher (County) addressed how a one-acre site would only require 4 trees; there could be two trees in front right next to each other. Darci noted that, depending on placement, the trees would likely not cover much of a building's façade.
3. Building Setbacks
- Did the PMT consider septic tanks for building location?
 - Response: Was not a consideration.
 - Corridor is on septic tanks, thinks it should be a consideration. Response: This project is looking into the future (approximately 20 years), the intent is to urbanize the corridor and hopefully have urban services.
 - The Hermiston UGB hasn't moved in that direction since the '80s, impacts the likelihood of urban services to be extended.
4. Dealerships
- Kari Christiansen stated she was opposed as an auto dealership owner. She needs to have inventory out front for business, 20 feet is not enough to fit one of their cars. Stated that the suggested standards feel very restrictive. Could create uncomfortable situations for outdoor sales because it would be too loud and customers don't want to be standing so close to the highway.
 - Another attendee thinks the standard is doable but not desirable.
 - Existing dealerships would not have to comply with the standards, but they could be limiting to future expansion.
 - Could also be an issue for sales of farm equipment, which would not fit in front area.
 - Tamra Mabbott said she thinks the Sherrell Chevrolet does a good job with their frontage, the cars are well integrated into the landscaping. She also expressed that setbacks should not be a method to prohibit used car dealerships that are undesirable in their current state.
 - The proposed regulations are penalizing businesses that are doing well and enhancing the corridor.
 - Suggestion to require different setbacks based on the use type – equipment, cars should be more flexible in the standard.
 - Response: The PMT has discussed exemptions for certain uses (e.g. dealerships).
 - Don't think having building so close to the highway is the good thing – too close for amount of traffic, speed, noise. The design is too urban for the corridor.
 - What if property is deep (spans far back from Hwy 395)? What if a property owner wants to utilize all the land?

- Response: If one building meets the standard, others would not be required to meet the setback.
 - Many community members were concerned about the safety hazard of the setback, they were afraid of cars driving into buildings.
 - Could use other traffic calming methods rather than setbacks.
5. Lighting
- Why limit the pole height to 20 feet?
 - Response: To reduce spillover onto other properties.
6. Drive-throughs
- Economic development committee didn't want to restrict drive-throughs.
 - Confused about the limitation on corner orientation
 - Response: Laura Buhl clarified that the code intends to prohibit the drive-through portion of the building to face the corner.
7. Signage
- What are the current regulations? Would they go away with the proposed provisions?
 - Response: There are existing signage regulations, which would be modified with the proposal.
8. Design Points System
- No comments; attendees urged to take the survey and rank their support for each design element.
9. Active Transportation
- Accommodating multi-use path with setbacks proposed would be difficult to build.
 - Want setback to provide room for the path.

Following a review of the key topics, Darci provided a brief overview of the next steps for the project. Last, Darci requested attendees complete the paper surveys before departing and suggested they take some extras to share with friends, neighbors, etc. She also reminded the group that the survey is available online through the project website.

Attendees were invited to stay for the Planning Commission Work Session held immediately after the community meeting.