

ORDINANCE No. 2022-2898



AN ORDINANCE TO DECLARE A LOCAL STATE OF EMERGENCY AS A RESULT OF DESTRUCTIVE FIRES AT 305 N SPRINGBROOK ROAD, AND TO SUSPEND APPLICATION OF THE LOCAL DEVELOPMENT CODE AT 1150 N SPRINGBROOK ROAD (FORMER RITE AID BUILDING)

Recitals:

1. **WHEREAS**, DCI International, LLC (“DCI”) is a dental manufacturing company and is one of the largest employers in the City of Newberg.
2. **WHEREAS**, on Sunday, April 10, 2022, DCI’s 33,000 square foot parts assembly building located at 305 N Springbrook Road (the “Facility”) was destroyed by fire.
3. **WHEREAS**, the fire damaged the Facility beyond repair and construction of a new facility is estimated to require three years to complete.
4. **WHEREAS**, destruction of the Facility resulted in the displacement of approximately 80 production workers.
5. **WHEREAS**, part assembly activities at the Facility supported other DCI operations performed by over 500 employees down the supply chain that is currently delayed or suspended.
6. **WHEREAS**, DCI has an immediate need to resume the work disrupted by the fire at the Facility.
7. **WHEREAS**, DCI has been a critical employer and economic contributor in the City of Newberg for over 35 years and the loss of their contributions would cause substantial damage to Newberg’s economic wellbeing.
8. **WHEREAS**, real property located at 1150 N Springbrook Road (the “Temporary Location”) has been identified as a location DCI could use temporarily to resume parts assembly operations, but the Temporary Location is zoned for commercial use (C-2) under the Newberg Municipal Code.
9. **WHEREAS**, ORS 401.309 authorizes City Council, as the governing body for the City of Newberg, to declare emergencies and carry out activities that allow the City to minimize, respond to, or recover from emergencies.
10. **WHEREAS**, the City Council desires to exercise its powers to support the welfare of the City.

The City of Newberg Ordains as Follows:

1. **Declaration of Emergency.** A state of emergency is declared by the Newberg City Council, effective on this 21st day of April, 2022.

2. **Suspension of Local Zoning Laws.** Subject to Section 3 of this Ordinance, the Council hereby suspends application of all provisions concerning use under Title 15 of the Newberg Municipal Code (the “Development Code”) to the Temporary Location (Exhibit “A”). No City official, department, or employee shall (a) require the Temporary Location to conform with the Development Code or (b) enforce provisions of the Development Code against the Temporary Location.

3. **Exclusions to Suspension.** Newberg Municipal Code Chapters 15.100 (Land Use Process and Procedures), 15.220.020(A) (Site Design Review Applicability), 15.220.030(B)(1) through 15.220.030(B)(12) (Site Design Review Requirements), 15.220.050 (B)(1) through 15.220.050(B)(10) (Criteria for Design Review), 15.230 (Property Consolidations), 15.235 (Land Divisions), 15.435 (Signs) are not subject to the suspension established under Section 2 of this Ordinance. City officials, departments, and employees may comply with code provisions suspended under Section 2 to the extent required to enforce Chapters 15.100, 15.220.030(B), 15.220.050(B), 15.230, 15.235, and 15.435 of Newberg’s Municipal Code.


4. **Expiration.** This ordinance shall expire at 12:00 A.M Pacific Standard Time on April 21, 2025, unless extended or sooner terminated by the City Council.

5. **Emergency Clause.** The City Council of Newberg declares that an emergency exists to protect the welfare of the City and, therefore, this ordinance shall be in full force and effect immediately after its passage and adoption.

Effective Date of this ordinance is the day after the adoption date, which is: April 21, 2022.


Adopted by the City Council of Newberg, Oregon, this 21st day of April, 2022, by the following votes:

AYE: 6 NAY: 0 ABSTAIN: 1 [District 2 seat vacant]



Sue Ryan, City Recorder

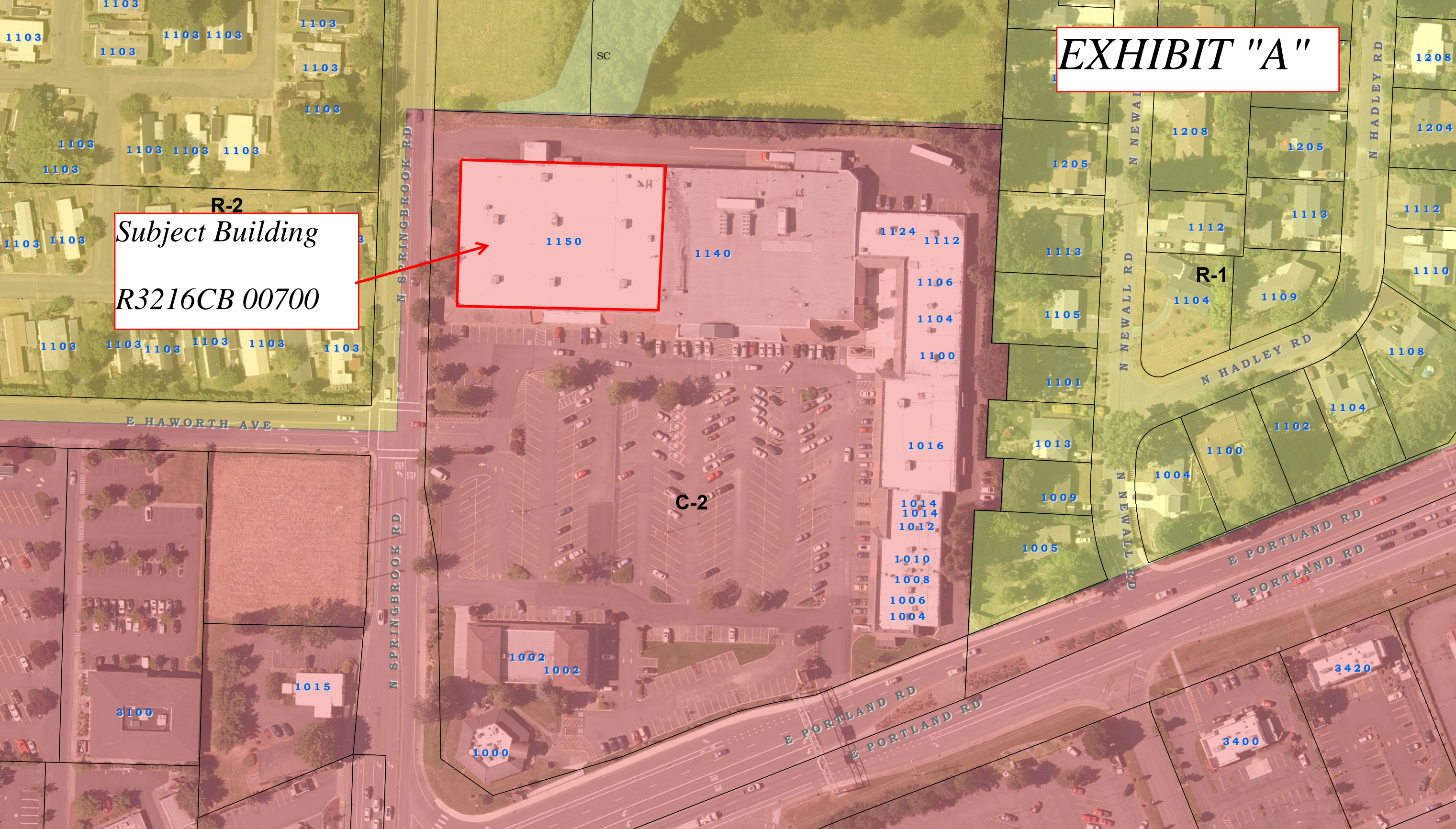
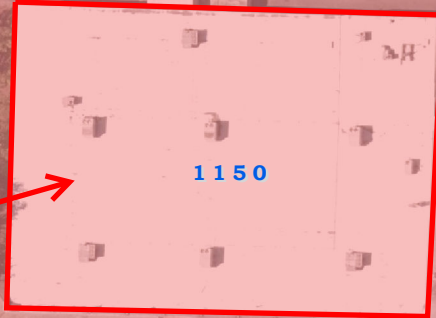
Attest by the Mayor this 22nd day of April, 2022.



Rick Rogers, Mayor

EXHIBIT "A"

Subject Building
R3216CB 00700



R-2

R-1

C-2

N SPRINGBROOK RD

E HAWORTH AVE

E PORTLAND RD

N NEWALL RD

N HADLEY RD

E PORTLAND RD

N HADLEY RD

1150

1140

1124

1112

1106

1104

1100

1016

1014

1014

1012

1010

1008

1006

1004

1002

1002

1000

1205

1208

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SC