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**DATE:** January 17, 2019  
**MEETING:** January 24, 2019  
**TO:** Donald Planning Commission  
**FROM:** Holly Byram, Contract City Planner, MWVCOG  
**RE:** **Work Session on the Downtown Mixed Use (DMU) Zone Change Project**

**DMU ZONE CHANGE PROJECT GOAL:**

The goal of the Downtown Mixed Use (DMU) Zone Change Project is to implement a new zone which was adopted by the Donald City Council in legislative amendments to the text of the Donald Development Ordinance (DDO) in September of 2018, by City Ordinance #172-2018 (planning file #LA 2018-01). In order to implement this new zone, the DMU zoning will need to be applied to properties on the Donald Zone Map through a City-initiated Zone Change process.

**JANUARY 24<sup>th</sup> PLANNING COMMISSION WORK SESSION GOAL:**

The goal of the January 24<sup>th</sup> work session is for the Donald Planning Commission to arrive at a general consensus on the preferred boundary of a new Downtown Mixed Use Zone district. Staff will then take the preferred boundary map to a Public Open House to gather feedback from local businesses and residents prior to public notices, public hearings, and eventual adoption.

**CITY HALL PROPERTY ZONE CHANGE & COMPREHENSIVE PLAN MAP AMENDMENT**

In addition to the DMU Zone Changes proposed with the City's application (file #ZC CPMA 2019-01), the City is also proposing to rezone the property upon which City Hall currently sits. The Donald City Hall currently occupies two lots which are zoned R7 – Single Family Residential. The appropriate zoning for the City Hall would be P – Public. To rezone the property from R7 zone to P zone will also require a Comprehensive Plan Map Amendment (CPMA) to change the underlying land use designation from Residential to Public. The State of Oregon uses a two-map system in which zoning is required to be consistent with the underlying land use designation.

**LAND USE PROCESS REQUIRED FOR THIS PROJECT:**

The DMU Zone Change project will be conducted through simultaneous City-initiated applications for a Zone Change and a Comprehensive Plan Map Amendment (file #ZC CPMA 2019-01). The City of Donald is the applicant. The Donald Development Ordinance (DDO) states that a Zone Change involving more than five (5) different property ownerships should be processed as a Type IV Action. A CPMA is also a Type IV action. Type IV actions must be initiated by a vote of either the Planning Commission or the City Council. The Donald City Council initiated this project when it voted to authorize the City Manager to proceed with the project on September 11, 2018. Type IV actions require public hearings before both the Planning Commission and City Council. The role of the Planning Commission will be to make a recommendation to the City Council for final decision. There are a number of specific public noticing steps that need

to be followed, including a notice to the Oregon Department of Land Conservation and Development (DLCD), a notice to impacted property owners, a courtesy notice to nearby property owners, a published newspaper notice, etc.

**PROJECT TIMELINE:**

These dates are subject to change with additional work sessions or public hearings continued from the noticed dates.

- Thursday, January 24 – Planning Commission work session
- Monday, February 4 – Public Open House to answer questions and receive feedback
- Thursday, February 21 – First public hearing before the Planning Commission
- Tuesday, March 12 – Final public hearing before the City Council
- Tuesday, March 12 – First reading of the enacting ordinance
- Tuesday, April 9 – Second reading and adoption of the ordinance
- 21-day appeal period to LUBA following mailed notice of the decision
- 30-day delay in ordinance effective date

**ABOUT THE DMU BOUNDARY MAP PROVIDED:**

Staff has attached a map depicting a proposed DMU zone boundary for the January 24<sup>th</sup> Planning Commission Work Session. The boundary proposed on this map originated from work sessions in 2018 during the City's Code Amendment project under the guidance of a consultant hired through the Oregon Department of Land Conservation and Development (DLCD) Transportation and Growth Management (TGM) Code Assistance Grant Program. The original map was produced by DLCD for discussion purposes, and was further refined by the MWVCOG with Donald City Manager review prior to the Planning Commission Work Session. Please note that the boundary provided on this map is subject to change during the Planning Commission Work Session and subsequent Public Open House, prior to the formal public hearings on this file.

**EXHIBITS TO THIS MEMO:**


- A** – Color Zone Map: Proposed DMU Zone Boundary
- B** – Before & After Zone Maps for quick reference
- C** – Aerial Image with DMU boundary for reference
- D** – Comparison table of Commercial Zone vs. Downtown Mixed-Use Zone


# Proposed Downtown Mixed Use Zone City of Donald


EXHIBIT A


**Legend**


**Name**


 City Hall


 Fire Hall

 Park


 Railroads


 Urban Growth Boundary


 City Limits


 Private Roads


**Zoning Designations**


 Proposed DMU Zone


 R7 (Single-Family Residential)

 RM (Multi-Family Residential)

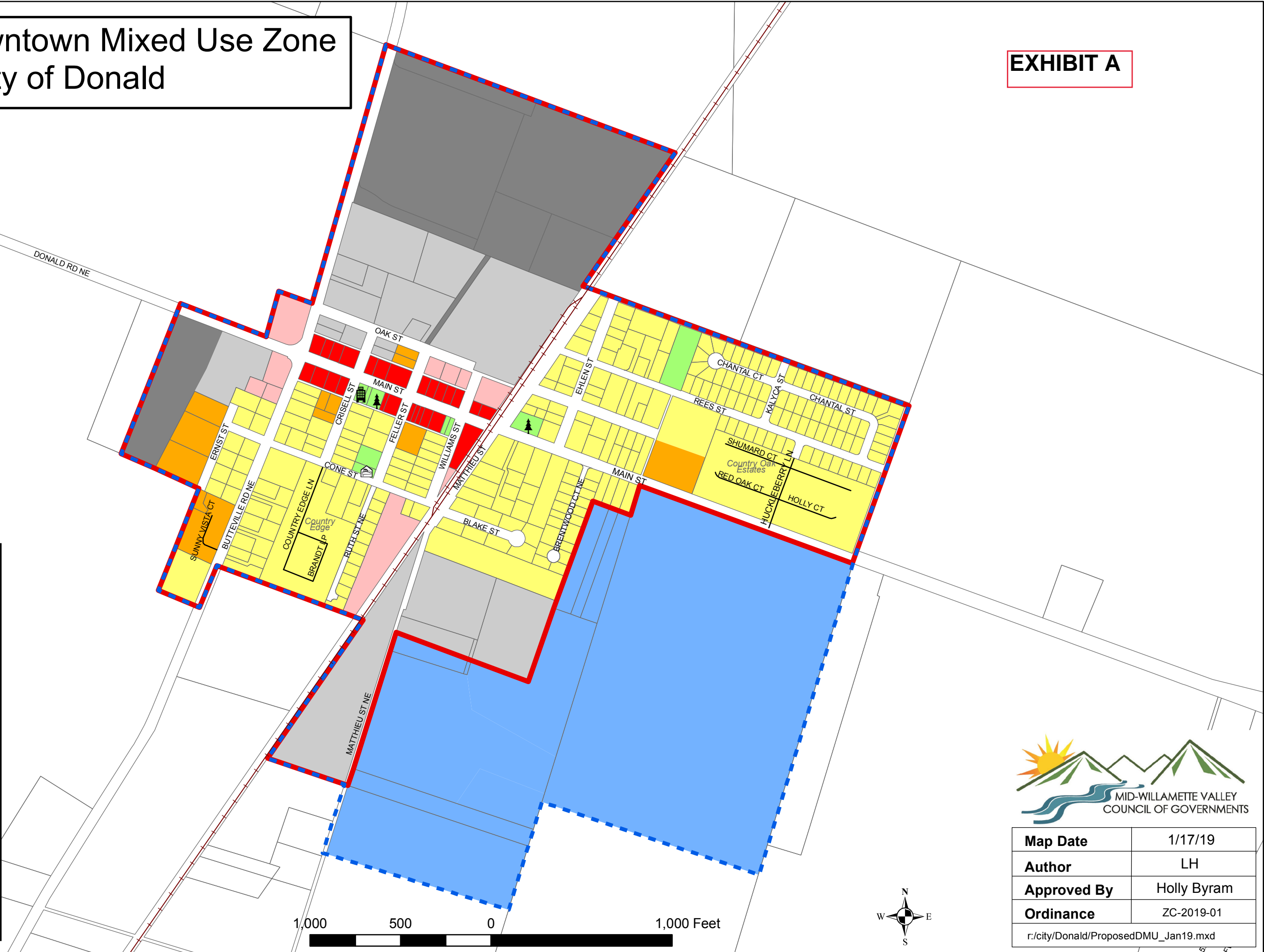
 C (Commercial)

 I (Industrial)

 EI (Employment Industrial)

 P (Public)

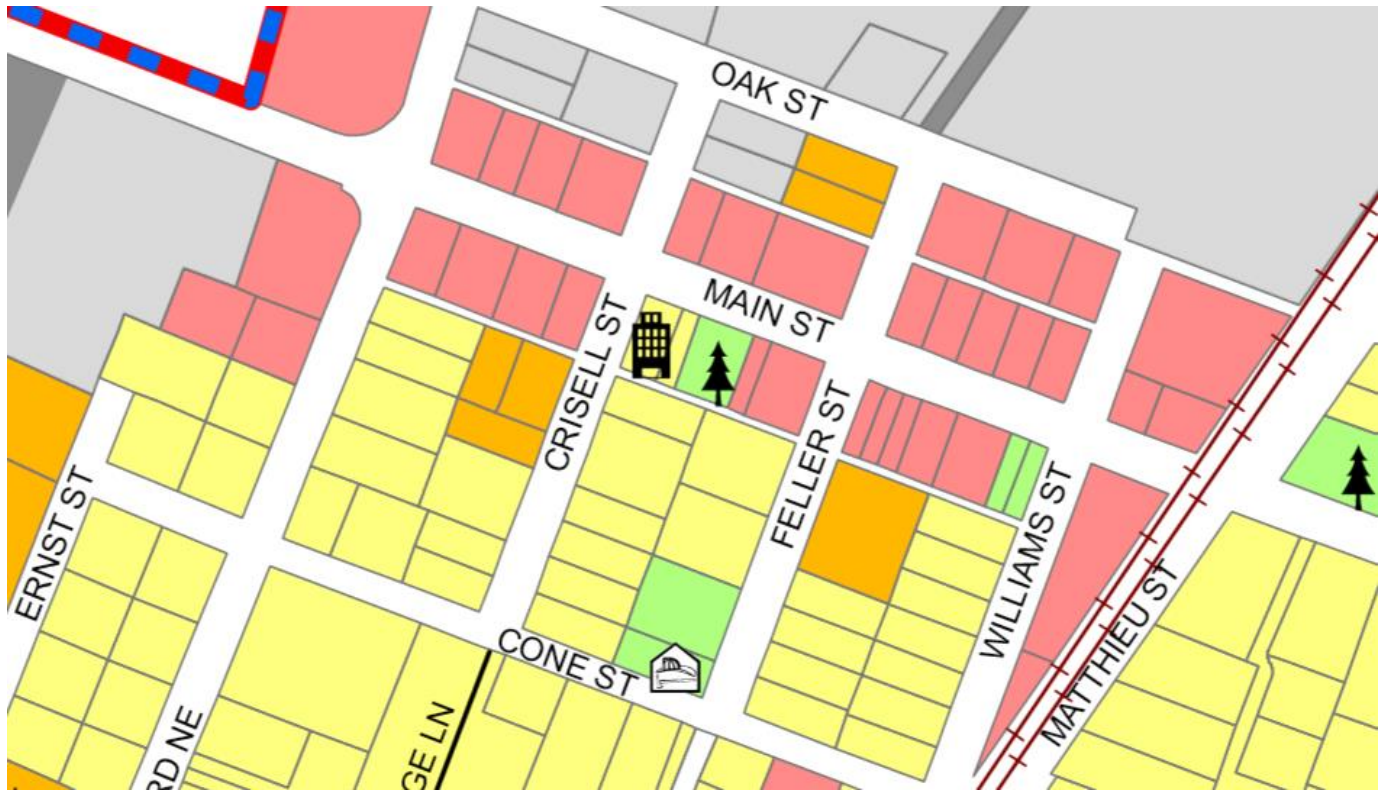
 UT-20 (Urban Transition- 20 Acre)



Map Date	1/17/19
Author	LH
Approved By	Holly Byram
Ordinance	ZC-2019-01
r:/city/Donald/ProposedDMU_Jan19.mxd	

## EXHIBIT B: BEFORE & AFTER MAPS FOR QUICK REFERENCE

CURRENT DOWNTOWN ZONING BEFORE THE PROPOSED ZONE CHANGES:



DOWNTOWN ZONING AFTER THE PROPOSED ZONE CHANGES:





EXHIBIT C: AERIAL IMAGE OF DOWNTOWN DONALD WITH PROPOSED DMU OUTLINE FOR REFERENCE. SOURCE: GOOGLE MAPS, JANUARY 2019



**EXHIBIT D****SIDE-BY-SIDE COMPARISON OF COMMERCIAL  
ZONE VS. DOWNTOWN MIXED USE ZONE,  
LAND USES & DIMENSIONAL STANDARDS****Uses Key****P = Permitted outright****S = Special Permitted Use****CU = Conditional Use Permit required****N = Not permitted / listed**

<b>LAND USES</b>	<b>C ZONE COMMERCIAL ZONE (EXISTING)</b>	<b>DMU ZONE DOWNTOWN MIXED USE (PROPOSED)</b>
Residential on second or upper story	P	P
Residential on ground floor	P – behind the commercial portion of the building, provided the residence does not face the same street as the commercial portion of the building, and, the setbacks of the residential portion of the building is no less than the setbacks on the commercial portion.	S – behind a street-facing commercial use. Residential entrances shall not face the street. Shall not exceed 50 percent of the total ground floor gross square footage.
Home occupation	S	S
Child daycare center	N – not listed	CU
Non-profit member organizations, such as business associations, labor unions, political organizations or fraternal lodges	P	CU
Off-street parking: public & commercial	P – public N – commercial not listed	CU
Public and semi-public buildings, community services, municipal offices, libraries	P	P
Emergency services: police, fire, ambulance	P	CU
Parks and open space	P	CU
Religious institutions, places of worship	N	CU
Schools: pre-school, kindergarten	P	CU
Schools: college, vocational	N – not listed	CU
Hotels & motels	P	CU
Utility structures and facilities	P – public utility structures and buildings, such as pump stations, reservoirs, electric substations, and necessary right-of-way for public utilities.	P – when identified in an adopted City master plan  CU – when not identified in an adopted master plan
Amusement, entertainment, commercial recreation:	P – entertainment facilities.	P – fully enclosed in building CU – not fully enclosed in building
Commercial retail sales and services	P – including, but not limited to, food stores, pharmacy, furniture store, hobby or photography store, florist and garden supply including greenhouse, liquor store, hardware store, appliance or stereo equipment store, pet	P

	shop, sporting goods, department store, jewelry, gift, and other types retail activities.	
Retail and service related stores	P – TV and radio sales and service, bicycle shop, equipment rental or other similar activities where a service department is customarily a secondary activity to the retail use.	P
Service related businesses	P – barber shops, beauty shops, advertising agencies, laundry or dry cleaning, printing or photocopying, or other activities which provide a service to retail customers.	P
Eating and drinking establishments -	P – restaurants, drive-through and drive-ins, taverns, snack shops and other types of eating and drinking establishments.	P – without drive-through facilities
Drive-through and drive-ins	P	N
Food carts	S	S
Office uses	P – Professional offices P – Business offices including, but not limited to, insurance, real estate and title insurance; credit agencies, newspaper, periodical, publishing and printing offices, and, similar business offices.	P
Bank services, brokerages, loan companies, investment companies and other financial institutions.	P	P – office uses, including banks
Medical clinics (outpatient)	N – not listed	P
Marijuana dispensary or retail	S	S
Marijuana processing, wholesaling, or production.	N	N
Mortuary.	P	N
Automobile service station, including towing service and vehicle washing and polishing facilities, and services.	P	N
Automobile, truck, motorcycle, trailer, agricultural equipment, recreational vehicle and boat sales.	P	N
Part and accessory sales for automobiles, trucks, motorcycles, trailers, agricultural equipment, recreational vehicles and boats, including retail tire sales; but, specifically prohibiting junk yards, wrecking yards, or auto salvage and restoration yards.	P	N
Accessory structures and uses prescribed in Section 2.203 and subject to the provisions in Section 2.309.	S	N
Used Merchandise Store	S	N

<b>DIMENSIONAL STANDARDS &amp; OTHER</b>	<b>C ZONE COMMERCIAL ZONE (EXISTING)</b>	<b>DMU ZONE DOWNTOWN MIXED USE (PROPOSED)</b>
Lot size	Adequate to comply with setbacks & development stnds.	None
Maximum Building Height	45 feet	45 feet or 60 feet with height bonus: at least 75% of gross floor area of the upper story must be used for residential dwellings.
Minimum Yard Setbacks <ul style="list-style-type: none"> <li>• Front</li> </ul>	None, provided no building shall project beyond a line formed by the fronts of the existing buildings on the same side of the street within the same block.	0 feet
Minimum Yard Setbacks <ul style="list-style-type: none"> <li>• Side &amp; Rear</li> </ul>	None, provided the setback shall be no less than the minimum rear yard setback of the zone on the adjacent property.	0 feet, unless adjacent to residential. 10 feet setback when adjacent to residentially-zoned property or residential alley
Maximum Lot Coverage	None	None
Minimum Landscaping	None	None
Minimum Off-Street Parking Provided	None	Non-Residential Uses: None Residential Uses: Per DDO 2.303
Minimum Frontage Occupancy	None	75% of front lot line occupied by building (within between 0 - 10 feet of front property line).
Minimum Civic Space with pedestrian amenities (plaza, courtyard, benches, planter, etc)	None	3% gross area of lot
Building Design Standards	None	Yes. Apply to all new development and substantial redevelopment of existing bldgs.