

RESOLUTION NO. 2007-2701

A RESOLUTION INITIATING AN AMENDMENT TO THE NEWBERG DEVELOPMENT CODE ESTABLISHING DESIGN AND DEVELOPMENT STANDARDS FOR LARGE-SCALE RETAIL DEVELOPMENT

RECITALS:

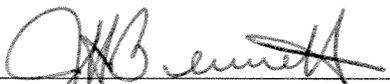
1. Large-scale retail development can have significant aesthetic and other impacts on the community.
2. The City Council would like to consider an amendment that establishes additional review processes for large-scale retail development.
3. The City Council would like to consider an amendment to enhance the existing architectural, site design, and buffering standards in regard to large-scale retail development.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

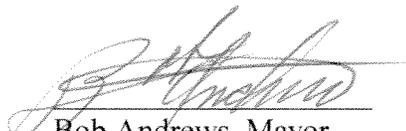
1. The City initiates an amendment to the Newberg Development Code that could potentially require specific architectural, site design, and buffering standards for large-scale retail development, and require conditional use review for these developments. The amendments shown in Exhibit "A" are a starting point for the amendments. Additional or different standards may be considered through the process.
2. By initiating this amendment, the Council does not commit to take any particular action on the amendment. It only wishes to consider potential amendments through a public hearing process.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: February 21, 2007.

ADOPTED by the City Council of the City of Newberg, Oregon, this 20th day of February, 2007.


James H. Bennett, City Recorder

ATTEST by the Mayor this 22nd day of February, 2007.


Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through _____ Committee at ____ / ____ /2007 meeting. Or, None.
(committee name) (date) (check if applicable)

Exhibit "A" to Resolution 2007-2701
Potential Development Code amendments

Section 1: Newberg Development Code § 151.196 (G) and (H) shall be amended as follows:

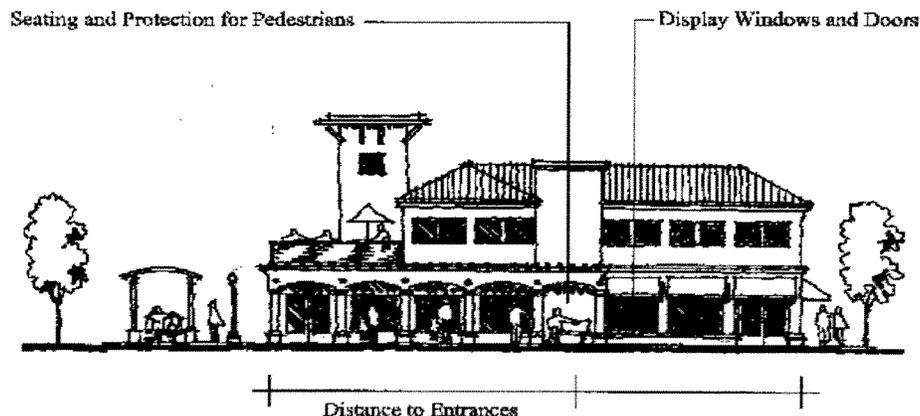
§ 151.196 ADDITIONAL REQUIREMENTS FOR DEVELOPMENT IN THE C-2 ZONING DISTRICT.

(G) *Windows.* On commercial building facades facing a public street, windows shall comprise a minimum of 40% of the ground floor facade. For a large-scale building and development meeting the standards under subsection (H) below, windows shall comprise a minimum of 20% of the ground floor facade.

(H) *Design of large-scale buildings and developments.* Commercial buildings and uses comprising more than 30,000 square feet of total ground-floor building space shall additionally conform to the standards below:

(1) ~~Incorporate changes in building direction (i.e., articulation), and divide large masses into varying heights and sizes. Such changes may include building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; terraces; a distinct pattern of divisions in surface materials; and use of windows, screening trees; small-scale lighting (e.g., wall-mounted lighting, or up-lighting); and similar features. Incorporate at least four of the following elements along each 100 feet of building frontage facing a street:~~

- (a) A building offset or projection of at least 6 feet depth and width.
- (b) An awning or roof sheltering a pedestrian walkway or seating area.
- (c) A change in material
- (d) Contrasting brick, stone, or natural wood trim.
- (e) Pitched roofs or gable-end roofs.
- (f) Curved arches or roof line features



- (g) A tower, spire, or cupola.

[Note: the example shown below is meant to illustrate these building design elements, and should not be interpreted as a required architectural style.]

(3) Every building elevation facing a street with a horizontal dimension of more than 100 feet, as measured from end-wall to end-wall, shall have a building entrance no more than 100 from another entrance or end-wall; except that buildings elevations that are unable to provide an entrance due to the internal function of the building space (e.g., mechanical equipment, areas where the public or employees are not received, etc.) may not be required to meet this standard. Pathways shall connect all entrances to the street right-of-way.

(4) The number of parking spaces shall not exceed 125 percent of the minimum number of spaces required. Parking spaces constructed of grass blocks, grasscrete, or similar material shall not be counted in this limit.

(5) A 20-foot wide landscaped buffer shall be provided between the development and any adjoining residential district. The buffer shall include a continuous 6-foot high sight-obscuring fence or wall, a continuous hedge and/or berm designed to achieve a height of 6-feet upon maturity, a row of trees not more than 35 feet off-center, and shrubs or groundcover.

(6) Outdoor storage areas, loading docks, and mechanical equipment areas shall be fenced or screened with landscaping between the area and public streets.

Section 2: Newberg Development Code § 151.356 Conditional Use review

§ 151.356 PERMITTED BUILDINGS AND USES.

(A) In the C-2 Community Commercial District, the following buildings and uses are permitted as hereinafter specifically provided.

(B) These buildings and uses are subject to the general provisions and exceptions set forth in this code:

(1) Accessory buildings and uses normal and incidental to the buildings and uses permitted in this section and § 151.357.

(2) Agricultural machinery sales and service.

(4) Ambulance services.

(5) Antique shops (less than 30,000 square feet gfa).

(6) Appliance sales and service (less than 30,000 square feet gfa).

(7) Art supplies (less than 30,000 square feet gfa).

(8) Artist studios.

(9) Athletic facilities.

(10) Auction sales, excluding livestock.

(11) Auditorium and theaters.

(12) Automobile parts and accessories stores.

- (13) Automobile sales, new and used.
- (14) Bakeries, retail.
- (15) Bakeries, wholesale.
- (16) Banks.
- (17) Barber and beauty shops.
- (18) Bars or night clubs, provided that only a liquor license of the type "Dispenser Class A" is applied for.
- (19) Bed and breakfast establishments.
- (20) Bicycle shops.
- (21) Blood banks.
- (22) Blueprinting.
- (23) Book stores (less than 30,000 square feet gfa).
- (24) Bowling alleys.
- (25) Building maintenance service.
- (26) Business offices, general.
- (27) Camera and supplies shops (less than 30,000 square feet gfa).
- (28) Car washes, coin operated or mechanical.
- (29) Catering services.
- (30) Chapels.
- (31) Christmas tree sales (outdoor sales) in accordance with this code.
- (32) Churches.
- (33) Clinics.
- (34) Clothing apparel shops (less than 30,000 square feet gfa).
- (35) Clubs, lodges and meeting halls.
- (36) Cocktail lounges.
- (37) Colleges, business or private.
- (38) Confectionery stores with fountains.

- (39) Curio shops (less than 30,000 square feet gfa).
- (40) Dairy products stores, retail only.
- (41) Dance halls.
- (42) Day nurseries.
- (43) Data processing centers.
- (44) Delicatessen stores.
- (45) Department stores (less than 30,000 square feet gfa).
- (46) Drapery stores (less than 30,000 square feet gfa).
- (47) Dress and millinery shops (less than 30,000 square feet gfa).
- (48) Driving ranges - private.
- (49) Dry cleaning establishments; coin operated, custom and self-service.

(50) Dwelling units, provided the units are above any use permitted in §§ 151.355, 151.356 and 151.357. There shall be no density limitation. Parking shall be provided in private parking areas or garages on the basis of one parking space for each dwelling unit.

- (51) Electrical and electronic supplies, retail.
- (52) Equipment sales (limited to self-propelled equipment, if not within an enclosed building).
- (53) Fireworks sales (outdoor sales) from June 24 to July 6.
- (54) Floor covering stores (less than 30,000 square feet gfa).
- (55) Florist shops (less than 30,000 square feet gfa).
- (56) Furniture stores (less than 30,000 square feet gfa).
- (57) Garden supplies (less than 30,000 square feet gfa).
- (58) Gift shops (less than 30,000 square feet gfa).

(59) Grocery stores, markets and supermarkets, including food products stores, retail (less than 30,000 square feet gfa).

(60) Group care homes provided they comply with the requirements listed under “Dwelling Units”, listed above in this section.

- (61) Hardware stores (less than 30,000 square feet gfa).
- (62) Health studios.

- (63) Hobby shops, including slot racing tracks (less than 30,000 square feet gfa).
- (64) Hospitals.
- (65) Hotels, motels, motor hotels or tourist courts.
- (66) Interior decorators studios.
- (67) Jewelry stores (less than 30,000 square feet gfa).
- (68) Laboratories, medical and dental.
- (69) Laundromats, hand laundries and self-service laundries.
- (70) Leather goods stores (less than 30,000 square feet gfa).
- (71) Liquor stores, package.
- (72) Lockers, cold storage, retail use only.
- (73) Locksmith shops.
- (74) Marine sales and service.
- (75) Miniature golf courses.
- (76) Mobile home sales and service.
- (77) Mortuaries.
- (78) Movie theaters.
- (79) Music or dancing schools.
- (80) Music stores (less than 30,000 square feet gfa).
- (81) Newspaper printing establishments.
- (82) Offices for the following:
 - (a) Accountants.
 - (b) Attorneys.
 - (c) Physicians, osteopaths, dentists, optometrists, opticians, chiropractors and others licensed by the state to practice the healing arts.
 - (d) Engineers, architects, landscape architects, surveyors and those engaged in the practice of drafting or graphics.
 - (e) General administration.

- (f) Insurance brokers.
 - (g) Lumber brokers.
 - (h) Real estate sales.
 - (i) Savings and loans.
 - (j) Stockbrokers.
 - (k) Telephone answering services.
- (83) Office supplies and equipment stores (less than 30,000 square feet gfa).
 - (84) Open space.
 - (85) Paint and wallpaper stores (less than 30,000 square feet gfa).
 - (86) Parking areas; public or private.
 - (87) Parking garages; public or private.
 - (88) Pet shops (less than 30,000 square feet gfa).
 - (89) Photographic film processing, photo-engraving, photocopying and photostating.
 - (90) Photographers studios.
 - (91) Planned unit developments.
 - (92) Pool and billiard halls.
 - (93) Post offices.
 - (94) Printing shops.
 - (95) Public and semi-public buildings.
 - (96) Radio and television broadcasting studios.
 - (97) Radio, television and record sales and service.
 - (98) Reducing salons.
 - (99) Repair garages.
 - (100) Research institutes (non-manufacturing).
 - (101) Restaurants; including drive-through windows.
 - (102) Retail building material sales, provided outside storage is visually screened (less than

30,000 square feet gfa).

(103) Schools; business or private.

(104) Secondhand stores (if conducted wholly within an enclosed building less than 30,000 square feet gfa).

(105) Service stations.

(106) Sewing machine sales and service.

(107) Shoe repair shops.

(108) Shoe stores.

(109) Skating rinks, indoor.

(110) Small animal hospitals and clinics.

(111) Sporting goods stores (less than 30,000 square feet gfa).

(112) Storage buildings (household goods only). Mini-storage.

(113) Surgical, medical and dental supplies and equipment stores.

(114) Tailor shops.

(115) Taverns.

(116) Telecommunication facility, including radio towers and transmitters which are incorporated into an existing structure or an existing utility pole, and which will not extend above the existing structure more than 18 feet.

(117) Telephone and telegraph exchanges.

(118) Theaters.

(119) Tobacco shops.

(120) Toy stores.

(121) Transit centers.

(122) Transportation facilities and improvements.

(123) Travel agencies.

(124) Upholstery; automobile and furniture.

(125) Variety shops (less than 30,000 square feet gfa).

(126) Any other building or uses determined to be similar to those listed in this section. Such

other uses shall not have any different or more detrimental effect upon the adjoining neighborhood area than the buildings and uses specifically listed in this section.

(Ord. 96-2451, passed 12-2-96; Am. Ord. 2000-2536, passed 11-6-00; Am. Ord. 2005-2619, passed 5-16-05)

§ 151.357 BUILDINGS AND USES PERMITTED CONDITIONALLY.

In addition to the buildings and uses permitted conditionally listed in § 151.211, the Planning Commission may grant a conditional use permit for any of the following buildings and uses in accordance with a Type III procedure:

- (A) Dwelling units. The permitted density shall be stated on the conditional use permit.
- (B) Fumigation chambers.
- (C) Group care facilities. The permitted density shall be stated on the conditional use permit.
- (D) Group care homes not meeting the requirements listed under permitted uses in § 151.356.
- (E) Nursing homes.
- (F) Recreational vehicle parks.

(G) Telecommunication facility, including radio towers and transmitters which are either freestanding or which are incorporated into an existing structure or an existing utility pole, and will extend above the existing structure more than 18 feet.

(H) Theaters, drive-in.

(I) Any use greater than or equal to 30,000 square feet gfa, that would be a permitted use under § 151.356 except for the floor area limitation in that section.

(J) Any other building or uses determined to be similar to those listed in this section. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood area than the buildings and uses specifically listed in this section.