



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, OR 97301-2540

(503) 373-0050

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AMENDED NOTICE OF ADOPTED AMENDMENT

September 20, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Gladstone Plan Amendment
DLCD File Number 002-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 3, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Linda Preisz, City of Gladstone

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FORM 2

DLCD NOTICE OF ADOPTION

DEPT OF

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18

SEP 13 2007

(See reverse side for submittal requirements)

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Gladstone Local File No.: TXT-06-01
(If no number, use none)

Date of Adoption: September 11, 2007 Date Mailed: September 12, 2007
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: July 12, 2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write See Attached.
Amendment to Design Review standards to essentially prohibit metal sided
buildings (or the appearance of them) in commercial and industrial districts.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write Same. If you did not give notice for the proposed amendment, write N/A.

SAME

Plan Map Changed from : N/A to _____

Zone Map Changed from: N/A to _____

Location: N/A Acres Involved: _____

Specify Density: Previous: N/A New: _____

Applicable Statewide Planning Goals: 2, 9

Was an Exception Adopted? Yes: _____ No: X

DLCD File No.: 002-06(15374)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: none

Local Contact: Linda Preisz Area Code + Phone Number: (503) 353-4528
Clackamas County DTD
Address: 9101 SE Sunnybrook Blvd. City: Clackamas
Zip Code+4: 97015 Email Address: lindap@co.clackamas.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:
**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your

ORDINANCE 1395

AN ORDINANCE AMENDING CHAPTERS 17.44, BUILDING SITING AND DESIGN, AND 17.80, DESIGN REVIEW, OF THE GLADSTONE MUNICIPAL CODE PERTAINING TO LIMITATIONS ON USE OF METAL SIDING BUILDING MATERIALS AND REAFFIRMING ALL REMAINING PROVISIONS OF TITLE 17 OF THE GLADSTONE MUNICIPAL CODE.

The City of Gladstone does ordain as follows:

Section 1. In the Gladstone Municipal Code Section 17.44.020 is amended to read:

17.44.020 General standards.

Building siting and design standards are as follows:

(1) Siting. Where there are no conflicts with other design standards or requirements in this Title, site buildings to maximize solar access where practical, using such techniques as:

- (a) Maximizing east-west street length so that principal building facades will face south;
- (b) Orienting buildings within twenty degrees of true south as well as maximizing their south-facing dimension;
- (c) Placing higher buildings on the north portion of the site, while protecting solar access for adjacent sites;
- (d) Placing major yard spaces on south side of buildings.

(2) Energy Efficient Design. Where there are no conflicts with other design standards or requirements in this Title, design buildings that are conducive to energy efficiency and conservation, using techniques including, but not limited to, those listed below which are most appropriate to the development:

(a) Concentrate window areas on the south side (within twenty degrees of true south) of buildings where there is good southern exposure, and provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains;

(b) Use architectural features, shapes or buildings, fences, natural landforms, berms and vegetation to catch and direct summer breezes for natural cooling and minimize effects of winter winds;

(c) Provide skylights or clerestory windows to provide natural lighting and/or solar heating of interior spaces.

(3) Compatibility. Arrange structures and use areas to be compatible with adjacent developments and surrounding land uses, considering the following design and siting techniques:

(a) Locate and design structures to protect scenic views or vistas from adjacent properties and public thoroughfares. Setbacks, building height and bulk should be considered;

(b) Design structures to provide visual order and avoid monotony in layout and design;

(c) Orient major service activity areas (e.g., loading and delivery areas) of the proposed project away from existing residences;

(d) Provide opaque enclosures and gates for all refuse storage areas;

(e) Screen mechanical equipment, except solar collection apparatus, from view or place such equipment in locations where it will not be viewed by the public. Screening shall be accomplished by the use of a sight-obscuring fence or hedge, a landscaped earth berm, building placement or other design techniques;

(f) Buffering and/or screening shall be used to mitigate adverse visual impacts, dust, noise and pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration will be given to the buffering, screening and siting of commercial and industrial uses to ensure that noise and odors are not detectable to normal sensory perception on adjacent residential properties. All development shall comply with GMC Chapter 8.12 (noise control).

(4) Building Materials. Buildings shall be constructed using high-image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood or stucco. Buildings shall not be constructed with metal siding material, except as approved by the design review committee for specific high-image materials, except for:

(a) Canopies, awnings, screening for roof-mounted fixtures, or other architectural features;

(b) Utility equipment cabinets;

(c) Structures no greater than two hundred (200) square feet in floor area and ten (10) feet in height;

and

(d) Buildings, or the portions of buildings, that are not visible from a road or adjacent property.

(4)(5) Lighting. Adequate exterior lighting shall be provided to protect public safety and shall be deflected so as not to shine on a lot in a residential district.

(5)(6) On-site Lighting. All on-site lighting shall be designed, located, shielded, or deflected so as not to shine into off-site structures or impair the vision of the driver of any vehicle. When required, engineered site lighting plans shall be developed consistent with Illuminating Engineering Standards (IES) including, but not limited to, average maintained illumination and maximum to minimum ratios. A master plan for on-site lighting shall include the design, height, and location of all proposed exterior lights, including:

- (a) Parking and loading area lighting;
- (b) Pedestrian walkway lighting;
- (c) Internal access road lighting;
- (d) Lighting of public entrances into buildings;
- (e) Flood lights illuminating buildings or significant natural features .

(6)(7) Equipment and Facilities. All utility lines shall be placed underground. All roof-mounted fixtures and utility cabinets or similar equipment which must be installed above ground shall be visually screened from public view.

(7)(8) Trash Disposal and Recycling Collection. In addition to the preceding standards, new construction requiring full site plan review shall incorporate functional and adequate space for on-site storage and efficient collection of mixed solid waste and source separated recyclables prior to pick-up and removal by haulers.

(a) Minimum storage area for trash and recyclables shall be established by one of the following methods: minimum standards method or franchise hauler review method.

(A) Franchise Hauler Review Method. The applicant shall submit plans for storage and collection of solid waste and recyclables that are acceptable to the city's franchise solid waste hauler; acceptance may be indicated on the site plan and/or by separate attachment; or

(B) Minimum Standards Method. The applicant shall submit plans for storage of solid waste and recyclables in accordance with the following:

(i) Multi-family complexes containing ten (10) or fewer dwelling units shall provide a minimum fifty (50) square feet; developments containing more than ten (10) residential units shall provide an additional five (5) square feet per dwelling unit above ten (10).

(ii) Non-residential developments shall provide a minimum storage area of ten (10) square feet plus:

- (aa) office - 4 square feet /1,000 square feet gross floor area (GFA)
- (bb) retail - 10 square feet /1,000 square feet GFA
- (cc) wholesale/warehouse/manufacturing - 6 square feet /1,000 square feet GFA
- (dd) educational & institutional - 4 square feet / 1,000 square feet GFA
- (ee) Other - 4 square feet /1,000 square feet GFA

(C) The storage area requirement is based on the predominate use of the building, as described above in subparagraph (a)(B)(ii) of this subsection. If a building has more than one use and that use occupies twenty percent (20%) or less of the floor area of the building, the floor area occupied by that use shall be counted toward the floor area of the predominate use. If a building has more than one of the uses listed in subparagraph (a)(B)(ii) of this subsection, and that use occupies more than twenty percent (20%) of the floor area of the building, then the storage area requirement for the whole building shall be the sum of the requirement for the area of each use.

(D) The specific requirements shall meet the Uniform Fire Code and are based on an assumed storage height of four feet (4') for solid waste/recyclables. Vertical storage higher than four feet (4') but not higher than seven feet (7') may be used to accommodate the same volume of storage in a reduced floor space.

Section 2. In the Gladstone Municipal Code Section 17.80.061 is amended to read:

17.80.061 Submittal requirements.

(1) An application for design review shall include a minimum of twelve (12) copies of the following plans drawn to scale. A project summary shall accompany the application when necessary to describe special circumstances such as a request for a minor exception pursuant to GMC Section 17.80.090 (minor exceptions).

(a) Vicinity Map: The vicinity map shall show the location of the subject property relative to well-known landmarks in all directions and shall be at least four inches (4") by four inches (4") in size.

(b) Site Plan: The site plan shall include the following:

(A) The applicant's entire property and the surrounding area to a distance sufficient to determine the relationship between the applicant's property and proposed development and adjacent property and development;

(B) Lot lines, dimensions and area of the subject property;

(C) Complete names, addresses and telephone numbers of the property owner, applicant and project designer;

(D) Natural features including, but not limited to, individual trees greater than six inches (6") in diameter at five feet (5') above the ground (identify the species), wooded areas, wildlife habitat areas, streams and stream corridors, marsh and wetland areas, underground springs, surface features such as earth mounds and large rock outcroppings, significant views, natural drainage on the subject property and adjacent properties, areas of special flood hazard and potential geologic hazards such as areas of mass movement and soil hazards. Identify proposed alterations to natural features;

(E) Location, dimensions and names of all proposed rights-of-way and all existing rights-of-way within or adjacent to the subject property. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;

(F) Location and dimensions of existing and proposed easements, to which property they are conveyed and for what purposes(s). Include easements on the subject property and off-site easements conveyed to the subject property;

(G) Identification of existing uses of the subject property, including the location and exterior dimensions of existing structures. Identify whether existing structures will remain on the property or be removed;

(H) Location of proposed and existing utilities on the subject property and the location of adjacent off-site utilities to which on-site utilities will connect. Include water, sanitary sewer, storm drainage, gas, electric (including power poles) and other utilities;

(I) Location and exterior dimensions of all proposed structures;

(J) Relation of the subject property to nearby transit stops;

(K) Location and dimensions of individual parking spaces, parking lot access aisles, driveways and pedestrian and bicycle circulation;

(L) Lighting (include type);

(M) Service areas for trash disposal, recycling, loading and delivery and bicycle parking;

(N) Location of potential noise sources in the proposed development;

(O) Information about significant climatic variables including, but not limited to, solar potential, wind direction and wind velocity.

(c) Grading Plan: The preliminary grading plan shall indicate where and to what extent grading will occur and shall include approximate proposed contour lines, slope ratios, slope stabilization proposals and natural resources protection proposals. Existing contour lines shall also be shown. Proposed and existing contour lines shall be shown at maximum intervals of two feet (2') for slopes less than ten percent (10%), five feet (5') for slopes between ten (10) and twenty percent (20%) and ten feet (10') for slopes exceeding twenty percent (20%). A slope analysis shall be provided showing portions of the site according to the following slope ranges: less than ten percent (10%), ten (10) to less than twenty percent (20%), twenty (20) to less than thirty-five percent (35%), thirty five percent (35%) to less than fifty percent (50%) and fifty percent (50%) or greater. Approximate area calculations shall be provided for each of these slope ranges.

(d) Architectural Drawings:

(A) Building elevations and sections;

(B) Building materials, including color and type;

(C) Sufficient architectural details pertaining to exterior building materials, including samples and views from roads and other properties, as determined by the City Administrator or designee, to assure compliance with 17.44.020(4);

(C)(D) Floor plans.

(e) Landscape Plan: The landscape plan shall be at the same scale as the site plan and shall include:

(A) Lot lines and adjacent rights-of-way;

(B) Proposed structures and existing structures to remain;

(C) Parking and loading areas and driveways;

(D) Locations of proposed plants and existing plants to remain, keyed to a legend identifying botanical

names, common names, sizes at planting and numbers;

(E) Description of soil conditions and plans for soil treatment such as stockpiling of topsoil. Include plant selection requirements relating to soil conditions;

(F) Erosion controls, including plant materials and soil stabilization, if any;

(G) Irrigation systems;

(H) Landscape-related structures such as fences, terraces, decks, patios, shelters, play areas, etc.;

(I) Boundaries of open space, recreation or reserved areas to remain, access to open space and any alterations proposed;

(J) Locations of pedestrian and bikeway circulation within landscaped areas;

(K) Method of planting and maintenance.

(f) Signs:

(A) Freestanding signs:

(i) Location on-site plan;

(ii) Elevation drawing (indicate size, total height, height between bottom of sign and ground, color, materials and means of illumination).

(B) On-building signs:

(i) Building elevation with location of sign (indicate size, color, materials and means of illumination);

(ii) Site plan showing location of on-building sign in relation to adjoining property.

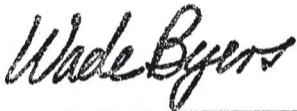
(2) A transportation impact analysis shall be submitted if deemed necessary by the City Administrator or designee to assess the impacts of the proposed development.

(3) The City Administrator or designee may waive any submittal requirements of this chapter if they are deemed not necessary or not applicable due to the scale or nature of the development proposal.

Section 3. All remaining provisions of Title 17 of the Gladstone Municipal Code are reaffirmed in their entirety.

THIS ORDINANCE ADOPTED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS

11 DAY OF September, 2007.



Mayor

ATTEST:



City Recorder